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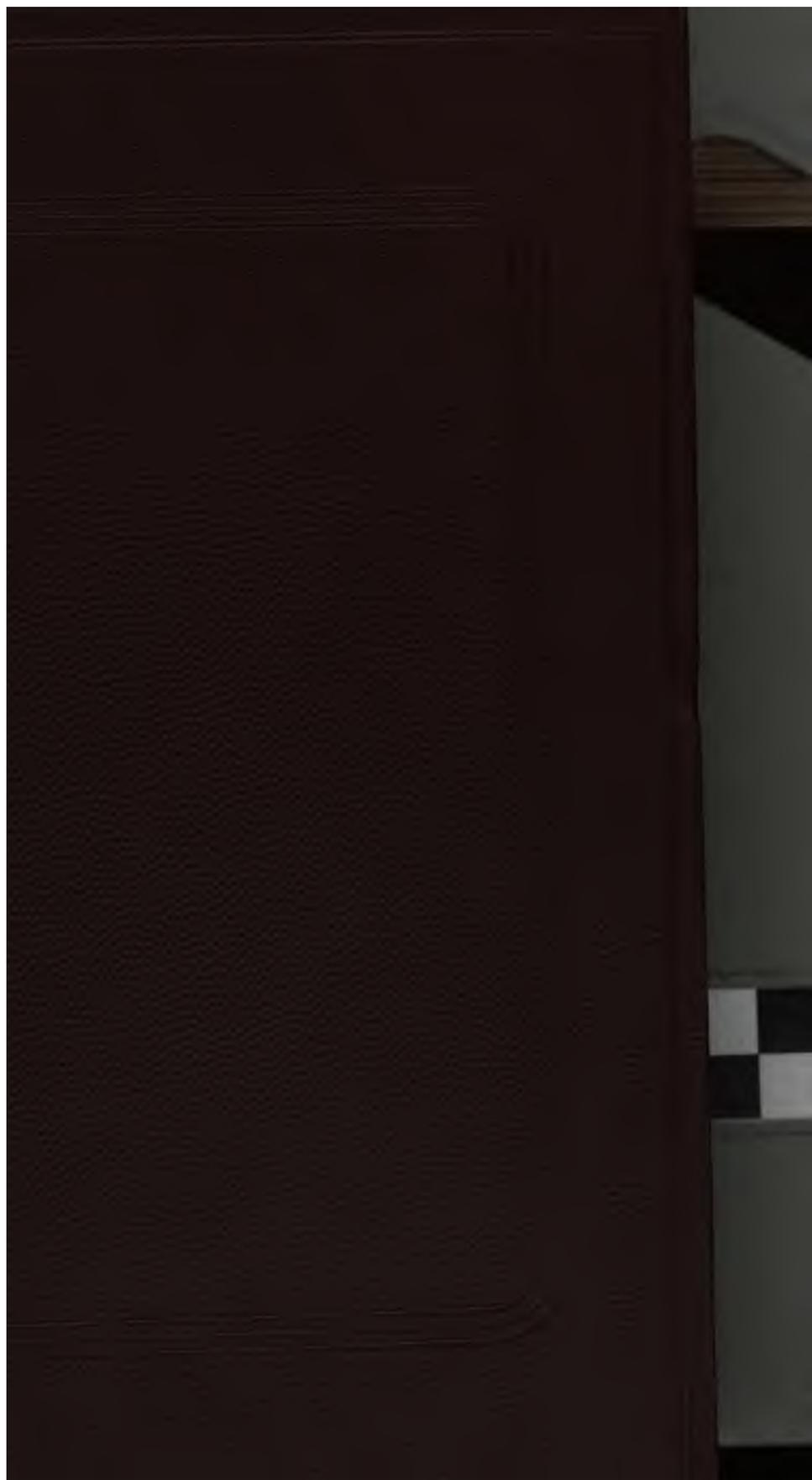
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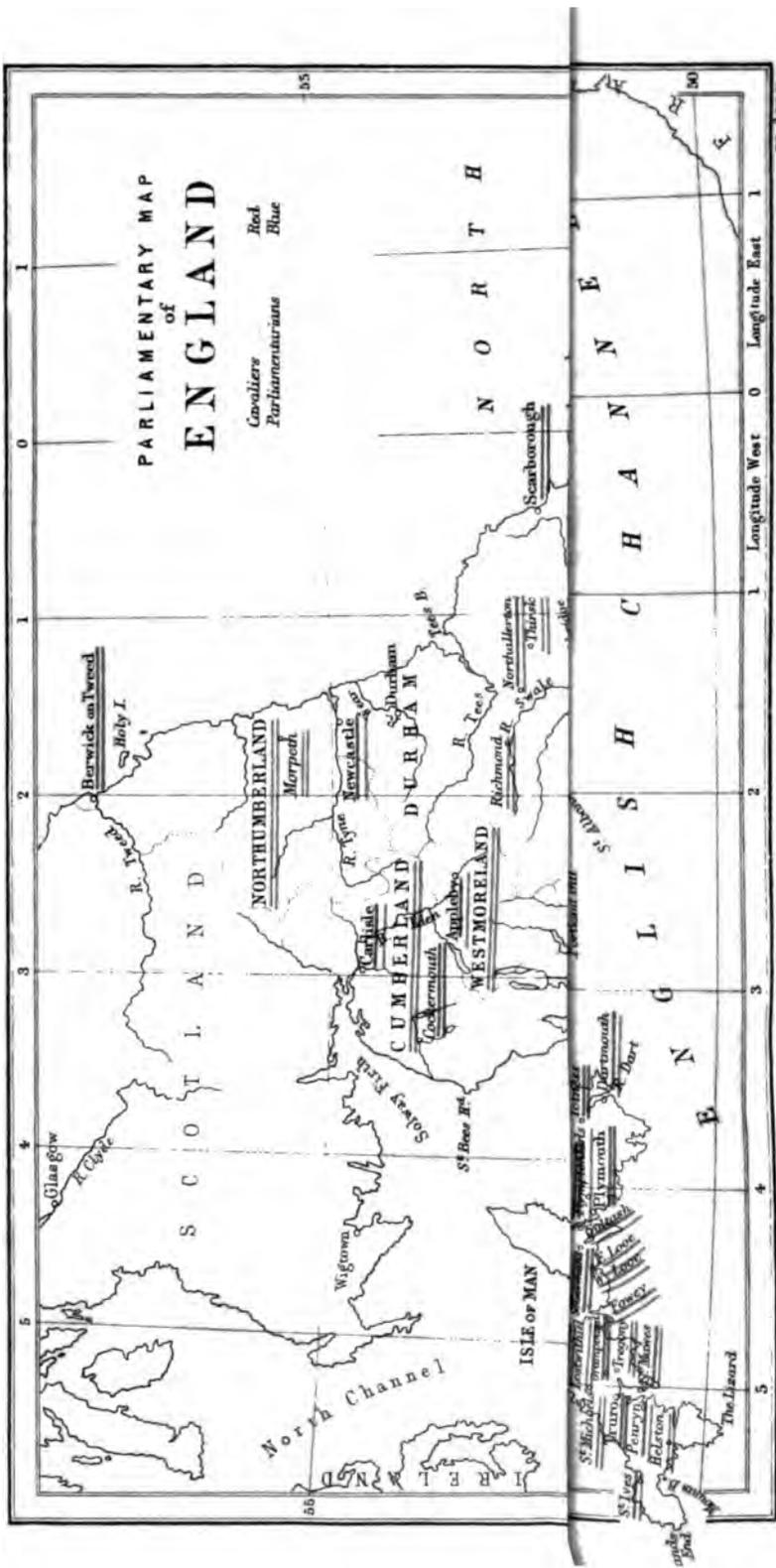
THE FALL OF THE MONARCHY
OF
CHARLES I.

VOL. II.

LONDON: PRINTED BY
SPOTTISWOODE AND CO., NEW-STREET SQUARE
AND PARLIAMENT STREET

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PARLIAMENTARY MAP
of
ENGLAND

Cavaliers
Parliamentarians

Red
Blue

Longitude West 0 Longitude East 1

Edw^d Waller

London, Longmans & Co.

THE
FALL OF THE MONARCHY
OF
CHARLES I.

1637-1649

BY

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VOL. II.

1640-1642

LONDON
LONGMANS, GREEN, AND CO.
1882

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MAP.

Parliamentary Map of England *To face Title Page.*

Errata.

- Page 16, line 18, *for* "Mountmorris" *read* "Mountnorris."
 .. 17, second side note, *for* "Propos review" *read* "Proposed review at."
 .. 26, line 14 and side note, *for* "member of the House" *read* "justice of
 the peace."
 .. " " 15, *dele* "as justice of the peace."
 .. 32, line 26, *for* "was hardly the man" *read* "as his subsequent conduct
 shows, was capable of attempting."
 .. " " 27, *for* "and" *read* "but."
 .. 37, " 18, *for* "Holtham" *read* "Hotham."
 .. 270, second side note, *for* "Scots" *read* "Secta."

ADDITIONAL NOTES.

Page 231. Since this volume was printed I have received, through the kindness of Signor Hermann Ferrero, a copy of his *Lettres de Henriette-Marie à sa sœur Christine, duchesse de Savoie*. The following extract from one written on August 8, 1641, the day of the Sunday sitting of the Houses, brings vividly before us the Queen's feelings at the time :—

“Je vous jure que je suis presque folle du soudain changement de ma fortune, car du plus hault degré de contentement je suis tombée des (dans) des malheurs inimaginables en toutes espees ; n'estant pas seulement en mon particulier, mais en celuy des autres. Les souffrances des pauvres catholiques et des autres qui sont serviteurs du Roy monseigneur m'est plus sensible que quoy qui me put ariver en mon particulier. Imaginés quelle est ma condition de voir le pouvoir osté au Roy, les catholiques persécutés, les prestres pandus, les personnes affectionné à nostre service elloygnés de nous et poursuivis de leur vie pour avoir tasché a servir le Roy, et moy retenue ysy comme prisonnière, que mesme l'on ne me veut pas permestre de suivre le Roy qui s'en va en Escosse, et personne au monde à qui pouvoir dire mes afflictions, et savoir avec tout cela ne pas témoigner en avoir du resantiment.”

Page 253, line 8. The name Hunsdon is impossible, as it was only a third title of the Earl of Dover, who voted on the other side, and who is the writer of the notes which I have used as my authority. Mr. Kitchin, whom I requested to look at the MS. to see if I had made a mistake, assures me that there can be no doubt that Hunsdon is the word written by Dover himself, and also that the name occurs three times in the course of Dover's notes. I merely note this fact, not being able to see any solution of the difficulty.

THE
FALL OF THE MONARCHY OF CHARLES I.

CHAPTER X.

THE FIRST TWO MONTHS OF THE LONG PARLIAMENT.

ON November 3 that famous assembly which was to be known to all time as the Long Parliament, met at Westminster. It was impossible that the view of public affairs which was taken by the King should satisfy the men who now came together from every part of England. They were firmly persuaded, not that a few things had gone wrong, but that everything had gone wrong. The future Cavalier and the future Roundhead were of one mind in this. Nor would they be content to submit the choice of the abuses to be abolished to the reason and conscience of the King. They had resolved to measure the remedies which they desired by their own reason and conscience. Charles had by his actions thrust into the foreground the question of Sovereignty, and it could never be put out of sight again.

Unhappily it was rather to be wished than to be expected that the claim to supremacy which Parliament was justified in putting forward, should have been swollen by no unreasonable demands, and supported on no fictitious allegations. The worst result of Charles's system of government was, that this could

CHAP.
X.
1640.
Nov. 3.
Meeting of
the Long
Parliament.

Temper
of the
Members.

Causes of
future
mischief.

CHAP.
X.

1640.

Ncv. 3.

not be. He had attempted to rule without understanding his subjects, and the process had not been such as to enable them to understand him. Called upon to interpret a series of actions to which they did not possess the key, they naturally conceived that the explanation was to be found in a more resolute and consistent effort than any of which Charles was really capable. They held that all that had taken place was the result of a settled conspiracy to replace law and liberty by an absolute despotism at home, whilst the political despotism thus brought into existence was to be subjected in turn to the ecclesiastical despotism of the Pope. This, they believed, was the deliberate intention of Laud and Strafford, for as yet Charles's name was not mentioned. It was natural enough that it should be so, but it was none the less fatal to any chance, if chance there were, of an understanding with the King. Errors do not any the less produce their evil crop, because they are under the circumstances unavoidable.

Strength
of the Par-
liament
in the
Scottish
army.

No Parliament had ever met, since the days of Earl Simon, with so great a strength of popular support. Nor had it only to rely upon a vague and unorganised feeling, always hard to translate into combined action. For the first time since Parliaments had been, it had behind it an armed and disciplined force, possessing more military cohesion than any popular rising could possibly have had. That army, indeed, was, in the eye of the law, an army of foreigners encamped on English soil. But for the moment it was regarded by most Englishmen with more sympathy than that other army in the North which was entirely composed of Englishmen. By a strange combination of circumstances, it had become impossible for Charles to defy his Parliament without

defying the Scottish army as well. Unless he could pay the 850*l.* a day, which the Scots had agreed to accept, their army would hold the Treaty of Ripon to be at an end, would cross the Tees, and march southwards. There was no force in existence which could be counted on to stop the Scots anywhere between Yorkshire and Whitehall. It was, therefore, absolutely necessary for Charles to find money, and he knew perfectly well that if he dissolved Parliament it would be out of his power to collect a single penny.

CHAP.
X.

1640.
Nov. 3.

It was not now, as it had been in 1625, in 1626, in 1629, or even in the spring of 1640. A quarrel with Parliament then had brought to him disordered finances, and had frustrated his cherished plans. A dissolution now would bring him face to face with absolute ruin.

Plain as this seems to be, it took some little time to drive it home to Charles's understanding. In his opening speech he asked the Houses to join him in chasing out the rebels, and was surprised to find himself obliged to explain away the obnoxious term.¹

Charles
speaks of
the Scots
as rebels.

The new position of Parliament was emphasised by the choice of a Speaker. Charles had intended to propose the nomination of the Recorder of London, Sir Thomas Gardiner, a devoted adherent of the Crown. Contrary to all precedent, the City had refused to send its Recorder to Parliament, and was represented by four stout Puritans. Charles was therefore obliged to look elsewhere. His choice had fallen on William Lenthall, a barrister of some repute in the Courts, and likely to be acceptable to the leading members of the Commons. Lenthall was better fitted for the post than Charles could have imagined. He was surpassed by some in the House in know-

Nov. 5.
Lenthall
Speaker.

¹ The King's Speeches, *Rushw.* iv. 11, 17.

CHAP.
X.
1640.
Nov. 5.

ledge of Parliamentary precedent, but he was the first to realise the position of a Speaker in times of political controversy. He would not, like Finch, in 1629, place himself at the service of the Crown. Neither would he, like Glanville, in the Short Parliament, take an active part in opposition to the Crown. He was content to moderate and control, and to suggest the means of reconciling differences, without attempting to influence the House in its decision. Through his whole career he had, as he said on one famous occasion, neither eyes to see, nor tongue to speak, save as the House was pleased to direct him.

Strafford's
forebod-
ings.

No one knew better than Strafford what danger was impending over his own head. He had to bear the burden of all other men's offences as well as of his own. To the mass of Englishmen he was the dark-browed apostate, who had forsaken the paths of constitutional usage to establish a despotic and arbitrary power. The Scots, too, loudly proclaimed him as the enemy of their Church and country, and as the originator of that war which had been as obnoxious to Englishmen as it had been to themselves. Court favourites, whose schemes for their own enrichment had been thwarted by his imperious frown, were eager to remove such an obstacle from their path. The Puritans regarded him as their deadliest foe. The City of London had not forgotten how he had threatened its aldermen, and had attempted to ruin trade by the debasement of the coinage. Strafford knew how powerful the City had now become. Even Parliament could not raise subsidies for the payment of the armies without considerable delay, and a further application to the City for a loan was therefore inevitable. Without a loan the Royal army would be compelled to disband, and the Scots, as

Strafford expressed it, would be more than ever 'a rod over the King, to force him to do anything the Puritan popular humour had a mind to.' Yet Strafford was not without hope. If only, he thought, the Scottish requirements were known in all their fulness, they would meet with universal resistance.

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Strafford knew that his place of safety was in Yorkshire at the head of the army. The belief of his own family was, that Hamilton and Vane, anxious to make their peace with the Parliamentary leaders, persuaded the King to send for him. Charles himself was eager to lean on that strong arm, and to consult that brain so fertile in resources. He assured Strafford that, if he came, he 'should not suffer in his person, honour, or fortune.' The Queen seconded her husband's entreaties by declarations of her protection. With a brave heart, though against his own judgment, the doomed statesman set out from that loved home at Wentworth Woodhouse, which he was never to behold again. He knew that his enemies were preparing to charge him with 'great matters out of Ireland.' "I am to-morrow to London," he wrote, "with more dangers beset, I believe, than ever any man went with out of Yorkshire; yet my heart is good, and I find nothing cold in me. It is not to be believed how great the malice is, and how intent they are about it. Little less care there is taken to ruin me than to save their own souls."¹

Intrigues
at Court.

Nov. 6.
Strafford
sets out for
London.

Strafford was right about the danger from Ireland. The English House of Commons, indeed, cared little for the grievances of the native population. For the

The Irish
complaints.

¹ Strafford to Radcliffe, Nov. 5. Sir G. Wentworth's Narrative, *Whitaker's Life of Radcliffe*, 214, 228. I do not give Whitelocke's statement that the King said that they should not touch a hair of Strafford's head, as Whitelocke is not to be depended on in details.

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grievances of the Protestant landowners and the English officials they had a more open ear, and these were precisely the classes on which Strafford's hand had weighed most heavily.¹ It was no mere wish to swell the chorus of complaint which sent the Commons to hunt on the other side of St. George's Channel for fresh charges against their enemy. They instinctively felt that Strafford's conduct in Ireland was inseparable from his conduct in England. It was there that he had shown himself in his true colours as the arbitrary and irresponsible ruler; and it was there that he had forged that instrument of tyranny, the Irish army, which, as they fully believed, was intended to establish a military despot-

¹ An extract from a letter of Sir John Leeke to his half-brother, Sir E. Verney (*Verney MSS.*), will show something of the temper aroused by the working of one of Strafford's financial expedients, the tobacco monopoly. Leeke's son-in-law, a Captain Hals, had commanded a ship which was bringing home tobacco from Virginia, and had died on the voyage. "When the ship came home," wrote Leeke, "they considered not our losses, but by strong hand locked up our hatches, and after some few days got lighters and cellared it up; then fell to weighing. We had 1,100 rolls and odd; all merchants, before that day, were allowed 2 lbs. for every stick's weight; they enforced us to allow 3 lbs., by which we lost 1,100 pounds of tobacco. Next we were not allowed an indifferent weigher, but had the King's searcher put upon us, by whose crooked hand, I vow to God, we lost 3,000 pounds weight of tobacco. To conclude, we had no more than 4½d. a pound for the tobacco, which did amount unto us in all 319l. The tobacco was by them sold at 2s. per pound, and 7 and 8 groats the pound. You may by this guess what they ravished from my poor daughter. Our payment could not be, but at six and six months, but we were not payed the first six months. They alleged our tobacco did not prove well. It was God's judgment if it did not, for the widow and orphan's sake. We had likewise one other parcel for which we have not yet our money. If our great king and brave parliament take this general statement into their consideration, I will lay down more of this to your judgment. This monopoly, or rather hellish plot, hath undone a thousand families here, and undone the island. Captain Hals and his brothers did in those years carry off of the scum and lazy people of this kingdom six or seven hundred men and women. This was a great ease to the kingdom, and kept many from the gallows."

ism in England. After some debate it was resolved, on Pym's motion, that a committee of the whole House should take the Irish grievances into consideration.

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It would be a mistake to speak of Pym as the leader of the House in the sense in which he became its leader after some months of stormy conflict. Again and again during these early weeks his opinion was questioned, and he was not unfrequently outvoted. But he was securely established as the directing influence of a knot of men who constituted the inspiring force of the Parliamentary Opposition. He was trusted by the Earl of Bedford, the wisest and most temperate of the Opposition in the Lords. Hampden, the wisest and most temperate of the Opposition in the Commons, was content to serve under him, and with rare self-abnegation to abstain from taking part, except in circumstances of absolute necessity, in those set debates in which Parliamentary fame is most readily to be won. The fiery Strode, who had held Finch down in his chair;¹ the unrelenting St. John; Holles, Earle, and Fiennes looked up to him as their guide. Nature and experience had made of Pym a consummate Parliamentary tactician. It had made him more than that. He was not indeed, as Strafford was, a born reformer. He had not the eagle eye of the idealist, impatient of the habits of his age, and striving to improve the world in his own fashion. His position was purely conservative, and he brought with him the strength and the weakness which conservatism always brings. To him Parliament was

Pym's
position in
the House.

¹ This identification, which has been much discussed, is put beyond doubt by a passage in D'Ewes's Diary, *Hart. MSS.* clxiii. fol. 385. We there learn that when the case of the prisoners of 1629 was before the House, those of them who were members were ordered to withdraw, and that Strode was one of those who went out.

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Nov. 6.

the most conservative force in existence. It was the guardian of the old religion and of the old law against the new-fangled nostrums of Strafford and Laud. It was the strength of his feeling in this matter, combined with the inventiveness with which he prepared new bulwarks against attack, which gave him the unrivalled position to which he attained. The members of that Parliament were of one mind in their detestation of innovations. They were as yet resolved to do nothing that was new. Their spirit was the spirit which had animated the Parliaments which, in somewhat similar circumstances, had met to oppose the selfwill of Henry III., and which had justified their demand to control on the ground that they were best able to testify to the laws and customs of their ancestors.

Nov. 7.
Grievances
complained
of.

The debate of November 7 was one long outburst of suppressed complaint. Strafford had clearly not taken a true measure of the feeling of the country. The general outcry began with the presentation of a petition from Hertfordshire by Sir Arthur Capel. Grimston and Rudyerd and Seymour ran over an almost endless catalogue of grievances. The whole argument was summed up in an anecdote related by Grimston. A poor man, he said, had applied to the Court of King's Bench to be admitted to bail. Some of the Judges hesitated. "Come, brothers," said one of them, "let us bail him; for they begin to say in the town, that the Judges have overthrown the law, and the Bishops the gospel."

Rudyerd's
speech.

More notable, perhaps, was Rudyerd's speech. Rudyerd was one of that class which is usually known as that of moderate men; that is to say, the men who never go to the bottom of any difficulty. Susceptible to all the breezes of popular feeling he took all the

grievances of the nation to heart without drawing any practical conclusion from the premisses which he admitted. "We well know," he now said, "what disturbance hath been brought into the Church for petty trifles; how the whole Church, the whole kingdom hath been troubled where to place a metaphor, an altar. We have seen ministers, their wives, children, and families undone against law, against conscience, against all bowels of compassion, about not dancing on Sundays. What do those sort of men think will become of themselves, when the Master of the House shall come and find them beating their fellow-servants?" It was impossible to put in a clearer way the objections which all reasonable men now entertain to the system of Laud. The enforcement of the ceremonies, he went on to say, stopped the mouths of diligent preachers. There was something suspicious in the satisfaction felt by the Jesuits in the recent changes, something dangerous in the new habit of branding vigorous and hearty Protestants as Puritans. It was a reproach to the Government that so many of the King's subjects had been driven to seek refuge across the Atlantic.

Rudyerd then proceeded to give voice to another feeling which was no less general than that against Laud. Grimston had just been going over a long list of oppressive exactions. Rudyerd reminded the House that all this violence had been employed for nought. This apparently all-pervading Government had been the weakest which had been known for generations. It had produced nothing but national disgrace. Those who talked most loudly of advancing the King's authority had frittered away his revenue, and had left him grievously in debt. The remedy proposed by Rudyerd was to remove evil counsellors

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X.1640.
Nov. 7.Rudyerd's
suggestion.

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Nov. 7.
Difficulties
in its way.

from the King, and, without seeking any man's ruin or life, to effect a thorough reformation.¹

It would have been far better for England if Rudyerd's well-meant suggestion could have been carried out. Unfortunately there was but one condition under which it was practicable, and that condition did not exist. If Charles could be trusted to break off, once and for ever, from his old life, and to acknowledge, not in word alone, that his face had been persistently turned in the wrong direction from the very beginning of his reign, it might be safe to allow the instruments of the evil system which was to be abolished to pass the rest of their lives in secure retirement. The knowledge that this could not be so made a sharper course necessary. For the moment Parliament was strong. But its strength would not last for ever: Sooner or later the Scottish army must be paid off, and must recross the Border. Weak as the English army was for the present, it might become strong if anything should occur to turn the tide of popular feeling against the Scots. Above all, that Irish Catholic army beyond the sea was a grim reality, which Pym and his associates never lost sight of as long as it remained in existence.

The King
not to be
touched;

Probably the only true solution of the difficulty was to be found in the abdication or dethronement of the King. It could not be reasonably expected of Charles that he should fit himself for the entirely changed conditions which were before him, and his presence on the throne could no longer serve any useful purpose either for himself or for his subjects. Such a solution, however, did not come within the range of practical politics. He certainly was not

¹ Speeches of Grimston and Rudyerd, *Rushw.* iv. 34, 24. The former is misdated.

likely to propose it, nor was any one else likely even to think of it. If he was to be irresponsible, responsibility would fall the heavier on his ministers. They would receive more blame than was their due, because he was to receive less than was his. The cry for their punishment, in order that none might hereafter dare to follow in their steps, would wax the louder when it was perceived that only by their punishment, perhaps only by their death, could their permanent exclusion from office be made absolutely certain.

Some thought of this kind, not reasoned out, but instinctively arising in their minds, was probably present to the Parliamentary leaders when, at a preliminary meeting, they drew up the list of proscription. It was decided that Strafford, Laud, Hamilton, and Cottington, together with some of the Judges¹ and of the Bishops, should be called to account. No doubt in so doing the Parliamentary leaders assumed that there had been a more deliberate intention to overturn the constitution of the country than had really existed.

If it is necessary to make some allowance for the ignorance of the House of Commons in everything that related to the political designs of the King's ministers, it is still more necessary to make allowance for their ignorance in everything that related to the ecclesiastical designs of the same men. The notion that Laud and Strafford had been conspiring with Con and Rossetti to lay England at the feet of the Pope is so entirely in contradiction with the facts of the case that a modern reader is tempted at once to treat the charge as a fiction deliberately invented to

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1640.
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but certain
Ministers
to be im-
peached.

Supposed
Catholic
plot.

¹ I here begin to follow the recovered fragment of Manchester's *Memoirs*. See vol. i. 437. The most important passages have been already printed by Mr. Sanford, though he was not aware of their authorship.

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The Queen
the centre
of intrigue

serve the ends of a political party. To give way to this temptation would be to commit the greatest injustice. The conviction was shared not merely by Pym and Hampden, who afterwards opposed the King, but by Falkland and Capel, who afterwards supported him, and its existence as a conscientious belief can alone explain the vehemence of anger which it produced. Against the Catholics themselves as a body, the general distrust exceeded all reasonable bounds. It was thought that a number of persons, who in reality wished for nothing better than to be let alone, had combined to plan the extirpation of Protestantism in England, and to risk that welcome calm into which they had so lately entered, in some fresh Gunpowder Plot for the elevation of their Church upon the ruins of the English State and nation. Yet, even here, the general suspicion was not without foundation. What was not true of the general body of Catholics was true of a few intriguers who had gained the ear of the Queen, and who had made her apartments at Whitehall the centre from which radiated the wildest schemes for setting at defiance the resolute will of the English people. Thence had come those insensate projects, in which an English Bishop and an English Secretary of State had shared, for amalgamating the Church of England with the Church of Rome. Thence had come those still more insensate invitations to the Pope to lend aid in men and money to bolster up the pretensions of an English sovereign to rule his people in defiance of their wishes. Thence came every petty and low contrivance for setting at nought the strength of the Samson who had arisen in his might, by binding him with the green withs of feminine allurements. Never had evil counsel more speedily avenged itself upon its

authors than that by which the statecraft of James and Buckingham and Charles had brought a Catholic princess to be the bride of a Protestant king. To condemn Henrietta Maria is impossible. Nothing in her birth or education had taught her to comprehend the greatness of the cause which she was opposing. She had nothing of statesmanship in her, nothing of the stern and relentless will which is indispensable to the successful conspirator. All she wanted was to live the life of a gay butterfly passing lightly from flower to flower. Such a life, she found, was no longer for her. Her pleasures were to be cut short, her friends driven from her and thrust into danger. It was all so incomprehensible to her, that she was roused to mischievous activity by the extremity of her annoyance. If the fulness of the Queen's activity was not known, at least it was suspected. The favour shown to Catholics at Court, the appointment of many of them to command in the Northern army, the familiarity which had arisen between Charles and the Papal agents, combined to bewilder the mind of English Protestants, and facts occasionally occurred which seemed to give warrant to the wildest suspicions. It was likely enough that Catholic gentlemen in the midst of the universal excitement would be found to have collected arms in their houses instead of trusting themselves to the mercy of their Protestant neighbours. It was likely enough that, in view of the impending danger which they foresaw, some Catholics, less wise than the rest, should mutter some foolish threats. Such words would be certain to become more violent in the mouth of rumour. In September an apostate priest had sought to gain the favour of Charles by trumping up a story of a great Jesuit plot to murder him and Laud, and it was likely

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General
feeling
against the
Catholics.

THE FIRST TWO MONTHS OF THE LONG PARLIAMENT.

that the same man would be ready to trump up stories equally unfounded to please the King's opponents.¹

The belief in the existence of a plot for the violent suppression of Protestantism is, therefore, only too easily to be explained. There can be no doubt that Pym was fully convinced of it. It is but a shallow criticism which conceives of Pym as a man raised above his fellows, and using their weaknesses for the purposes of his own ambition. It is perhaps more a matter of surprise that he can have supposed that Strafford could have had any connection with such a design. But it must be remembered that the Strafford of Pym's knowledge was not the Strafford who stands now revealed—the high-minded, masterful statesman, erring gravely through defect of temper and knowledge. He saw but the base apostate, who, from love of self and power, had betrayed the sacred cause of English liberty. No error is so utterly misleading as partial truth, and a document which appeared to point to the worst possible interpretation of Strafford's motives, had unexpectedly found its way into Pym's hands. In the autumn the younger Vane, who had recently been knighted, had occasion to inspect some legal documents, in view of his approaching marriage. In order to obtain them he borrowed his father's keys, and in the course of his search he opened the door of the room in which the Secretary kept his official papers. He there found his father's notes taken at the Committee which had met immediately after the dissolution of the Short Parliament, took a copy of them, and carried it to Pym. Pym made a second copy for his own use. The

¹ The correspondence is printed in *Rushw.* iii. 1,310. Was the informant the John Brown, who had another long story to tell the Commons in the following April?

original paper was burnt by the King's command before the meeting of Parliament.¹

To Pym it was enough to know that Strafford had advised the King to act 'loose and absolved from all rules of government,' and that he had reminded him of his army in Ireland as being ready 'to reduce this kingdom.' It was at once clear to Pym, if it had not been clear before, that the Lord Lieutenant was the head of a conspiracy to overthrow, if necessary by force, the fundamental laws of England, or, as we should now express it, the constitution of the country.

If Pym bore hardly on Strafford as a man, he could not bear too hardly on the system of government which Strafford had supported. That system had undeniably been calculated to establish an arbitrary power unknown to the laws of England. When Pym rose, it was not to repeat once more the catalogue of grievances which had poured forth from the lips of others. "The distempers of the time," he said, "are well known. They need not repetition, for, though we have good laws, yet they want their execution, or if they are executed, it is in the wrong sense." The whole political contention of the Long Parliament at its commencement lay in these words. Parliament, as Pym understood it, was not merely called together to propose laws and to vote subsidies. It had to see that the laws were executed in accordance with the interpretation put upon them by the nation at large, and not merely in accordance with the interpretation put upon them by the King and the Judges. It was inconceivable to him that any one should honestly think otherwise. 'There was a design,' he said, 'to

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1640.

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Their effect
upon Pym.

Pym's
speech.

¹ D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 162, b. The greater part of this was printed by Mr. Sanford; but he appears to have been unable to decipher the whole of the passage. He omits the part about the burning of the original notes.

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alter law and religion.' Those who formed it were 'papists who are obliged by a maxim in their doctrine that they are not only bound to maintain their religion, but to extirpate all others.' Pym followed this by evidence culled from the high-handed dealing of Judges and Councillors during the past eleven years. He especially referred to the proposal to bring in foreign soldiers to support the King in 1639 and 1640. He also referred to the widely entertained suspicion that some mystery lay concealed in the visit of that Spanish fleet which had been destroyed in the Downs. In a few brief words he pointed the moral. There was 'the Irish army to bring us to order. We are not fully conquered.' In the end, he moved for a committee to inquire into the danger in which the King and kingdom was.

The Irish
Committee.

In the afternoon of the same day the Irish Committee met. A petition from Mountmorris was read, with startling effect. "If we consider divers points of this petition," said Pym, "a man would think we lived rather in Turkey than in Christendom." Sir John Clotworthy, one of the Ulster settlers, who had obtained a seat in the English Parliament, unfolded a miserable tale of grievances. A sub-committee was appointed to examine these points. There was no attempt to veil its inquiry in secrecy; Sir William Pennyman, Strafford's close friend, was named as one of its members.

Nov. 10.
A com-
mittee of
investiga-
tion.

No inten-
tion of
attacking
Strafford
at once.

Pym was evidently in no hurry. The sub-committee on Irish affairs was not to hold its first sitting till the 12th, and his own committee on English grievances would take long to accomplish its task. He probably intended that the impeachment of Strafford, which he evidently meditated, should be preceded by a long and exhaustive investigation, like that which

had preceded Buckingham's impeachment in 1626.¹ This intention, if it was really formed, was frustrated by an unexpected occurrence. On the evening of the 9th Strafford had arrived in London.² His advice to the King next day was to take the daring course of anticipating the blow, by accusing the Parliamentary leaders of treasonable relations with the Scots.³ There was no time to be lost. The day before, Charles had announced his intention of expelling the Recusants from London, and of withdrawing the Tower from the custody of the garrison which had been placed in it by Cottington. The 11th was fixed on for the King's visit to review these men before their dismissal, and it can hardly have been an unintentional coincidence that the same day was chosen by Strafford as that on which he was to bring his charge against the members of the Houses. The

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1640.

Nov. 10.
Strafford
advises the
King to
accuse the
Parliamentary
leaders.

Propose
review
the Tower.

¹ My authority for the first days of the session is the *Journals* elucidated by Manchester's *Memoirs*, and the so-called D'Ewes's *Diary*. D'Ewes had not yet arrived in town, and this part of the *MS.* was furnished by Bodville, the member for Anglesea.

² *Baillie*, i. 272.

³ The statement of Strafford's intention to accuse his opponents given by Rushworth (*Straf. Trial*, 2) is placed out of doubt by a passage in Laud's *History of the Troubles*:—"It is thought, and upon good grounds, that the Earl of Strafford had got knowledge of the treason of some men, and that he was preparing to accuse them" (*Works*, iii. 295). The imprisonment by Strafford of Henry Darley, the carrier of Savile's letters, points in the same direction. Manchester's account (*Add. MSS.* 15,567) is as follows:—"He therefore repairs to London, and makes his address to Court, where he is received by the King with great expressions of favour and renewed assurances of protection; but within a few days after his arrival at Court, his greatness appeared so to the lessening of others, as it raised continuances of malice and envy not to be laid aside till they were put into a way of effecting his designed ruin. Therefore, intimation was given to some of the House of Commons that the Earl of Strafford intended to prefer an accusation of high treason against divers members of both Houses of Parliament. Whether this information were real or feigned is uncertain, yet it wrought the effect designed to hasten their intended impeachment of high treason against him."

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1640.

Nov. 10.
Strafford's
Iana.

King would be ready with an armed force, to guard the prisoners when they arrived.

Strafford doubtless believed that the result would be not merely to strike down those whom he regarded as traitors, but to regain for the Crown that popularity which it had lost. He could not think that the English nation would be long content to be led by men who had intrigued to bring a Scottish army upon English soil, just as Pym could not think that it would be content to be led by a man who had proposed to bring an Irish army upon English soil. If men were influenced more by the existing law than by their fears and passions, Strafford might have gained his cause. According to the letter of that law it was treason to bring in a foreign army against the King, whilst it was not treason to bring in a foreign army to support the King. Scotland, too, was a foreign country in a sense in which Ireland was not. The element which Strafford had left out of his calculations was that the mass of Englishmen wished the King to be resisted and not to be supported. It was this which paralysed his action. Few, indeed, even at Charles's Court shared his hopes and fears. Treachery and irresolution hampered his feet at every step. No sooner had his resolve been formed, than some of those to whom the secret had been entrusted, betrayed it to the Parliamentary leaders.

The secret
betrayed.

Nov. 11.
Strafford
baffled.

On the morning of the 11th Strafford took his seat in the House of Lords. The moment when his accusation should have been brought, if it was to be brought at all, was allowed to slip by. It is no explanation to say that the Lords were engaged in other business.¹ In such a case as this, business could be

¹ Mr. Sanford suggested that Strafford was to have taken advantage of the report to be made by the Commissioners for the Treaty of Ripon to bring forward the subject (*Studies of the Great Rebellion*, 310). But

interrupted, and at all events there would be time to speak when it was concluded. The only reasonable supposition is that, when the moment for execution came, Charles drew back, as he had so often drawn back before. After a short visit Strafford left the House without uttering a word.

The Commons were already in a state of violent agitation. Few amongst the members had the slightest suspicion of the blow which had been contemplated. But the review at the Tower was no secret. Cradock, one of the members for the City, rose to describe the military arrangements. Strafford, he added, had been heard to boast that in a short time the City would be brought into subjection. At such times vague rumours acquire a strange significance. 'A solicitor in the Bishop's Court' was reported to have said that 'he heard that the City should shortly be about the citizens' ears.' The explanation given by Roe that the King had merely gone to hold a review, was received with general incredulity. Then followed the inevitable reference to the great Popish plot. Rigby, the Puritan member for Wigan, declared that a letter had been discovered, in which the Catholics were required to fast in support of 'the Queen's pious intentions.' In reality these intentions had referred merely to the Queen's desire that her husband might return safely from the war against the Scots. The Commons would be certain to interpret them as referring to a plot against themselves. After a short further conversation, Pym saw that his time was come. He rose and moved that the doors should be locked.¹ He then called on Clotworthy to repeat a

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X.1640.
Nov. 10.Excite-
ment in the
Commons.The doors
locked.

Strafford was not a Commissioner. Besides the report was to be made at 3 P.M., whereas the King's review at the Tower was in the morning.

¹ The *Journals* (ii. 26) place the locking of the doors after the read-

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X.

1640.

Nov. 11.
Sir R.
King's
story.

A Select
Committee
appointed.

Its report
against
Strafford.

Falkland's
objection.

story which he had heard from Sir Robert King, the muster-master in Ireland. It was to the effect that a little before the break of the Short Parliament Radcliffe had said to him, "We know how to please the Scots at an hour's warning, and then when our armies are together, the King deserves no good counsellors if he will not have what he pleaseth in England." The debate then wandered off into talk about the activity of the Recusants. At last a Select Committee was named to prepare matter for a conference, 'and the charge against the Earl of Strafford.'¹

The Committee thus named had in a few minutes to draw up the accusation which was originally intended to be the result of an inquiry extending over many weeks. It is, therefore, no matter of surprise that it was somewhat rambling and inconclusive. The committee acknowledged that it was not yet in a position to send up such a charge as they expected ultimately to be able to prepare. Nevertheless it recommended that no time should be lost. For the present it would be enough to instance 'my Lord Mountmorris's cause, and papists suffered in England to increase in arms.'² With characteristic love of fairness Falkland asked whether it would not be better to discover the whole truth before bringing the accusation. If Pym could not disclose all that he knew, he had at least a sufficient answer ready. They could not afford, he said, to give time to Strafford. If he were allowed to remain at large, he would urge the King to dissolve Parliament, or would take some

ing of Rigby's letter. Our only knowledge of the debate comes from Bodvile's *Diary* prefixed to D'Ewes'. It seems to have been written out by some one who had no personal knowledge of the debate. Rigby appears as 'Digby.' Bodvile had none of D'Ewes's minute accuracy, and he omits all mention of the locking of the doors. ¹ *C. J.* ii. 26.

² Bodvile speaks of this report as if it had already been sent up to the Lords. It is clear from the *Journals* that this was not the case.

other desperate course.¹ Pym knew, what Falkland did not know, that the ordinary forms of judicial procedure were insufficient to meet the case of a minister who, armed with the authority of the Crown, was ready to have recourse to force.

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Nov. 11.

The House agreed with Pym. He was directed to carry up the impeachment without delay. He was further to demand that Strafford, being charged with High Treason, should at once be sequestered from the House of Lords, and committed to prison. In a few days the Commons would make known the grounds of their accusation.

Strafford's
impeach-
ment
ordered.

Followed by a crowd of approving members, Pym carried up the message. Whilst the Lords were still debating on this unusual request for imprisonment before the charge had been set forth, the news of the impeachment was carried to Strafford. "I will go," he proudly said, "and look my accusers in the face." With haughty mien and scowling brow he strode up the floor of the House to his place of honour. There were those amongst the Peers who had no wish to allow him to speak, lest he should accuse them of complicity with the Scots. The Lords, as a body, felt even more personally aggrieved by his method of government than the Commons. Shouts of "Withdraw! withdraw!" rose from every side. As soon as he was gone an order was passed sequestering the Lord Lieutenant from his place in the House and committing him to the custody of the Gentleman Usher. He was then called in and bidden to kneel whilst the order was read. He asked permission to

Pym im-
peaches
him.Strafford
comes to
the House
of Lords.Committed
to custody.

¹ I venture to take this from *Clarendon* (i. 243). He wrote from memory, and his general narrative is inextricably confused. I think, however, he may be supposed to have remembered a scene like this, which is characteristic of both the actors.

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speak, but his request was sternly refused. Maxwell, the Usher of the Black Rod, took from him his sword, and conducted him out of the House. The crowd outside gazed pitilessly on the fallen minister, 'no man capping to him, before whom that morning the greatest in England would have stood dis-covered.' "What is the matter?" they asked. "A small matter, I warrant you," replied Strafford with forced levity. "Yes, indeed," answered a bystander, "high treason is a small matter."¹

Effect of
Strafford's
design.

With Strafford in custody, no sudden blow was any longer to be feared. But the knowledge that it had been contemplated raised an additional barrier between the King and those who were in the secret. The impeachment of Strafford was more than an attempt to bring a criminal to justice. It was an act of self-preservation.

Nov. 13.
Radcliffe
sent for.

The Commons had now time to turn their attention to other matters. Sir George Radcliffe was sent for from Ireland to answer to a charge brought against him by Clotworthy—a proceeding which was afterwards complained of by Strafford's supporters as stopping his mouth if he should be called on to give evidence in his friend's favour. More satisfactory were the orders issued for the liberation of Prynne, Bastwick, Burton, Leighton, and Lilburn, to give them an opportunity of bringing their complaints before the House of Commons.

Prisoners
set at
liberty.

Necessity
of raising
money.

More pressing even than the removal of the grievances of these injured men was the necessity of raising money. The 50,000*l.* which had been advanced by the City was now exhausted. The two armies in the North must in some way or another be paid, and

¹ *L. J.* iv. 88. *Baillie*, i. 272. *Manchester's Memoirs*, *Add. MSS.* 15,567, fol. 32.

already an ominous suggestion had fallen from Pym that the loss suffered by the country might be made good out of the estates of those who had been the authors of the mischief.¹ As yet, however, the House turned away from the easy road of confiscation, and resolved that 100,000*l.* should be raised for the payment of the armies. Yet there was no way by which this supply could be hastened sufficiently to provide for the necessities of the hour, and it was resolved to apply to the City for a loan. The City, it appeared, was ready to lend 25,000*l.* on condition that the Londonderry lands should be restored, and that the garrison imposed by the King should be actually removed from the Tower, and the ordnance dismounted from its walls. Unless this were done, said Cradock, 'such jealousies would possess the City, it would hinder supply.'²

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Nov. 16.
The City
will lend
money on
conditions.

The City was not alone in its suspicions. The knowledge of the blow contemplated by Strafford had overthrown for the time all feeling of the difference between reality and exaggeration. A woman asserted that a certain O'Connor, an Irish priest, had told her that 'many thousands were in pay to be ready to cut all Protestants' throats,' and to begin by killing the King; and this nonsense was thought worthy of serious consideration by both Houses.³

Alleged
Popish
plot.

The 17th was devoted to a public fast. Dr. Burgess, who preached before the Commons in the morning, took for his text the words of the prophet Jeremiah, which warned the chosen people to join themselves to the Lord in an everlasting covenant,

Nov. 17.
The fast.

¹ Bodvile's Diary, *Harl. MSS.* clxii. fol. 5, b.

² *Ibid.* fol. 7.

³ *Ibid.* fol. 6. *L. J.* iv. 89. The feeling of the Lords should be noted, as showing that they who were not under Pym's influence shared this apprehension.

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Nov. 17.

and significantly reminded his hearers that the deliverance of Israel from Babylon was achieved by the victory of an army from the North. Unwonted utterances were heard from the London pulpits. Men who had long been silenced, called out for the overthrow of Episcopacy and the Prayer Book, and for the introduction of the Scottish Covenant. Eager partisans proposed to draw up a petition for the abolition of Bishops. More prudent observers recommended a short delay, till Laud and Strafford had been disposed of.¹ Already the Commons had given evidence of their inclination to thrust aside the new ceremonial. They had arranged to receive the Communion on the 22nd, as a test to exclude any Catholics who might have been elected. They applied to Williams, who had recently been liberated at the demand of the Peers, and who was again acting as Dean of Westminster, to give permission for the removal of the Communion Table at St. Margaret's to the middle of the church at the time of the administration of the Communion. Williams not only gave his consent, but expressed his readiness to do as much for every parish in his diocese.²

Liberation of Williams.

The Communion Table at St. Margaret's.

Charles content that Strafford's impeachment shall proceed.

In the meanwhile Charles was looking on passively whilst Strafford's impeachment was being prepared. Hamilton, anxious to curry favour with the Commons, assured him that all was for the best. After receiving a remonstrance from the Irish Parliament, which was now entirely in the hands of Strafford's enemies, Charles acknowledged that the Lord Lieutenant might possibly have committed some actions which called for investigation.³ He was far from acknowledging how completely the reins of government had passed out of his own hands; and when the Scottish and English commissioners met at Westminster to complete the negotiation which had been interrupted at

The Scottish negotiation.

¹ *Baillie*, i. 274.

² *C. J.* ii. 32.

³ *Baillie*, i. 273.

Ripon he fully expected to take part personally in their discussions. Much to his surprise he found that the commissioners of both nations were of one mind in objecting to his presence, and he was therefore compelled to give way. The negotiation was nominally carried on between himself and the Scots. In reality it was carried on by the Scots with the English Parliament.¹

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—
1640.
Nov. 19.

The House of Commons was busy with many matters. Every member who spoke had some particular grievance to recount, and some particular remedy to demand. There was no party organisation and no recognised leadership. It was hard to fix the attention of the House even to the most necessary subject, and a debate once begun was apt to wander away in all sorts of directions. At one time the question of the monopolies appeared to be coming into the foreground. It was ordered that all monopolists should be excluded from sitting in the House, though complaints were afterwards made that some escaped through favour. 'These men,' said Culpepper, 'like the frogs of Egypt, have gotten possession of our dwellings, and we have scarce a room free from them. They sup in our cup, they dip in our dish, they sit by our fire; we find them in the dye-vat, wash-bowl, and powdering-tub; they share with the butler in his box, they have marked and sealed us from head to foot. . . . They have a vizard to hide the brand made by that good law in the last Parliament of King James; they shelter themselves under the name of a Corporation; they make bye-laws which serve their turns to squeeze us, and fill their purses.'² At another time the ecclesiastical complaints had the precedence. The provision of money,

Want of organisation
in the
Commons.

Nov. 9.
Attack
on the
monopolies.

¹ Notes by Sir J. Borough, *Harl. MSS.* ccclvii. fol. 3.

² *Rushw.* iv. 33. *C. J.* ii. 24.

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1640.

Nov. 21.
The City
loan.
The Mem-
bers' loan.

however, would admit of no delay. On the 21st Alderman Pennington, cousin of the sailor, and a Puritan member for the City, announced that his constituents had subscribed 21,000*l.* to the loan. It was suggested that the members of the House might be willing to offer their personal security for definite sums. Member after member rose to give his bond for 1,000*l.* In a short time facility for borrowing 90,000*l.* was thus obtained.¹

Nov. 23.
Attempted
assassina-
tion of a
member.

On the 23rd the House met under circumstances of some excitement. The prospect of renewed persecution had stirred the indignation of the Catholics, and that indignation was likely to find a vent in passionate action. A member of the House named Heywood had possession, as justice of the peace, of a list of Recusants marked out for removal from the neighbourhood of the Court and of the Houses. As he was stepping across Westminster Hall with the list in his hand, a man named James rushed at him and stabbed him with a knife. The wound was not serious, and there is strong reason to believe that the assailant was a lunatic.² Yet the event carried conviction to the minds of the members that the great Popish Plot of which they had heard so much was indeed a reality. Pennington rose to offer a guard of three hundred citizens. Pym thought that the best means of meeting the evil was to put in execution the penal laws. Sir Thomas Jermyn sensibly argued that a guard at the doors of the House would only protect the members when they were all in one place and well able to protect themselves. Holles replied that every man must take care of himself when he was

Alarm of
the House.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 13. D'Ewes's own diary begins on Nov. 19.

² On Nov. 7 a committee was ordered 'to take into consideration his unacy' (*C. J.* ii. 37). Rudyerd stated that his brother had been mad, and that he himself had often been out of his mind (*Sir J. Northcote's Notes*, 11).

alone, but that the real danger was 'a general assassination.' The feeling of the House was for the acceptance of Pennington's offer. Common sense prevailed in the end, and the idea was abandoned. James, however, was not to be allowed to escape. A Committee, appointed to consider his case, recommended that a Bill should be prepared enacting that 'this fact of his' should be held to be felony.¹

Multifarious as the business of the House was, the preparation of the evidence against Strafford occupied the greater part of the attention of its most important members. Of the Committee appointed for this purpose Pym was the leading spirit. He obtained from the Lords an order authorising the examination of Privy Councillors upon oath, in order to enable him to substantiate the charges which he intended to found on the notes taken by Vane.²

The preliminary charge—as yet it had not assumed its final shape—consisted of seven articles. The gist of them all lay in the first. The Commons were asked to declare 'that Thomas, Earl of Strafford, hath traitorously endeavoured to subvert the fundamental laws and government of the realms of England and Ireland, and instead thereof to introduce an arbitrary and tyrannical government against law, which he hath declared by traitorous words, counsels, and actions, and by giving his Majesty advice by force of arms to compel his loyal subjects to submit thereunto.' He had, it was added, been as greedy as he had been tyrannical. He had converted to his own use large sums belonging to the King at a time when the army was unpaid. He had given encouragement to Papists with the object of gaining their support to his evil designs. He had maliciously stirred up enmity between England and Scotland, and

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X.1640.
Nov. 23.Nov. 24.
The evidence
against
Strafford.The preliminary
charge
against
him.¹ C. J. ii. 37.² L. J. iv. 95, 96.

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1640.

Nov. 24.

had designedly betrayed Conway to his destruction at Newburn, in order to make the quarrel between the two nations irreconcilable. Finally, with a view to self-preservation, 'he had laboured to subvert the rights of Parliaments, and the ancient course of Parliamentary proceedings.'¹

Grounds of
the im-
peachment.

On these grounds Strafford was to be impeached as a traitor. We cannot wonder that so it was to be. If no candid investigator of Strafford's actions can for a moment admit that he was capable of stirring up strife from motives of personal ambition, there can be no doubt that, on every point, Pym had some evidence upon which, in his ignorance of the true key to his great opponent's character, he might seem justified in arriving at the conclusions to which he came.²

Nov. 25.
The
charges
carried up
to the
Lords.

These charges were at once adopted by the Commons. On the 25th they were carried up to the Lords, and Strafford was immediately committed to the Tower. In these articles the prisoner saw nothing but a fresh revelation of the malice of his enemies. He at least was not likely to recognise his own lineaments in this distorting mirror. "As to myself," he wrote, not long afterwards, to his wife, "albeit all be done against me that art and malice can devise . . . yet I am in great inward quietness, and a strong belief God will deliver me out of all these troubles. The more I look into my case, the more hope I have, and sure if there be any honour and justice left, my life will not be in danger; and for anything else, time I trust will salve any other hurt which can be done me. Therefore hold up your heart, look to the

Dec. 13.
Strafford's
letter to
his wife.

¹ *L. J.* iv. 97.

² For Pym's speech see Northcote's *Diary*, where Lord T. is Thomond, not Dillon, as suggested by the editor. In the *Somers Tracts*, iv. 209, is to be found a brief abstract of the speech, though this is not there stated.

children and your house, let me have your prayers, and at last, by God's good pleasure, we shall have our deliverance, when we may as little look for it as we did for this blow of misfortune, which I trust will make us better to God and man."¹

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1640.

Nov. 25.

It would still be long before the trial could begin. There were witnesses to be brought from Ireland, evidence to be mustered and tested, managers to be chosen and instructed. All this had to be done in the intervals of the most pressing business. The Scottish claims admitted no delay. The Commissioners of the two nations meeting without the presence of the King had easily found a formula by which Charles was to bind himself to accept those laws against which he had struggled so persistently. This had been followed by a demand which was far more galling than the mere abandonment of power. Charles was asked to send the incendiaries, as his advisers during the late troubles were called, for trial before the hostile tribunal of the Scottish Parliament. Naturally he struggled hard against the proposal that he should deliver up to the vengeance of their adversaries men whose fault was that they had served him too faithfully. He replied that his Courts were open to every complainant. The promise required of him that he would not intervene to pardon offenders he could not be induced to give.²

The trial delayed.

Nov. 23.
The negotiation with the Scots.

Dec. 3.

Dec. 11.

The English Parliament was ready enough to support the Scots. Money had been got together and sent to relieve the two armies in the North. On December 10 it was voted that, instead of 100,000*l.*,

Money sent to the North.

Dec. 10.
Two subsidies voted.

¹ Strafford to Lady Strafford, Dec. 13, *Biog. Brit.* vi. 4, 182.

² The Scottish Commissioners in London to the Committee at Newcastle, *Adv. Libr. Edin.* 33, 4, 6. Notes by Sir J. Borough, *Harl. MSS.* cccclvii. fol. 10-27. *Rushw.* iv. 366. *Baillie*, i. 279.

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1640.

Nov. 28.
Return of
Prynne and
Burton.

as had been originally proposed, two subsidies, equivalent to about 140,000*l.*, should be granted.¹ The Puritan tide had been rising steadily. On November 28 Prynne and Burton entered London in triumph. At least a hundred coaches, a thousand horsemen, and a countless crowd on foot followed them in procession. On December 4 Bastwick returned amidst the applauses of a no less numerous throng. Their cases, together with those of Lilburn and Leighton, were ordered to be taken into consideration. In London, at least, public feeling was running strongly in the direction of Presbyterianism. Not that the scheme of the Separatists was without support amongst the small tradesmen and artisans. But in the face of the common enemy all such divisions of opinion were for the present waived. It was said that when Bishops were removed, and the ceremonies abolished, it would be easy to agree on the plan of the new house to be erected on the ruins of the old one.²

Dec 1.
Their cases
to be ex-
amined.
Growth of
Presby-
terianism.Nov. 30.
Action
against the
Catholics.Dec. 1.
Glyn's
report.

Dec. 3.

As yet the work of destruction was in full swing. The conviction that the Catholics had been treated with undue favour at Court was continually receiving fresh support, and the Catholics were likely to pay a heavy penalty for their entanglement in political strife. Orders were given to weed out the Catholic officers from the Northern army.³ A sharp report from Glyn pointed out that for some time priests and Jesuits had been almost entirely untouched by the Recusancy laws. During the last seven or eight years no less than seventy-four letters of grace had been issued in their favour. Most of these had been signed by Windebank. On this report the House took sharp action. It directed the justices of the peace in and around the capital, to proceed

¹ *C. J.* ii. 49.² *Baillie*, i. 275.³ *C. J.* ii. 40.

against Recusants according to law, notwithstanding any inhibition. Windebank was sent for, that he might give account of his interference.¹

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1640.

Windebank had but obeyed the orders given to him, however cheerfully he may have carried out his instructions. He was not the man to face his enemies as Strafford had faced them. It may be that the secret of the request which he had made to Rossetti for Papal troops and Papal gold to be employed against his countrymen, weighed heavily on his mind. He kept out of the way as long as it was possible to conceal himself, and when concealment was no longer possible, he fled beyond the sea, with the King's connivance. He arrived in France bearing letters of introduction written by the Queen herself.²

Dec. 4.
Winde-
bank sent
for.

Dec. 10.
Winde-
bank's
flight.

The treatment which the Catholics were receiving at the hands of the Parliament had roused the Queen to a heat of indignation which made her capable of anything. Before the end of November, in spite of her rebuff in the preceding spring, she had renewed her application to Cardinal Barberini for money. She informed him that 125,000*l.* might be usefully spent in bribes to the Parliamentary leaders to induce them to deal more gently with the Catholics.³ Her temper was not softened when, a week or two after the proposal was made, she herself received a warning that she would do well to dismiss her Catholic servants. She replied proudly that she would rather dismiss the Protestants, and fill their places with persons of her own religion. Yet so powerless did she feel in the early part of December, that she recom-

The
Queen's ir-
ritation.

She applies
to Rome for
money.

¹ C. J. ii. 44.

² *Rushw.* iv. 91. Giustinian to the Doge, Dec. $\frac{11}{11}$, *Ven. Transcripts.*

³ Barberini to Rossetti, Jan. $\frac{16}{16}$, *R. O. Transcripts.*

THE FIRST TWO MONTHS OF THE LONG PARLIAMENT.

AP. mended Rossetti to leave England, on the ground that
it was no longer possible to protect him.

40. In these days of weakness, when the Queen and
her husband were alike feeling the bitterness of
obedience where they had been accustomed to com-
mand, the idea of the Dutch marriage rose before
their minds as a means of escape from their difficulties.
On December 10, the very day of Windebank's flight,
Charles announced to the Privy Council that he had
given his consent to a marriage between his second
daughter and Prince William of Orange, though well-
informed observers were aware that if a fresh applica-
tion were made for the hand of the Princess Mary it
would not now be refused. Yet even those who
prided themselves on their knowledge of the King's
intentions, did not know all his secret. In reality
Charles was looking for help of a very substantial
kind from the father of the bridegroom. He
believed that Frederick Henry might be induced
to mediate between himself and the English Parlia-
ment, and he had little doubt that the result of that
mediation would be entirely in his own favour. It
cannot be said certainly whether he already contem-
plated the landing of Dutch troops in England to sup-
port him against his own subjects. Frederick Henry
was hardly the man to re-enact the sorry part which
had been played by St. Louis at Amiens, and it may
be that Charles would for the present be content with
merely moral support. He at once took a higher
tone than he had done since the meeting of Parlia-
ment. He would not allow the Houses, he said, to
punish his servants.¹ A few days after these words

¹ Giustinian to the Doge, Nov. 20, Dec. 4, 12, 14, *Ven. Transcripts*.
Vane to the Prince of Orange, Dec. 11, *Groen Van Prinsterer*, ser. 2, iii.
206.

were uttered, Laud was impeached, and Finch had fled to Holland.

The foundations for an attack upon the Lord Keeper were already laid. On December 7, on St. John's report, the House resolved that ship money was an utterly illegal impost, and that the Judges who had declared the contrary, had acted in defiance of the law. To this result no man contributed more than Falkland. Small of stature and without any advantages of voice or person, he placed himself at once in the first rank of Parliamentary orators. Burning indignation against wrong gave light and strength to his words. His ideal Commonwealth was indeed very different from that of Pym. He was not anxious to put an end to the meddlesome interference of the few, merely to give free scope to the meddlesome interference of the many, and he would be sure to distrust any system which threatened to lay intellectual freedom at the feet of a Parliamentary majority. On the point for the moment at issue he was at one with Pym, and in expressing the opinion which he had formed he was far more vehement and impetuous. He took no account of the natural tendency of the Judges to give a hard and legal form to the political ideas which were floating in their minds, and he treated their arguments as an insult to common sense. They had seen danger from an enemy where danger there was none. It was strange that they saw not the law, which all men else saw but themselves. He then proceeded to reason that there was now no more question whether the Judges were to be punished or not for past offences. Men who had delivered such opinions could not safely be left on the Bench. They were the advisers in all legal matters of the House of Lords. If the law was to regain its force,

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1640.
Dec 7.
Resolutions
against
ship
money,

supported
by Falk-
land.

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X

1640.

Dec. 7.

they must be punished and removed. Had not Finch declared that the power of levying ship money was so inherent in the Crown that it was not in the power even of Parliament to take it away? Had he not gone round to solicit the Judges to give opinions against their knowledge and conscience? Yet it was this man who was now the keeper of his Majesty's conscience, and was always ready to infuse into his mind opinions hostile to his Parliament.

He is
seconded
by Hyde.

Falkland was at once supported by his friend Hyde. Hyde's legal mind was shocked at the action of the Judges, not so much because they had defied the nation, as because they had brought the law into disrepute. He moved that the eight Judges who were left on the Bench out of the twelve who had sat on it in Hampden's case, might be asked to reveal the solicitations to which they had been subjected. The report of their answers was not favourable to Finch, and, at Falkland's motion, orders were given to draw up a charge against him.¹

Dec. 21.
Finch
defends
himself
before the
Commons.

Before the day arrived, when the impeachment of the Lord Keeper would finally be decided on, Finch unexpectedly sent a request to be heard by the Commons. On the 21st he appeared, and was received by the House with all the honour due to his office. The manner in which his defence was made extorted admiration even from his bitterest opponents. There can be little doubt that, harsh and insolent as he was, his most outrageous arguments had resulted from an honest conviction that he was in the right. Yet he could hardly have expected that any justification of his conduct would find favour with the audience to which it was addressed. His defence seemed to the Commons to have been an aggravation, rather than a

¹ *Rushw.* iv. 86. *D'Ewes's Diary, Harl. MSS.* clxii. fol. 55.

mitigation, of his offence. Sir Thomas Jermyn the Comptroller of the Household, asked 'whether this were a treason within the statute or by the construction of the House.' Pym loftily replied, 'that to endeavour the subversion of the laws of this kingdom was treason of the highest nature.' "'Tis treason," said Hyde, "to kill a judge, much more to slay justice itself." The vote for the impeachment of the Lord Keeper as a traitor was carried with scarcely a dissentient voice.¹ That night Finch followed the example which had been set by Windebank. After an interview with Charles, he fled across the sea in a vessel belonging to the Royal Navy. He chose the Hague as the place of his exile. It was a matter of course that his impeachment was now finally voted, and at the same time six of the Judges who were selected as sharing his offence in the matter of ship money were ordered to give security that they would appear whenever they were called for.

On the political questions before the House, on the impeachment of Strafford and Finch, on the condemnation of ship money, and on the necessity of defensive measures against the Catholics, the House was practically unanimous. No Royalist party was in existence. The few Privy Councillors who had a seat in the House—Vane, Roe, and Jermyn—had no power and probably no wish to defend the fallen system.

Division, if it came at all, would come from another quarter. Whatever difficulties might arise about the political system to be substituted for that which had failed so utterly, men were pretty well agreed as to the general character of the institutions which they desired to found. They wanted to restore the reign of law in combination with the authority

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1640.

Dec. 21.

His flight,

Dec. 23.
and im-
peachment.Unanimity
of the
House.

¹ *Rusho.* iv. 124. *D'Ewes's Diary, Harl. MSS.* clxii. fol. 90.

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X.

1640.

Dec. 11.
The London petition against Episcopacy.

of Parliament. With respect to religion they were far from being equally unanimous, and they had an instinctive feeling that it was here that the seeds of future division were to be found. On the 11th a violent petition for Church-reform and the abolition of Episcopacy, signed by 15,000 Londoners, was presented to the House. An approving crowd of some 1,500 persons followed it into Westminster Hall. For the first time opinion in the House was seriously divided. "There were many against, and many for the same."¹

Its consideration postponed.

Yet, in spite of Vane's official objection that many of the petitioners were Brownists, the Commons resolved to take their prayer into consideration on the 17th. When, however, the 17th arrived, it was discovered that the House was too busy to attend to it for the present, and the subject was postponed to a more convenient season.

Dec. 9.
Attack on the new canons.

Yet, if the House was not as yet prepared to discuss the merits of Episcopacy, it was resolved to put an end to that clerical domination which had been the most generally obnoxious part of the Laudian system. Of this domination the late canons and the etcetera oath were regarded as the most complete expression, and when the question of their legality was moved by Rouse there was no wish to evade the discussion. Yet even on this ground a small knot of members threw themselves athwart the prevailing current. Holborne, who had shared with St. John the glory of the defence of Hampden, broke away from the majority on the ecclesiastical question. Convocation, he argued, was an independent body, entitled, with the King's assent, to bind both clergy and laity,

Dec. 15.
Holborne's argument in their favour.

¹ The Scottish Commissioners in London to the Committee in Newcastle, *Adv. Libr. Edin.* 33, 4, 6.

so long as its canons did not come into conflict with the law of the land. In former reigns, canons had been made which had never been confirmed by Parliament. "If we be of the Church," he expressly added, "the canons must bind us." To Holborne's assertion that the laity were bound by the clergy in Convocation, St. John replied by the counter-assertion that they were unable, unless their canons were confirmed by Parliament, to bind even the clergy. When it was put to the vote that the late canons bound neither the clergy nor the laity, not a single voice was raised in the negative.

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X.
1640.
Dec. 15.

The next day the obnoxious canons were voted to have been illegal. It was impossible, in such a discussion, that Laud's name should be forgotten. One member asked whether there had not been 'a principal solicitor here' as there had been amongst the Judges. Sir John Holtham suggested that there was good reason to accuse Laud of treason. Pym was of the same opinion. On the 18th Grimston gave voice to the general feeling. 'The Archbishop,' he said, 'was the root and ground of all our miseries.' He had preferred Strafford, Windebank, Wren, 'and all the other wicked Bishops now in England,' to their places. At Pym's motion a message was sent to the Lords impeaching the Archbishop of high treason. The Lords at once sequestered him from Parliament, and committed him to custody. At the same time they directed that Bishops Wren and Pierce, over whom charges were impending, should give security for their appearance whenever they were sent for.¹

Dec. 16.
The canons
voted to be
illegal.

Dec. 18.
Laud im-
peached of
treason.

Whether Laud's offence were properly characterised as treason or not, there can be no doubt what his offence was. If the expression—the fundamental laws of

Nature of
Laud's
offence.

¹ C. J. ii. 54. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 72, 82, 86.

CHAP.
X.

1640.
Dec. 18.

England—meant the supremacy of Parliament, Laud was as guilty of assailing them as Strafford had ever been. Modern writers frequently speak of him as if he were altogether contemptible. Contemporaries were of a very different opinion. They believed that he was even more dangerous than Strafford could possibly be, and there can be little doubt that, from one point of view at least, contemporaries were in the right. Strafford's vigour and energy would but last for his own lifetime. Laud was engaged in the formation of an instrument which would outlive himself. It was indeed a formidable thing to have in his hands the whole teaching power of England, to be able to train those to whose utterances the nation was Sunday by Sunday constrained to listen, and who were sure to inculcate the duty of obeying the King at least as loudly as they inculcated the duty of serving God. Yet, if contemporaries were right in fearing Laud in the day of his power, it may well be asked whether they had still any reason to fear him in the day of his weakness. No doubt if the Commons had had but to reckon with Laud and Strafford alone, they might have taken courage. In favour of the fallen ministers not a voice had been raised, or was likely to be raised. Unhappily for the authors as well as for the victims of Parliamentary vengeance, it was already an open secret that Laud and Strafford did not stand alone, and that Charles was only prevented by his fears from favouring them again as he had favoured them before. The one thing which would enable Parliament to be magnanimous was the knowledge that there existed in England a Government which it could trust.

Dec. 19.
The King's
revenue.

In the midst of these attacks on the ministers of the Crown the Commons had not been unmindful of the effect which was likely to be produced on Charles him-

self. They had made an effort to win him over by providing for his necessities. St. John had reminded the House that now that ship money and the monopolies had been declared illegal, the King was poor. He called on the members 'to provide a high subsistence for his Majesty.' A message was accordingly sent to the King for permission to take into consideration the expenditure of the Crown. Leave was granted, and it was resolved to set Charles's finances in order as soon as the Christmas vacation was over. That it might be seen that the proper wants of the Crown would be dealt with in no niggardly spirit, two additional subsidies, making four in all, were voted as a security that the armies in the North should not be neglected.¹

CHAP.
X.
1640.
Dec. 19.

Dec. 23.
Two more
subsidies
granted.

What possibility was there that Charles should be really soothed by any attention to his material interests? The power which he held to be rightfully his own had been wrested from him. The statesmen whom he honoured had been thrust into prison or compelled to find safety in flight. The Church, of which he believed himself to be appointed by God and the law as the special guardian, was about to become a prey to confusion. Worse than all, men were honouring him with their lips, whilst they set at nought every injunction which he gave. It might be said of him, as was afterwards said of another sovereign whose misfortunes might be paralleled with his own, that a 'king circumstanced as the present, if he is totally stupified by his misfortunes so as to think it not the necessity, but the premium and privilege of life, to eat and sleep, without any regard to glory, can never be fit for the office. If he

Effect of
the pro-
ceedings of
Parlia-
ment upon
Charles.

¹ D'Ewes's Diary, *Harl. MSS.* clxxii. fol. 73, 97. Northcote's *Diary*, 59.

CHAP.
X.

1640.
Dec. 23.

feels as men commonly feel, he must be sensible that an office so circumstanced is one in which he can obtain no fame or reputation. He has no generous interest that can excite him to action. At best, his conduct will be passive and defensive. To inferior people such an office might be matter of honour. But to be raised to it, and to descend to it, are different things, and suggest different sentiments.'¹

The Queen
protects
Rossetti;

The Queen at least had no intention of acquiescing in the position which Parliament was creating for her and her husband. The Dutch alliance had filled her with unbounded hope. She bade Rossetti to remain at his post; and though he was recommended to sleep every night at St. James's, under the shelter of the Queen Mother's roof, he was told that the King would not withdraw his protection from him. Why, she asked her confessor, Father Philips, would not the Pope send aid to her, as he had done to the Emperor? Philips repeated what Rossetti had said to her some months before, that, unless her husband were a Catholic, help could not be given. The Queen answered that if the King declared himself a Catholic he would be at once deposed. He had neither soldiers nor money at his disposal, and the Catholics, therefore, would inevitably receive damage rather than advantage. When Philips reported this conversation to the Pope's agent, Rossetti replied that the times were not opportune for a war of religion. It would be better to ask the King of France to interfere, on the ground that his sister had been deprived of the advantages promised her in her marriage treaty, or that his nephews were being wronged by the diminution of that sovereignty to which they were the heirs, or simply that his sister and her husband were un-

and begs
again for
help from
the Pope.

Philips
suggests an
application
to France.

¹ Burke's *Reflections on the Revolution in France*.

justly deprived of their rights. He might expect to have in this the help of the Dutch. When the King had in this way been restored to his authority, he would see that it would be impossible to maintain himself without crushing Puritanism, and that he could only expect to do that by union with the Catholic Church. Philips then proceeded to assure Rossetti that the Queen had promised him that if the Pope would send her money, the King, on regaining his authority, would grant liberty of worship in all his kingdoms.

CHAP.
X.
1640.
Dec.

The Queen declares that the King will, if successful, grant liberty of worship.

If Pym and his allies had been striking in the dark when they declared themselves convinced of the existence of a Popish plot, they were not striking altogether at random. No doubt, if they had been more tolerant, there would have been no plot. Evil begets evil, and the hard measure which they were dealing out to the Catholics led to this invitation to a foreign priest and a foreign king to intervene in the affairs of England.

What part Charles had in the matter cannot now be known. It is most improbable that the Queen kept her plans a secret from him. If the Commons were left in complete ignorance of these and similar projects, there was enough in Charles's bearing to teach them that he bore no goodwill to the cause in which they were engaged. Charles had not the art of inspiring confidence where he felt none. So elated was he shortly before Christmas with the vague hopes of assistance which he had conceived, that he spoke openly to Bristol of his intention to resist the demands which Parliament was certain to make. "Sire," replied the plain-spoken Earl, "you will be forced to do what you do not wish."¹

Charles probably informed.

Charles intends to resist Parliament.

¹ Rossetti to Barberini, ^{Dec. 25} Jan. 4, *R. O. Transcripts.*

CHAP.

X.

1640.

Dec. 24.
Strode
brings in a
Bill for
Annual
Parlia-
ments.

Under the growing feeling that a contest with the King was imminent, it behoved the popular leaders to provide for the unwelcome contingency. Pym had long ago pointed out that the main source of the evils under which the country had suffered was to be found in the long intermission of Parliamentary life. It was absolutely necessary that, before the Scots were dismissed from England, and a permanent revenue was voted to the Crown, provision should be made that no such intermission should again occur. On December 24, the day on which the Commons held their last sitting before the short Christmas vacation, Strode brought in a Bill for Annual Parliaments. If in every year the King had not issued writs for the elections before the first Tuesday in Lent, the returns were to be made without the usual intervention of the Crown. In future no Parliament was to be dissolved within forty days after the commencement of the session, unless the consent of both Houses could be obtained.

Dec. 30.
Charles's
concession
to the
Scots.

Charles knew well how favourable was the presence of the Scottish army in the North to the pretensions of Parliament; yet it was only with considerable reluctance that he agreed to a reasonable compromise on the point of the incendiaries. The Scots themselves suggested a way out of the difficulty. Let the King at least engage not to employ about his person any man who had been sentenced by Parliament. To this Charles, though after some hesitation, at last assented.¹

Dec. 29.
The King's
revenue.

The Commons had allowed themselves no more than four days' vacation at Christmas. When they met again they took up the question of the King's

¹ The reply of the Scottish Commissioners, Dec. 23. The last answer of the English Commissioners, Dec. 30, *Adv. Libr. Edin.* 33, 4, 6.

revenue. So loose had been the system which had prevailed in the Exchequer that no balance-sheet later than that of 1635 was to be found, and the Commons had to wait till the proper information could be obtained.

CHAP.
X.

1640.
Dec. 29.

Before that time arrived the relations between Charles and his Parliament had become such as to render it unadvisable to place him in possession of sufficient revenue to cover his expenses. On December 30 the Annual Parliament Bill was read a second time, at Cromwell's motion. During the past weeks Cromwell had been steadily rising in the estimation of the House. His cousinship with Hampden had doubtless introduced him to the companionship of men of influence, but it is certain that he owed more to himself than to his friends. His strong and vehement Puritanism would be sure to secure him the sympathy of many members; but his special strength lay in his prompt appreciation of the practical necessities of the day. Others might be able to look farther into the future, or might have a wider grasp of constitutional principles. No one was so ready as Cromwell in keeping the House in mind of the action which was needed to keep a hold on the immediate present.¹

Dec. 30.
Cromwell
and the
Annual
Parliament
Bill.

Whilst the constitutional struggle was being fought out at Westminster, the Northern army was ready to disband for want of pay. Money had been sent, but it had been sent slowly and irregularly, and there was a disposition in the House of Commons to favour the Scots, whom it trusted, rather than the English, whom it distrusted. The House refused to listen to

Dec. 31.
State of the
Northern
army.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 101. This characteristic of Cromwell which shows itself already comes out much more strongly in the spring and summer of 1642.

CHAP.

X.

1641.

1641.
Jan. 4.
The Irish
army.

a proposal that the officers should be entrusted with the power of martial law. An early day was, however, fixed for pushing on the Bill of Subsidies.

At the same time attention was drawn to the army which had been levied under Strafford's authority in Ireland. That army, as Sir Walter Erle reported, numbered about 9,000 men. It was now scattered over Ulster. It was mainly composed of Catholics, and a detachment had 'seized on Londonderry, and said mass in the church.' A message was at once sent to the Lords to ask for a conference on the threatening peril.

Harrison's
loan.

Before the conference took place, a discussion arose which it is difficult to report without a smile. Some days before, a Mr. Harrison, one of the farmers of the Customs, and a member of the House, had advanced 50,000*l.* on the security of the coming subsidies. As a reward for his patriotism he had been knighted by the King. He had also done a good stroke of business by securing the favour of the Commons, as it was almost certain that there would be an unpleasant investigation into the conduct of the farmers in collecting Tonnage and Poundage without a Parliamentary grant. Whatever this might be worth, Harrison expected to receive interest upon his loan at the usual rate of 8 per cent. An unexpected difficulty arose. He was told that the Act of Parliament which had prohibited a higher rate, had expressly refused to countenance the taking of interest at all, 'in point of religion or conscience.'

Questions
whether
interest
was lawful.Position of
D'Ewes.

The problem was solved by a member who had already acquired a hold of a certain kind upon the assembly. The part played by the Speaker in a modern House of Commons, of regulating the debates by an appeal to the precedents of former times, was

one for which Lenthall was little qualified. Sir Symonds D'Ewes was just the man to supply his deficiencies. His life-long studies in the legal antiquities of the country enabled him, with the aid of an excellent memory, to produce on the spur of the moment any precedent that might be needed. In this way he acquired an authority in the House, as long as no higher statesmanship was required than his pedantic self-complacency had at command. He now came to the rescue of the members in their difficulty. To take or pay interest, he said, was undoubtedly held to be unlawful by the Church and law of England; but it had never been held to be wrong to pay a man damages for the loss which he suffered by abandoning for a time the use of his capital. The House caught at this sapient deliverance. The word 'damages' was substituted for the word 'interest,' and every one was content.¹

CHAP.

X

1641.

Jan. 4.

He solves
the prob-
lem.

On the 7th there was a fresh report by Erle on the Irish army. The number, he said, 'was great, near upon 10,000, all or most of them papists.' All the strong places in the North of Ireland were in their hands. Strafford was still their general, and many of the officers were in the habit of repairing to him in the Tower. It would be well to ask the Lords to concur in a petition that this army might be disbanded. Vane's official reply was not likely to allay the suspicion felt. He said that the Irish army ought not to be disbanded till the Scottish army was disbanded also. Charles, in fact, was well aware that he could not for the moment venture to strike at those whom he regarded as his enemies. Yet he would not deprive himself of the power of striking at some future time. It was not in his nature to throw him-

Jan. 7.
The Irish
army
again.

¹ D'Ewes's Diary, Jan. 4, *Harl. MSS.* clxii. fol. 116.

CHAP.
X.

1641.

Jan. 7.

self frankly on his subjects' loyalty, and to evoke the sympathies which he had lost by a hearty co-operation with them in the work which they had on hand. If he could have done that he might have saved himself, and might, perhaps, have saved Strafford as well. By weakness and hesitation, by hankering after the employment of a force which he had neither the power nor the resolution to wield, he was raising the barrier between him and his subjects higher and higher every day. Distrust at last would make the breach inevitable, by driving the Commons to demands which it was impossible for a king to concede, but which would never have been made if they had been able to repose confidence in him. The wisdom of coming quickly to an agreement with his adversary was never understood by Charles.

CHAPTER XI.

THE TRIENNIAL ACT, AND THE ECCLESIASTICAL DEBATES.

THERE was nothing in Charles's mind repugnant to the idea of asking for foreign support against the English nation. Twice already he had attempted to procure foreign troops to serve him against the Scots, and he was equally ready to make use of foreign troops to serve him against the English. The habit of regarding his own authority as something distinct from the nation, prevented him from feeling, as Elizabeth would have felt, that there was anything disgraceful in appealing to foreigners for assistance against his own subjects.

When, on January 6, the Dutch ambassadors, who had come to make a formal demand for his daughter's hand, had their first audience, there can be little doubt that he was by this time under the impression that, in case of extremity, the Prince of Orange would be ready to give him material assistance in the maintenance of his authority in England. But, though he had no objection to accept that assistance if things came to the worst, he was not quite certain that things had yet come to the worst. Appearances were against the Parliament, but, after all, a better spirit might prevail. On three points he would never give way. He would never consent to pass a Bill for Annual Parliaments, or one for the abolition of Episcopacy, or to allow any of his ministers to be put to death without his free consent. If any one of these points

CHAP
XI.

1641.

Jan.
Charles's
feeling
about ac-
cepting
foreign aid.

Jan. 6.
First au-
dience of
the Dutch
ambassa-
dors.

CHAP.
XI.

1641.

Jan. 6.

Progress of
the nego-
tiation
with the
Scots.

were insisted on, he would at once dissolve Parliament, and obtain aid from Holland to protect him against the popular insurrection which was likely to follow. As yet, however, matters had not come to this pass. There was even hope that the King's chief opponents would come to blows with one another. Now that the question of the incendiaries had been settled, the negotiators on the part of England and Scotland were disputing over the amount of money to be paid to the Scots in compensation for their expenses in the war. It was thought at Court that the English Parliament was likely to take offence at the exorbitance of the Scottish demands. If it came to a breach, the King would have everything to gain. He would find himself engaged in a national war against the Scots, and would be in a far stronger position than if he were merely at the head of a Dutch force sent to defend the Royal authority against his recalcitrant subjects.¹

¹ There is nothing in any published documents which throws further light on this offer of the Prince of Orange, and no engagement to assist Charles with troops is known to have been afterwards given. It will be seen, however, that there are strong reasons for thinking that money was paid by the young Prince at the time of the marriage, and at a later time actual assistance seems to have been contemplated. Rossetti says that Father Philips came to ask him whether he had yet written to Rome on the subject of the money which had been asked for. He expressed satisfaction on hearing that the request had been forwarded, and told him that the Queen had spoken about it again, adding 'che il Rè ancora non sapeva quali aiuti gli fussero potuti bisognare, non essendo totalmente disperato del Parlamento, ma quando succedesse il caso que da Nostro Signore gli si somministrasse in qualche maniera forze, il Rè almeno s'indurebbe a permettere la libertà di coscienza in tutt' i suoi Regni, non importando la qualità del tempo il far in ciò maggior dichiarazione et, a questo dal Padre Filippo mi fu aggiunto che egli havrebbe havuto ancora ottima speranza del Rè medesimo, il quale, oppresso così malamente dallo spirito di questi Puritani contumaci, hora maggiormente conosce non haver egli altro fine se non la distruzione dell'autorità Regia, non havendo egli voluto credervi o aplicarvi per il passato, e però esso mi diceva pensare che l'intentione di S. Mtà fosse di voler vedere à che segno sia per mettersi questo Parlamento, e che cosa ne possa cavare con minor pregiudicio possibile della Corona, poi determinarsi a quelli

That the Queen had her full share in these resolutions—if, at least, any of Charles's imaginings can be dignified with the name of a resolution—is beyond all doubt. By this time she had more cause than ever for personal irritation. So great were the straits to which the Court was reduced by the poverty of the Crown, that Charles had been forced to announce that he could no longer keep open table according to custom for the members of the Upper House during the session of Parliament. What was more annoying still, he had been unable to pay to the Queen Mother the allowance which he had granted to her, and she had consequently been obliged to sell her jewels and her horses, and to dismiss her servants.¹

CHAP.
XI.1641.
Jan. 6.Poverty of
the Court.The Queen
Mother's
allowance
stop; ped.

espèdienti che credesse essere piu adeguati alla qualità del bisogno, poichè se il Parlamento premerà per levare i Vescovi (benchè ciò non si creda) o voler similmente che ogni anno si tenga Parlamento, quando anchè non vi concorra il consenso di S. M^{te}, e condannare alla morte senza che la sentenza sia sottoscritta di mano Regia, in questo caso si tiene che il Rè vi si vorrà opponere con disciogliere il Parlamento, sperando di poter in ciò prevalersi delle forze al presente delli Olandesi promesseli per conditione matrimoniale, et in simil maniera assicurarsi dalle sollevationi popolari, e sottrahere la casa Reale dai pericoli che potrebbero sopra-
stare, se non si trovasse prontamente armato, ma perchè gli Olandesi promettono queste forze, acciò venga conservata l'autorità Regia che il Rè non sia strapazzato, et che il popolo non si sollevi, dicendo che quando si trattava di queste tre cose saranno sempre dalla parte del Rè con l'armi, ma mentre le medesime cessaranno non intendono che prende principio la guerra, se bene hora il Parlamento procura di darli ogni sodisfattione, havendo ancora aggiustato che pur un altro mese la tregua debba durare, et hanno già pagato il danaro per mantenimento dell' essercito Scozzese. Tutta la difficoltà starà sopra le pretensioni che hanno delle spese già fatte, e sin hora sta in ambiguo che cosa ne debba seguire, ma ben presto si sentirà, come vien creduto, qualche risoluzione; et se venissero rotture tra gl' Inglesei et Scozzesi sarebbe molto avvantaggioso per il Rè, poichè la guerra diventerebbe nazionale, et in questo modo potrebbe S. M^{te} sostenerla là dove, quando fosse particolare, gl' Olandesi per conditione del matrimonio faranno partiali a difendere l'autorità Regia.' Rossetti to Barberini, Jan. $\frac{9}{13}$, *R. O. Transcripts*.

¹ Giustinian to the Doge, Jan. $\frac{7}{17}$, *Ven. Transcripts*. Rossetti to Barberini, Jan. $\frac{15}{25}$, *R. O. Transcripts*.

CHAP.
XI.

1641.
Jan. 8.
Henrietta
Maria ne-
gotiates
with the
Parlia-
mentary
leaders.

Rumours of
official
changes.

Some time would elapse before an answer could be received from Rome, or the question of peace or war with the Scots could be finally determined. The possibility that Parliament might demand the dismissal of Rossetti drove Henrietta Maria to open a negotiation with some of the leading members of both Houses. She had some hope that they would be ready to please her in opposing the agitation for the removal of the Papal Agent, because she knew that they were anxious to remain on good terms with France, and she believed that the new French ambassador, who was expected shortly to arrive in succession to Bellièvre, would bring instructions to insist that her intercourse with the Pope should not be disturbed.¹ The Queen's overtures were shortly followed by rumours of impending official changes.² Cottington, anxious to escape from the storm, was ready to surrender the Chancellorship of the Exchequer and the Mastership of the Court of Wards. The simple-minded Juxon would certainly not cling to the Lord Treasurer's staff; and the vacancies thus made might be filled with some of the lords who had hitherto taken part against the Crown. The rumours thus raised died away almost as soon as they were heard of. There is nothing to induce the belief that any serious concession to the popular demands was intended. No doubt the persons to whom application was made refused to make any promise about Rossetti, and for the present the negotiations came to an end.

The hope that the English Parliament would

¹ Rossetti to Barberini, Jan. $\frac{8}{13}$, *R. O. Transcripts*.

² The first mention of these proposed changes which I have met with is in Salvetti's *Newsletter* of Jan. $\frac{15}{13}$. As this contains a week's news, the rumour may have sprung up on any day between the 8th and the 15th.

quarrel with the Scots was next in order. On the 12th the Scottish demands were formally announced to the two Houses by the special direction of the King. It is no wonder that he counted on the provocation which they would give. The Scots reckoned their expenses in the late war at 785,628*l.* Of this they were willing to put 271,500*l.* out of account. Of the remainder, or 514,128*l.*, they offered to bear as much 'as the Parliament should find reasonable or us able.' The claims thus made did not take account of the now considerable sum due for the maintenance of their army, which had been accruing since the signature of the Treaty of Ripon at the rate of 850*l.* a day. The claim of the Scots on this head had now been running on for many weeks, and was likely to run on for many more.¹ Such a demand was sufficiently startling; but in the face of the known sentiments of the King it was impossible to reject it. Bristol, as a Commissioner, had fought hard against it. "When the Scots," he said in announcing their resolution to the Houses, "made this vast proposition, it startled me to think what a dishonour was fallen upon this ancient and renowned

CHAP.
XI.
1641.
Jan. 12.
The Scot-
tish de-
mands.

Bristol re-
commends
their ac-
ceptance.

¹ Borough's Notes, *Harl. MSS.* cclvii. 50. D'Ewes's Diary, *Harl. MSS.* clxii. 140. *Baillie*, i. 289. It is seldom indeed that any complaint has to be made of Mr. David Laing's editing, but he has here made Baillie write pure nonsense. In his edition the passage runs: 'The particular compt was given with the demand; a scrole of two hundred and fiftie thousand pound sterling, which we putt out of compt, five hundred and fourteen thousand pound [Scots] whereof we offered to bear ourself such a proportion as the Parliament should find reasonable or us able.' I would suggest the following changes. 'A scroll of 250,000*l.* sterling which we put out of compt [and] 514,000*l.*, whereof we offered,' &c. This agrees with Borough's notes, which it should be remembered Mr. Laing had not seen. Since this was written I have seen the full account in the MS. in the Advocates' Library (33, 4, 6). The exact sum put out of account must be the 271,500*l.* there charged on general losses. The claim made is given, as I had supposed, in pounds sterling.

CHAP.

XI.

1641.

Jan. 12.

nation; but when I considered that this dishonour fell upon us by the improvidence and evil counsels of certain bad instruments, who had reduced his royal Majesty and this kingdom to these straits, I well hoped the shame and part of the loss would fall upon them.”¹

Jan. 23.
They are
taken into
considera-
tion by the
Commons.

On the 23rd the Scottish demands were taken into consideration by the Commons. There was much difference of opinion. The Scots had many enemies in the House. Some of these suggested that they should have nothing till they had left England.² Others thought that the money needed to pay them should be raised out of the estates of the incendiaries. In the end it was voted in general terms that a friendly assistance should be given, though the amount of it and the mode in which it was to be raised were left to future discussion.³

Jan. 19.
The Prin-
cess Mary
to ma. ry
Prince
William of
Orange.

If the English Commons were not likely to quarrel with the Scots, neither were the Dutch likely to serve Charles as he expected to be served. On the 19th he announced to their ambassadors that he was ready to accept their demand for the Princess Mary instead of the Princess Elizabeth. He hoped that the marriage treaty might be accompanied by a political alliance between the two States. It is true that he spoke of this alliance as one which was to be directed against Spain, but there can be little doubt that his thoughts were travelling in another direction. “Our eldest daughter,” said the Queen, it may well be believed with her most winning smile, “deserves something more than her younger sister.”

The question was referred to Commissioners ap-

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 140.

² ‘It is not unknown,’ the Scotch Commissioners had written on the 13th, ‘what desperate desires and miserable hopes our adversaries have conceived of a breach upon this article.’ *Adv. Libr. Edin.* 33, 4, 6.

³ *C. J.* ii. 71. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 158.

pointed to draw up the marriage treaty. The Dutchmen expressed their readiness to treat of a political alliance as soon as the articles of marriage were agreed on. But they intimated that, in their opinion, such an alliance would be of little use unless the King came to a good understanding with his Parliament.

CHAP.
XI.
1641.
Jan. 19.
The marriage treaty negotiated.

The marriage treaty was quickly settled. The only question at issue related to the time at which the youthful bride was to be transmitted to Holland. Charles withdrew a demand, on which he had insisted the year before, that his daughter should be allowed the use of the ceremonies of the Church of England. "It may be," said one of the English Commissioners, "that in three months there will be no such ceremonies here."¹

Whilst every hope which the King had formed of external assistance was thus failing him, the Commons were showing no signs of flinching. The Bill for Annual Parliaments, indeed, when it emerged from Committee, had been subjected to considerable modifications, partly perhaps in consequence of the knowledge that it was threatened with some opposition in the Upper House.² It was now a Bill not for Annual but for Triennial Parliaments. The old statutes of the reign of Edward III., which enacted that Parliament should meet once a year, were indeed recited in the preamble. But the machinery by which elections were to be held without authority from the Crown was not to be called into existence until the sittings of the Houses had been intermitted for three years. On the 20th the Bill was sent up to the Lords.

Transformation of the Annual Parliaments Bill to a Triennial Bill.

¹ The Dutch Ambassadors to the Prince of Orange, *Jan. 22, Groen Van Prinsterer*, Ser. 2, iii. 330.

² Giustinian to the Doge, *Jan. 1/11 1/17, Ven. Transcripts*.

CHAP.
XI.

1641.

Jan. 20.
It is sent
up to the
Lords to-
gether with
a Subsidy
Bill.

Jan. 14.
Finch im-
peached.

Jan. 15.
The Judges
to hold
office *quam-
diu se bene
geserint*.

Jan. 20.
Lyttelton
Lord
Keeper.

Jan. 29.
Bankes
Chief Jus-
tice of the
Common
Pleas.

Jan. 23.
Heath be-
comes a
Judge
again.

It was accompanied by a Bill granting four subsidies to be specially applied to the relief of the armies in the North.¹

One concession at least Charles was ready to make, and it was one which at any other time would have been received with gratitude. On the 14th Finch was formally impeached. On the 15th the King announced that from henceforth the Judges should hold office on good behaviour and no longer, as had been too often the case in his reign, at the good pleasure of the Crown. The place of Lord Keeper was now vacant, and if Charles had really been anxious to come to an understanding with Parliament he would have seized the opportunity of appointing some lawyer who shared the popular feeling. The man whom he selected was Lyttelton; and Lyttelton, amiable as he was, had pleaded vigorously against Hampden in the case of ship money. To Charles he brought little advantage. He was personally brave, but politically timid. He fell ill shortly after his appointment; and if there had been any expectation that his great legal knowledge would be turned to good account when he was called on as Lord Keeper to preside on Strafford's trial, that expectation was doomed to disappointment.

Bankes, who had taken part with Lyttelton in pleading against Hampden, succeeded Lyttelton as Chief Justice of the Common Pleas. Heath received a Puisne Judgeship which happened to be vacant. As one who had been driven from the Bench as not sufficiently pliant in the days of Charles's unquestioned power, he might have had some hold on the public sympathy. But he was known to have been one of the staunchest upholders of the prerogative in its most

¹ C. J. ii. 70. L. J. iv. 136.

exalted claims, and he had taken a leading part in those proceedings which sent Eliot to his glorious death in prison. The Attorney-Generalship was given to Sir Edward Herbert.

CHAP.
XI.

1641.

The strangest of all appointments was that of Oliver St. John as Solicitor-General.¹ If he had been placed in a position of real authority, his name would have served as a sign that Charles at least wished to appear desirous of approximating to the popular party. A Solicitor-General, as all men knew, had no real authority. He had a lucrative post, and Charles seems to have thought that he could win over many of his opponents by placing them in lucrative posts. On this occasion the attempt failed, as it deserved. St. John remained as staunch to his principles as he had been before.

Jan. 29.
St. John
Solicitor-
General.

Before St. John assumed his new office, he had the satisfaction of seeing his contention in the ship money case adopted by the House of Lords. On the 20th they passed a series of resolutions condemning the impost as illegal.

Jan. 20.
The Lords'
resolutions
against
ship
money.

If Lords and Commons were of one mind on the question of ship money, they were also of one mind on another point in which modern feeling would be distinctly against them. It is sometimes said that the distrust of the Catholics was a weakness inherent in a Puritan House of Commons, and that even there it would not have been very active but for the machinations of Pym and his associates. Those who hold this view can have paid little attention to the journals of the House of Lords. On the 21st John Goodman, a priest, who was specially obnoxious as a convert from Protestantism, and perhaps, too, as a

The Lords
and the
Catholics.

Jan. 21.
Conviction
of Good-
man.

¹ Croke's *Reports*, Car. 600. Foss (*Lives of the Judges*, vi. 347) gives the date erroneously as the 18th.

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Jan. 22.
The King
reprieves
him.

brother of the obnoxious Bishop of Gloucester, was condemned to death under the bloody laws of Elizabeth's reign. Rossetti, as soon as he heard what had taken place, applied to the Queen, and the Queen told the sad story to her husband. "If he is only condemned for being a priest," said Charles, "I will assure you he shall not die." The next morning he sent him a reprieve.

Angry
feeling
aroused.

To show mercy to a priest was unfortunately to rouse the indignation of all good Protestants. The Queen, too, had herself contributed something to the violence of the storm which followed on this act of mercy. It must have been known to many in both Houses that some, at least, of the Parliamentary leaders had recently been tempted with offers of promotion to support the continuance of that residence of a Papal Agent at the Queen's court, which had made it the centre of a permanent intrigue against the Parliamentary constitution of England.

Jan. 23.
Excite-
ment in the
City.

The first outcry did not arise in either of the Houses. The City had been making preparations to lend a further sum of 60,000*l.* On the morning of the 23rd Pennington announced that, in consequence of Goodman's reprieve and of other suspicious circumstances, the City had decided to lend nothing.

The Com-
mons de-
mand
Goodman's
execution.

The Commons at once answered to the touch, and called on the Lords to join them in demanding the execution of the condemned priest.

Charles
sends for
the House.

Charles determined, for the first time since the meeting of Parliament, to intervene in person. He sent for both Houses to appear before him at Whitehall in the afternoon. He had other matters besides this affair of Goodman on which he wished to address them. Since the London petition against the Bishops had been presented, its principles had been acted on

The Root
and Branch
Party.

in the City. That petition asked that Episcopacy might be destroyed 'root and branch,' and the 'root and branch party,' as it was afterwards called, showed signs of increasing vigour. On the 13th a petition was presented to the Commons from Kent, praying that 'the hierarchical power might be totally abrogated.' Another followed from Essex in much the same strain. The clergy did not as yet go quite so far. Some Suffolk ministers asked merely for 'some relief from their present burdens,' and another more general petition presented by Sir Robert Harley, and signed by about a thousand ministers, asked for a complete reformation of the government of the Bishops.¹

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Jan. 13.
Petitions
against
Episco-
pacy.

Jan. 23.

The movement against the Bishops was at the same time a movement against the worship enjoined in the Prayer Book. In some London churches, as soon as the minister began to read the service, the congregation struck up a psalm to drown his voice. In others the rails were pulled down and the Communion Table carried off to the centre of the church. A congregation of Separatists, which had been in the habit of meeting in secret in Deadman's Place in Southwark ever since 1621, was interrupted at a devotional meeting. Some of its members were hurried to prison, and brought before the House of Lords. They refused to engage to attend their parish churches. They said that they were only bound to obey the King in civil matters. If an Act of Parliament ordered them to go to church, it was invalid, as having been made by the Bishops. The Lords dismissed the men with a reprimand, but they issued an order which was intended to stop the

Jan.
Disturb-
ances in the
churches.

Separatists
taken.

Jan. 16.
The Lords
order on

¹ D'Ewes's Diary, Jan. 13, *Harl. MSS.* clxii. fol. 142. *Rushw.* iv. 135, 152. The Essex petition is printed in Rushworth with a wrong date.

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1641.
public wor-
ship.

disorders in public worship for the future. Divine service was to be performed everywhere in the churches according to law. No rites and ceremonies not so authorised, and in themselves likely to give offence, were to be introduced. The order was not free from ambiguity, but it was probably intended to place the ceremonies of the Church on the footing of Williams's decision in the case of the Communion Table at Grantham.¹

Jan. 17. On the following Sunday three or four of the peers, Saye and Brooke being probably amongst them, appeared amongst the Separatists in Deadman's Place, seemed interested in all that they saw and heard, and contributed liberally to the collection made for the poor.²

Jan. 23.
The King's
speech.

Such was the state of affairs when the King received the Houses at Whitehall. He began by complaining of the slow pace at which business had been moving at a time when there were still two armies in the very bosom of the kingdom, and when the navy and the coast fortifications were falling into decay for want of money. Then he spoke of the distractions which had impeded the course of government. He knew that Parliament was not to blame, but there were some men who 'put no difference betwixt reformation and alteration of government.' Divine service had been 'irreverently interrupted, petitions tumultuously given,' and much of his 'revenue detained or disputed.'

He was ready, he said, to clear the way to a better state of things. He was prepared to concur in the reformation of 'all innovations in the Church and Commonwealth.' 'All courts of justice should be

¹ *L. J.* iv. 133. *Baillie*, i. 293.

² Crosby, *History of the English Baptists*, i. 162.

regulated according to law,' and 'all matters of religion and government' reduced to 'what they were in the purest times of Queen Elizabeth's days.' Any source of revenue which proved to be illegal or oppressive he was ready to abandon without hesitation.

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Coming to particulars he announced that he would assent to a Bill to take from the Bishops any temporal authority which was injurious to the State, but that he would never agree to deprive them of their votes in the House of Lords. Their right to this was so ancient that it might be held to be amongst the fundamental institutions of the realm.

On the Triennial Bill he was no less decided. He would not part with the prerogative of summoning Parliaments at such times as he saw fit, which indeed was inseparable from the Crown. He had, however, a plan to propose, which he hoped would give satisfaction, and which would show how desirous he was to meet his people frequently in Parliament. He ended by saying that they would soon receive a message from him on the subject of Goodman's reprieve.¹

To penetrate with absolute certitude to the motives of any man is beyond our power. Yet it is not impossible that for the moment, at least, Charles meant all that he said. He might dally with his wife's fantasies, but he had no real liking for them. He had no steady wish to see a Dutch army landed in England, or his throne supported by French threats uttered on the invitation of the Pope. He had far rather that Parliament should enter into a discussion of its grievances in detail, and allow him beneficently to lend an ear to their complaints, rectifying all that

Charles to
a great
extent sin-
cere.

¹ *L. J.* iv. 142.

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Yet it was
natural
that he
should not
be believed.

he saw to be amiss, and refusing to change anything that he conceived to be advantageous.

Parliament, and more especially the Commons, felt instinctively that if Charles wished for the redress of grievances he did not wish it with his whole heart. It was useless to tell them that he was ready to return to the Church system of Elizabeth. They knew that in the days of his unquestioned power, he had professed to be following in the steps of Elizabeth, and that there was nothing to show that he meant to interpret her system otherwise than he had interpreted it then.

Unfortunately for Charles, the power of carrying conviction was altogether wanting to him. Actions, not words, were needed for that. What a nation looks for in such days of trial is the firm hand of a leader who, sympathising with its desires and even with its prejudices, can guide it with the moderation of conscious strength. Charles could offer no such rallying point. His speech was composed partly of negations, partly of vague and uncertain invitations to others to act. If he were to rule the storm which he had evoked, he should have directed his ministers to introduce a Bill of Church Reform into the House of Commons, and have shown at the same time that he was ready to bow to any true expression of the national will. This was what Elizabeth would have done, in whose steps he expressed his determination to walk. He did nothing of the kind. Like the unskilful boxer to whom the Athenian orator compared his countrymen in the days of their decline, he was ever attempting to parry the blows aimed at him, never venturing to plant a skilful blow in return.

It was inevitable that Charles's speech should be

taken by advocates of a large Church Reform as containing a meaning more opposed to their wishes than its expressions would literally bear. Between him and them no understanding was possible. "This speech," wrote D'Ewes in that inestimable diary in which he has preserved so much of the words and acts of this famous Parliament, "filled most of us with sad apprehensions of future evils, in case his Majesty should be irremovably fixed to uphold the Bishops in their wealth, pride, and tyranny."¹ The feeling found expression in a request for a conference with the Lords, and an order to Sir John Wintour, the Queen's secretary, Sir Kenelm Digby, Walter Montague, and two other Catholic gentlemen to give an account of their part in the collection of the contribution from the Catholics in support of the King's army in 1639.² The ill-feeling was not allayed by a message from the King justifying the reprieve of Goodman, and offering merely to banish him from England. In regarding the action of the Catholics with alarm both Houses were of one mind. The Lords concurred with the Commons in asking the King to put the Recusancy laws in execution, and to begin by sending Goodman to the cruel death of a traitor.

Charles knew how much was at stake in the demand for Goodman's execution. If he did not stand firm here, how would he be able to stand firm when Strafford's head should be asked for? On the 28th the detailed charges against the Lord-Lieutenant were brought up by Pym from the Committee which had been appointed to prepare them. To Strafford the appearance of these lengthy articles

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Feeling
aroused by
this speech.

The Catho-
lic contri-
butions to
the army to
be investi-
gated.

Jan. 25.
The King
offers to
banish
Goodman.

Jan. 29.
Goodman's
execution
asked for.

Jan. 28.
The arti-
cles against
Strafford.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 164.

² *C. J.* ii. 74.

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conveyed a sense of relief. "I thank God, my lord," he wrote to Ormond, "I see nothing capital in their charge, nor any other thing which I am not able to answer as becomes an honest man."¹

Charge relating to the Irish army.

Elaborate as the articles were, there was one thought which overtopped them all. The belief that Strafford had planned the introduction of an Irish army to overpower resistance in England was dragging him down to his destruction. Every piece of evidence which gave the slightest authority to this belief was eagerly caught at. The day after the articles were read in the House, a member stated that the Catholic Earl of Worcester and his son Lord Herbert had in the preceding year² received commissions authorising them to levy forces in those shires on either side of the Welsh border in which the influence of their house was predominant; and that Sir Percy Herbert, the Catholic son of Lord Powis, had been gathering corn, and had removed powder and munitions from the county magazine. It was easy to connect these levies with a supposed intention of landing Strafford's army in Wales.

Jan. 29.
Preparations by the Earl of Worcester questioned.

On the following day the articles against Strafford were put to the vote in the House. As soon as the first was read Sir John Strangways asked by what witnesses it had been substantiated, and Sir Guy Palmes seconded his demand for a reply. They were told that the House must be content to leave such matters to the Committee. When the question was put, more than a third of the members present remained silent. The Speaker told them that every one was bound to say either Aye or No; 'after which,' writes D'Ewes,

Jan. 30.
Articles against Strafford voted.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 176. Strafford to Ormond, Feb. 3, *Carte's Ormond*, v. 245.

² D'Ewes says it was in 1638, but this is plainly a mistake.

'the Ayes were many and loud.' The remaining articles were then voted and transmitted to the Lords.¹

Slight as the indication of feeling was, it gave evidence that the unanimity with which the Commons had hitherto proceeded, might not last for ever. Even if Charles had been capable of profiting by this position of affairs he would have been sadly hampered by the Catholic surroundings of the Queen. Henrietta Maria was violently annoyed by the late action of Parliament in demanding Goodman's execution and the expulsion of Rossetti, and by the summons issued to her secretary and her favourite companions to give an account of themselves before the House of Commons. She suddenly discovered that the English climate was injurious to her health, and that she was in danger of falling into a consumption. It would therefore be necessary for her to visit France in April. Preparations for her journey were ostentatiously made.

Doubtless it was not mere vexation which brought the Queen to this resolve. Before April came she might expect an answer to her application to Rome, and she probably hoped that the result would be the direct intervention of the French Government on her behalf. She may very well have judged it more prudent to be absent from England when that intervention took shape. If such were her thoughts, she little knew Richelieu. The Cardinal, by whom France was ruled, cared nothing for the family relationships of his master, nothing even for the interests of his church when they clashed with those of his country. Instead of despatching a new ambassador to threaten violence on behalf of the Catholics, he instructed

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Jan. 30.

The Queen
proposes
to visit
France.

Her probable object.

¹ D'Ewes's Diary, *Harl. MSS.* clxii., fol. 182.

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Jan. 30.

Montreuil to enter into communications with the popular party, and to explain that it would be agreeable to France if Rossetti were allowed to remain. Holland, who was in opposition to the Court, simply because he had not latterly partaken sufficiently of its favours, answered that he would do all that lay in his power to forward the Cardinal's wishes. It was not to be expected that Richelieu would entangle himself for Rossetti's sake in English political strife.¹

In the terror which was engendered by mutual distrust, Charles and the Commons were alike looking about them for support. The Commons had the advantage in their firmer grasp on the actual conditions under which the struggle was to be conducted. On February 3 they voted that 300,000*l.* should be given to the Scots under the name of a Brotherly Assistance. With this the Scottish Commissioners were completely satisfied, and all chance of breach between the two kingdoms came to an end.²

Feb. 3.
Brotherly
Assistance
voted to
the Scots.

Charles
throws over
the Catho-
lics.

Charles took the hint. As he had often done before, he threw over the Catholics. He announced that Goodman should be left to the judgment of the Houses, though he hoped that they would remember that severity towards Catholics in England would probably lead to severity towards Protestants in the Catholic States on the Continent. A proclamation should be issued ordering all priests to leave England within a month on pain of being proceeded against according to law. As to Rossetti, he was in England to maintain the personal correspondence be-

¹ Montreuil's Despatches, *Jan. 20*, *Feb. 7*, *Feb. 13*, *Bibl. Nat. Fr.* 15,995, fol. 183, 187. Rossetti to Barberini, *Jan. 20*, *Feb. 8*, *R. O. Transcripts*. Giustinian to the Doge, *Jan. 20*, *Feb. 8*, *Ven. Transcripts*.

² The Scottish Commissioners in London to the Committee at Newcastle, Feb. 6, *Adv. Libr. Edin.* 33, 4, 6.

tween the Queen and the Pope, which was warranted by her marriage treaty, as being necessary to the full liberty of her conscience. Nevertheless, she was prepared to dismiss him within a convenient time.¹

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The Commons took no further interest in Goodman's fate. He was allowed to remain unmolested in prison. It was not merely the death of one particular priest that had been the object of so much clamour. The resentment of Parliament had been roused by the notorious connection of the Queen's court with intrigues which were the more terrible to the imagination because they were shrouded in mystery. The day after the King's message had been delivered, the Queen sent a communication to the Commons. Her project of visiting France had not been received with favour even by her own counsellors. The Protestant Henry Jermyn and the Catholic Walter Montague agreed in preferring an easy life at Somerset House to the uncertainties of exile. Jermyn's father, Sir Thomas, was therefore commissioned to inform the House of the Queen's earnest desire to establish a good understanding between her husband and his subjects, and to plead her ignorance of the law in palliation of any illegality which she might inadvertently have committed.²

Goodman
left in
prison.

Feb. 4.
The Queen's
message.

The Commons were not much inclined to consider this message as more serious than it really was. When Jermyn finished there was a long silence. Some members then urged that they should proceed to the business of the day without taking any notice of it. A proposal made by Lord Digby to ask Jermyn to return thanks to the Queen was coldly received; though, in order to save appearances, it was at last adopted.

Answer of
the Com-
mons.

¹ *L. J.* iv. 151. *D'Ewes's Diary, Harl. MSS.* clxiv. fol. 112.

² *Rushw.* iv. 129. *D'Ewes's Diary, Harl. MSS.* clxii. fol. 176.

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Feb. 4.

Feb. 5.
The Triennial
Bill in
the Lords.

Another proposal that a Committee should be appointed to draw up formal thanks to her received no support.¹ The possibility of an understanding between the King and the Commons seemed to be farther off than ever. Nor could Charles find comfort in the action of the Lords. On the 5th the Triennial Bill was read a third time by the Peers. Both Houses, of one mind in attacking the influence of the Catholics at Court, were also of one mind in their determination that from henceforth the King should carry on the Government in compliance with the wishes of Parliament.

The Church
question.

If it had been possible for Charles to throw himself frankly upon his subjects, he would probably soon have found himself once more a force in England. The Church question was pressing for a solution, and the unanimity which had characterised the nation in its outburst of anger against the Laudian coercion was not likely to be maintained now that Laud's authority was at an end. The lawyers and the country gentlemen were indeed firmly resolved that the authority of the bishops must be seriously curtailed, and that, if they were to continue to exist, they must be brought under subjection to Parliamentary law. But when this was once settled, another question equally urgent was certain to arise. A large number of theorists, gaining strength from the hatred which the bishops had drawn upon themselves, argued that Episcopacy was anti-Christian. A smaller number of theorists argued that Episcopacy was of Divine institution. To the mass of men it was a mere matter of convenience. To the bulk of religious men, or of men who, without being supereminently religious, were under the influence of religion, it mat-

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 197.

tered much more how the worship of the Church was conducted than how the clergy were governed. Laud had roused all the old dislike of the forms of the Church into new life. There was eager and bitter criticism of the Prayer Book abroad, and there was a large number of the population of the towns which would have cast out the Prayer Book altogether. Such could never have been the aim of the people as a whole. The new changes imposed by Laud, the removal of the Communion Table to the east end, the enforcement of bowing when the name of Jesus was pronounced, the compulsory abstinence from work on Saints' days must be of necessity abandoned. But the majority—in all probability the large majority—of Englishmen wanted no more than this. There were thousands to whom the old familiar words of the Prayer Book were very dear, and to whom its lofty piety and restrained emotion had long served as the sustenance of their spiritual lives. It was to this feeling that Bishop Hall now appealed. His *Humble Remonstrance for Liturgy and Episcopacy* appeared in the last week in January. Its very title was in itself significant. The question what was to be the Liturgy of the Church had taken a precedence over the question of Episcopacy which he had not conceded to it in the preceding year. No doubt he argued warmly now as then on behalf of the Divine authority of bishops. But his main contention was in favour of the excellence of the Book of Common Prayer, and of its adaptability to every mood of Christian devotion. He admitted that some things might call for a reformation; but, when existing grievances had been redressed, the ancient building might well be left with all its fair proportions unimpaired. No wonder Charles liked the book well.

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Hall's
Humble Re-
monstrance.

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Feb. 8.
Feeling
against
Presby-
terianism.

No wonder, too, that those who were bent on establishing Presbyterianism in England held that all others pitied it 'as a most poor piece.'¹

If Episcopacy in its actual form found few supporters in England, Presbyterianism was not without its enemies. Though many minds had received a strong Puritan impress from the ecclesiastical domination of the past years, there were others scarcely less numerous which were filled with a distrust of the government of ecclesiastics in any form whatever, and who thought that the yoke of a popular clergy was likely to be far harder than the yoke of an unpopular clergy had ever been. In the House of Commons this distrust of Presbyterianism was widely spread. It found expression especially in three men, in Hyde, in Falkland, and in Digby, the lawyer, the scholar, and the gentleman.

Hyde.

Hyde was taking no mean part in the work of cutting away the extraordinary powers which had been acquired by the Crown since the accession of the House of Tudor. He was zealous with more than ordinary zeal to establish the supremacy of the law. But with him the supremacy of the law was almost equivalent to the supremacy of lawyers. He fully shared in the contempt which is always felt by the members of a learned profession for those who are outside its pale. He had no idea that sovereignty, when once taken away from a king, must be transferred to a nation. He had no sympathy with Pym's trust in the supremacy of the House of Commons. Being himself without strong passions, he never took account of the existence of strong passion in others. The Church of his ideal was one in which there would be no enthusiasm and no fanaticism, no zeal of any

¹ *Baillie*, i. 293.

kind to break up the smooth ease of existence. He loved the services of the Church, but he loved them rather because they were decorous than because they were expressive of spiritual emotion.

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Far nobler, if also far weaker, was the character of his friend Falkland. Falkland saw, before Milton saw it, that new Presbyter would be but old priest writ large. He feared lest intellectual liberty would suffer from the new Church government as it had suffered from the old.

Falkland.

In some respects Lord Digby, Bristol's son and heir, stood nearer to Falkland than to Hyde. But his distrust of Presbyterianism was rather the feeling of the polished gentleman versed in the ways of society than that of the truth-seeking student. Possessed of every quality which lifts a man to success except discretion, he looked down with the scorn of conscious power upon the sophisms which passed muster in a popular creed. His versatility and lack of principle made him easily the dupe of flattery, and the most brilliant of living Englishmen ended a long career without attaching his name to any single permanent result either for good or for evil. There can be little doubt that the Queen had already gained him over. At the opening of the Parliament he had cried out as loudly as any one against the iniquities of the Government. In the late debate on the Queen's message it had been his voice which had asked that formal thanks might be returned to her for the friendly assurances which she had given.

Digby.

On February 8 the most momentous debate of these months was opened in the Commons. Formally the question at issue was whether the London petition, which asked for the abolition of Episcopacy, should be sent to a Committee as well as the ministers'

The debates
on the ec-
clesiastical
petitions.

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Rudyard's
speech.Digby's
speech.

petition which asked only that the bishops might be restrained by certain defined rules.

The debate was opened by Rudyard. He argued in favour of a scheme of limited Episcopacy, according to which the bishop, being excluded from political functions, would be bound in ecclesiastical matters of importance to take the advice of a certain number of the clergy of his diocese.¹ Then Digby followed. No one, he said, was more ready than he to join in clipping the prelates' wings, but he could not join in their extirpation. The secret of his displeasure was not long concealed. He poured out his contempt on the 15,000 citizens who had signed the London petition, as well as on the petition itself. He spoke of it as a comet with a terrible tail pointing towards the north. "Let me recal to your mind," he said, "the manner of its delivery, and I am confident there is no man of judgment that will think it fit for a Parliament under a monarchy to give countenance to irregular and tumultuous assemblies of people, be it for never so good an end." The petition itself, he declared, was filled with expressions of undeniable harshness, and its conclusion was altogether illogical. It argued that because Episcopacy had been abused, its use must be taken away. Parliament might make a law to regulate Church government, but it was mere presumption for those who were outside Parliament to petition against a law actually in force.

Having thus assailed the petitioners, Digby turned round upon the bishops. "Methinks," he said, "the vengeance of the prelates hath been so layed, as if it were meant no generation, no degree, no complexion of

¹ *Rushw.* iv. 183. There are short notes of the debate in D'Ewes's *Diary*, *Harl. MSS.* clxii. 206. The speeches are given by Rushworth in a wrong order and assigned to a wrong date.

mankind could escape it. . . . Was there a man of nice and tender conscience? Him they afflicted with scandal, . . . imposing on him those things as necessary which they themselves knew to be but indifferent. Was there a man of a legal conscience that made the establishment by law the measure of his religion? Him they have nettled with innovations, with fresh introductions to Popery. . . . Was there a man that durst mutter against their insolencies? He may inquire for his 'lugs;' they have been within the bishops' visitation, as if they would not only derive their brandishment of the spiritual sword from St. Peter, but of the material one too, and the right to cut off ears. For my part I profess I am so enflamed with the sense of them, that I find myself ready to cry out with the loudest of the 15,000, 'Down with them! down with them!' even unto the ground."

Other considerations held him back. It was impossible that institutions which had existed since the time of the Apostles could have in them 'such a close devil' that no power could 'exorcise' it, or 'no law restrain' it. He was much deceived 'if triennial Parliaments would not be a circle able to keep many a worse devil in order.' He knew of no other government which might not prove subject to 'as great or greater inconveniences than a limited Episcopacy.' Then, pointing his meaning still more plainly, he expressed his firm belief that monarchy could not stand with the government of Presbyterian assemblies. Assemblies would be sure to claim the right of excommunicating kings; 'and if a king,' he ended by saying, 'chance to be delivered over to Satan, judge whether men are likely to care much what becomes of him next.'

Falkland followed in a higher strain. He dwelt

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sh.

more on the effect of Laud's exercise of power on thought than on its effect upon persons. He told how preaching had been discouraged; how the King's declaration, whilst ostensibly imposing silence on both parties, had been used to silence one; how the divine right of bishops, the sacredness of the clergy, and the sacrilege of impropriations had been 'the most frequent subjects even in the most sacred auditories.' Some of the bishops—Montague was doubtless in his thoughts—had so industriously laboured to deduce themselves from Rome, that they had 'given great suspicion that in gratitude they' desired 'to return thither, or at least to meet it half way.' "Some," he then said, "have evidently laboured to bring in an English, though not a Roman, Popery; I mean not only the outside and dress of it, but equally absolute, a blind dependence of the people upon the clergy, and of the clergy upon themselves; and have opposed the Papacy beyond the seas that they might settle one beyond the water." "Nay," he added, with bitter reference to Bishop Goodman, "common fame is more than ordinarily false if none of them have found a way to reconcile the opinions of Rome to the preferments of England; and to be so absolutely, directly, and cordially Papists, that it is all that 1,500*l.* a year can do to keep them from confessing it."

With all this, and with much more than this, Falkland could see no necessity for the abolition of Episcopacy. Let all laws be repealed which empowered them to persecute, and let no ceremonies which any number counts unlawful, and no man counts necessary, against the rules of policy and St. Paul be imposed upon them. "Since, therefore," he said, "we are to make new rules, and be infallibly

certain of a triennial Parliament to see those rules observed as strictly as they are made, and to increase or change them upon all occasions, we shall have no reason to fear any innovation from their tyranny, or to doubt any defect in the discharge of their duty. I am as confident they will not dare either ordain, suspend, silence, excommunicate, or deprive, otherwise than we would have them."¹

It was with the sure instinct of a true debater that Nathaniel Fiennes, Lord Saye's second son, replied to Digby and not to Falkland. That ecstatic vision of a Liberal Church, where no ceremonies were enforced which were unpalatable to any considerable number of the population, had no hold on the actual world around. In answer to Digby, Fiennes vindicated the right of petition, against the notion that the House of Commons was to stand apart from its constituents, and to legislate regardless of their wishes. Going over once more the long catalogue of the oppressions inflicted by the bishops, Fiennes traced the mischief, as Bacon had traced it before, to the fact that bishops had acted despotically and alone. Assemblies, he thought, were not so adverse to monarchy as they appeared to be. It did not, however, follow that the Presbyterian system must be introduced because Episcopacy was abolished. It might be that the Church would be most fitly governed by Commissioners appointed by the Crown.² Whatever might be the merit of this suggestion, there can be no doubt that Fiennes kept his eye more closely than Digby had done upon the stern fact that the bishops of that generation had not

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Fiennes replies not to Falkland but to Digby.

¹ *Rushw.* iv. 184.

² It will be afterwards seen that the celebrated Root-and-Branch Bill, in its final shape, provided for the exercise of episcopal jurisdiction by lay Commissioners.

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merely acted harshly to individual Englishmen, but had opposed themselves to the Parliamentary conception of government. "Until the ecclesiastical government," said Fiennes, "be framed something of another twist, and be more assimilated to that of the Commonwealth, I fear the ecclesiastical government will be no good neighbour unto the civil, but will be still casting of its leaven into it, to reduce that also to a sole absolute and arbitrary way of proceeding." Nor was it the political constitution alone that was endangered. "A second and a great evil," added Fiennes, "and of dangerous consequence in the sole and arbitrary power of bishops over their clergy is this, that they have by this means a power to place and displace the whole clergy of their dioceses at their pleasure; and this is such a power as, for my part, I had rather they had the like power over the estate and persons of all within their diocese; for if I hold the one but at the will and pleasure of one man—I mean the ministry under which I must live—I can have but little, or at least no certain, joy or comfort in the other. But this is not all; for if they have such a power to mould the clergy of their dioceses according to their pleasure, we know what an influence they may have by them upon the people, and that in a short time they may bring them to such blindness, and so mould them also to their own wills, as that they may bring in what religion they please; nay, having put out our eyes as the Philistines did Samson's, they may afterwards make us grind, and reduce us unto what slavery they please, either unto themselves, as formerly they have done, or unto others, as some of them lately have been forward enough to do." Fiennes had yet more to say against the existing ecclesiastical system. He

declared that excommunication had been degraded to a mere instrument for raising fees. In every respect the temporal part of the bishop's office had eaten away the spiritual. Bishoprics, deaneries, and chapters were like useless trees in a wood. They hindered the more profitable timber from growing. It would be much better to supply their places with preaching ministers. In conclusion, he refrained from asking the House to abolish Episcopacy. He would be content if the Londoners' petition were referred to the Committee for its report.¹

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On this ground the debate proceeded. Almost every member of note in the House, and very many who were of no note at all, rose to express an opinion on one side or the other. Pym and Hampden, St. John and Holles, the future leaders of the Parliamentary party, were all for the committal of the petition; though Pym is reported to have said 'that he thought it was not the intention of the House to abolish either Episcopacy or the Book of Common Prayer, but to reform both wherein offence was given to the people.'² Hyde and Culpepper, Selden, Hopton, and Waller, the Royalists of the days of the Grand Remonstrance, followed Digby and Falkland.

Continu-
ance of the
debate.

Slight as the difference might be between those who took opposite sides on that day, their parting gave the colour to English political life which has distinguished it ever since, and which has distinguished every free government which has followed in the steps of our forefathers. It was the first day on which two parties stood opposed to one another

The begin-
ning of
Parlia-
mentary
parties.

¹ *Rushw.* iv. 174.

² Bagshaw, *A Just Vindication*, 1660 (518, i. 2). Bagshaw, who was at this time member for Southwark, speaks of Pym as 'a gentleman with whom I had familiar acquaintance, and knew his mind in that point.'

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in the House of Commons, not merely on some incidental question, but on a great principle of action which constituted a permanent bond between those who took one side or the other. How much this separation of Parliament into two bodies habitually acting together implied was little known then. For some little time it was only on one question that each group acted together at all. As that question rose into prominence it swallowed up all other questions, and those who had taken their sides on this February 8 were found agreeing or differing on all other points as they had agreed or differed then.

Question
ostensibly
at issue.

It is absurd to speak of the two parties which came into existence on that day as answering in any way to our present political divisions. It might seem at first, indeed, that no great political question was at issue at all. Both sides professed, and honestly professed, that they were in favour of that limitation of monarchy which was implied in the passing of the Triennial Bill into law. Both sides honestly professed that they wished the Church to be under restrictions imposed by Parliament. Even in purely ecclesiastical matters there was a large amount of agreement. Neither Fiennes nor Digby wished to see the bishops again in possession of the powers which they had hitherto wielded, or dreamed for an instant of acknowledging any divine right in their order. The difference between the two parties lay in this. The one wished to leave the work of teaching and of conducting religious worship to the ministers themselves, whilst assigning to lay authorities all coercive jurisdiction. The other wished to retain the bishops as depositaries of coercive jurisdiction, whilst placing them strictly under the supervision of Parliament.

Such at least was the question ostensibly at issue.

If there had been no more than this between the parties, the question would doubtless have been settled one way or another without much more heart-burning than attends the settling of any complicated political difficulty in our own times. Both parties felt instinctively that the question before them was more than one of the arrangement of the manner in which coercive jurisdiction was to be exercised. It was rather a question of influence. The possession of the pulpit brought with it the power of moulding the thoughts and habits of men, which can only be compared with the power of the press in modern times. That the clergy would be far more Puritan than they had been in the days of Laud was perfectly evident. Even if Fiennes succeeded in establishing a body of lay Commissioners to impose fines and imprisonment upon ecclesiastical offenders, or to decide testamentary or matrimonial causes, they would have no power whatever to withstand the vast current of opinion which would be created by the Puritan clergy, and which would bear hardly upon those who by character, by position, or by intellect, were inclined to stand apart from the mass. To Pym and Fiennes the danger was an unreal one. Partly they were thinking too much of combating the immediate evil before them to think at all of providing against an evil in the future, and partly they sympathised too strongly with the Puritan teaching to be anxious to provide for the case of those who disapproved of it.

In some sort, therefore, the party which followed Digby and Falkland was groping about in search of a shelter against the oppressive monotony of a democratic Church. But they neither took a true measure of the proportion of the mischiefs to be counteracted,

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The real
cause of
disunion.

Objects of
the de-
fenders of
Episco-
pacy.

Their
weakness.

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nor had they any clear conception of the fitting remedy to be applied. The immediate work of the day was to give to the ecclesiastical institutions of the nation, as Fiennes said, another twist, to bring them into some tolerable harmony with the religious feeling of the greater part of the nation. The next thing to be done was to provide space and room enough for the free play of religious and social life outside the organisation of the majority. What was really needed was the proclamation of religious liberty. It was precisely the thing of which no man in the House had any conception. Those who came nearest to it, Falkland and Selden, cried out for the maintenance of bishops. Undoubtedly there are conditions under which bishops are much safer guardians of religious liberty than Presbyterian Assemblies are likely to be. It was hardly the moment when this could be successfully alleged. The existing bishops, in all good conscience no doubt, had shown themselves strangely intolerant. Their warmest defenders asserted loudly that if they were to be retained at all they must be something very different from anything that they had been in past years. What Falkland and Digby offered to the world was, not a set of living men qualified to guide the Church, but a mere suggestion that a set of men, who had conspicuously failed in guiding it with reasonable prudence, might gradually be replaced by others who would understand their duty better, though no one knew on what principle the bishops of the future were likely to be selected. Pym's followers asked for inquiry with a definite object in view. Digby and Falkland resisted inquiry, and had no definite plan of their own to offer.

Indefinite-
ness of their
aim.

No doubt the defenders of Episcopacy spoke of

Parliamentary and legal restrictions on the exercise of the office. But it needs little acquaintance with the world to know that no restrictions will make an efficient leader. It is better not to have a guide at all than to have one who is hampered at every turn, or who has no clear idea in what direction he wishes to go. The direction in which the new bishops were to go would depend very much upon the persons who had the selection of them. On this point, however, no new suggestion was made. There might be differences of opinion as to whether the bishops were the successors of the Apostles or not, as to whether they had been wise or foolish, self-seeking or self-denying. But it was impossible to deny that they had been the King's nominees, and, for all that was said in the debate, it would appear that the defenders of Episcopacy intended that they should remain the King's nominees still. By this consideration the question was carried at once into the region of general politics. The supporters of Episcopacy would gradually become supporters of the independent authority of the Crown. They would become apt to overlook Charles's faults, and to trust him more than he deserved to be trusted. Those, on the other hand, who wished to be quit of bishops, lest in retaining them in the Church they should be retaining influences bitterly hostile to the Parliamentary system which they wished to found, would only be confirmed in their distrust of a king to whom the bishops looked for support, and did not look in vain.

That any decided resolution had been taken by the leaders of the party which associated itself with Fiennes on this question, beyond that required by the exigencies of the moment, is most improbable. Pym does not appear to have spoken at any length. He

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The bishops
the King's
nominees.

Position of
Pym.

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sympathised to some extent with the root-and-branch policy, and he had made up his mind that the institutions of Church and State must both receive another twist. The exact way in which this was to be accomplished must depend upon the course of circumstances, and especially upon the conduct of the King.

Feb. 9.
The ad-
journd
debate.
Pennington
defends the
petitioners.

When the debate was resumed the next day, Pennington stood up to vindicate the conduct of his constituents. Those who had signed the petition, he said, were men of worth, and known integrity; and if there were any mean men's hands to it, yet, if they were honest men, there was no reason but their hands should be received. If pressure had been used, it would have been signed not by fifteen hundred but by fifteen times fifteen hundred.

Argument
of Strang-
ways.

It was thus that the root-and-branch party took up the cause of the masses. It was not enough that the control over religion should be wrested from the King and the bishops to be handed over to the educated classes, which alone found a place in the House of Commons. No wonder the prospect thus opened was disagreeable to those who were determined not to be dictated to by Laud, but who could see no reason why they should not themselves dictate to the artisans and peasants whom they despised. "If we make a parity in the Church," said Sir John Strangways, "we must come to a parity in the Commonwealth. The bishops are one of the three estates of the kingdom, and have voice in Parliament." In these few words Strangways had given voice to the strength and the weakness of his party. Large numbers of the country gentlemen who had shown a firm front to the aggressions of the Crown, who had resisted the payment of ship money, and who had risen up against Laud's ecclesiastical system, had no sympathy

with Puritanism, especially when it took a popular form. From self-interest or principle, they held that government was for the few and not for the many, and that the mass of men, ignorant and immersed in the toils of life, were little capable of solving the intricate problems of politics and religion.¹ They thought with Shakspeare—

Take but degree away, untune that string,
And hark, what discord follows ! each thing meets
In mere oppugnancy. The bounded waters
Should lift their bosoms higher than the shores,
And make a sop of all this solid globe :
Strength should be lord of imbecility,
And the rude son should strike his father dead.
Force should be right ; or rather, right and wrong
(Between whose endless jar justice resides)
Should lose their names, and so should justice too.
Then every thing includes itself in power,
Power into will, will into appetite ;
And appetite, an universal wolf,
So doubly seconded with will and power,
Must make perforce an universal prey,
And, last, eat up himself.

Strangways's words about parity in the Commonwealth were more than Cromwell could bear. 'He Cromwell's reply.

¹ In the Cheshire petition against Presbytery, presented to the Lords on Feb. 27 (E. 163) various objections felt by laymen to the abolition of Episcopacy are well brought out. "We cannot but express our just fears that their desire is to introduce an absolute innovation of Presbyterial government, whereby we who are now governed by the Canon and Civil laws dispensed by twenty-six ordinaries, easily responsible to Parliament for any deviation from the rule of law, conceive we should become exposed to the mere arbitrary government of a numerous Presbytery, who, together with their ruling elders, will arise to near forty thousand Church governors, and with their adherents must needs bear so great a sway in the Commonwealth, that if future inconvenience shall be found in that Government, we humbly offer to consideration how these shall be reducible by Parliament, how consistent with a monarchy, and how dangerously conducible to an anarchy, which we have just cause to pray against, as fearing the consequences would prove the utter loss of learning and laws, which must necessarily produce an extermination of nobility, gentry, and order, if not of religion."

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knew no reason,' he said, 'of those suppositions and inferences which the gentleman had made.' His look and tone were probably more irritating than his words. Cries of 'To the bar!' were heard from Strangways' friends. Pym and Holles intervened, and he was allowed to finish his speech. He repeated that he did not understand 'why the gentleman that last spake should make an inference of parity from the Church to the Commonwealth, nor that there was any necessity of the great revenues of the bishops. He was more convinced touching the irregularity of bishops than ever before, because, like the Roman hierarchy, they would not endure to have their condition come to a trial.'

The reply was characteristic of Cromwell. To the truth which lay behind the objections of his opponents he was wholly blind. For the practical work of the moment he was intensely keen-sighted. Bishops to him were not the ideal bishops which had their existence in Falkland's brain, but the actual Laud and Wren who were then existing in England in bodily shape. These men had stood in the way of that stern Protestantism which was all in all to him. They had imposed superstitious ceremonies. They had persecuted the saints. The work of the day was to break down their power. What was to be done next, or what would be the remote consequence of what he was doing, he did not care to inquire.

A compromise accepted.

The temper which had been provoked may have warned the leaders on both sides, that no good object would be attained by prolonging the discussion. Falkland and Culpepper offered a compromise. They suggested that the greater part of the Londoners' petition should be referred, together with the petition of the ministers, to the proposed Committee, but that

the special question of Episcopacy should be reserved for future consideration by the House itself. Though many voices were raised against this suggestion, it was ultimately adopted without a division. A division was, however, subsequently taken, on the addition of six names, three from each side, to those of the Committee of twenty-four previously appointed for Church affairs; a proposal which was resisted by the supporters of Episcopacy, possibly on the ground that they did not expect that the weight of Roe, Holborne, and Palmer, who were named from their own side, would be equal to that of Holles, Fiennes, and the younger Vane on the other. They were, however, defeated by a majority of thirty-five.¹

Falkland and Culpepper had gained for Charles that respite which was all that he could reasonably expect. If he had done then what he did eleven months later, and had summoned the leaders of the minority to his counsels, frankly placing in their hands full authority to deal with the Church question as they thought best, the minority would in all probability soon have become a majority. If not, the power of dissolution was still in his hands, and it is quite possible that a fresh appeal to the country would have given him an unexpected strength, if it were once understood that he had broken honestly and for ever with the old system. The existing Parliament had been elected when the Court was at the height of its unpopularity, and it was consequently more Puritan in its composition than the country itself.

That even under the most favourable circumstances, the leaders of the minority would have been

¹ *C. J.* ii. 81. *Rushw.* iv. 187. *D'Ewes's Diary, Hart. MSS.* clxii. 209, clxiv. 115.

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Charles
gains a re-
spite ;

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able to offer a permanent solution of the Church problem, may well be doubted. That problem was too complicated in itself, and it cut too deeply into the ingrained habits of Englishmen, to make it likely that it would be settled so easily. But it would have been much if a temporary solution could have been found which would have warded off that entire breach between the constitutional powers which was the fruitful parent of so much material and moral evil to that generation and the next.

which he
does not
know how
to use.

Unfortunately, Charles was not likely to employ well the respite which had been gained. He took up now, as he had taken up before, one project after another for the restoration of an authority which he had never known how to use, brooding over each in turn, without settled purpose of any sort. The day after the conclusion of the Church debate in the Commons, he announced that his daughter's marriage treaty had been brought to a conclusion, and that it only remained to consider the terms of a political alliance between England and the Dutch Republic.¹

Feb. 10.
The marriage
treaty.

The Queen
Mother's
expectations
from
it.

Almost at the same time the Queen Mother declared to Rossetti, as a positive fact, that the young bridegroom was to land in England at the head of 20,000 men. Immediately on his arrival, the King would dissolve Parliament, liberate Strafford, and entrust him with the reins of government. Other troops would be found to give support to the King, and in all probability France and Ireland would not be wanting in the emergency.²

It is not likely that Charles had definitely thought out all this plan, any more than it is likely that the Prince of Orange had definitely decided on sending

¹ *I. J.* iv. 157.

² Rossetti to Barberini, Feb. 12, 23, *R. O. Transcripts.*

an army to England with his son. It was enough that Charles lived in an atmosphere in which such plans were constantly discussed. He might, indeed, comfort himself with the thought that not a soul in the House of Commons knew anything of his hopes from Dutch or French intervention; but he could not expect any one to be blind to the danger from Ireland. On the 11th Sir Walter Erle brought up a report from a Committee appointed to inquire into the condition of the Irish army. The report was not likely to allay the fears which were generally entertained. The Irish troops, said Erle, were so quartered, that 'within two or three days three or four thousand of them might upon any design be drawn together.' They had arms and munitions, and Strafford was still their general. Evidence was then produced to show that the Catholic Earl of Worcester had been employed to levy troops in Wales in the preceding summer, and a statement was made, though no documentary evidence was produced in its support, that the Irish army was to have landed at Milford Haven to act in combination with Worcester's force.¹

If Charles had desired to close the ranks of the House of Commons against him, he could not have hit on a better plan than on this menace of an Irish army suspended over their heads. Both parties in the late debate were unanimous in distrusting the Catholics. Both parties, too, were unanimous in denouncing that system of personal government to which Charles was so fondly attached. It was now on a report from Hyde, and by the lips of Culpepper, that Berkeley, whose language in the ship money case had been more extravagant than that of any other judge on the Bench, was impeached of high treason. The Lords

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Erle's
report on
the Irish
army.The Com-
mons
unanimous
against the
Catholics.Feb. 12.
Impeach-
ment of
Berkeley.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 215.

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at once sent Maxwell to bring him to their bar. He was found sitting as a judge in the Court of King's Bench. Maxwell ordered him to descend, and he had nothing for it but to obey. He was at once committed to the custody of one of the sheriffs. The scene produced an impression on the bystanders which was hardly equalled by that which had been produced by the arrest of Strafford himself.

Feb. 13.
Petition
against the
Irish army.

Parliament could reach a judge at Westminster. It was more difficult to deal with nine thousand armed men beyond the Irish Channel. The Commons resolved to ask the Lords to join them in petitioning for the disbanding of the Irish army, the disarming of the English Catholics, and the dismissal from the Queen's Court of four obnoxious personages.

Feb. 15.
The Sub-
sidy Bill
and the
Triennial
Bill.

It would have been Charles's highest wisdom to have anticipated these demands. The one thing necessary to him was to awaken confidence, and the suspicion of danger from the Irish army would always be a source of weakness to him as long as that army remained on foot. Yet he had no thought of giving way. He preferred to retain a weapon which he could not use. He did not indeed feel himself able to offer at all points a stubborn resistance. On the 15th the Subsidy Bill and the Triennial Bill were ready for the Royal assent. A deputation from both Houses urged him to pass them both. He answered surlily that they should know his resolution on the following day. When the next day came he had made up his mind to give way. Members of Parliament had been heard to say that if the Triennial Bill were rejected, they would stop all business till the King had changed his mind.¹ As the subsidies could not be employed

¹ Giustinian to the Doge, ^{Feb. 19,} ~~March 1,~~ *Ven. Transcripts*. Salvetti's *News-letter*, ^{Feb. 19,} ~~March 1,~~ Giustinian speaks of the threats as having been used

except by directions from Parliament, such a resolution would leave Charles with two unpaid armies in the North upon his hands.

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On February 16, therefore, Charles appeared in the House of Lords to give the required assent to both the Bills. He had come, he said, to fulfil his promise of placing himself in the hands of his Parliament by yielding up one of the fairest flowers of his garland. He hoped that in return they would begin to think of him, instead of thinking only of their own grievances. He had already spoken of two rocks in the way. He had now removed one of them. If the other rock should be as happily passed over, they could ask nothing which he would be unwilling to yield. "Hitherto," he added, "to speak freely, I have had no great encouragement to do it. If I should look to the outward face of your actions or proceedings, and not look to the inward intentions of your hearts, I might make no question of doing it. . . . A skilful watchmaker, to make clean his watch, will take it asunder, and when it is put together it will go the better, so that he leave not out one pin of it." In the afternoon, when the Houses came to return thanks for his acceptance of the Triennial Bill, he was more gracious. He said that he had resolved to rule by Parliaments even if no such Bill had been offered to him. He hoped they would never have cause to complain of the infrequency of Parliaments. As he had satisfied their desires he hoped they would in due time think of providing for the kingdom and himself.¹ The words, doubtless, expressed at least a

Feb. 16.
They receive the
Royal
assent.

in Parliament. Most likely they were only used in private conversation between members, but the thing may have been said in open debate.

¹ *Rushw.* iv. 188, b. D'Ewes's Diary, *Harl, MSS.* clxiv. fol. 119.

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momentary phase of Charles's mind. If Parliament would content itself with keeping in working order the old machinery of government, and replacing every pin of it, Charles had no objection to frequent Parliaments. The postponement of the discussion on Episcopacy may perhaps have given him some hope that this would be the case.

Delay of
Strafford's
trial ob-
jected to.

He would soon learn how very different were the views of the House of Commons. The debate on Episcopacy might be postponed, because none of the leading members desired to thrust into the foreground a question on which there was such a wide difference of opinion. Strafford's trial could not be postponed much longer. Already many were growing impatient of the time which the Lords in fairness to the prisoner had allowed for the preparation of his defence to so complicated a charge. That impatience was by no means confined to the party which afterwards stood up against the King. Capel, who was one day to shed his blood for the Royal cause, now urged with general assent that the Lords ought to compel Strafford to give in his answer. The Earl had had a fortnight for its preparation, and surely he could want no more.¹

Feb. 17.
Strafford
before the
Lords.

Excite-
ment in the
Commons.

Further
delay
allowed.

The next morning, as the House was in full debate, a strange interruption occurred. It was whispered that Strafford was in a barge on the Thames on his way to the House of Lords. A crowd of members rushed to the windows to see him pass. Another crowd plunged through the doorway to have a still nearer view of the fallen Minister. When order was restored it appeared that he had asked for further delay, and that the Lords had granted him another week.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. 229.

The news that Strafford's request for time had been accorded roused considerable irritation in the Commons. A proposal was made that the House should adjourn for the week which had been allowed to Strafford for the preparation of his defence. Falkland rose to reprove this childish ebullition of feeling. "The Lords," he said, "have done no more than they conceived to be necessary in justice." It would be impossible to show Strafford a better courtesy than 'to jar with the Upper House, or to retard their own proceedings.'¹ The House followed Falkland's lead.

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Feb. 18.
Irritation
of the Com-
mons.

The next day strange news was circulated. Seven new Privy Councillors—Bristol, Bedford, Essex, Hertford, Saye, Mandeville, and Savile—had taken their places at the Board.² Yet these promotions do not appear to have struck contemporaries as being of any great importance. They knew that a man might have a seat in the Privy Council without acquiring the slightest influence over the conduct of affairs. Business of weight was settled with a select number of favourites in the King's private apartments—the Cabinet Council, as it was beginning to be called.³ It therefore did not follow that Charles's policy would in any way conform itself to the opinions

Feb. 19.
The new
Privy
Council-
lors.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. 237.

² *Council Register*, Feb. 19.

³ The earliest use of anything approaching the phrase, as far as I know, is in Massinger's *Duke of Milan*, ii. 1, written before 1623:—

"No; these are cabinet counsels
And not to be communicated, but
To such as are his own and sure."

In the editions I have seen the word is printed, in the old spelling, councils. I venture to correct it. On July 14, 1630 (*S. P. Dom.* clxx. 53), Roe speaks of Vane as said to be of the Cabinet. The Junto was a more official Committee, like the Committee of eight.

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of the new Councillors. If it had been otherwise the change thus made would have been portentous. Every one of these men had been bitterly opposed to Charles's recent policy. The greater number of them continued to be opposed to his policy to the end of their lives.

Charles's
intention.

What had been done had in fact been done upon Hamilton's advice, and was of a piece with the advice which that intriguing nobleman had given at other times. There can be little doubt that the object of Charles was not to make it understood that he intended to conform to the wishes of Parliament, but to win votes in the House of Lords. "All this," wrote the Venetian Ambassador, who had excellent opportunities of making himself acquainted with the truth, "has been done merely to gain them over in this matter." It could not escape notice that none of the offices vacant or ready to be vacated were allotted to any one of the eight noblemen, and it is therefore probable enough that Charles hoped to bind them to himself by an expectation of future favours. About the same time it became known that he intended to create new Peers who would pay largely for the honour, and thus increase his following in the Upper House.

Folly of
Charles's
proceed-
ings.

The attempt to win over the Peers by personal favours was the first of the King's many ill-judged interferences with the course of justice which ultimately cost Strafford his life. Charles was unable to throw himself unreservedly on the Peers' sense of justice, any more than he was able to throw himself unreservedly on the good sense of the Commons. Yet even at this time dispassionate observers who calculated the chances in Strafford's favour believed that the Lords were inclined, not indeed to acquit him

altogether, but to declare him innocent of the crime of high treason.¹

In one way at least, the Lords, if they were to take the course which Charles fervently wished them to take, would need assistance which only he could give. The cry for justice against Strafford which was raised at this time did not so much proceed from a thirst of vengeance, as from the pitilessness of terror. By separating himself for ever from Strafford and his ways, and by showing that, even if the fallen Minister were allowed to live, there would be no longer any danger that he would ever again be allowed to wield authority in England, Charles would have rendered to his devoted follower every service which it was in his power to render.

The day after the appointment of the new Councillors there was a scene in the Commons which gave evidence of the rise of a feeling which might easily have been turned in Charles's favour. Englishmen could hardly bear with patience the indignity of the occupation of the northern counties by the Scots, and the details which reached London of the hardships endured by the men of Durham and Northumberland served to strengthen this feeling of impatience. Naturally this dislike of Scottish intervention in English affairs was felt most deeply by the party which in the recent discussions had upheld the cause of Episcopacy. In a debate on the 20th that ill-feeling found unexpected expression. Three days before, Pennington had announced that the greater part of a City loan of 60,000*l.* had already been paid in, and would be handed over to Sir William Uvedale, the treasurer of the army. Shortly afterwards the House was informed by Uvedale that pay-

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1641.
Feb. 19.

What
Charles
could have
done to help
Strafford.

Feb. 20.
Feeling
about the
Scots.

The City
loan.

¹ Salvetti's *Newsletter*, Feb. 24,
March 6.

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Feb. 20.

ment had been stopped after the first 21,000*l.* It was understood that the money was kept back in consequence of the ill-will felt in the City at the delay of Strafford's trial.

Two more
subsidies
proposed.

It was now proposed that two more subsidies should be granted to tempt the citizens to lend by increasing the security offered. The proposal had the support of those who had lately followed Falkland and Digby in the Church debates. What they wanted was to pay off the Scots, and to be rid of them for ever. "If we cannot provide for monies," said Kirton, a member who was in the habit of speaking strongly for the bishops, "we should provide for our safeties. I should be willing to give more if we knew the end of our charge." On the other hand many of the stricter Puritans opposed the subsidy, perhaps wishing to bring on a confusion in which they would gain their ends. Pym broke away from his usual supporters. He knew that their course was dictated more by temper than by judgment. For once, however, that cool and skilful tactician appears to have lost his head. He proposed, 'that in respect of the great necessity of the public they might compel the Londoners to lend.' The formal and precise D'Ewes reminded the House that the arbitrary rule of a Parliament was very much the same as the arbitrary rule of a king. He was surprised, he said, to hear from 'that worthy member' a proposal 'which conduced to the violation of the liberties and properties of the subject.' He hoped that it would not be whispered abroad that such words had been heard within their walls. "For certainly," he said, "if the least fear of this should grow, that men should be compelled to lend, all men will conceal their ready money, and lend nothing to us voluntarily."

Pym's
strange
proposal.

Opposition
of D'Ewes.

Pym found supporters and opponents as each man's temper led him. Holles and Culpepper declared against him. One young member moved that he should be called on to give satisfaction to the House. Capel, perhaps from his strong animosity to the Scots, gave his support to the proposal. If his own son, he said, refused to lend money on this occasion, he would be ready to put him to the torture. In the end the two subsidies were voted, and a check was thus given to the over-hasty zeal of those who were ready to welcome disorders in the North rather than to wait for the slow progress of the great impeachment.¹

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XI.
1641.
Feb. 20.
The two
subsidies
voted.

On the 24th Strafford appeared at the bar of the Lords to present his answer to the articles against him. To the surprise of many, Charles took his seat on the throne to hear it read. This was generally believed to be a demonstration in favour of the prisoner. It was noticed that he gave signs of satisfaction whenever a point was made in the defence.² His conduct was not likely to affect the Peers favourably. They did their best to preserve their character as Judges. As soon as the King had left the House, they resolved that all that had been done in his presence was null and void, and ordered the articles of the Commons and the prisoner's reply to be read over again.³

Feb. 24.
Strafford's
answer
read.

On the same day articles of impeachment were voted in the Commons against Laud. He, too, it was alleged, had been guilty of treason in attempting to alter religion and the fundamental laws of the realm. The vote was unanimous. Men who wished

Impeach-
ment of
Laud.

¹ Salvetti speaks of the vote as a check to the Puritans, and this seems to be borne out by the record of the debate in D'Ewes's Diary, *Hart. MSS.* c'xii. fol. 243. The names of the tellers, too, point in the same direction.

² Giustinian to the Doge, ^{Feb. 20,} ^{March 2,} *Ven. Transcripts.*

³ *L. J.* iv. 171.

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XI.

1641.
Feb. 24.
The Scot-
tish Com-
missioners
declare
against
Episcopacy
in England.

to support a reformed Episcopacy had no sympathy with Laud.

The antagonism on the ecclesiastical questions was as strong as ever. Just at this time an action of the Scottish Commissioners came to increase the general confusion. Voices had been raised amongst the Root-and-Branch party accusing them of being ready to desert their English friends, and to go home as soon as the money due to them was paid. The Commissioners therefore directed Henderson to draw up a declaration of their wish to see Episcopacy abolished in England as well as at home. The declaration was printed for circulation among the members of Parliament, and a copy was allowed to fall into the hands of a stationer who at once printed further copies for sale.¹ Charles was indignant at this interference, and for once his indignation found an echo in the House of Commons. The Scots were assured by their friends that a majority would be against them. The bishops' party was so confident of success, that they demanded that Henderson's paper should be read with a view to its condemnation. The demand was, however, rejected, after having raised, as D'Ewes noted, 'one of the greatest distempers in the House' that he had ever seen.²

Feb. 26.
Excite-
ment in the
Commons.

March 3.
Growing
dissatisfac-
tion with
the Scots.

The Scottish Commissioners felt themselves to be treading on delicate ground. "The estate of business here," they wrote to Leslie, "is very uncertain. The paper which we gave in hath much offended many in the Parliament, even some that are not friends to Episcopacy; for though the paper be nothing so hard as the charge against Canterbury, yet the times are changed. Then they thought the progress and suc-

¹ *Baillie*, i. 305.

² D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 271.

cess of their affairs had some dependence upon our army, but now they have gotten their triennial Parliaments established, and some of them have fallen in to have hand with the King; and though they be enemies to Episcopacy and friends to reformation, yet they think it will be to their discredit that reformation should be wrought here, as it were, by our sword.”¹

If Charles could count on some support on this question of Episcopacy, it was evident that he could not count on support on any other. The Lords had already joined the Commons in asking for the dispersion of the Irish army, for the disarmament of the English Catholics, and for the dismissal of the Queen’s Catholic attendants. On March 1 Laud was committed to the Tower. As he passed through the streets the mob rushed at the carriage to drag him out, and it was with difficulty that he was saved from brutal outrage by the firmness of the guard.² On the following day the Commons voted that reparation should be made to Bastwick for the wrong done to him by the Star Chamber, and a similar resolution was subsequently adopted in the cases of the other victims.

On the day of Laud’s committal to the Tower, a step was taken in the direction of an ecclesiastical settlement. Whatever else might be done, it was evident that Laud’s action in the removal of the Communion Tables to the east end of the churches could not possibly be sustained. The Lords now issued an order directing the bishops to see that the table should ‘stand decently in the ancient place

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XI.

1641.

March 3.

March 1.
Laud sent
to the
Tower.

March 2.
Reparation
to be made
to Prynne,
Burton,
Bastwick,
Leighton,
and
Lilburn.

March 1.
The Lords
committee
on ecclesi-
astical in-
novations.

¹ The Scottish Commissioners in London to Leslie, March 13, *Adv. Libr. Edin.* 33, 4, 6.

² *L. J.* iv. 172. Salvetti’s *Newsletter*, March 1st. One of the Scottish Commissioners to —, Feb. 23, *Wodrow MSS.* xxv. No. 146.

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XI.

1641.
March 1.

where it ought to do by the law, and as it hath done for the greater part of these three-score years last past.' The order was not free from ambiguity, but it was evidently intended to enforce the ideas of Bishop Williams. At Saye's motion a Committee was named to take into consideration 'all innovations in the Church concerning religion,' and the temper of the new Committee was shown by its selection of Williams as its chairman.¹

Their position as mediators.

The Lords had presented themselves as mediators in the great controversy of the time. Whether they would succeed or not depended on many things, and most of all upon the hearty co-operation of the King. It could not fail to be noticed that Charles gave neither word nor sign of approbation.

March 10.
The Commons resolve that bishops should not sit in Parliament,

The Commons, too, were taking their own way. Whilst the Lords were turning their attention to ecclesiastical ceremonial, the Commons were attacking ecclesiastical institutions. On March 10 they resolved, on the report of the Committee to which the two petitions had been referred, that the legislative and judicial power of the bishops in the Upper House was 'a great hindrance to the discharge of their spiritual functions,' and was also prejudicial to the Commonwealth. The next day they resolved that no judicial functions of any kind should be exercised by the clergy.² Episcopacy itself was not challenged.

March 11.
or exercise temporal functions.

¹ One of the Scottish Commissioners, writing on March 9 (*Wodrow MSS.* xxv. No. 149), speaks of a debate on Saturday, which ought most probably to be Monday, March 1. He says that in it Saye spoke 'very freely against Episcopacy and the Liturgy, constantly averring that he would never hear it. Bristol answered that there were some indifferent things pressed on men's consciences which must be taken away; but what was established by law no man might separate from it. Saye replied that they were now *in loco et tempore mutationis*, and therefore desired that a Committee might be appointed for that effect.'

² *C. J.* ii. 101, 102. D'Ewes's Diary, *Harl. MSS.* clxii. 304, 307, clxiv. 134, b.

The Root-and-Branch party knew well that they could not, for the present at least, count on a majority. Pym and his political associates would be no parties to raising a question on which they had not themselves made up their minds, and which would be certain to stir up unnecessary strife. But the Root-and-Branch party was in good heart. The House, they said, was now taking down the roof of ecclesiastical government, and would soon come to the walls.

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XI.
1641.
March 17.
Outlook of
the Root-
and-Branch
party.

At this time a new difficulty had arisen with the Scots. In order to stop the King from issuing a proclamation to call in their paper on Episcopacy, they had drawn up 'a mollifying explanation' of their meaning. The English Commissioners threatened to print this, in order to bring them into disrepute with their English friends; and Henderson was therefore set to work to draw up a longer memorial, setting forth the desire of the Scots for unity of religion between the kingdoms.¹ On March 10 this was presented to the English Commissioners with a request that it might be laid before Parliament. They were told that if they did so the King would give his reasons in reply. Essex added that by the course they were taking they might 'breed distractions among the two Houses.' In the face of these objections the Scots unwillingly gave way, and their explanations were suppressed, whilst the King on his part took no further steps in condemnation of their original offence.²

The
Scots ask
for unity of
religion.

March 10.

March 16.

The relations between Scotland and England were bringing into prominence the unfitness of a large assembly without definite leadership to deal with

Relations
with Scot-
land.

¹ *Argument Persuading Conformity of Church Government* (E. 157, 2).

² *Baillie*, i. 307. Borough's Notes, March 10, 16, *Hurl. MSS.* ccclvii. 75, 78. The Scottish Commissioners to the Committee at Newcastle, Feb. 27, *Adv. Libr. Edin.* 33, 4, 6.

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XI.

1641.
March 16.

complicated affairs. During the first three weeks of March the feeling of the Commons shifted from day to day. The Scots naturally demanded that their troops should be paid as long as the negotiation was still on foot. At one time the Commons seemed anxious to provide the money. At another time they had something else to think of. There was a sense of insecurity abroad which made it hard to find capitalists who were ready to lend. If the friends of Episcopacy were anxious to get money together, that the Scots might be finally paid off and sent across the Tweed, the enemies of Episcopacy feared lest, if money were collected, they might lose the support of such good allies. The King had ceased to govern, and there was no one who had undertaken the work in his stead. There was no Chancellor of the Exchequer in the House to strike the balance of advantage or disadvantage in incurring any particular expenditure, and to press upon the House the absolute necessity of deciding once for all upon the mode in which its financial engagements were to be satisfied. To the Scots themselves the situation was becoming well-nigh intolerable. On the 20th the Commons had to listen to a sharp demand for payment from the Scottish Commissioners. By this time the House was in an increased state of irritation at the continued delays in the commencement of Strafford's trial. Henry Marten, a son of the Judge of the Court of Arches, who was morally separated from the Puritans by his gay and dissolute life, but who was at one with them in his trenchant opposition to the King, thought this a good opportunity to urge forward the Lords by the threat of bringing the Scottish army upon them by stopping supplies, in default of which it might be expected that the Scots would cross the Tweed and take with

March 20.
The Scots
demand
money.

Henry
Marten
and Strode
bring the
debate to a
close.

a strong hand that which they could not obtain in any other way. He moved in Committee that the House 'could not make any advancement of monies to any purpose until justice were done upon the Earl of Strafford.' His motion was supported by Sir Walter Erle. On this Strode suddenly proposed that the Speaker should resume the chair. The proposal was adopted, and the debate came to an end without remonstrance from any side.¹ Nothing more was heard for some time about money for the Scots. This extraordinary resolution was an indication that a temper was rising in the House which regarded Strafford's punishment, not as a vindication of public justice, but as a necessary precaution against a public enemy.

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XI.
1641.
March 20.

¹ D'Ewes's Diary, *Harl. MSS.* fol. clxiv. 129, b; clxii. 282, 283, 290, 329, 338.

CHAPTER XII.

THE TRIAL OF THE EARL OF STRAFFORD.

CHAP.
XII.
1641.
March 22.
Arrangements of
the Court.

THE Commons needed not to have been so impatient. No further delay was proposed by the Peers. So great was the interest taken in the trial that it had been determined that the proceedings should take place in Westminster Hall, where alone room could be found for the crowds which were eager to listen to the great impeachment. For form's sake a throne had been erected with its back against the long west wall. In front of it was the seat of the Earl of Arundel, who had recently been appointed Lord Steward of the Household, and who, as Lord Keeper Lyttelton was disabled by sickness from attending, was now selected by the Lords as their Speaker.¹ In front of Arundel were seats, to be occupied by the Judges if they were summoned to give advice on points of law. There was also a table for the clerks, on either side of which were the places of the Peers. Then came the bar, behind which was a desk at which the prisoner might sit or stand, whilst four secretaries were to be ready to supply him with any papers which he might need. Farther back still were the lawyers whom he might employ to argue on his behalf if any legal question should be raised, though, according to the barbarous custom of those days, their mouths must be closed on all matters of fact. On one side of Strafford's desk were seats for the managers who appeared

¹ *L. J.* iv. 190.

for the Commons, whilst a witness-box on the other side completed the arrangements of the Court. On either side arose tiers of seats, of which the most eligible were reserved for members of the Lower House, though room was made for such other spectators as were able, by favour or payment, to obtain admission. To many of those who thrust themselves in, the most important prosecution in English history was no more than an exciting spectacle.

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XII.
1641.
March 22.

The throne remained unoccupied. Charles had now learnt that the Peers would not consent to transact business whilst he was officially present. He, therefore, together with the Queen, occupied a seat which had been arranged like a box in a theatre, with a lattice in front. His first act was to tear down the lattice. He would certainly be able to see the better by its removal, but there were some who thought that he wished to impose restraint on the managers by being himself seen.¹

Charles
present.

The proceedings of the first day were merely formal. On the 23rd Pym opened the case on behalf of the Commons. If he believed it to be necessary to guard against danger from Strafford in the future, he also believed that he was but doing his duty in calling for punishment on his past offences. He elected to proceed first on the charges relating to Ireland. In Pym's eyes Strafford was little more than a vulgar criminal. To Strafford's allegation that he had been faithful in executing the duties of his office, he replied by comparing him to the adulteress in the Book of Proverbs, who wiped her mouth and said that she had done no evil. Strafford had set forth his services to religion, his devotion to the King's honour, his labours for the increase of the revenue,

March 23.
Pym opens
his case.

¹ *Baillie*, i. 314.

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1641.

March 23.

and for the peace of the kingdom. Not one of these claims would Pym allow for an instant. Strafford boasted that he had summoned Parliaments in Ireland, and had induced them to pass good laws. Pym asked what was the worth of Parliaments without Parliamentary liberties, and what was the worth of laws 'when will is set above law.' The picture of Strafford's Irish administration he traced in the blackest colours. He showed how the ordinary administration of justice had been superseded by the decrees of the Council Table, how juries had been fined, how noblemen had been imprisoned, and infringers upon monopolies flogged. Such, he said, were the deeds of the Earl. They had been done 'from a habit of cruelty in himself more perfect than any act of cruelty he had committed.' Nor was his cruelty greater than his avarice. He had embezzled public money entrusted to him for public ends, and had gorged himself with wealth to the impoverishment of the King and the State.

Pym's view
of Ireland
erroneous.

Such was Pym's account of Strafford's Irish administration. It was not possible for Pym to judge it fairly. As he did not comprehend Strafford, neither did he comprehend that chaos of self-seeking and wrong against which Strafford had struck such vigorous blows in Ireland. To Pym Ireland was as England was—to be governed by the same methods and to be trusted with equal confidence. The English House of Commons had not yet arrived at the elementary knowledge that a land which contains within it two hostile races and two hostile creeds, and in which one of those races had within recent memory been violently dispossessed by the other of a large portion of the soil which had been its immemorial inheritance, needs other statesmanship to heal its woes than that which consists of a

simple zeal for the maintenance of trial by jury and Parliamentary privilege. But a few days before, the Lords had suggested that the King would be more likely to consent to the dismissal of the new Catholic army if he were authorised to reinforce the old Protestant army by 2,000 men. It was answered that Ireland was a free kingdom, and that if it were relieved from Strafford's oppressions it would stand in no need of soldiers.¹ Pym, in short, like other Englishmen, saw nothing in Ireland but the English colony alone. With the Celtic population he had no sympathy. The one point in Strafford's rule on which Irish memory is sorest, the threatened plantation of Connaught, was dropped out of sight by the English House of Commons as unworthy of notice when they came to plead their case before the Lords.

Pym had given Strafford an opportunity of which he was not slow to avail himself. Never had he seemed more truly great than when he appeared at the bar, like some fierce but noble animal at bay, to combat the united attacks of his accusers, in his own unaided strength. His crisp black hair was now streaked with grey, and his proud face was softened by the feeling of his calamities, and by the reverence which he felt for the great assembly of the Peers, from which he firmly expected to receive that justice which was his due. With marvellous self-restraint he professed for the House of Commons a respect which it must have been difficult for him to feel. The most consummate actor could not have borne himself better. Strafford was no actor. He spoke out of the fulness of his heart, out of his consciousness of his own integrity, out of his incapacity to understand any serious view of the relations

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XII.
1641.
March 23.

Strafford at
the bar.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 320.

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XII.

1641.
March
His Irish
govern-
ment.

between a Government and a nation other than that upon which he had acted.

For several days the Court was almost entirely occupied with the charges relating to the affairs of Ireland. Undoubtedly Strafford did not succeed in showing that he had been a constitutional ruler. He had again and again acted with a high-handed disregard of the letter of the law, and had sometimes violated its spirit. He fell back on his good intentions, on his anxiety to secure practical justice, and on the fact that his predecessors had acted very much as he was accused of acting. Such a plea was undoubtedly insufficient. But the view which Strafford took of Ireland was far truer than the view which had been taken by Pym. What was really needed, as far as Ireland was concerned, was not Strafford's punishment, but a serious and impartial investigation into the causes of Irish disorder with the view of coming to an agreement as to the conditions under which the government of that country could in the future be carried on. It is needless to say that not a single member of the English Parliament ever thought for an instant of anything of the kind. The only remedy which they imagined to be needed was to place Ireland in the hands of men like Lord Mountnorris or the Earl of Cork. Ignorance brings with it its inevitable penalty, and vengeance, this time not slow-footed, was already on the track.

Had Strafford committed treason?

To Pym the argument that the laws of Ireland had been violated was mainly important as showing a readiness to violate the laws of England as well. Very early in his conduct of the case he had to face the question for which he must long ago have been prepared. If Strafford had done all that he was alleged to have done, if he had violated the law in

innumerable instances for his own private ends, had he committed treason? The doctrine of treason as it had been elaborated in the Middle Ages, had fixed that name upon acts committed against the person or authority of the Sovereign. No one knew better than Strafford that in this sense he had not committed treason.

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March.

Pym, on the other hand, advanced a larger and nobler conception of the crime. It is possible that he was led to his argument by the extension of treason by the Judges in the Tudor reigns from an attack on the King's personal authority to an attack such as Essex had contemplated in the last days of Elizabeth upon the system of government supported by the Sovereign.¹ He now argued that the worst traitor was not he who attacked the Sovereign's person or government, but he who attacked the Sovereign in his political capacity, and, by undermining the laws which constituted his greatness, exposed him to disaster and ruin.

Pym's
conception
of treason.

If the principle itself was politically grander than that which lay at the root of the old treason law, it had for judicial purposes the incurable defect, as it was thus presented, of a want of definiteness. The charge of treason might be reserved for offences of the blackest dye, such as a deliberate attack by force of arms upon Parliament. It might, on the other hand, be employed to cover any strong opposition to the popular sentiment. Already there had been signs that this danger was imminent. Finch and Berkeley, as well as Laud, had already been voted by the Commons to have been guilty of treason, and it required a very strong imagination

Difficulty
of applying
it.

¹ On this change, see the Introduction to Mr. Willis Bund's *Selections of Cases from the State Trials*.

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XII.

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March.

to believe that the foundations of the State had really been endangered by either Finch or Berkeley. The time might soon arrive when treason would be as light a word in the mouth of a member of Parliament as damnation had been in the mouth of a mediæval ecclesiastic.

Yet, even if it had been conceded that Pym's view of treason was the true one, and if care had been taken to restrict it to a deliberate conspiracy to change the existing system of government, it was hard to call upon Strafford to pay the penalty. Not only had he himself had no such deliberate intention of changing the government, but he had never had fair warning that what he was doing would be regarded in the light in which it was now seen. It might be well that the law of treason should be altered so as to include some actions which had been done by Strafford ; but it was hard upon him, and of the worst possible example to future times, to inflict the penalty of death under an interpretation of the law which was now heard of for the first time.

March 25.
Increasing
feeling in
favour of
Strafford.

Dissatisfac-
tion in the
House of
Commons.

Strafford therefore had much to say on his own behalf. His vigorous defence told on his audience. Ladies who had obtained seats in Westminster Hall were loud in his praise. Amongst the Peers the conviction was growing that, whatever else he might be, he was not a traitor. In the House of Commons, on the other hand, the cry for blood was waxing louder. There was an increasing disposition to resent all licence given to the necessities of the defence as a delay of justice. The frequent adjournments of the Lords for the consideration of points of procedure were regarded as mere procrastination, and one member asked that the Peers might be requested to

stop the prisoner's mouth whenever he spoke at undue length.¹

Undoubtedly the Commons were thinking more of the future than of the past. That which irritated them was not so much the thought that Strafford had been cruel to Mountnorris, or that he had converted to his own use several thousand pounds of the King's money, as the thought that if he were left alive he would be found at the head of an army prepared to drive them out of Westminster, and to explain that, startling as the proceeding might seem, it was only a temporary and accidental interruption of the harmonious working of the Constitution.

Charles, of all men, was most anxious to save Strafford, but neither he nor the Queen could understand that they could only save him by entirely renouncing all thought of appealing to force. Already an offer had been made to them which they were loth entirely to reject, and that offer, if it were once known, would be sufficient to seal Strafford's fate.

For some time the dissatisfaction in the English army had been on the increase. "This I will say of you of the Parliament," wrote one of the officers in January to his brother, who was a member of the House of Commons; "you are the worst paymasters I know. Next Tuesday we have six weeks due to us, and unless there be some speedy course taken for the payment, you may well expect to hear that all our soldiers are in a mutiny, to the ruin of the country, for they are notable sheep-stealers already."²

On March 6, in the very height of the pressure for payment to the Scots,³ the Commons had come to a

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1641.
March 25.
Causes of
their dis-
pleasure.

Wants of
the English
army.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. 359.

² E. Verney to R. Verney, Jan. 15, *Verney MSS.*

³ E. Verney to R. Verney, March 8, *Ibid.*

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XII.

1641.
March.
Effect of
the Com-
mons' vote
in favour of
the Scots.
Dissatis-
faction of
the English
officers.

vote, transferring to the troops of that nation 10,000*l.* which had been previously assigned to the English army. The news had naturally caused the gravest dissatisfaction amongst the troops in Yorkshire. Their talk ran on mutiny. Officers and soldiers were alike in distress. Henry Percy, brother of the Earl of Northumberland, Ashburnham, Wilmot, and Pollard, were members of the House of Commons as well as officers. "If such papers as that of the Scots," said Wilmot in the House, when the matter was under discussion, "will procure monies, I doubt not but the officers of the English army may easily do the like." When the vote had been passed these four officers consulted together. The resolution which they adopted was apparently a curious resultant from the double character which they bore. As officers of an army which had been stinted in its pay by the House of Commons, they were ready to offer their services to the King. As members of the House of Commons they were bound to keep within the limits of constitutional law, at least after their own interpretation. They proposed to induce the officers in the North to sign a declaration that they would stand by the King if Parliamentary pressure were put upon him to compel him to assent to the exclusion of the bishops from the House of Lords, or to force him to disband the Irish army before the Scots were disbanded, or if the full revenue which he had enjoyed for so many years were not placed in his hands.

An army
petition
proposed by
Percy and
others.

The King
to be in-
formed.

Such was the military version of the fundamental laws of the realm. Percy was commissioned to offer to the King the support of the army on these terms. There can be very little doubt that he knew pretty well that these three points were precisely those on which Charles was most anxious that a stand should

be made. Yet when he spoke to the King on the subject he was surprised to find that a more violent proposal still had already been laid before him.¹

That proposal, like all other violent proposals to which Charles was called on to listen, was warmly supported by the Queen. Henrietta Maria had been ready in the beginning of March to clutch at any aid, however hopeless it might seem. She had been deeply disappointed in her expectation of foreign help. Richelieu had intimated to her, in his most polite phrases, that it would not be advisable, in her own interest, that she should visit France in this conjuncture of her affairs, and she reasonably conjectured that this advice concealed a preference for an alliance with a strong Parliament above one with a weak king. She was, however, obliged to announce that she was no longer in danger of falling into a consumption, and that she was therefore able to endure the English climate.² Annoying as this rebuff was, she was soon afterwards subjected to a still greater annoyance. Rossetti informed her that an answer to her application for money had been received from Rome, and that the Pope would do nothing for her unless her husband declared himself a Catholic. He need not avow his conversion openly at first. It would be enough if the Papal authorities were left in no doubt of the fact. The Queen knew that the

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XII.

1641.
March.
He has
already
heard of
another
plan.
The Queen
disap-
pointed in
her hopes
of foreign
assistance.
Richelieu
refuses to
receive her
in France.

The Pope
will not
help her
unless the
King
changes his
religion.

¹ Percy to Northumberland, June 14 (*Rushw.* iv. 255). It is impossible to trace out the dates of these early proceedings of Percy and his friends. The interview with the King must have taken place a few days before March 21, as from Chudleigh's evidence on Aug. 13 (*Harl. MSS.* clxiv. 28) it appears that Percy and his friends had drawn back (as Suckling expressed himself) about March 20; that is to say, probably on March 21, the date on which Chudleigh arrived from the North. The interview took place before this.

² Richelieu's Memoir for Chavigny, *Avenel*, vi. 756. Montreuil's Despatch, March $\frac{4}{14}$, *Bibl. Nat. Fr.* 15,995, fol. 203.

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1641.
March.

The Queen
offers
liberty of
worship for
the Catho-
lica.

Pope might as well have refused her request in distinct terms. She told Rossetti that she wished much that it might be with her husband as His Holiness desired, but that everything depended on God. Why should not the Pope content himself with that which was really practicable? If victory were gained with Papal aid, the Catholics should be permitted to keep open churches in England, and should be entirely freed from all impediments to the exercise of their religion.

Father Philips adjured Rossetti to counsel the acceptance of this offer. He urged that the King was now in want only of money. He had men enough at his disposal. Irish Catholics were ready to serve him, and there were Protestants whose devotion could also be counted on. Whatever stipulation were made, the King's victory would turn to the advantage of the Catholics. Without their aid Charles would find it impossible to maintain his authority. The chief difficulty unfortunately lay with Charles himself. He was timid, and slow in coming to a resolution. Rossetti recommended that the Queen should be urged to employ herself on the good work of his conversion. She knew how the royal authority in France had been strengthened by her father's acknowledgment of the true faith.¹

She looks
for other
help.

If no help was to be had from abroad, the eager, restless woman must turn elsewhere for relief from the intolerable disgrace and burden of her life. The quarter from which the suggestion of assistance now reached her was not one which would have commended itself to any one versed in the realities of the world. Sir John Suckling was a gay courtier, much addicted to gambling, like many others who, by the

Sir John
Suckling.

¹ Rossetti to Barberini, March $\frac{12}{23}$, *R. O. Transcripts*.

side of the grave decorum of Charles's domestic life, anticipated the loose profligacies of the Whitehall of Charles II. As a writer of sparkling verses he secured the admiration of his contemporaries, and has retained the admiration of later generations. His conversation was as easy and brilliant as his verse, and he readily made himself acceptable to the ladies of the Court, who thought it no shame to listen to the airy doctrine that constancy in married life was a fit object of scorn, and that modesty was but an empty name. Amongst men he was not much respected. Once in his life he had thought of marrying a lady whose attractions were to be found in the weight of her purse. A rival, strong of arm, cudgelled him till he agreed to renounce all claims upon the golden prize. When Charles marched to the Border in 1639 Suckling raised, at his own expense, a hundred troopers decked in such gorgeous array as to expose him on his return to the laughter of rhyme-sters, who charged him with cowardice in the field, of which there is no reason to suppose that he had been specially guilty.¹

Such was the man who had already taken upon himself to give advice which was to save the falling throne. The counsel which he offered showed that at least he had eyes to see something of the cause of the King's misfortunes. Charles, he said, was being ruined because he remained merely passive. If he wished to recover the affections of his people he must show that he was capable of acting. He must make it clearly understood that he had cut adrift for ever

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Suckling
advises the
King to
act.

¹ The verses on Suckling and his troop are in *Musarum Deliciae*, i. 81. Probably his horse was under Holland's command, and shared in the retreat from Kelso. We have such detailed information on that campaign, that if Suckling had performed any special act of cowardice it would have been heard of.

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those unpopular counsellors who had brought him nothing but odium. The Queen, too, must sacrifice her personal preferences for the sake of her husband. It was no hard matter for a king to be popular if he chose to give himself the trouble. The English people had no formed habit of reverence for the persons of the Parliamentary leaders, whilst loyalty to the King was a traditional feeling, which might easily be re-awakened. So far Suckling's advice was excellent. It was utterly disappointing at its close. The King was recommended to outbid the Parliamentary leaders by granting all, and more than all, that was desired. What concessions this indefinite recommendation covered, Suckling did not say. He had no knowledge of the real conditions of the political problem, or of any solution by which they could be satisfied. His advice to act ended in the vaguest suggestions as to the thing to be done. Political wisdom was not to be expected from a fribble.¹

Henry
Jermyn.

The letter in which Suckling gave the measure of his value as a politician was addressed to Henry Jermyn, and Jermyn was the trusted counsellor of the Queen, though even he had been kept completely in the dark on the negotiations with Rome.² So far as he had any religion at all, he was a Protestant, and his imperturbable self-reliance attracted the respect of the spirited and excitable lady whom he served. He was not too wise to think it possible to support the monarchy upon an armed soldiery, without troubling himself to develop a policy which might command respect. Somewhere about the middle of March, just at the time when Percy and his associates were preparing their scheme for

¹ Suckling's *Works*, ed. Hazlitt, ii. 233.

² Rossetti to Barberini, Nov. 16, R. O. *Transcripts*.

a petition from the army, Jermyn and Suckling were consulting together as to the possibility of drawing the army to a more direct intervention in the strife between Charles and his Parliament. Suckling, like Percy, looked to the discontent caused by the vote which, on March 6, had transferred 10,000*l.* from the English to the Scottish army, as offering a basis for his operations.

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Percy and his friends had intended to clothe the action of the army in Parliamentary form. The sword was not to be drawn, but it was to be understood that it was ready to be drawn in case of necessity. Suckling and Jermyn knew that if the sword was to be appealed to it must strike sharply and without wavering. Their first object, therefore, was to secure the command of the army. Northumberland, whose health was not completely re-established, and who was by nature unfitted to take a decided part in time of danger, was known to be anxious to surrender his authority as general. The Earl of Newcastle was selected as his successor. It was arranged that, if the King and the Parliament fell out, Newcastle should bring the army to the support of the King. As it was not to be expected that a splendid nobleman would give himself the trouble of attending to the details of military discipline, it was necessary to choose a new lieutenant-general to succeed Conyers, who was not likely to lend himself to the scheme. It would be the work of that successor to win over the officers and the men to the design. The choice of the conspirators fell upon George Goring, the eldest son of Lord Goring, and a colonel of one of the regiments in the Northern army.

The command of the army to be changed.

Newcastle to succeed Northumberland.

Goring was a man born to be the ruin of any cause which availed itself of his services. Dissolute

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George
Goring to
be Lieu-
tenant-
General.His under-
standing
with the
Queen.

and unprincipled, he had yet to show himself in his worst colours. Before long men of all parties recognised in him a consummate hypocrite, who had the power of covering the most audacious falsehoods with a look of modest innocence. He had already been taken into Henrietta Maria's confidence. He had been appointed Governor of Portsmouth, and, though no direct evidence is at hand, there can be little doubt that he had given the Queen reason to believe that he was ready to hold Portsmouth at her disposal. In other words, he would offer her the use of its fortifications as a place of refuge, from which she could freely communicate with the Continent, perhaps even in which she might receive from the Continent that military support on which she had, at one time, counted. That the Queen was now informed of the plan for gaining over the army is beyond all doubt, and either now or not long afterwards the knowledge was communicated to the King.¹

The King
is informed.

Even without instigation the army was disposed to resent the neglect of the House of Commons.² On March 20 the officers in Yorkshire despatched a

March 20.
Letter from
the officers.

¹ The evidence on which this narrative is founded is mostly in print, and will be referred to further on. There are also examinations before Parliament scattered over D'Ewes's *Diary*. The Queen's statement in Madame de Motteville's *Memoirs*, ch. ix., is vague, and dwells far too exclusively on the personal dispute between Goring and Wilmot; but she, as well as Percy, is clear about the King's knowledge, at least at a subsequent time.

² "I believe you are busied in the Parliament, and yet neglect the main business of supplying the army, the effect of which, with the terrible threatening musters, may very well produce strange things, even not to be named. The horse have sent their peremptory answer that they will not muster till they are paid. If the foot do the like . . . believe me, it can tend to no less than a general mutiny. A worm will turn again if it be trod on. Soldiers are now used as though it would be sure there should never be further use of them . . . If we hold thus but a fortnight longer, I believe you will receive a letter in way of petition, either to re-

letter to Northumberland detailing their grievances, and giving assurance of their readiness to fight the Scots, the favourites of the Commons. The letter was placed in the King's hands, who at once sent it to the Peers.¹

The bearer of this letter was Captain Chudleigh. He remained in town for eight or nine days. During that time he was in constant communication with Jermyn and Suckling. He was informed by Suckling that the Peers were much displeased at the conduct of the officers in writing the letter, and that Essex and Newport had expressed an opinion that they had risked their necks by what they had done. Suckling suggested that the best course for the officers to take was to accept Goring as their lieutenant-general. Otherwise they would be without a leader, and would suffer for their indiscretion in showing their teeth before they were able to bite.

The conferences between Jermyn and Suckling on the one hand, and Chudleigh on the other, took place during the first week of Strafford's trial. Neither Suckling's scheme nor Percy's seemed at first to have had any special reference to that trial. But it may well have been that the effect of the outcry for what the House of Commons called justice inclined Charles to look to the army as a weapon which he might lawfully wield in order to secure Strafford as well as himself from irregular violence. At all events in the course of Sunday, the 28th,² he listened to Percy's *dress our grievances or to cashier us, for now is the time when we might seek our fortunes elsewhere.*"—E. Verney to R. Verney, March 8, *Verney MSS.*

¹ The officers to Northumberland, March 20, *S. P. Dom.*

² Goring's story was that he was first informed of Suckling's project on a Sunday morning in the middle of Lent. As Lent began on March 10, this would be March 28 or, with less probability, April 4. Mr. Brodie supposes that the latter was meant. There is, however, evidence

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It is laid
before the
Peers.

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ment of
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Effect of
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week of
Strafford's
trial upon
Charles.

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Percy's
conversa-
tion with
the King.

story, and was persuaded that Suckling's project was too wild to be feasible. In the end, however, he urged Percy to meet Suckling and his friends, in the hope that the two parties might be brought to act together. The project of bringing the army to support him by a petition, whilst the question whether force was to be ultimately used or not was left undetermined, was one which was certain to commend itself to a mind like that of Charles, ever anxious to cover acts of real violence with the cloak of legality.¹

March 29.
The discus-
sion in
Percy's
lodgings.

On the evening of the 29th Jermyn, taking Goring with him, proceeded to Percy's lodgings at Whitehall, where he found the rest of the Parlia-

which seems to me conclusive in favour of the earlier date. Chudleigh arrived in London on March 21, and remained for eight or nine days, leaving, therefore, about the 29th or 30th. In his examination on May 10 he stated that he left Yorkshire to come back to London, on April 5, and that as he then failed to find Goring, he followed him to Portsmouth on April 10. If, however, the Sunday in the middle of Lent had been April 4 Goring, who certainly remained in London during some days after it, would have been accessible to Chudleigh on the 5th. It does not follow that Goring really heard of the plot for the first time on March 28. It is not likely that his acceptance of the office designed for him should have been made a subject of conversation with Chudleigh during that officer's first visit, unless he had been previously spoken to on the matter; and he probably came nearer the truth when, on his examination of June 16, he said that Suckling had offered him the lieutenant-generalship about three months before, which would bring it to about March 16, four or five days before Chudleigh's arrival. If the date, however, of March 28 is unimportant in relation to Goring's own conduct, it enables us to fix the date of the interview with Percy which was held on the following day.

¹ In his examination on June 14 (*D'Ewee's Diary, Harl. MSS. clxiii. 315, b*) Pollard said that 'Mr. Percy disliked the proposition of bringing up the army, and that they had no such plot to bring the same to London, but, being asked how he then meant to make good his propositions —.' The sentence is incomplete; but, whatever Pollard may have said, it is unlikely that Charles ever answered the question to himself. See Goring's examinations of June 16 in *Moore's Diary, Harl. MSS. cccclxxviii. 81, b*.

mentary officers assembled. Having first taken an oath of secrecy, Jermyn and Goring pleaded hard to be allowed to bring Suckling to the conference. But Suckling was in bad odour with all military men, and the officers would not entrust him with their secrets. Jermyn spoke of the plan for bringing up the army. Goring then said that nothing could be accomplished unless the army were brought up and the Tower seized. He then asked how the chief commands were to be disposed of. "If he had not a condition worthy of him, he would have nothing to do with the matter." He and Jermyn insisted that Newcastle must command in chief. Percy suggested the name of Holland, whilst others put forward the claims of Essex. Evidently more than a mere personal question was at issue. The name of Newcastle was significant of a complete breach with Parliament as a whole. The names of Holland and Essex were significant of an intention to maintain a Parliamentary system, as it was understood in the Upper House. To the proposal for making Goring lieutenant-general, Percy and his friends would not listen for an instant. Nor would they hear of the plan for marching the army to London and attacking the Tower. Jermyn and Percy were therefore commissioned to call on the King to decide between their respective projects. There could be little doubt how his decision would be given. "All these ways," he said to Jermyn, when he had heard his account of Suckling's plan, "are vain and foolish, and I will think of them no more."¹

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Charles's
decision.

Goring saw clearly enough that the appearance

¹ Goring's examination, June 19. Percy to Northumberland, Jun 14, *An Exact Collection*, 215, 217; Ashburnham's examination, J 14, *D'Ewes's Diary*, *Harl. MSS.* clxiii. 316, b.

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March 29.
Goring's
dissatis-
faction.

April 1.
He betrays
the plot.

Pym in-
formed.

of moderation which recommended the alternative project to the King would ensure its failure, and he had now learnt that he was not to derive any personal advantage from its success. As he left the meeting he told Jermyn that 'he liked none of these consultations.' "You are ready enough," replied Jermyn, "to enter into any wild business, but you like not the company."¹ A day or two later there was a second meeting which led to no better understanding than the first. Goring made up his mind that, as he was not to be lieutenant-general of the King's army, he would gain the favour of the King's adversaries. He sought out Newport, who was now an active member of the Opposition in the House of Lords, and told him as much of the plot as it suited his purposes to tell. Newport carried him to Bedford and Mandeville. If he said to them what he afterwards said in the House of Commons, he asserted that he had recommended the march to London, not because he really thought of advising it, but in order to convince the others that a mere petition, unaccompanied by violence, would be altogether futile. He ended by asking that his own part in the discovery might be concealed.

Bedford and Mandeville at once communicated the secret to Pym and to a few of the leading members of the Commons. It was agreed that Goring should return to his post as Governor of Portsmouth, possibly with the object of placing him out of the reach of further temptation.² Nothing was openly done in consequence of his revelation. It must be

¹ Goring's examination, June 16, D'Ewes's Diary, *Harl. MSS.* cixiii. 328.

² Manchester in his *Memoirs* (*Nelson*, ii. 273) speaks as if Pym's revelation in the House had followed immediately; but the depositions are against him.

remembered that Pym had not yet learned that there had ever been any serious project of bringing up the army at all. All that he knew was that there was a plan for inducing the army to present a petition, and he may have thought it best to wait till the petition was presented before taking any active measures to avert further danger.

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There was nothing upon the surface to connect the army petition with Strafford's trial. The King's right to pardon the Earl, after conviction, had not been mentioned amongst the points to be urged, yet it was inevitable that Goring's revelations should make Pym, if possible, more determined than before to exact the uttermost penalty from Strafford. His life or death was now more than ever a question of danger or safety to the State. A conjunction between an acquitted Strafford and an army of Royalist political tendencies was one which few in either House could contemplate with evenness of mind. It was probably not altogether by accident that the last charges relating to Strafford's Irish government were hurried over on April 3, and that some of them were entirely dropped.

Effect of
the revela-
tion on
Strafford's
trial.

On the 5th the scene of the accusation was transferred to English ground. By the mouth of Bulstrode Whitelocke, a son of the Judge, and himself a lawyer of some repute, the Commons alleged that not only had Strafford instigated the King to make war on the Scottish nation, but that at the time when the Short Parliament was summoned to vote supplies to support that war, he had offered 'to serve His Majesty in any other way in case the Parliament should not support him.' In pursuance of this plan he had raised an army of Irish Papists, and had conspired with Sir George Radcliffe 'for the ruin and

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Charge of
bringing in
the Irish
army.

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destruction of the Kingdom of England and of His Majesty's subjects, and altering and subverting the fundamental laws and established government of this kingdom.' With this object he had declared his opinion that if the Parliament failed to supply the King, he might use 'his prerogative as he pleased to levy what he needed, and that he should be acquitted of God and man, if he took some courses to supply himself, though it were against the will of his subjects.' Having subsequently procured by false representations the dissolution of that Parliament, he had wickedly given counsel to the King 'that, having tried the affections of his people, he was to do everything that power would admit; and that His Majesty had tried all ways and was refused, and should be acquitted towards God and man; and that he had an army in Ireland which he might employ to reduce this kingdom.'

Strafford's
ideas about
the use of
force.

The managers had little difficulty in showing that, Strafford had held that if Parliament refused the King's supply when he needed it for national objects, he was justified in taking it by force. It was the very central point of his political creed. As usually happens, his followers had exaggerated the thought of their patron. "His Majesty," Radcliffe had said, "had an army of 30,000 men, and he had 400,000*l.* in his purse and a sword by his side, and if he should want money who could pity him?" "The Commonwealth," said Strafford's brother, Sir George Wentworth, "is sick of peace, and will not be well till it is conquered again." He probably meant that unanimity would only be produced after an English army had been defeated by the Scots; but it was easy to understand his words as referring to a victorious army from Ireland.

Undoubtedly that which called forth the greatest indignation against Strafford was the belief that he had threatened to employ his Irish army against Englishmen. As a matter of mere law it was absolutely indifferent whether he had proposed to bring it over or not. If it were not punishable to advise the King to 'do all that power would admit,' it would not become punishable to advise him to maintain his rights by means of an army composed not of his English but of his Irish subjects. As a matter of sentiment it made considerable difference.

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The Irish
army.

It was natural, therefore, that Pym and the other managers should leave no stone unturned to prove that Strafford had really given this particular advice. The elder Vane, a copy of whose notes of the words used at the Committee of eight after the dissolution of the Short Parliament had long been in Pym's hands, was put into the witness-box. Strafford, he said, and other witnesses bore him out, had advised an offensive war with Scotland. He asserted positively that Strafford had used the fatal words which were charged against him, 'or words to that effect.' 'Your Majesty, having tried all ways, and being refused, in this case of extreme necessity, and for the safety of your kingdom, you are loose and absolved from all rules of government. You are acquitted before God and man. You have an army in Ireland; you may employ it to reduce this kingdom.' All attempts made by Strafford's friends amongst the Peers to induce him to say whether this kingdom meant England or Scotland proved fruitless. The Lord Steward reminded the questioners that Vane had come to testify to the words spoken, not to interpret them. Maynard, who was one of the managers, sarcastically remarked that Vane was now asked "whether this kingdom be this kingdom."

Vane's
evidence.

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Strafford's
reply.

To all this Strafford was called on to reply. He justified his advice for an offensive war against the Scots by falling back on the old position that subjects who 'could not be brought by fair means to do their allegiance and duty to the King' might be compelled to do so. He plainly thought that this doctrine was as applicable to England as to Scotland. But he explained that he had always had confidence in the King that he would never ask anything but that which was lawful and just, and that it was a great offence 'to think that the King would use his prerogative otherwise than as befits a Christian and pious King.' The argument implied was that the King, having been refused the means needed for the protection of his subjects, was justified in doing all that power would admit to make good the deficiency. He utterly denied that there had been any scheme to bring the Irish army to England. He brought witnesses to prove that his intention had been to land it near Ayr. Of the six councillors who had been present besides himself and Vane when the alleged words were spoken, Laud and Windebank were incapable of giving evidence.¹ The other four, Hamilton, Northumberland, Juxon, and Cottington, with one voice declared that they could not remember that Strafford had ever proposed to bring the Irish army to England, or indeed had said much else which Vane attributed to him. It is impossible to speak with absolute certainty in the matter, but it is not necessary to suppose that either Vane or his fellow-councillors were guilty of perjury. If it be accepted as the most probable explanation that the words

Denies that
the Irish
army was
to have
landed in
England.

¹ For Windebank's own statement see vol. i. 338. It must be remembered that the Privy Councillors failed to remember a good deal more than the statements about the Irish army.

were indeed spoken, but only as a suggestion of the best means of meeting a hypothetical rebellion which never came into actual existence, and which passed out of the minds both of him who spoke and of those who listened almost as soon as the words were uttered, it becomes perfectly intelligible that those words may have had no abiding-place in the recollection of any except the secretary who had taken them down at the time, and whose memory was sharpened, not only by his personal rivalry with the speaker, but by his perusal of the notes a short time before the meeting of Parliament when he carried them to the King to be burnt.¹ On the other hand, the theory that Vane had spitefully invented the words appears to be negatived by the fact that the King had recently seen his paper of notes and had commanded them to be burnt. If those notes had not contained the incriminating words, Charles would surely have found some way of testifying his indignation at Vane's invention.

However this may have been, Strafford knew how to make good use of the advantage which he had gained. After pointing out that a single witness was insufficient to prove treason, he called evidence to show that he had always been desirous of a reconciliation between the King and his subjects in Parliament. "In case of absolute necessity," he said, "and upon a foreign invasion of an enemy, when the enemy is either actually entered, or ready to enter, and when all other ordinary means fail, in this case there is a trust left by Almighty God in the King to employ the best and uttermost of his means for the preserving of himself and his people, which, under favour, he cannot take away from himself." At all events, he said, his words had been spoken in his capacity of a Privy Councillor,

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Strafford's
enunciation
of prin-
ciple.

¹ See vol. i. 339.

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and it was the duty of a councillor to speak his mind according to his conscience. By the blessing of God he had learnt not to stand in fear of them who could kill the body, but of Him who could cast body and soul into eternal pain. He had but done the duty of his place in delivering his opinion, and such an opinion as this would not have made a heretic, much less a traitor. Let his judges remember that they were born to great and weighty employments in the kingdom. If he were to be adjudged a traitor for honestly delivering an opinion under oath of secrecy, he did not think 'any wise and noble person of fortune' would hereafter, 'upon such perilous and unsafe terms, adventure to be a councillor to the King.'

Impression
produced.

No wonder such a speech told upon the Peers. No wonder that it told upon others as well. If the design of bringing over the Irish army were disproved as it seemed to have been, there remained a violent and ruinous advocacy of the Royal prerogative which it was imperatively necessary to make impossible in the future, but which drew its strength from at least one side of the practical working of the institutions of the country during at least a century. Not a few of those present felt that such an argument as Strafford's could not be lightly disregarded. Monstrous as his conception of the Constitution was, it was hardly one to be treated as punishable by death. Even from the benches on which the Commons were sitting, a loud hum of admiration was heard as the prisoner resumed his seat.¹

White-
locke's
answer.

The main burden of the reply fell on Whitelocke; and Whitelocke, diligent lawyer as he was, was hardly the man to cope with Strafford. He did his best to

¹ D'Ewes's Diary, *Harl. MSS.* clxiii. 9.

support Vane's evidence, and he argued that Strafford's counsel had been no mere utterance of opinion, but had proceeded from a settled design to subvert the laws and 'to set a difference between the King and his people.' Yet, when all had been said, it was evident that Strafford's chance of escape stood higher at the end of the day than it had done in the morning.

So at least, it can hardly be doubted, thought the Peers. For nine whole hours the lion-hearted man had been standing at bay, unaided, against the best forensic talent of the time. Whitelocke had been followed by Maynard, and Maynard had been followed by Glyn. No wonder that he felt exhausted at the close of that stupendous effort. It was impossible, he said, for him to endure such another day without a little time to repair his wasted energy. The Commons did not venture to oppose so reasonable a request, and one day's respite was allowed him.

To the Lords the question of Strafford's guilt or innocence naturally presented itself as in the main a matter of judicial consideration. To the Commons the escape of Strafford would appear to be no mere miscarriage of justice. It would bring with it a pressing and overwhelming danger. Whether it were true or not that Strafford had planned to bring the Irish army into England the summer before, there could be no doubt that the same Irish army was still kept on foot, though there was no enemy against which it could be called on to contend. Both Houses had asked the King to disband it, but the joint petition had been left without a word of reply. In Strafford's interests Charles could not have committed a more grievous error. It is not likely that he had formed a deliberate intention of bringing the Irish army over to disperse the English Parliament. It

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ment.

Divergence
between
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was not in his character ever to form deliberate intentions except when they were to take shape in merely passive endurance. But it was unreasonable to expect that others should close their eyes to the plain tendency of his actions simply because he foresaw nothing clearly himself. He wanted to make the most of every chance : of the constitutional authority of the Lords, of the threatening presence of his soldiers in Ulster, and of the sympathies of the unpaid English army in the North. The unconscious duplicity of his mind was dragging him to his ruin, and he dragged with him the servant, far nobler than himself, whom he most wished to save.

The army
plot per-
sisted in.

Charles could not even rule his own household. The mild disapprobation which he had expressed of Suckling's army plot went absolutely for nothing. The Queen, it would seem, had made up her mind to force the hand of her sluggish spouse. Chudleigh was sent back to the North with instructions from Jermyn and Endymion Porter to urge the officers to accept Goring as their lieutenant-general, and to be ready to march southwards in case of need. Newcastle would be in Nottinghamshire with a thousand horse ready to take the command, and it was even added that the Prince of Wales would be there as well. Every Frenchman in London—and the number of French settlers was not inconsiderable—would rise at a given signal.¹

April 3.
Meeting of
of the
officers at
Borough-
bridge.

On April 3 Chudleigh convened a meeting of the officers at Boroughbridge. So strong was their feeling against Parliament, in consequence of its neglect of the army, that they were easily persuaded to write to

¹ Chudleigh's examinations, May 10, 18. Pollard's examination, May 18, *An Exact Collection*, 220, 223. Chudleigh's examination, Aug. 13, D'Ewee's Diary, *Harl. MSS.* clxiv. 28.

Goring, expressing their readiness to obey him in the post to which they understood him to have been selected by the King himself. Chudleigh carried the letter to London on the 5th, and finding that Goring was no longer there, followed him to Portsmouth. Goring took him round the walls, and told him that 'if there should be any mutiny in London, the Queen meant to come down thither for her safety, and that she had sent him down money to fortify it.'

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April 10.
Goring at
Portsmouth.

It was impossible that the Parliamentary leaders should long remain in ignorance of what was passing in the North. Conyers and Astley, the actual commanders of the army, had no wish to be superseded by Goring, and they had all the dislike of professional soldiers to see the military force of the country dragged in the wake of a political faction. Conyers wrote to Conway to complain of Chudleigh's proceedings, and it is not likely that Conway kept the secret to himself.¹ The first effect of the meeting of the officers is to be seen in a fresh effort of the Lords to remove the cause of the evil. On the one hand they renewed their urgency with the City to lend the money needed to pay off both the English and the Scottish armies, and on the other hand they once more pressed the King to give an answer to the petition of the Houses for the discharge of the Irish army and the disarmament of the English Catholics.² In the Commons the fear of immediate military intervention was predominant. Attention was called to the letter which had been written by the officers to Northumberland on March 20,³ in which they expressed their readiness to fight the Scots. The House passed a resolution that any

Steps taken
by the
Lords.

April 6.
Fear in the
Commons
of military
intervention.

¹ Conyers to Conway, Apr. 2, 6, 9, *S. P. Dom.* Chudleigh's deposition, May 10, *An Exact Collection*, 220.

² *L. J.* iv. 207, 209.

³ *P.* 114.

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1471.
April 6.

The King
to act by
advice of
Parliam.
must.

officer commanding an attack without orders from the King given upon the advice of Parliament, except in cases of invasion, should be taken as an enemy to the King and State.¹

The wording of the resolution passed unheeded by. It was but the expression of that which all men there felt to be a necessity. Yet to say that the King's orders were only to be obeyed if they were given upon the advice of Parliament was a strange innovation on established usage. The presumption of the law had been hitherto, as the Judges and Strafford had been never weary of saying, that the King would act for the general good of the community, even if at some particular moment he set the general feeling at naught. The resolution of the Commons was the first crude attempt to find a remedy for the evils produced by the King's effort to free himself entirely from every obligation to consult the wishes of the nation.

April 7.
Further
charges
against
Strafford.

April 8.

Before this fear of military violence Strafford's offences assumed a deeper dye. On the 7th the story of his threats to the aldermen and his violent enforcement of ship money was duly told. On the next day Erle returned to the charge of bringing over the Irish army.² He showed that in the commission granted to Strafford in August he was empowered to repress revolts in England, and argued that it must have been evidently intended that his army should land in England. Strafford replied that his commission was a mere copy of Northumberland's, and that it was

¹ D'Ewes's Diary, *Harl. MSS.* clxiii. 9. *L. J.* ii. 116.

² See p. 85. For once Mr. Sanford makes a mistake; he argues (304) that Whitelocke's account of this day's proceedings is untrustworthy, because he cannot find anything like it in *Rushworth*. *Rushworth*, however, breaks off at the end of the proceedings of the 7th, and only gives separate speeches afterwards. The story is to be found substantially as Whitelocke gives it in the *Brief and Perfect Relation*, which is, as Mr.

so drawn by the King's directions.¹ On other points which were raised Strafford was no less successful.

It was impossible that the managers should leave their case thus. Hitherto they had been unwilling to compromise the younger Vane. They now resolved that the copy which had been taken of the notes which he had surreptitiously obtained from his father must be produced on the following morning.²

When the morning came Strafford did not appear. He sent a message announcing that he was too ill to leave the Tower. Pym and his associates seem to have fancied it was a plot intended to create delay. They felt that the Lords were slipping away from them. They were not even sure of their hold over the Commons. That unhappy religious question stood in the way of all harmonious action, and it had only been by a majority of 39 that the truce with the Scots had been prolonged for another fortnight. There were many who wished, in the interest of the bishops, that another war might break out, in which they hoped that the Scots would be less successful than they had been before.³

On the 10th Strafford was once more at the bar. As he was about to speak, Glyn interrupted him, offering fresh evidence on the Irish army, as well as on another matter of less importance. Strafford asked

Palgrave has pointed out, a most valuable contemporary account of the trial.

¹ Bankes gave evidence that it was so. Gawdy's Notes, *Add. MSS.* 14,828, fol. 31, b.

² The elder Vane stated on the 10th that he first heard that his son had taken the papers 'on Thursday last;' and this, together with the probability that such a step would be taken after Erle's failure, seems to fix the resolution of the leaders for that afternoon.

³ The party meaning of this division is shown by the names of the tellers. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 161. See, too, Tomkins to Lambe, April 13, *S. P. Dom.*

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The
inflexible
party.

to be allowed also to produce fresh evidence. After two long adjournments, the Lords decided as fairly as it was possible for them to do. Both sides were to name the articles to which they wished to recur.¹

The Peers had dealt with the emergency as it became Judges. In the Lower House there were some to whom their impartiality was of evil omen. In that House there was 'a rigid, strong, and inflexible party,' which held that if Strafford were 'not found a traitor, the Parliament must make him so for the interest of the public.'² Though the managers were ready to go on with their case, they were stopped by shouts of "Withdraw! Withdraw!" from the benches on which the Commons were sitting. The shouts were answered by indignant cries of "Adjourn! Adjourn!" from the Lords. Both Houses left the Hall in confusion. "The King laughed, and the Earl of Strafford was so well pleased therewith that he would not hide his joy!"³ Well might Charles and Strafford make merry. That which had been long looked forward too as possible had come to pass. The two Houses were at issue with one another. The sitting had been broken up without even the appointment of a day for the resumption of the trial.

Vane's
notes dis-
closed.

In the Commons Glyn called on Pym and the younger Vane to tell what they knew of evidence not yet disclosed. Vane told the House how he had found a paper of notes in his father's study, how he had taken a copy of them, and how Pym had copied that copy. Pym confirmed the latter part of the

¹ *L. J.* iv. 212. There is a slightly different account in the *Brief and Perfect Relation*.

² The Earl of Strafford Characterised, *Somers Tracts*, iv. 231.

³ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 27. Tomkins to Lambe, April 12, *S. P. Dom.* *Brief and Perfect Relation*, 57.

statement. The elder Vane rose to say that the original notes had been burnt by the King's command. He appeared to be much agitated. "An unhappy son of his," he said, "had brought all this trouble upon him." So much of the notes was then read as bore upon the matter in hand.¹ The Secretary was then asked whether the paper which had been produced corresponded with the original. He replied that it did, and that he had himself taken notes of it before he destroyed it.²

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April 10.

The effect of this statement was strongly corroborative of the evidence which had been given by the Secretary before the Lords. No doubt the charge that Strafford had used the words about the Irish army of which he had professed to have no recollection rested now, as it had rested before, on the single evidence of Vane. But it was one thing to say that Vane had allowed a misrepresentation to grow up in a treacherous and hostile memory. It was another thing to say that he had been guilty of forgery. Even if it were thought possible that he might have descended so low, the fact that Charles had sent for the notes and had ordered them to be burnt—a fact which is established not merely by Vane's assertion, but by Charles's silence—seems to show conclusively that they were notes officially taken with the cognisance of the King, and therefore liable to be called for by him at any moment. It is perfectly incredible that Vane should have knowingly inserted a falsehood in a

¹ It is unnecessary to go into the question whether the younger Vane was justified in betraying the secret. It was a case of a conflict of duties. If he had found evidence that a murder was about to be committed, he ought to have used the knowledge, acquired in any way, to save the person threatened. When he showed the notes to Pym, the danger of an actual attack from Ireland was still impending.

² D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 162.

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April 10.
What are
the Com-
mons to do?

paper which was so likely to come under the eye of the incriminated person.¹

With this additional evidence before them the Commons had to reconsider their position. Evidently the proper course was that which the managers had intended to pursue—to lay the notes before the Lords, and to allow Strafford to occupy two or three days with the additional evidence which he wished to bring forward. The ‘inflexible party,’ which was not the party of Pym and Hampden, was weary of the long delay. They regarded the judicial impartiality of the Lords as open treason to the Commonwealth. They showed themselves apt pupils of Strafford; or rather they shared in his belief that, as the safety of the people was the supreme law, so it was to be made, in moments of emergency, to override all positive legality. If Strafford had wielded the ancient weapon of the Prerogative to render the monarchy absolute, why should not they have recourse to another ancient weapon, the Bill of Attainder, to strike down the absolute monarchy which was impersonated in its strongest champion? No doubt this method of procedure had some advantages. It was more honest and outspoken. It professed to punish Strafford because he had broken a law which ought to have been in existence, instead of twisting an existing law to make it mean something which all impartial persons, if any there then were, knew perfectly well that it did not mean.² It also commended itself to the feeling against the Lords, which was at

¹ See vol. i. p. 337.

² “Now the secret of their taking this particular way is conceived to be to prevent the hearing of the Earl’s lawyers, who give out that there is no law yet in force whereby he can be condemned to die for aught that hath been yet objected against him, and therefore their intent is by this Bill to supply the defect of the laws therein.”—Tomkins to Lambe, April 12, *S. P. Dom.*

this moment strong in the Lower House. The Commons would no longer be mere accusers. They, too, would be Strafford's judges, and would ask the Peers to join in a sentence which they had first pronounced.

A Bill of Attainder was accordingly brought in. Of the debate which ensued no record has reached us. The name of Sir Arthur Hazlerigg is, however, prominently connected with the proposal, and Hazlerigg's name at once suggests a connection between downright honesty of purpose and blundering impatience of restraint. Before the day was over the Bill had been read a first time. With that Saturday's work the third week of the great trial was brought to a close.¹

A first reading settled nothing. On Monday morning, when evidence in corroboration of Vane's story was being heard, Henry Marten impatiently asked that, instead of troubling themselves with further inquiry, they should read the Attainder Bill a second time. The House would not hear of it. It had been dissatisfied with the slow progress of the impeachment; but, after all, it preferred to be led by Pym rather than by Hazlerigg and Marten, and Pym's advice was to carry the impeachment to its close. The Lords were therefore informed that, in order to hasten the proceedings, the Commons had consented to waive their right of producing further evidence on the understanding that no more would be produced against them. They intimated at the same time that they had discovered a paper which implicated Laud and Cottington in illegal designs,² and that they had therefore thought it right to send the Peers a copy of it for their consideration. This clever contrivance—it was almost too

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April 10.

First reading of the Bill of Attainder.

April 12.
Pym re-gains the leadership.

¹ Tomkins to Lambe, April 12, *S. P. Dom.* D'Ewes's Diary, *Hart. MSS.* clxiv. fol. 163, b. See p. 129.

² Their speeches were given in Vane's notes as well as Strafford's.

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April 12.

clever to succeed—was adopted without much difficulty. D'Ewes reminded the House that the bishops who had no votes as Judges, would have votes on the passing of a Bill; and the Bill of Attainder was set aside, at least for the present.¹

Ill feeling
in the
Upper
House.

The expectation which Pym probably entertained, that the Lords would be thrown off their balance by the sight of that portion of Vane's notes which bore upon Strafford's case, was soon realised. They were irritated by the conduct of the other House in interrupting the trial, and still more irritated at the mere mention of a Bill of Attainder. "It is an unnatural motion," said one angry Peer, "for the head to be governed by the tail. We hate rebellion as much as treason. We will never suffer ourselves to be suppressed by a popular faction."²

April 13.
Strafford's
defence.

On the following day, therefore, Strafford was called on for his defence, as if nothing extraordinary had intervened. He knew well how to catch the ear of the Peers. "None but you," he said, "can be my judges." Not the Commons, not even the King himself, could take that function from them. After running over the articles one by one, he asked how that could be treason as a whole which was not treason in any separate part. It was hard to be punished for a crime against which no law could be quoted. "If I pass down the Thames in a boat," he said, "and run and split myself upon an anchor, if there be not a buoy to give me warning, the party shall give me damages; but if it be marked out, then it is at my own peril. It is now full 240 years since any man was touched to that height, upon this crime, before myself. . . . Do not, my Lords, put

¹ D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 165. The debate is printed in *Sanford*, 329, but with many omissions of which no warning is given.

² *Brief and Perfect Relation*, 58.

greater difficulty upon the Ministers of State than that with cheerfulness they may serve the King and the State; for if you will examine them by every grain or every little weight, it will be so heavy that the public affairs of the kingdom will be laid waste, and no man will meddle with them that hath wisdom, and honour, and fortune to lose.

“Were it not for the interest of those pledges that a saint in heaven left me, I would be loath, my Lords,” —For the moment he could say no more.¹ The strong, iron-hearted man burst into tears. After a little while he recovered himself. “Now, my Lords,” he ended by saying, “I thank God I have been, by His good blessing towards me, taught that the afflictions of this present life are not to be compared with that eternal weight of glory that shall be revealed for us hereafter; and so, my Lords, even so, with all humility, and with all tranquillity of mind, I do submit myself clearly and freely to your judgments, and whether that righteous judgment shall be life or death,

Te Deum laudamus, te Dominum confitemur.”²

After a short interval Glyn rose to reply. The prisoner, he urged, was not charged with a number of separate acts, but with one settled purpose to overthrow the law. The separate acts were but cited in order that the purpose might be revealed. Glyn's strongest point was his refutation of Strafford's plea that he had counselled the assumption of special powers in the face of special necessity. He showed that for years the government had been conducted on the plea of special necessity. “My Lords,” he said, “for many years by-past, your Lordships know an evil spirit hath moved among us, which in truth

Glyn's
reply.

¹ For a specimen of the way in which scandal grows, see Baillie's remarks on this incident, i. 347.

² *Rushw. Straf. Trial*, 633. It is here misdated as spoken on April 12.

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hath been made the author and ground of all our distractions, and that is necessity and danger. This was the bulwark and the battery that serves to defend all exorbitant actions; the ground and foundation of this great invasion of our liberties and estates, the judgment in the ship money; and the ground of the counsel given of late to do anything, and to persuade the King that he was absolved from all rules of government.”¹

Pym's
speech.

Pym followed Glyn. Taking as proved the attempt to substitute arbitrary will for law, he painted with a firm hand a picture of the misery which would follow on the substitution. Under the appearance of bringing strength and honour to the King, it brought him to weakness and dishonour. Reward and punishment, Strafford had once said, were the great motives by which men were led. Pym had a more excellent way to show. “Those,” he said, “that live so much under the whip and the pillory and such servile engines as were frequently used by the Earl of Strafford, they may have the dregs of valour, sullenness, and stubbornness, which may make them prone to mutinies and discontents; but those noble and gallant affections, which put men to brave designs and attempts for the preservation or enlargement of a kingdom, they are hardly capable of. Shall it be treason to embase the King's coin, though but a piece of twelve pence or six pence, and must it not needs be the effect of a greater treason to embase the spirits of his subjects, and to set a stamp and character of servitude upon them, whereby they shall be disabled to do any thing for the service of the King and Commonwealth?”

On this theme Pym had much to say. It was the old political faith of Elizabeth and Bacon revived in

¹ Glyn's Speech, *Rushw. Straf. Trial*, 706.

another form. The King, he held, could not act outside the nation as if he were separate from it. "The King and his people are obliged to one another in the nearest relations. He is a father, and a child is called in law *pars patris*. He is the husband of the Commonwealth; they have the same interests; they are inseparable in their condition, be it good or evil. He is their head. They are the body. There is such an incorporation as cannot be dissolved without the destruction of both."

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To have done as much as in him lay to break up this harmonious unity was Strafford's crime. Pym's solemn voice thrust the accusing charge home. Once indeed he faltered, and sought in vain amongst his notes. Then after a brief interval he recovered himself.¹ "Nothing," he concluded, "can be more equal than that he should perish by the justice of that law which he would have subverted; neither will this be a new way of blood. There are marks enough to trace this law to the very original of this kingdom; and if it hath not been put in execution, as he allegeth, this 240 years, it was not for want of law, but that all time hath not bred a man bold enough to commit such crimes as these, which is a circumstance much aggravating his offence, and making him

¹ "To humble the man God let his memory fail him to a point or two, so he behoved to pass them."—*Baillie*, i. 348. Out of this Mr. Forster constructed a romance about Pym's catching sight of Strafford's face and breaking down. Another account is:—"It was sport to see how Master Pym in his speech was fearfully out, and constrained to pull out his papers, and read with a great deal of confusion, and disorder, before he could re-collect himself; which failing of memory was no small advantage to the Lord Lieutenant, because by this means the House perceived it was a premeditated flash, not grounded upon the Lieutenant's last answer, but resolved on before, whatsoever he should say for his own justification."—*Brief and Perfect Relation*, 63. The contrast between Pym speaking from notes, and Strafford who spoke as the thoughts rose within him, is striking.

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Charles un-
able to help
Strafford.

no whit less liable to punishment, because he is the only man that, in so long a time, had ventured upon such a treason as this.”¹

Pym’s noble exposition of constitutional right had been directed as much to the ear of Charles, who was listening eagerly to every word, as to the Peers who were sitting in judgment. “I believe,” wrote Baillie, “the King never heard a lecture of so free language against that his idolised prerogative.”² It may be that if Charles, with heroic self-abasement, had stepped forward to take upon his own head the blame of the past, he might even yet have saved Strafford. Elizabeth might have done it. He could not do it. He could not even give his subjects reason to believe that he had done with the theories of Strafford for ever. On the very next day he intimated to the Houses that he hoped to see a general disarmament; but that, as for any mere dismissal of the Irish army, he must defer his answer till ‘after these great businesses now in agitation are over.’³ The Commons now knew that they were to grope their way forward with that sword still suspended over their heads.

April 14.
He will not
dissolve the
Irish army.

Questions
involved
in Pym’s
charge.

Three separate questions were involved in Pym’s charge against Strafford. In the first place, Was his system of government of such a nature as to be destructive of the free Constitution of England? In the second place, Did the prisoner deliberately purpose to overthrow that Constitution? In the third place, Was this crime, assuming it to have been proved, of so deep a dye that it was fair to treat it as one which Strafford must have known beforehand to be punishable in accordance with the general spirit of the law, though nothing had been done in contravention of

¹ Pym’s Speech, *Rushw. Straf. Trial*, 661.

² *Baillie*, i. 348.

³ *L. J.* iv. 216.

any actual statute as hitherto interpreted? To the first of these questions no one would now hesitate to answer in the affirmative. To the second, those who have most deeply studied Strafford's life and character would be ready unhesitatingly to reply in the negative. To understand Pym's consistency in upholding the doctrine, that Strafford was punishable by the spirit of the law, it is necessary to remember that neither he, nor the great majority of the House of Commons, doubted for an instant that Strafford's attack upon the Constitution was intentional and deliberate. He was to them the great apostate led into paths of daring wickedness by the combined temptations of avarice and ambition.

Pym's anxiety to bring Strafford's condemnation within the terms of the existing law would have led him even yet to persist in the impeachment. To the mass of his fellow members it was more important that Strafford should die than that the law should be magnified. Before the King's message about the Irish army arrived, the Attainder Bill had been read a second time, and it was ordered that it should be discussed in a Committee of the whole House in the afternoon from day to day.¹ The temptation to bring

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Second
reading of
the Attain-
der Bill.

¹ In his suggestive article on the Trial in *Fraser's Magazine* (April, 1873) Mr. Palgrave thinks he sees evidence of an attempt to talk out the Bill. I do not see proof of much more delay than was to be expected over a question of such importance. The Bill went into Committee on the 14th, and was read a third time on the 21st, only a week later, though only the afternoons were set apart for the discussion. No doubt D'Ewes (*Harl. MSS.* clxiii. fol. 45) says of the debate of the 14th that many made trifling objections 'which they did only to keep off the question from being put. I was much amazed to see so many of the House speak on the Earl of Strafford's side.' But we are not bound now to hold that no one had a right to urge all that could be said on Strafford's side. When this intolerance prevailed amongst Strafford's enemies, his few friends may be pardoned if they sometimes urged rather poor arguments in his favour. This was the first occasion on which the Commons had really discussed the case on its merits.

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April 14.
The Bill in
Committee.

a pressure on the Peers was too strong to make any other course acceptable. Yet its advocates had already cause to regret that they had broken away from Pym. The debate on the order to go into Committee had revealed the fact that the House of Commons was not unanimous even against Strafford. There was a scanty band¹ which had urged over again every point which had been made by himself. One member asked whether Strafford's acts had amounted to treason. Another wished to know what proof there was that the Irish army was intended to land in England. The poet Waller went to the root of the matter by asking what were the fundamental laws—a question which drew down on him a retort from Maynard, that, if he did not know that, he had no business to sit in the House.² In spite of the questionings of the minority it was resolved, before the afternoon of the 15th was over, that Strafford had endeavoured to subvert the fundamental laws of England.

April 15.

Offence
given to
the Lords.

The Commons had now to learn how deeply they had offended the Lords. In the ordinary course of the impeachment they should have appeared in Westminster Hall to hear the arguments of counsel on both sides, on the legal questions arising out of the evidence. Pym and Strode asked that there might be no interruption of the proceedings. St. John, however, carried the House with him to send a message asking the Peers to postpone their sitting,

¹ "The long continuance of a Parliamentary contest," writes Mr. Palgrave, "is a sure sign that opposing parties are very even." Perhaps so, when nothing is decided. But, when one side gives up point after point, it is a sign that one party is not sufficiently numerous to court a defeat. On the 19th there was a division on the most favourable ground that the Opposition could take, and D'Ewes tells us that they were beaten by at least three to one.—*Harl. MSS.* clxiv. fol. 180.

² D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 43, 45; clxiv. fol. 172.

which had been appointed for the purpose of hearing counsel, and informing them that the Commons had a Bill of Attainder under consideration.¹

The Lords at once took fire. They answered that they would go on with the trial whether the Commons appeared or not. They would hear counsel and deliver judgment. The Commons, in return, declared their resolution to proceed with their Bill.²

It was on such occasions that the weight of Hampden's character made itself felt. He seldom rose to speak, and he never spoke at any length. He now came to the support of the Lords. Let the managers, he said, be in their places to argue the question of law as they had before argued the question of fact. Pym seconded him vehemently. He told the members that if they abandoned the impeachment they would 'much dishonour' themselves. The House was only convinced so far as to resolve to be present, as a Committee, to listen to the arguments of Strafford's counsel without replying to them.

The legal argument on behalf of Strafford was therefore duly heard. On the 19th the question, whether Strafford's acts amounted to treason, was fought out in the Commons. Selden and Holborne battled hard against the inevitable conclusion. The Committee voted by three to one that Strafford was a traitor.

With this vote the future of the Bill was practically settled as far as the Commons were concerned. The last debate on it in Committee was on a proviso forbidding the judges to act upon the principles laid down in it in any other case.³

¹ *C. J.* ii. 121. D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 48. Moore's Diary, *Harl. MSS.* ccclxxxvi. fol. 179, b.

² *Brief and Perfect Relation*, 69.

³ This was naturally taken hold of by Strafford's friends as showing that the House was aware that it was stretching the law. The view

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April 15.

They re-
fuse to stop
the trial.

April 16.
Hampden
attempts to
mediate.

April 17.
The legal
argument.

April 19.
Strafford
declared a
traitor by
the Com-
mons.

April 21.
The pro-
viso.

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Digby's
speech.

The third
reading.

The motion for the third reading was opposed by Digby in an impassioned speech. He denied that the charge of bringing over the Irish army was sufficiently proved, and he argued that, unless this were done, there was no evidence of treason. He was ready to consent to a Bill depriving Strafford of all power to do further hurt. To condemn him as a traitor would be a judicial murder. Such language had but little effect. Both Pym and Falkland declared in favour of passing the Bill, and it was read a third time by a majority of 204 to 59. Large as the majority was, it was a majority in a thin House. In those days there were no published division-lists to keep members to their duty. Many a man who had courted election, grew weary of attendance as soon as the choice had to be made between giving offence to the King and giving offence to those in whose company he sat. Theatres and bowling-alleys—'the devil's chapels' as D'Ewes sternly called them—were more attractive than long discussions on constitutional law. Those who voted on the third reading of the Attainder Bill may fairly be taken as the average political strength of the Long Parliament.

Digby's
conversion.

The vote had been carried by a coalition between the bulk of the two parties which were divided on ecclesiastical questions. Except Digby's, the only names of note amongst the minority were those of Selden and Holborne. Something of Digby's conversion from the violence of his opposition in the

of the Commons was that they would not trust the Judges with a power which they believed Parliament to be capable of exercising. As was said 'The words—to subvert the law—were very wide, and a corrupt Judge might stretch them far.' D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 182. D'Ewes gave the only negative vote. He said 'it would be a great dishonour to the business, as if we had condemned him because we would condemn him.'

first days of the Parliament is, no doubt, due simply to a real dislike of the hard measure which was being dealt out to Strafford by men with whom the speaker had already come into collision on other grounds. More was owing to the flatteries which the Queen was now dealing out lavishly around her, and of which Digby had his full share. His change of front can excite no surprise. His polished brilliancy of speech was far more suited to the Court than to Parliament, and he had none of that steadiness of purpose, or of that reverence for the character of the nation as a whole, which would have kept him long by the side of Pym.

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If the Queen had but little success in the Commons, she believed that her blandishments had been exercised not in vain amongst the Peers. Holland had been won over by an offer of the command of the Northern army, and Savile, the forger of the invitation to the Scots, by a promise that he should succeed Strafford in the Presidentship of the North. In after years Henrietta Maria used to tell, with vague reminiscence, of her nightly meetings with men whom she described as the most wicked rebels in the kingdom, and to boast of the influence which she had gained over them by the glamour of her eye and tongue.¹

The
Queen's in
fluence
over the
Peers.

Beauty with its tears passing into smiles may have done much with Digby. It was not likely to have had much effect with his father. Bristol was striving for an object which was worth a statesman's thought. He wanted to bring the constitutional judgment of the Lords to bear upon the envenomed quarrel which was arising between the Commons and the King. He wished to save Strafford's life whilst incapacitating

Bristol's
policy.

¹ *Mémoires de Madame de Motteville*, ch. ix.

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Alterca-
tion in the
House of
Lords.

him from office. He also wished to maintain the Episcopal constitution of the Church whilst surrounding it with safeguards against the abuse of such powers as might be left in the hands of the bishops. It was a high and noble policy—a policy which, if it could only have been carried into effect, would have spared England many a day of misery. Whether it was possible to carry it into practice in the face of the angry passions which had been aroused, was a question which is hard to answer. As matters now stood, it would be difficult for the Lords to avoid the appearance of being actuated rather by regard for their own dignity than by a sense of duty. Scarcely had the Bill made its appearance amongst them when Savile, a man born to bring disgrace upon every party which he joined, cried out, ‘that the Lower House did encroach upon the Higher House’s liberties, and did not know their duties.’ Being contradicted by Stamford, he answered rudely, and the affair had almost ended in a duel. Yet, after all, Strafford’s fate rested even more with the King than with the Peers, and for the moment it seemed that Charles would bow his neck to submit to the wise guidance of Bristol.¹ “The misfortune that is fallen upon you,” he wrote to Strafford two days after the Attainder Bill passed the Commons, “by the strange mistaking and conjuncture of these times being such that I must lay by the thought of employing you hereafter in my affairs, yet I cannot satisfy myself in honour or conscience without assuring you now, in the midst of your troubles, that, upon the word of a king, you shall not suffer in life, honour, or fortune.”²

April 23.
The King’s
letter to
Strafford.

¹ One of the Scottish Commissioners to —? April 27. *Wodrow MSS.* xxv., No. 155.

² The King to Strafford, April 23, *Straff. Letters*, ii. 416.

For the moment, too, it seemed likely that Charles would give some security that, if he had not changed his mind, he had changed his policy. Again, there were rumours of a fresh distribution of offices. Bedford, who, without modifying his opinion that Strafford was a traitor, was ready to vote against the infliction of the death penalty in order to conciliate the King, was to be Lord Treasurer. Saye, the most irreconcilable of Puritans, was to be Master of the Wards. It was even said that Pym was to be Chancellor of the Exchequer. Twice in the course of the week he was admitted to an interview with the King.¹

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1641.
April 23.
Rumours of
official
changes.

Efforts to
save Strafford.

What passed between Charles and Pym we have no means of knowing. It is quite possible that Pym refused to be content with anything short of Strafford's life. Essex, at all events, was of that opinion. Hyde, of whom it is not known whether he had given a silent vote for the Bill of Attainder, or had abstained from voting, was employed by Bedford to argue down Essex's objections. At Hyde's suggestion that a heavy fine or a long imprisonment would be a sufficient punishment, the Earl shook his head. "Stone-dead," he bluntly answered, "hath no fellow." Even if Strafford were fined or imprisoned the King would restore his estate and release all fines, but would likewise give him his liberty, as soon as he had a mind to make use of him, which would be as soon as the Parliament should be ended. Essex did but express an opinion which was very widely entertained. It was not so much a question whether Strafford had been a traitor as whether Charles could be trusted.² The clamour of the House

¹ Tomkins to Lambe, Apr. 26, *S. P. Dom.*

² *Clarendon*, iii. 164. Dates and events are as usual mixed up here so

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1641.
April 24.
The Londoners'
petition.

of Commons was backed by a growing excitement in the City. On the 24th, 20,000 Londoners signed a petition calling for the execution of Strafford and the redress of grievances, as the only means of escape from the existing depression of trade.¹

The Commons
answer the
arguments
of Strafford's
counsel.

During the first stages of this negotiation a compromise was come to between the Houses. The Commons agreed to reply to the legal arguments of Strafford's counsel, if they were understood to be directed to the question whether the Bill of Attainder ought to pass, and not to the question what judgment ought to be given on the impeachment. In spite of opposition from Bristol and Savile the compromise was accepted by the Lords, and on the 27th the Attainder Bill was read in their House a second time. The 29th was fixed for hearing the legal arguments of the Commons.²

April 27.
Second
reading of
the Attainder
Bill by
the Lords.

Nevertheless, an impression seems to have prevailed that though the Lords were unwilling to quarrel with the other House on a point of form, they had made up their minds not to send Strafford to the scaffold. It was evidently Charles's wisest course to rely on the Lords, and to allow himself to appear before the world, if he must appear at all on Strafford's behalf, as the guardian of constitutional right. Charles could not make up his mind to risk all that must be risked by the steady pursuance of this line of conduct. To the Queen his attempts to respect the law must have seemed to be sheer infatuation. Her head was full of projects. No enterprise

as to create a thoroughly false impression, but I feel inclined to accept the separate anecdotes as substantially true. They are just the things which would remain in the author's mind when all sense of relation was lost.

¹ *Rushw.* iv. 233.

² *Parliamentary Notes*, Apr. 24, *S. P. Dom.* L. J. iv. 227.

seemed too daring, no combination too extensive, for her self-willed inexperience. If we knew all we should probably be able to tell of Charles as carried away by her flashing eloquence, agreeing to everything that she proposed, and professing himself to be ready to carry out her projects, till calm consideration, out of her sight, once more commended to his mind some other plan which would at least keep him within the letter of the law. Such at least is the most probable explanation of the inconsistent action of the King during these agitated days.

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1641.
April 27.
The Queen's
projects.

The Court of Henrietta Maria had few secrets. Rumour was busy with speculations as to the price paid by the Prince of Orange for a royal alliance. On the 19th Prince William arrived to claim his bride. The Court gossips at once fixed on the sum of 1,200,000 ducats as that which he had brought over to relieve the wants of his future father-in-law. One of the Scottish Commissioners asserted distinctly that the sum was 200,000*l.* Whether the tale was true or not, there is little doubt that Charles was at this time sending money to York to conciliate the troops, and that he was encouraged by the reports which reached him to expect the help of the Northern army in the event of a breach with Parliament. He talked of going down in person to take the command. It was believed that he intended first to attack the Scots, and then to turn his arms against those who resisted his authority in England.¹ Almost at the same time

April 19.
Arrival of
Prince Wil-
liam.

Charles
sends
money to
the army.

¹ The King, says Giustinian, in his despatch of $\frac{\text{April } 22}{\text{May } 3}$, sent his money 'a disegni di conciliarsi l'affetto loro, et renderle pronte a quelle impressioni che il tempo et la occasione le conciliassero d'intraprendere maggiormente opportune.' In a later despatch of $\frac{\text{Apr. } 30}{\text{May } 10}$ the ambassador adds that the soldiers were well disposed to the King: 'e pare che prosegua nei disegni avvisati di voler tentare di nuovo con la forza di por freno all'ardire

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April 19.

he was doing his best to conciliate these very Scots, and was assuring them of his intention to come to Scotland in person to preside over the next sitting of Parliament.¹

Plan for a
violent dis-
solution of
Parlia-
ment.

Other plans there were of still more extensive reach. Charles and the Queen were to take refuge at Hampton Court, whence they would find the way open to Portsmouth. There they would find Goring, and they still fancied Goring to be true. An armed force was to be sent to seize the Tower, and the Northern army was to march on London. The Irish army, together with any troops which Frederick Henry might be disposed to lend, was to be summoned to Portsmouth, unless indeed it could be more profitably employed elsewhere. In the midst of the clash of arms, Parliament was to be dissolved, and Charles would be indeed a king once more.²

de' Scozzesi, non meno che a quella de' più seditiosi d'Inghilterra ancora. *Ven. Transcript.* A contemporary letter embodied in the *Brief and Perfect Relation* (p. 83) mentions a rumour 'that the Dutchmen have offered money to the King for a new service of war.'

¹ One of the Scottish Commissioners to —, April 27, *Wodrow MSS.* xxv. No. 155.

² 'Quando si agitava la causa del V. Rè d'Irlanda e di volerlo in qualunque maniera salvarlo dalla morte, si determinò da quelle M.^{te} l'andata all' Amtoncurt, et in questo mentre mandar gente a sorprendere la Torre di Londra, rompere il Parlamento, et havendosi di già acquistata buona parte dell' esercito regio ritirarsi le persone Reali a Posmur, porto di mare forse il più forte che sia in quei Regni. Così credevasi di liberare il V. Rè, e dar leggi à quelli che le volevano distruggere, sperando di poter ciò più commodamente effettuare mediante gl'aiuti di Hibernia e d'Olanda, se non per altra parte, almeno per il medesimo porto. Ma mentre le loro M.^{te} stavano apparecchiate per eseguire le cose predette, sopraggiunse corriero con avviso che il Governatore di Posmur, benchè havease giurato fedeltà al Rè, haveva dato in mano al Parlamento la piazza. Al che s'aggiunse parimente che il Capitano della Torre rifiutò di consegnar le chiavi di essa a S. M.^{te}, et il popolo trovavasi preparato per andar a Vitale, a passare anche ad Amtoncurt, se fosse fatto bisogno.'—Rossetti to Barberini, ^{Jan. 20} Feb. 9, 1642, *R. O. Transcript.* The refusal of the

Such fantasies as these could hardly be reduced to practical shape. Something, too, was certain to ooze out. On the 28th it was known that for some weeks a vessel, chartered by Strafford's secretary, Slingsby, had been lying in the Thames, and that the master, being questioned about his destination, had answered gruffly, that it was nothing to him on what service he was employed so long as he had victuals and pay.¹ In the midst of their investigations into plans of escape, the Lords were called on, on the 29th, to listen to St. John's argument on the legality of the Bill of Attainder. When he spoke, St. John had doubtless heard something at least of the rumours which were afloat, something perhaps of the King's expectation from the Dutch marriage, or of the plan for bringing the army from the North. Under the influence of this he broke away from the long chain of statute and precedent, upon which it was his business to rely. "We give law," he said, "to hares and deer, because they be beasts of chase; it was never accounted either cruelty or foul play to knock foxes and wolves on the head as they can be found, because they be beasts of prey. The warrener sets traps for polecats and other vermin for the preservation of the warren." Strafford's maxims were thus turned against himself.² The Commons, too, claimed, in a moment of supreme danger to be loose and absolved from all rules of government.

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1641.
April 28.
Plan for
Strafford's
escape
known.

April 29.
St. John's
argument.

Lieutenant was on May 2, which brings the formation of the scheme to the end of April.

¹ D'Ewes's Diary, *Harl. MSS.* clxiii. 110. *L. J.* iv. 229. See also the story of the three women listening through the keyhole. *An Exact Collection*, 235.

² Rushw. *Straf. Trial*, 703. We are told that several times in the course of this speech Strafford raised his hands to protest. In Ranke's account this becomes a special protest against this part of the speech.

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1641.
April 29.
Charles's
urgent
appeal to
the Lords.

There can be little doubt that by this time the Attainder Bill was gaining ground in the House of Lords.¹ The growing belief that plots, the extent of which it was impossible to know, were entertained at Court, would do more to convert the Lords than all St. John's eloquence. No wonder that Bristol and Savile,² the two who were most anxious that Strafford's life should be spared by a constitutional vote of the House of Lords, urged Charles to come forward to give assurance that, in pleading for the life of the prisoner, he had no wish to restore him to authority in the kingdom. No doubt there was hazard in the step. The Lords might take umbrage at an interference by the King in a matter pending before them. But Charles had already brought matters to such a pass that to refrain from interfering was infinitely more hazardous.

May 1.
The King's
intervention.

The King consented to do as Bristol and Savile asked. Probably he was glad to do anything which gave him a chance of extricating himself from the wild schemes in which he was entangled. On the morning of May 1 the Usher of the Black Rod knocked at the door of the Commons. A whisper ran round the benches that a dissolution was imminent—a dissolution which, as most men there believed,

¹ Writing of the King's speech of May 1, Giustinian says that it was made 'sospettando il Rè che l'odio di molti Parlamentarii con le gelosie di rendere mal sodisfatto il popolo persuadino ad abbracciarlo,' i.e., the Bill of Attainder. A letter which reports news from another letter written on the 29th or 30th is more explicit. The writer says 'that the Bill of Attainder had been read twice in the Upper House, and the passing is yet doubtful. Thirty Lords are for it, but many of the fifty lords are come about, and therefore it is generally conceived the Earl will lose his head. Other letters say that Mr. St. John did make such an excellent argument as satisfied the opposites.'—King to Calthorpe, May 1, *Tanner MSS.* lxxvi. fol. 72.

² These names are given in the letter of Father Philips (*Rushw.* iv 257). Clarendon gives Saye's name instead of Savile's.

would be promptly followed by acts of violence. Maxwell at once reassured the members. "Fear not, I warrant you,"¹ he said with a smile, as he summoned them to the Upper House. When they arrived there they found the King on the throne. He had come, he said, to give three assurances. No one had ever advised him to bring the Irish army to England. No discussion had ever taken place in his presence, in which the disloyalty of his English subjects had been assumed. He had never been advised to change the least of the laws of England, far less the whole of them. He hoped, therefore, that a way might be found to satisfy justice without pressing on his conscience. He had already resolved that Strafford was unfit to serve him in any office, if it were but that of a constable. "Therefore," he ended by saying, "I leave it to you, my Lords, to find some such way as to bring me out of this great strait, and keep ourselves and the kingdom from such inconveniences. Certainly, he that thinks him guilty of high treason in his conscience may condemn him of misdemeanour."²

The tone of the last sentence was undoubtedly unwise. It had too much the air of a dictator, calling on the Lords to vote to order. Strafford considered the King's intervention to be in itself impolitic.³ If it was so, what is to be said for those wicked schemes which by comparison give to it almost the air of superhuman wisdom?

A week before, the speech might have had some effect. It could have no effect now. If the Lords remained unmoved, there was no chance of moving

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1641.
May 1.

Effect of
the King's
interfer-
ence.

¹ D'Ewes's Diary, *Harl. MSS.* clxiii. 122.

² *Rushw.* iv. 239. Bristol and Savile must not be held responsible for the wording of the speech.

³ Strafford to the King, May 1, *Rushw.* iv. 251.

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1641.
May 1.

Compro-
mise on the
Church
question.

The
Bishops'
Exclusion
Bill.

the Commons. No clearer evidence of the depth of feeling against Strafford can be found than in the fact that the two ecclesiastical parties agreed upon a compromise in the face of the existing danger. Hampden and Falkland came to an understanding that Episcopacy should be reformed, not abolished. A Bill for the exclusion of the clergy from secular offices, and for shutting out the bishops from the House of Lords, had passed the Commons without serious opposition, and had been carried up to the Peers that very morning.¹ It was known already that Charles had said in conversation that he would never give his assent to such a Bill. So dissatisfied were the Commons that Pym prudently moved an adjournment as soon as they returned to their own House after listening to the King's speech, 'lest they should break out in some rash distemper.'

May 2.
Marriage of
the Prin-
cess Mary.

The next day was a Sunday. It had been fixed for the celebration of the marriage of Charles's eldest daughter. Prince William of Orange, the bearer of the most illustrious name in Europe, a bright hopeful lad of fifteen, plighted his troth at Whitehall to the child of nine who was one day in her early widowhood to bring forth a child who, nurtured in adversity, was to become the deliverer of half a continent. The day of the Princess's marriage was one of anxiety and gloom, and the ceremony was shorn of its accustomed splendour. There were divisions even in Charles's own household, and the Elector Palatine, who had at last been liberated from his French prison, refused to

¹ *Clarendon*, iii. 330. Falkland is stated to have said after the autumn vacation 'that Mr. Hampden had assured him that, if the Bill might pass, there would be nothing more attempted to the prejudice of the Church.' As the Bill did not pass, Hampden no doubt considered himself relieved from his promise.

be present at the banquet because the bride had not been given to himself.¹

It was ambition rather than love which was the cause of Charles Lewis's displeasure. He had returned to England hoping that his uncle would at last help him to the recovery of his inheritance, and he found that all that could be done for him was the despatch of Roe on a fresh mission to Germany. Nor was the Elector the only prince who miscalculated Charles's power to help. The Spanish monarchy was apparently breaking up. Catalonia was in full rebellion; Portugal had shaken off the hated Castilian yoke, and had declared itself once more an independent kingdom under a prince of the house of Braganza. A Portuguese ambassador had lately arrived to ask for the alliance of England.

The ambassador was not likely to gain much real assistance from Charles. But there was a way in which Charles might gain something from the Portuguese ambassador. By authorising him to gather soldiers in England an excuse had been found for bringing armed men together in London. For some little time Suckling had been busily engaged, with the aid of a certain Captain Billingsley, in inducing men to give in their names for the Portuguese service. The men were collected with a very different object. Foiled in his hope of carrying the Lords with him to the side of mercy, Charles now fell back on his former plan. On the Sunday morning Billingsley made his appearance at the Tower with an order from the King to the Lieutenant, Sir William Balfour, to admit him into the fortress with a hundred men. Balfour was a good Scotsman, and refused to let him in. He gave information of what had occurred to the Parlia-

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1641.
May 2.
Dissatisfac-
tion of the
Elector
Palatine.

Roe's mis-
sion.

The pre-
tended
levies for
Portugal.

¹ Giustinian to the Doge, ^{Mar. 26} _{Apr. 5}, May ⁶ ₁₈, *Ven. Transcripts*.

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1641.
May 2.
Billingsley
refused ad-
mission
into the
Tower.

mentary leaders.¹ For Charles's purpose nothing worse could have happened. Even if he had learnt from the coolness with which his speech had been received by the Lords that Strafford could only be saved by force, it was childish to expect to gather secretly together armed troops in the heart of such a city as London, where there were thousands of men accustomed to bear arms, and where there was scarcely one of them who did not dread the liberation of Strafford more than any other earthly danger.

No doubt Charles might justify to himself the legality of what he had done. The law gave him the custody of the Tower, and it was his duty to see that his prisoners were safe from the violence of a mob. Coming as it did, after so many other intimations of an appeal to force, this act left the worst possible impression. The danger seemed all the greater because no one knew its actual dimensions. It was known in the City on Sunday that Suckling had brought sixty armed men to a tavern in Bread Street, and had dismissed them with orders to return on Monday evening.² This, then, was the comment of facts on the King's speech. It came at a time when men's minds were distracted with rumours of the King's intention to set out for the army, of an immediate dissolution of Parliament, and of aid given by the Dutch Prince to re-establish his new father-in-law in his ancient authority. The City was seized with a wild impatience to bring the long agitation to a close. As the Peers gathered at Westminster on the morning of the 3rd they found the doors of their House beset by a mob shrieking for justice and execution upon Strafford.

Suckling
brings
armed men
to a tavern.

May 3.
The tu-
mults at
Westmin-
ster.

¹ Balfour's examination, *Rushw.* iv. 250. Examinations of Balfour, Wadsworth and Lanyon, *An Exact Collection*, 232.

² Moore's Diary, *Harl. MSS.* cccclxxvii. 26, b.

Arundel, as acting Lord High Steward, was specially called on to do justice. He answered meekly that he was going to the House to that effect. "We will take your word for once," replied those who stood nearest him, and let him go. When the Peers came out again at the end of their sitting, Bristol was in special danger. "For you, my Lord of Bristol," some one cried out, "we know you are an apostate from the cause of Christ, and our mortal enemy. We do not, therefore, crave justice from you, but shall, God willing, crave justice upon you and your false son."¹ As soon as the Peers had dispersed the crowd amused itself with posting up a placard containing the names of the fifty-nine members of the House of Commons who had voted against the Attainder Bill, under the title of 'Straffordians, betrayers of their country.'² It is even said that one man called out, "If we have not the Lieutenant's life we will have the King's."³

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May 3.List of
Straffordians
posted up.

The riot was not the work of the ordinary populace. The stoppage of trade caused by the political uncertainty was felt by the merchants and shopkeepers more than by the apprentices, and all authorities concur in stating that merchants and shopkeepers constituted the bulk of those by whom the outcry was raised.⁴

Character
of the mob.

When they met that morning the Commons remained for some time silently regarding one another,

The meet-
ing of the
Commons.

¹ *Brief and Perfect Relation*, 85. Contemporary authorities attribute the arrival of the mob to the King's speech, but it is impossible to doubt that the knowledge of Suckling's meeting with his sixty men must have given the worst possible interpretation to the speech.

² For a complete list see *Verney Notes*, 57.

³ *Brief and Perfect Relation*, 87.

⁴ The Venetian ambassador, for instance, says that the mob consisted 'delli più bene stanti di questa città.'—Giustinian to the Doge, May 13, *Ven. Transcripts*.

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May 3.

A letter to
be sent to
the army.Suckling's
levies dis-
cussed.Pym's
speech.

as men looking for counsel and finding none. At last the Clerk began to read the Bill which stood first on the Orders of the Day. It happened to be one for regulating the trade of wiredrawing. The inappropriateness of the subject struck the members with a sense of ludicrous incongruity, and the tension of their feelings relieved itself in a loud burst of laughter. Then there was again silence for a quarter or half an hour.¹ At last orders were given—none too soon—that a letter should be prepared to give assurance to the army that the soldiers should shortly receive the arrears of their pay. Then Pennington rose to tell of Suckling's armed gathering. These men, said Clotworthy, were but part of the forces which were being raised. There were intended to be 'three regiments of foot and one troop of horse; but for what end he knoweth not.' There was no division of opinion now. Tomkins rose to add 'that many Papists were newly come to London.' The King's speech delivered on Saturday was then read by the Speaker. Tomkins declared himself certain that Strafford was a traitor, and moved for a conference with the Lords.

Pym gave to this suggestion a more definite form. Even yet he was not prepared to bring odium on the King by revealing the knowledge which he had derived from Goring.² He pointed out that the King's

¹ D'Ewee's Diary, *Harl. MSS.* clxiii. 24. The doubt as to the time, says Mr. Sanford, 'in such an accurate man as D'Ewee, shows the alarm which he really felt.'—*Studies of the Great Rebellion*, 351.

² Historians have hitherto grounded their supposition that Pym now revealed his knowledge on a speech assigned by Rushworth to this day. That speech, however, contains a demand for the closing of the ports, and it is impossible that such a demand, if a sufficient motive were given for it, should have been left unacted on for two whole days. On the other hand, Pym's speech of the 3rd, as reported by Moore (*Harl. MSS.* cccclxxvii. fol. 27, b), and in the *Verney Notes*, 66, is plainly different

interference with a matter still under discussion was a breach of the privileges of Parliament. Then, reiterating his conviction that Strafford was guilty of treason 'in the highest degree,' he acknowledged that, after the Lords had passed the Bill, the King would have it in his power to accept it or to reject it, as he thought best. If the King were then dissatisfied with it, it would be the proper time to 'inform him better.'

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Pym, in short, was for leaving to the King his constitutional rights intact. But he had no idea of including amongst those rights that of directing a military force against Parliament. "Truly," he said, "I am persuaded that there was some great design in hand by the Papists to subvert and overthrow this kingdom, and I do verily believe the King never had any intention to subvert the laws, or to bring in the Irish army; but yet he had counsel given him that he was loose from all rules of government; and, though the King be of a tender conscience, yet we ought to be careful that he have good counsellors about him, and to let him understand that he is bound to maintain the laws, and that we take care for the maintaining of the word of God." The Commons must declare their allegiance to the King's person and legal prerogative. They must bind themselves to maintain the liberties of the subjects, must find means to pay the Northern army and the Scots, and must provide a remedy for the grievances of Ireland.

As Pym had struggled against the conversion of

from the one given by Rushworth, and which I assign to the 5th, the day when the order for closing the ports was given. There are two other blunders of Rushworth in this place. He gives May 3 instead of May 1, as the date of the sending up of the Bishops' Exclusion Bill to the Lords, and he misdates the message to the Lords on the Army plot as May 3 instead of May 1.

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May 3.
Pym's constitutional
position.

the impeachment into an attainder, so he now struggled against the idea that the conflict with the King must be fought out by other than constitutional means. The King must be brought round by persuasion, not by force. In the end he must be surrounded by new counsellors, as a guarantee that he would conform to the new order of things. It was far too sanguine a view of what was possible with Charles. In the meanwhile Pym did not fail to recognise the necessity of a counter-organisation to the forces which still remained to the Monarchy. In our time it is difficult for us to understand the necessity of such a step. The House of Commons is with us itself the centre of the national organisation to which the whole country instinctively rallies. In 1641 it was nothing of the kind. All the habits of men led them to look to the King for guidance. Parliaments were but bodies meeting at rare intervals, doing important work and then vanishing away. Nor was Pym's name as yet one to conjure with. Inside the House he was becoming better known every day. Outside he was scarcely more than one of a multitude. In default of the enthusiasm which personal leadership gives, it was necessary to awaken the higher enthusiasm which is inspired by fellowship in a common cause. Secret cabals in the Court and in the army must be met by an appeal to the general feeling of the nation.

He proposes an appeal to the nation.

Further than that Pym did not go for the present. He wished, perhaps, to see how the idea would be received. At first it seemed to fall flat on the House. One member proposed a simple conference with the Lords on Strafford's case. Culpepper asked that a remonstrance, such as had been suggested early in the session by Digby, might now be drawn up for presentation to the King. Neither of these plans

Reception of his proposal.

met the real difficulty, which lay in the fact that the danger came from the King himself. The situation was at last cleared by a few plain words from Marten. "We," he said, "are honest, disjointed fellows. Let us unite ourselves for the pure worship of God, the defence of the King and his subjects in all their legal rights." "He that hath been most abused," said Strode, "doth not yet perceive it. The ill counsel given to the King doth make that the King understandeth not what treason is; and, therefore, if care be not taken, we shall be dispersed through the kingdom."

One member after another rose to approve of Pym's idea. Peard referred to the precedent of the oath of association taken in Elizabeth's reign. Such a protestation, said Holles, would give them 'force and reputation.' It would show the world that they were united. They would then 'be able to go through with whatever' they might undertake. A Committee was appointed to draw up the manifesto.

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May 3-

A protesta-
tion to be
drawn up.

The reception of the report made by this Committee revealed that, on some points, at least, the House was not united. The draft of the Protestation contained a promise to maintain 'the true reformed Protestant religion.' Hopton moved the insertion of the words, 'as it is now established in the Church of England.' A sharp controversy followed. The Root-and-Branch members refused to bind themselves against the changes which they believed to be necessary. A compromise was at last arrived at by which the maintenance of the doctrine of the Church was alone mentioned, whilst nothing was said about its discipline.¹

¹ Moore's Diary, *Harl. MSS.* ccclxxvii. fol. 27, b. *Verney Notes*, 66. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 195. The first draft of the Protestation in the *Commons Journals* is worthless.

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May 3.
The Protestation.

“I, A B,” so ran this memorable appeal in its final shape, “in the presence of Almighty God, promise, vow, and protest to maintain and defend, as far as lawfully I may, with my life, power, and estate, the true Reformed Protestant Religion, expressed in the doctrine of the Church of England, against all Popery and Popish innovations within this realm contrary to the same doctrine, and according to the duty of my allegiance, his Majesty’s Royal person, honour, and estate, as also the power and privileges of Parliament, the lawful rights and liberties of the subjects, and every person that maketh the protestation, in whatsoever he shall do in the lawful pursuance of the same ; and to my power, and as far as lawfully I may, I will oppose, and by all good ways and means endeavour to bring to condign punishment, all such as shall, either by force, practice, counsels, plots, conspiracies, or otherwise, do anything to the contrary of anything in this present protestation contained ; and further, that I shall, in all just and honourable ways, endeavour to preserve the union and peace between the three kingdoms of England, Scotland, and Ireland ; and neither for hope, fear, nor other respect shall relinquish this promise, vow, and protestation.”¹

What was implied in it.

The importance of the Protestation lay far more in what was implied by it than in what it actually said. No doubt the Commons still believed that the King was led away by evil counsel, and that his own mind was perfectly pure and patriotic ; but their belief had already reached that stage at which it seemed not quite advisable to act on it with complete assurance. The association to be formed must necessarily be formed for the King’s security. But it was as well that it should be organised without any refer-

¹ *L. J.* iv. 234.

ence to him. The Covenanter Baillie at once discerned the import of the Protestation. "After much debate," he wrote, "at last, blessed be the name of the Lord, they all swore and subscribed the write which here you have, I hope in substance our Scottish Covenant. God maketh our enemies the instruments of all our good. We see now that it hath been in a happy time that so much time hath been lost about Strafford's head."¹

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As soon as the Protestation had been accepted, a Preamble was drawn up, in which the House declared that, in addition to the grievances which they had already made known, they found great cause of jealousy that endeavours "had been, and still are, to bring the English army into a misunderstanding of this Parliament, thereby to incline that army with force to bring to pass those wicked counsels."

The Preamble.

For the first time the danger which all men dreaded was clearly pointed at. Whether Pym had revealed all that he had known for weeks of Goring's information or not, the meeting of the officers at Boroughbridge cannot have remained a secret. Charles had been working as a conspirator in the broad light of day. Not only the Commons, but the Lords as well, were shocked by the discoveries which were pressing on them. When the Lords met again in the afternoon, it was evident that they were at last likely to range themselves on the side of the Lower House. They had drawn from Charles an acknowledgment that he had given orders to Billingsley to occupy the Tower, though he tried to explain away his share in the matter by alleging that it was necessary to keep the munitions in store under safe custody.²

Fear of the army.

¹ *Baillie*, i. 351.

² The King's statement is to be found in the MS. Journals of the
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The Lords resolved that they would themselves see to their safe keeping, and directed that Essex, Saye, and Brooke should provide for the admission of 500 men from the Tower Hamlets as guards of the fortress. Charles's futile attempt to employ force had destroyed his chance of a constitutional support from the House of Lords. The Peers acquainted the Commons that the only hindrance in the way of the Bill of Attainder lay in the concourse of people round the House. They now wished to act as the Commons would have them act, but they did not wish to act under the appearance of dictation.

May 4.
The Lords
take the
Protesta-
tion.

The next morning the Protestation was taken by all the Protestant Lords. Outside the doors the uproar continued. In the place of the well-dressed merchants and shopkeepers who had appeared the day before, Palace Yard was filled by a rougher mob, armed with swords and clubs. No damage was, however, done, and the populace was sufficiently satisfied with the progress of affairs to go back to their homes in the afternoon.¹

Return of
the mob.

The Protes-
tation cir-
culated in
the City.

In the Commons a step was taken hardly second in significance to the adoption of the Protestation. The clergy and citizens of London were invited to testify their adherence to it by their signatures. There was to be a general association outside the House to oppose the machinations of the Court.

Warlike
rumours.

As usually happens when danger is apprehended, before it appears in a definite form, the air was full of rumours. Cradock, one of the City members, announced that preparations had been made to supply

House of Lords. Like everything else relating to Strafford's trial, it was deleted with the pen after the Restoration, and is omitted in the printed journals; but there is no difficulty in reading every word.

¹ Gerard to —? May 6, *Tanner MSS.* lxi. fol. 83.

the army in the North with munitions of war.¹ Information from Paris spoke of movements of troops on the French coast, and these were interpreted as convincing proof that Lewis intended to send help to his sister in her distress.² It is true that Montreuil had conveyed to the Parliamentary leaders assurances of Richelieu's friendship.³ But diplomatic assurances are unsafe ground to rely on, and it is quite possible that some rumour of the Queen's desire for help from France may have reached the ears of Pym. Even in these days of crisis the Queen's servants had been indiscreetly chattering of aid which was expected from that country,⁴ and whether the story which had reached Pym from Paris were true or not, it was not one which he could safely afford to despise.

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At Whitehall, when night came, all was hurry and

Confusion
at Court.

¹ D'Ewes's Diary, *Harl. MSS.* clxiv. 197.

² "A Jesuit in Paris told an English merchant of the treason, viz., although he were of that order, yet he had English blood in him, and was grieved to see his country bought and sold, for the French soldiers were to land at Portsmouth, the Irish army in such a place, the Papist in such a place; and that merchant came away first and discovered it to Mr. Pym and two Lords; and we hear that the Queen and Prince, and some say the King, should have been at Portsmouth, and so in the back of all the nobles; but if the City had been overrun and the Tower taken, it would have been a very sad time."—King to Calthorpe, May 17, *Tanner MSS.* lvi. fol. 93. I gather that this news arrived on the 4th, because the sitting closed with an order that the House should consider on the following morning 'the motions this day made concerning Papists and Recusants, and concerning the declaring of those enemies of the State that should negotiate the bringing of any foreign force in the kingdom.'

³ Montreuil's Despatch, March $\frac{4}{14}$, *Bibl. Nat. Fr.* 15,995, fol. 163.

⁴ Montreuil's Despatches, May $\frac{6}{16}$, $\frac{13}{23}$. Mazure, *Hist. de la Révolution*, iii. 422. In order to discover the real sentiments of any set of people, the safest test is to look to expressions dropped casually rather than to formal opinions uttered in public. In a letter of compliment, the Earl of Warwick excuses himself from paying more attention to Prince William. 'estant toujours en les affaires d'Etat et du Parlement, pour nous vider des guerres civiles, que j'espère Dieu nous délivrera.'—Warwick to the Prince of Orange, *Groc van Prinsterer*, ser. 2. iii. 445.

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MAY 4.

confusion. The tumults of the day, and of the day before, had thoroughly alarmed the Court. Neither Charles nor the Queen believed that they could remain with safety in London. The King talked of taking refuge with the Northern army. The Queen prepared to remove to Hampton Court, doubtless with the intention of seeking safety behind the walls of Portsmouth. Whitehall had no secrets from Pym. The news of the Queen's intended flight was undoubtedly serious. She might indeed be merely wishing to find shelter at Portsmouth, but it was only too likely that she intended to summon a French force to her aid. When the next morning arrived, Pym resolved to communicate to the House, if not all he knew, at least far more than he had before disclosed.

May 5.
Pym reveals his knowledge of the Army Plot.

On the 5th, therefore, he told what he had heard from Goring, and from others. A design, he said, had been formed, not only to disaffect the army, but to bring it up to overawe the Parliament. The French were drawing forces to the seaside, and there was reason to fear that they aimed at Portsmouth. Persons in high posts about the Queen were deeply engaged in these plots. The ports should therefore be stopped, and the King be asked to issue orders that no one in attendance upon himself or upon the royal family should depart without leave from his Majesty, given upon the advice of Parliament.¹

Resolutions of the Commons.

Upon such an announcement as this the House could not but take immediate action. Each member

¹ *Rushw.* iv. 240. Giustinian, in his despatch of May 7, mentions the King's intention to go to York, and the Queen's project. Montreuil, in writing of the proceedings of the 5th in the Commons, says that they were not quite certain about Suckling's plot for helping Strafford's escape, but that 's'estant fortifiés par la soudaine resolution qu'avoit pris la Roynne de la Grande Bretagne d'aller à Hampton Court, et de là, comme on s'imagina à Portsmouth,' they sent a message to the King, *Bibl. Nat.* Fr. 15,995, fol. 230.

was directed to supply information as to the arms and munitions in possession of his constituents, and to present to the House the names of such of the lords-lieutenants and their deputies as he considered to be well affected to religion and the public peace. A resolution was passed, that any person helping to bring a foreign force into the kingdom, 'unless it be by command of his Majesty, with the consent of both Houses,' should be adjudged to be a public enemy. The Peers were asked to take evidence upon the Army Plot by oath, and to request the King to detain all the attendants of the Court.¹

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The Lower House, however, was not inclined to trust entirely to the Lords. A secret committee, consisting of Pym, Holles, Fiennes, Hampden, Culpepper, Clotworthy, and Strode, was appointed to conduct an independent investigation.²

The secret committee.

The Lords were now in a mood of ready compliance. The announcement that Newport, opposed to the Court as he was, had been appointed Constable of the Tower, fell flat in the excitement of the revelations which were crowding in upon them. A committee was appointed to examine into the Army Plot, with instructions to maintain secrecy; whilst a deputation waited on the King to ask him to detain the suspected persons. Charles gave the orders which he was asked to give.³

Action by the Lords.

In the Commons the growing excitement manifested itself in unexpected ways. As the House was in full debate, a board in the floor of the gallery cracked under the weight of two very stout members. Sir

Panic in the House of Commons.

¹ The *Verney Notes* give a different order for the speeches from the *Journals* and *Moore's Diary*.

² The names are given in Moore's *Diary*, *Harl. MSS.* cccclxxvii. fol. 37, b. The appointment of the committee is not mentioned in the *Journals*, though the obligation to secrecy is, *C. J.* ii. 135.

³ *L. J.* iv. 233.

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John Wray, with the thought of a second Guy Fawkes on his mind, called out that he smelt gunpowder. Members who were near the door rushed out into the lobby. Strangers loitering in the lobby rushed out into Westminster Hall. Some of them shrieked out that the Parliament house was falling, and that the members were killed. When the news reached the City, the trained bands turned out to come to the succour of the members, and marched as far as Covent Garden before they learnt that their help was not needed.¹

The Attainder Bill in the Lords.

No one now doubted that the Lords would pass the Attainder Bill. It was one thing to vote Strafford to perpetual imprisonment before Billingsley had been commissioned to secure the Tower and the Army Plot had been discovered. It was quite another thing in the face of a general belief that Charles had attempted to set him free in order that he might head troops in the field against Parliament. It is by no means likely that the Peers as a body changed their mind through craven fear of mob violence. We may well believe that, with the knowledge which had been gained since the beginning of the week, the rude saying "stone-dead hath no fellow" had taken possession of many who had closed their ears to it before.

Bill against the dissolution of the Parliament.

Whilst the Lords were pushing on the Attainder Bill, a still more important step was taken by the Commons. The necessity of finding money for the armies stared them in the face, and the only way of obtaining money was by contracting another loan. Harrison again came to their aid, and offered to lend 150,000*l.* on the security of the customs.² At once the question was raised whether Parliament had it in

¹ Rushw. *Straf. Trial*, 744.

² Moore's Diary, *Harl. MSS.* cccclxxvii. fol. 38.

its power to give any such security. The Commons were in instant fear of dissolution, and there could be very little doubt that the moment that the words of dissolution had been pronounced, the farmers of the customs would receive orders to pay their rent to the King, and not to Harrison. It was at once proposed—and it may be easily believed that there were other arguments in favour of the proposal besides those which were openly alleged—that a Bill should be brought in, providing that the existing Parliament should not be dissolved without its own consent. The proposal was welcomed with singular unanimity. It may be that Pym and Hampden threw their hearts into their vote more decidedly than Hyde and Falkland, but the assent of Hyde and Falkland was given as thoroughly as that of Pym and Hampden.

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May 5.

On the 6th it was expected that the courtiers charged with participation in the Army Plot would appear before the Lords' Committee. News, however, soon arrived that Percy, Jermyn, and Suckling had fled the night before, and that Davenant the poet, who had been in some slight way connected with the affair, was also missing. Davenant was captured and brought back. The rest succeeded in escaping to France. Jermyn carried with him the King's warrant licensing him to pass the sea.¹

May 6.
Escape of
the plotter—

The King's promise to detain his servants and the Queen's had been of little avail. The Lords now took the matter into their own hands. They despatched orders to stop the ports. They sent to request the King to hinder the Queen's journey to Portsmouth.² Charles gave them no answer whatever. "I am my father's daughter," said the Queen, with flashing eyes; "he never knew how to fly, and I am not going to learn

Proceed-
ings in Par-
liament.

¹ Warrant in *Rushw.* iv. 274.

² *L. J.* iv. 236.

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May 7.
Commissioners sent
to Portsmouth.

Failure to
form a
middle
party in
the House
of Lords.

May 8.
The Bill of
Attainder
read a third
time.

Third
reading of
the Bill
against
dissolution.

the lesson now.”¹ Next morning, as the King gave no sign of answering their request, the Houses despatched Mandeville with two members of the Commons to Portsmouth, to examine into Goring’s proceedings. At the same time the Peers, grasping the reins of authority in their own hands, gave orders for the issue of a proclamation for the arrest of the fugitives.²

By this time even the King must have known that the Lords would pass the Bill of Attainder. Of that middle party, which had wished to save Strafford’s life by incapacitating him for office, Bristol and Holland had withdrawn from the struggle, and had been excused from voting on the pretext that, having given evidence as witnesses, they could not appear as Judges.³ Bedford was lying on his death-bed, stricken down by small-pox. The Bill, taken up on the morning of the 5th, was read for the third time on the 8th. It finally passed in a thin House. The Catholic peers were in dread of their lives, and were excluded by their refusal to take the Protestation. Many of the other peers absented themselves when the votes were taken. Some of them may have been too timid to appear, but the majority of them were in all probability deterred from voting by their disinclination to support a Government which had called in an armed force to arbitrate in a constitutional dispute. At the same time the Peers passed the Bill for protecting the actual Parliament against dissolution. They had supported an amendment limiting its effect to two years, but they gave way before the objections of the Commons.

Strafford had already learned that nothing remained for him but to die with dignity. “It hath

¹ Giustinian to the Doge, May 7, *Ven. Transcripts*.

² *L. J.* iv. 238. ³ This is in the deleted portion of the MS. Journals.

been my greatest grief," he had written to Charles in the beginning of the past week, "in all these troubles, to be taken as a person which should endeavour to represent and set things amiss between your Majesty and your people, and to give counsels tending to the disquiet of the three kingdoms. . . . Therefore, in few words, as I put myself wholly upon the honour and justice of my peers, so clearly as to wish your Majesty might please to have spared that declaration of yours on Saturday last, and entirely to have left me to their lordships; so now, to set your Majesty's conscience at liberty, I do most humbly beseech your Majesty, for prevention of evils which may happen by your refusal, to pass this Bill, and by this means to remove—praised be God, I cannot say this accursed, but, I confess—this unfortunate thing forth of the way, towards that blessed agreement which God, I trust, shall ever establish between you and your subjects. Sir, my consent shall more acquit 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, with calmness and meekness of infinite contentment to my dislodging soul, 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 no otherwise than as their, in present, unfortunate father may hereafter appear more or less guilty of this death. God long preserve your Majesty." ¹

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1641.
May 4.
Strafford's
letter to the
King.

¹ Rushw. *Straf. Trial*, 743. Some doubt has been thrown on the authenticity of this letter, but Radcliffe's testimony (*Straf. Letters*, ii. 432) would be sufficient, if it did not speak for itself. The date given in the *Brief and Perfect Relation* is the 9th, which must be wrong from the

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1641.
May 8.
Rumours of
a French
attack.
The Queen
prepares to
fly.

On the morning of May 8—the morning on which the Attainder Bill passed the Lords—London was a prey to the wildest panic. A French fleet, it was everywhere believed, had seized Jersey and Guernsey. A cry was raised to lodge the King and Queen in the Tower. News of the danger was hastily conveyed to Whitehall. The Queen resolved to carry out her design of retreating to Portsmouth. Her carriage was already at the door when Montreuil arrived, counselling her against so rash an act. He told her that she would infallibly be stopped on the way. In consequence of his warning she relinquished her design. False as the rumour of the French attack was, it did no wrong to the Queen. If she had had her way a French force would by this time have been in possession of Portsmouth. The popular instinct rightly fixed on her as the author of the mischief.¹ Calumny came to add its bitterness to her cup, and it was rumoured that she loved Jermyn too well for her honour, and that she was hurrying to France because she could not live apart from her lover.²

reference to 'Saturday last' as the day of the King's speech. Mr. Palgrave informs me that in his copy the figure is corrected to 4 in an apparently contemporary hand, and that when the speech was printed in 1641, it was printed with the date of May 4. On the other hand Radcliffe gives the 7th, and it is more likely that 9 should be a misprint for 7 than for 4. External evidence is in favour of the 4th, as Strafford would have been more likely to write soon after the first intervention of the mob. I have, therefore, adopted this date in the text.

¹ We must not measure Pym's knowledge by that which he saw fit to reveal in public. "The Parliament," we are told, "hath not openly declared what the plot was; but it is said that the French was to come in upon the south—to this end apparently the Queen was going to Portsmouth. The English army and Papists were to join against London and the Parliament; and the Irish were to go against the Scots."—One of the Scottish Commissioners to ———, May 11, *Wodrow MSS.* xxv. No. 161. This might seem to be mere gossip; but it should be compared with Rossetti's testimony at p. 148, Note 2.

² Montreuil's part in persuading the Queen to stay does not rest, as

Having saved the Queen from herself, Montreuil assured Holland that there was not a word of truth in the rumours which were abroad, and that his master preferred the friendship of the English Parliament to that of the English King. Least of all was he likely to do anything to assist Strafford, who had always been a partisan of Spain.

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May 8.
Montreuil gives assurance that France is friendly to the Parliament.

Twice during that Saturday morning deputations from the Lords urged Charles to give his assent to the Attainder Bill. To the first he replied in the negative. To the second he expressed his readiness to receive the two Houses in the afternoon, and to declare his resolution. Before the hour arrived he learnt that Goring had been the traitor who had told the secret of the Army Plot, and that he had now handed over the fortifications of Portsmouth to the Parliamentary Commissioners. No place of refuge now remained for Charles on English soil.

Charles urged to assent to the Attainder Bill.

He learns that Goring is a traitor.

When the two Houses arrived they brought with them the Bill for perpetuating the Parliament as well as the Attainder Bill. They were followed by an armed multitude. Charles looked sadly on them, and told them that his final answer should be given on Monday. The mob was but ill-pleased at the delay, and an attack on the palace appeared to be imminent. At last one of the bishops, most likely Williams,¹ stepped to a window, and pacified them by assuring them that the answer, when it came, would be all that they could desire.

He postpones his answer till Monday.

All through the night panic reigned at Whitehall.

Ranke supposed, solely on his own authority. It is confirmed by Justinian. I have drawn my narrative from these two sources and from Rossetti's letter of May $\frac{1}{2}$.

¹ Rossetti says it was 'un ministro Puritano,' but no one but a bishop, and hardly any one but Williams, is likely to have taken the lead in this way.

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May 8.
Panic at
Whitehall.

At any moment the mob might break into the palace. Catholic courtiers, or courtiers who were Catholics in moments of danger, sought out the Queen's chaplains, flung themselves on their knees, and poured out their confessions, as if they were in presence of instant death. Others, who were more worldly-minded, secreted their jewels about their persons, that their whole property might not be utterly lost when the moment for flight arrived. By all, Monday was looked forward to with the gravest apprehension. It was fully believed that the Parliamentary leaders were resolved to use force if necessary, and that they had written to their supporters in the neighbouring counties to come up to London to their aid.¹

Charles's
feelings for
the Queen.

If Charles had none of the vigour of the man of action, he had, as his subsequent life showed, the passive courage of the martyr. It may be that if he had been alone in the danger now, he would have met it with the same patient endurance which he was to display eight years later. But the threats of the multitude were directed not so much against himself as against her whom he loved with a passionate and devoted love. He saw her that day in tears of mingled fear and vexation. How could he endure the thought that her tender frame might soon be in the hands of a raging pitiless multitude; that she might be dragged off to prison, fortunate if at last she reached the prison alive? Perhaps, too, he felt that he had been the cause of all this evil. He knew well what she thought of his indecision, and he may well have reckoned it amongst his sins that he had not faced his enemies more boldly. Thoughts such as these may have thrust out the compassion for Strafford

¹ This is stated by Giustinian, and he is likely to have been well-informed at least of the belief at Court.

which had hitherto occupied his heart. Charles's power of imagination was singularly weak, and the absent prisoner in the Tower would touch him less than the sobbing partner of his life, whom he saw before him with his bodily eyes.

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1641.
May 9.

After an anxious and probably sleepless night, Charles met his Council on Sunday morning. Its members, with one accord, advised him to yield. The Judges were asked whether they held Strafford to have been guilty of treason, and they answered in the affirmative. Four bishops were then called on to satisfy Charles's conscience. Was it right for him to set up his individual opinion against the opinion of the judges? Juxon advised him to refuse his assent to the Bill, 'seeing he knew his lordship to be innocent.' Williams argued that the King had a public as well as a private conscience, and that he ought to submit his judgment to those who were learned in the law. In ordinary cases in which men were condemned to death the responsibility rested on the Judges, not on the King, and so it should be now.¹

The King
in Council.

Opinion of
the Judges
and Bish-
ops.

Charles still hesitated. His soul was wrung with agony. The bishops were summoned a second time. This time Ussher was amongst them, and Ussher sided with Juxon. Williams persisted in the view which he had taken of the King's duty.²

The King
hesitates.

All day long the street in front of Whitehall was blocked by a shouting multitude. Every minute it was expected that an attempt would be made to dash in the doors.³ The mob took up the cry that the Queen Mother was at the bottom of the mischief, and

The mob in
the streets.

¹ Radcliffe's *Diary*, *Straff. Letters*, ii. 432. Hackett, *Life of Williams*, ii. 161.

² Elrington's *Life of Ussher*, Works, i. 212.

³ *Brief and Perfect Relation*, 93.

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May 9.

guards had to be despatched to St. James's to preserve her from attack.¹ The Queen, alarmed for her mother's safety and her own, was no longer in a position to urge resistance.² By this time, too, Charles probably knew that nothing would be gained by further resistance. Strafford was no longer in his hands to dispose of. A last attempt to effect his escape had been tried and had failed. The Earl had offered Balfour 20,000*l.* and a good marriage for his son, if he would connive at his evasion, and Balfour had been proof against the temptation.³ The unscrupulous Newport was now installed as Constable of the Tower, and he had given assurance that if the King refused his assent to the Bill he would order Strafford's execution without it.⁴

Charles
gives way.

It was nine in the evening before Charles, wearied out with the long mental conflict, gave way at last. "If my own person were only in danger," he said, with tears in his eyes, as he announced his resolution to the Council, "I would gladly venture it to save Lord Strafford's life; but seeing my wife, children, and all my kingdom are concerned in it, I am forced to give way unto it."⁵

In after-years Charles bitterly repented his compliance. He never lamented that which made the

¹ Rossetti to Barberini, May 14, *R. O. Transcripts*.

² As Mr. Forster has argued, it is plain, from the words of the Elector Palatine's letter, printed by him in *British Statesmen* (vi. 71), that she was really much displeased at the death of Strafford. The notion that she had been his enemy is one founded on a state of things which had long ceased to exist.

³ Balfour's examination, June 2, *An Exact Collection*, 232. As this took place three or four days before Strafford's execution, this must not be confounded with the earlier attempt betrayed by the three women.

⁴ *Clarendon*, iii. 200.

⁵ The Elector Palatine to the Queen of Bohemia, May 18, Forster's *British Statesmen*, vi. 71.

compliance almost inevitable, his want of confidence in the constitutional resistance of the Peers, and his resort to intrigues which he knew not how to conduct, and to force which he knew not how to employ. Better, indeed, would it have been for Charles to have remained firm to the end. No doubt even Williams's argument was not entirely without its value. Some way must be discovered in which the performance of national acts should be loosed from its bondage to the intelligence and conscience of a single man. But the time had not yet come when kings would cease to be responsible for actions which had become mere formalities. Charles sinned against his conscience. Let him who has seen wife and child, and all that he holds dear, exposed to imminent peril, and has refused to save them by an act of baseness, cast the first stone at Charles.

Charles announced that on the following morning both the Bills should be passed. Williams begged him to think of his prerogative, and to reject the Bill against the dissolution of Parliament.¹ Charles would have none of his advice on this matter. The next morning he signed the appointment of commissioners, charged to give his assent to the two Bills, and in this way they became law without his personal intervention. "My lord of Strafford's condition," said Charles as he wrote his name, "is more happy than mine."²

On Tuesday morning Charles made one more desperate effort to save Strafford. "I did yesterday," he wrote to the Peers, "satisfy the justice of the kingdom . . . but mercy being as inherent and inseparable to a king as justice, I desire at this time in some measure to show that likewise, by suffering that unfortunate man to fulfil the natural close of his life

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May 9.

Promises to
pass the
two Bills.May 10.
The Royal
Assent
given.May 11.
The King's
letter.¹ *Hacket*, ii. 162.² *Straf. Letters*, ii. 432.

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1641.
May 11.

in a close imprisonment ; yet so, that if ever he make the least offer to escape, or offer directly or indirectly to meddle in any sort of public business, especially with me, by message or by letter, it shall cost him his life. This, if it may be done without a discontentment to my people, would be an unspeakable contentment to me. . . . I will not say that your complying with me in this my intended mercy shall make me more willing, but certainly it will make me more cheerful in the granting your just grievances ; but if no less than his life can satisfy my people, I must say *Fiat justitia.*" At the close of his letter, remembering that the prisoner, whose whole energy had been employed in the struggle for his life, had had but little time to set his affairs in order, he added a brief postscript, "If he must die, it were a charity to reprieve him until Saturday."¹

The Houses were pitiless, as terrified men are. They had no confidence in Charles. Stone-dead, they thought, had no fellow.

May 10.
Strafford
hears that
he is to die.

Strafford himself had no hope that he would be spared. He had offered his life for the safety of the King, the strong for the weak. Yet the news that Charles had abandoned him came on him like a shock. "Put not your trust in princes," he cried, "nor in the sons of men, for in them there is no salvation."²

May 11.
Asks to see
Laud.

The next day, the last of his life on earth, Strafford's thoughts reverted to his old and tried friend, now his fellow-prisoner. He asked Balfour if he might be allowed to see Laud. Balfour told him that he must first have leave from Parliament. "No," said Strafford, "I have gotten my despatch from

¹ *L. J.* ii. 248.

² The story comes from Whitelocke, and is therefore not on the best authority, but I am inclined to accept it.

them, and will trouble them no more. I am now petitioning a higher Court, where neither partiality can be expected nor error feared." He would rather send a message by Ussher, who had come to console him in his last hours. "Desire the Archbishop," he said, "to lend me his prayers this night, and to give me his blessing when I do go abroad to-morrow, and to be in his window, that by my last farewell I may give him thanks for this and all his former favours."

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May 11.

Laud was not likely to refuse his friend's last request. As Strafford was led to execution in the morning, he saw the old man at the window. "My lord," he said, with a humble reverence, "your prayers and blessing." Laud raised his hands to implore God's mercy on the tried comrade who was treading the path to freedom on which he was one day to follow. Overcome by his emotion, he fell fainting to the ground. Strafford's last words to him, "Farewell, my lord, and God protect your innocency!" were addressed to ears that heard them not.

Is led to
execution.

Strafford's step was firm, and his port erect. His friends said of him that his look was more like that of a general at the head of an army than of a prisoner led to execution. When the sad procession reached the Tower gates, Balfour advised him to take a coach, lest the people should tear him in pieces. "No, Master Lieutenant," was the proud reply; "I dare look death in the face, and I hope the people too. Have you a care that I do not escape, and I care not how I die, whether by the hand of the executioner or the madness and fury of the people. If that may give them contentment, it is all one to me."¹

May 12.

No such danger was to be feared. It was calculated that there were full two hundred thousand

The crowd
on Tower
Hill.¹ *Brief and Perfect Relation*, 98.

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XII.1641.
May 12.Strafford's
last speech.

persons on Tower Hill.¹ They had not come as murderers. They believed that they were there to witness an act of justice.

From the scaffold the fallen statesman addressed his last words to those amongst that vast multitude who were within hearing. He told them truly that he had ever held 'Parliaments in England to be the happy constitution of the kingdom and nation, and the best means under God to make the king and his people happy.' He wished that all who were present would consider 'whether the beginning of the people's happiness should be written in letters of blood.' After professing his attachment to the Church of England he knelt for awhile in prayer, remaining on his knees for a quarter of an hour. He then rose, took leave of his brother, and sent messages to his wife and children. Having fulfilled all earthly duties, he prepared himself for death. "I thank God," he said, as he took off his upper garment, "I am not afraid of death, nor daunted with any discouragement rising from my fears, but do as cheerfully put off my doublet at this time as ever I did when I went to bed." The executioner then drew out a handkerchief to cover his eyes. "Thou shalt not bind my eyes," said Strafford, "for I will see it done." He placed his neck upon the block, telling the executioner that after he had meditated awhile, he would spread forth his hands as a sign to him to strike. After a little while the hands were spread to grasp the mantle of the Eternal Father. The blow fell, and that life of disappointed toil had reached its end.²

Preparing
for death.What were
Strafford's
aims?

It is possible now to understand that in his

¹ Giustinian to the Doge, May $\frac{14}{24}$, *Ven. Transcripts*.

² Rushw. *Straf. Trial*, 759. *Brief and Perfect Relation*, 104. Newsletter, *Add. MSS.* meccclxvii. fol. 31.

own sense Strafford was speaking the truth when he declared his devotion to the Parliamentary constitution, and that yet he was, in the truest sense, the most dangerous enemy of Parliaments. He attempted to maintain the Elizabethan constitution, long after it was possible to maintain it, and when the only choice lay between absolute government and Parliamentary supremacy. In contending against the latter, he was, without knowing what he was doing, giving his whole strength to the establishment of the former.

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1641.
May 12.

Yet, ruinous as his success would have been, in his devotion to the rule of intelligence he stands strangely near to one side of the modern spirit. Alone amongst his generation his voice was always raised for practical reforms. Pym and Hampden looked upon existing society as something admirable in itself, though needing to be quickened by a higher moral spirit and to be relieved from the hindrances thrown in its way by a defective organisation. Strafford regarded that society as full of abuses, and sought in the organisation which was ready to his hand, the lever by which those abuses might be removed. In happier times Pym and Strafford need never have clashed together, save in the bloodless contests of Parliamentary debate.

Doubtless it was well for Strafford himself that he found no mercy. What a lot would have been his if he had lived to hear, from behind the prison-bars, of the rout of Naseby and the tragedy of Whitehall! What a lot, far worse, would have been his if he had lived to break away from his obligations, and to help the King to a victory which could only be made secure by the establishment of military rule! A pamphlet of the day represented the case more truly

Contem-
porary
opinion on
his death.

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May 12.

than is generally to be expected from such ephemeral productions. When Charon, we are told, was ferrying over the Styx the latest arrival, he complained that his boat was sinking under the unwonted weight. He is told that the explanation is easy. That passenger had swallowed three kingdoms. On landing, Strafford is accosted by Noy, who asks him for news from the world of living men, and offers to conduct him amongst the lawyers, who are paying their respects to the ghost of Coke. Strafford turns proudly away. Noy wishes to know where he will choose his residence. "In any place," is the reply, "so that I may have that which I come for—rest."¹

Modern
opinion.

Such was the utmost for which a contemporary could dare to hope. A great poet of our own day, clothing the reconciling spirit of the nineteenth century in words which never could have been spoken in the seventeenth, has breathed a higher wish. On his page an imaginary Pym, recalling an imaginary friendship, looks forward hopefully to a reunion in a better and brighter world. "Even thus," Pym is made to say—and we may well wish that it had been possible for him to say it—

" Even thus, I love him now
And look for my chief portion in that world
Where great hearts led astray are turned again.
(Soon it may be, and, certes, will be soon,
My mission over, I shall not live long.)
Ay, here I know I talk, I dare and must,
Of England, and her great reward, as all
I look for there, but in my inmost heart,
Believe I think of stealing quite away
To walk once more with Wentworth—my youth's friend
Purged from all errors, gloriously renewed,
And Eliot shall not blame us."²

¹ *A Description of the Passage of Thomas, late Earl of Strafford, over the Styx, 1641* (E. 156).

² Browning's *Strafford*, Act. v. sc. ii.

CHAPTER XIII.

ECCLESIASTICAL DIVISIONS AND CONSTITUTIONAL
REFORMS.

It is probable that, in the humiliation of Strafford's death, Charles thought little of the abandonment of authority contained in the Act for prohibiting the dissolution of the existing Parliament. Onlookers saw the full effect of that statute. "I may live to do you a kindness," said Dorset to the King, "but you can do me none." "Will it be possible," asked Williams, "for your truest lieges to do you service more?"¹

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1641.
May 10.
Importance
of the Bill
for the con-
tinuance of
Parlia-
ment.

The Act, in truth, was a revolutionary one without being revolutionary enough. Traditional reverence stood in the way of the dethronement of a sovereign who was not to be trusted. In fear lest he should use his acknowledged powers to give a legitimate sanction to a dissolution accomplished by military violence, Parliament wrested from him the right of consulting the nation at all. It is hard to see how Parliament could have done otherwise so long as Charles remained on the throne. The execution of Strafford had fixed a great gulf, never to be bridged over, between the King and the House of Commons. To the Commons Charles was the supporter of a traitor to the liberties of England. To Charles the Commons were the murderers of a faithful servant, and rebels against lawful authority, with

¹ Sir J. Bramston's *Autobiography*, 83. *Hacket*, ii. 162.

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May 10.

whom no terms were to be kept. The position had all the disadvantages and none of the advantages of a state of war. The new Act had constituted two independent powers, each of which was armed with sufficient authority to reduce the other to impotence. Parliament had not ventured to claim that sovereignty for itself, before which all discordant elements must give way.

Parliament
master of
the posi-
tion.

May 13.

For the present Charles had to acknowledge, practically, that he had found his masters. He had to promise to disband the Irish army. He found himself checked in the distribution of offices. On the 13th he appointed Heath to the Mastership of the Wards. He was obliged to cancel the appointment and to give the post to Saye.¹ He had destined the Lieutenancy of Yorkshire to Savile, as a reward for the support which he had given to him in Strafford's trial. Parliament requested him to appoint Essex, and he was obliged to yield. The Treasury, vacated by Juxon, was put in commission. The secret committee was sitting daily to extract evidence of the Army Plot from the King's familiar attendants, and even from the ladies of the Queen's Bedchamber. It soon appeared that there need no longer be any fear from France. The French troops, whose movements had scared the citizens of London, were heard of as landing in Picardy;² but Charles knew full well how many other secrets existed which he would be loath to have dragged into the light of day.

May 20.

¹ Heath's appointment is on the Patent Rolls. Saye's was not enrolled. Mr. Selby, whose wide knowledge of the documents in the Record Office is always at the service of inquirers, discovered for me an entry on the Books of the Controller of the Hanaper, stating that Saye presented a 'carta' on the 24th. Whitelocke dates the appointment on 17th. A newsletter gives the 16th.—*Sloane MSS.* mcccclxvii. fol. 37.

² Salvetti's *Newsletter*, May 14.

The Queen was even more deeply compromised than her husband. She had to look on in silent vexation whilst the Catholics were questioned for every rash word that had sprung to their lips. It was inevitable that the hopes which they had cherished of relief from the proscription to which Parliament had doomed them, should have found vent in wild expressions of anticipated triumph. It was inevitable, too, that Parliament, merciless towards those whom its oppression stung into anger, should believe the danger greater than it really was, and should catch at chance phrases, some of them, perhaps, misreported or exaggerated, as evidence of a deliberate plot for the overthrow of the Parliamentary constitution. One recusant's wife, it was reported, had predicted that the Parliament House would shortly be in flames. Another had been overheard to say, that there would be a black day before long, and that many would be fatherless. An incoherent letter, directed to a recusant lady—in all probability a silly forgery—was picked up in the streets. It contained a request for money, and referred with satisfaction to the approaching slaughter of the beast with many heads.¹ Men, comparatively young, could remember how, in the days of the Gunpowder Plot, their fathers had been saved from destruction by a letter just as incoherent. Orders were given to imprison all the priests in England, and there were many who were dissatisfied that no harsher measures were taken. A closer home-thrust at the Queen was a demand that her mother should leave the country.

If ever lesson had been plain to read it was that which had been given to Charles by his failure to save the life of Strafford. Yet scarcely was Strafford

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1641.
May 14.
The Catholics sus-
pected.

¹ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 167 b, 180 b.

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1641.
May 18.
Charles
proposes to
visit Scot-
land.

Lady Car-
lisle and
Pym.

May 17.
Possibility
of a breach
between
the Parlia-
ment and
the Scots.

dead, when he prepared himself to tread once more the weary round of intrigue which had already cost him so dear. It was now known that he proposed to visit Scotland in person as soon as the treaty between the kingdoms was concluded.¹ Those who were trusted with his secrets were aware that he was looking to this journey as a means of regaining that authority which he had lost in England. Anything seemed to him to be better than an attempt to come to an understanding with Parliament.² It is hardly likely that a secret shared amongst so many would be long a secret from Pym. Lady Carlisle, vexed, as it has been thought, at the King's abandonment of Strafford, placed her talents for political intrigue at the service of the Parliamentary statesman. Without any deep feelings herself, she loved to be of importance, and she was shrewd enough to make herself useful to the real leaders of men, and to despise those who, like the King and Queen, were decked in the mere trappings of authority. To the excitement of a youth of pleasure was to follow the excitement of a middle age of treachery. It was to be her sport to listen to trustful words dropped in confidence, and to betray them to those who were ready to take advantage of her knowledge.

In looking for help from Scotland Charles was not altogether pursuing a shadow. There were already signs that the good understanding between the

¹ The Elector Palatine to the Queen of Bohemia, May 18.—Forster's *Lives of British Statesmen*, vi. 71.

² 'Sua Maestà francamente affermà di transferirsi a disegno per aventura di rialzare con la presenza sua qualche altra machina et migliorare la conditione della propria autorità.'—Giustinian to the Doge, May 21, *Ven. Transcripts*. The intentions of the King were acknowledged by the Queen in a conversation after she arrived in Holland in the following year.

English Parliament and the Scots was somewhat shaken. The delay in providing the Scottish army with supplies had raised discontent, and it was by no means certain that the nobles of the northern kingdom would expose themselves to further risk for the sake of establishing Presbyterianism in England. One of the foremost of their leaders, Rothes, had already been won over by the promise of preferment in England and of a rich English wife. He may probably be credited with sincerity when he alleged that he had first assured himself that the interests of his own country were secured,¹ but it is hardly likely that his new position was taken up on purely political considerations. The public negotiation, too, was drifting upon shoals which might prove dangerous.² The Scots had continued to urge a union in religion between the two countries, which would be certain to offend a large party in England, and for the appointment of a Commission to draw up a scheme for freedom of trade, which would be certain to offend all Englishmen without distinction of party.

On the 17th the Commons went into Committee on the demands of the Scots for unity of religion. The opponents of Episcopacy resorted to the ignominious tactics of placing Culpepper in the chair, in order to silence that vigorous debater in the warm discussion which they foresaw.³ In spite of the objections of Hyde and Falkland, the Commons determined to return a courteous answer, 'that this House

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1641.

May 19.

Rothes won
by the
Court.Progress of
the negoti-
ation.Debate on
ecclesiasti-
cal union.Courteous
answer to
the Scots.

¹ Rothes' *Narrative*, 225.

² The notes of the Scots' demands in Moore's *Diary* (*Harl. MSS.* cccclxxviii. fol. 18) are said to be taken from those read by Sir J. Borrough on April 22. The figures seem to have been subsequently changed, to judge from D'Ewes's notes of the debates on the subject. In other respects no alteration appears to have been made.

³ D'Ewes protested against this. D'Ewes's *Diary*, *Harl. MSS.* clxiii. 190.

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1641.

May 17.

doth approve of the affection of their brethren in Scotland, in their desire of a conformity in Church government between the two nations, and doth give them thanks for it; and as they have already taken into consideration the reformation of Church government, so they will proceed therein in due time, as shall best conduce to the glory of God and the peace of the Church.’¹

May 18.
Act of ob-
livion pro-
posed.

Such a resolution bound the House to nothing, but it was enough to show that the majority was resolved not to be led into a quarrel with the Scots.

May 19.
Further
votes on
the Scot-
tish treaty.

The next day it was decided that the Commissioners should be asked to draw up an Act of oblivion. There was more difficulty in consenting to a proposal which had been made by the Scots, that war should never again be declared between the two kingdoms without the consent of the Parliaments. It was too

May 20.

great an innovation on existing practice to pass without resistance from Culpepper and others. In the end, however, it was referred back to the English Commissioners for further consideration.² A similar course was adopted with the article about freedom of trade,

May 21.

and on the 21st arrangements were made for the payment of the sums which would be due to the Scots. It was evident that if there was to be a rupture, it would not be provoked by the House of Commons.

Parties
shaping
themselves.

During the course of these debates the mutual distrust between the two parties which had originally separated on the question of Episcopacy, had shown a tendency to increase. Hyde and Culpepper and Falkland had come forward as champions of the royal prerogative, and as decided opponents of the

¹ *C. J.* ii. 148. D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 192. News-letter, *Sloane MSS.* mcccclxvii. fol. 38.

² *C. J.* ii. 150. D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 202.

Scottish alliance. Whether the breach was to be healed or not probably depended on the attitude which Pym and his immediate followers would assume towards the Root-and-Branch party, and that attitude depended partly on the amount of confidence which they would be able to feel in the King, partly in the reception which the Bishops' Exclusion Bill would meet with in the House of Lords.

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May 21.

On the 21st that Bill went into Committee in the Upper House. By the 27th the Peers had agreed to exclude clergymen as a rule from all civil functions. The bishops, however, were to be specially excepted, so far as related to their seats in Parliament. The general feeling against the employment of clergymen in temporal affairs which sprung from the natural reaction against the harsh treatment which, of late years, they had dealt out to laymen, was modified, amongst the Lords, by a strong inclination to resist any proposal by the Commons to change the constitution of the Upper House.

The Bish-
ops' Exclu-
sion Bill in
the Lords.

May 27.

The vote of the Peers was a defiance to the majority in the House of Commons. Of that majority only a part—it is impossible to say how large—was in favour of the absolute abolition of Episcopacy. Circumstances, however, had recently occurred which brought to the Root-and-Branch party an accession of strength. It had been recently discovered that, in order to pay off the two armies, it would be necessary to have 400,000*l.* in addition to the subsidies which had been already voted. The higher clergy were regarded as instigators of the war which had unnecessarily entailed so great a charge on the nation, and voices had already been raised in favour of a confiscation which should lay the burden on those who had been in fault. Radically unjust as any attempt to apportion the

May 12.
The Root-
and-
Branch
party in
the Com-
mons.

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XIII.

1641.
May 12.

Question of
Church
property
raised.

blame due to the authors of national errors must always be, it bore with it a show of justice which was likely to carry away those who were smarting under unwonted taxation. Strafford, in the presence of death, had singled out this source of danger, and he had warned his son to take no part in the race for the wealth of the Church. On the very day of his execution it appeared that he had good cause for alarm. Evidence was then heard on behalf of the preservation of Deans and Chapters. Dr. Burgess, who appeared on the other side, argued that the revenues which would be set free by the suppression of these offices might be applied, not to secular purposes, but to better uses in the service of the Church. When he had finished, several members assailed the suggestion which he had made. "They mean," said one, "to hold all the Church-lands, and we shall have no more."¹

May 25.
The Customers' fine.

It was not long before a precedent was given which did something to accustom the Commons to that chase after wealth which had been one of the worst features of the Star Chamber. On the 25th it was voted that all who had collected duties on merchandise without a Parliamentary grant, were delinquents, and on the following day it was resolved to offer these delinquents an act of oblivion on payment of a fine of 150,000*l.* If the clergy could be dealt with in the same way, there would be little need to impose fresh taxation.

May 26.

May 27.
The Root-
and Branch
party a
minority.

Yet, even if all who thought that the bishops' incomes would be well employed in saving the pockets of the tax-payers, had been counted with those who desired the overthrow of Episcopacy on conscientious grounds, the Root-and-Branch party were, as yet, no

¹ D'Ewes's Diary, *Harl. MSS.* fol. 170.

more than a minority in the House, and, as far as it is possible to judge, they were also a minority in the nation.¹ In the House the defenders of Episcopacy were also a minority. The balance lay with Pym and his supporters, who were determined to place the King under constitutional restraint, and to establish a thoroughly Protestant worship in the Church, whether the Church were presided over by bishops or not. The feeling of these men was distinctly opposed to the conduct of the existing bishops. The bishops, in the Biblical language of the day, had made themselves lords over God's heritage. In other words, they had dealt with the Church as the King had dealt with the State. They had administered it; they had not represented it. As Saye put it, in a speech which he had recently delivered, their secular offices 'might have gained them caps and courtesy, but they have cast them out of the consciences of men.' If, therefore, Pym and his friends felt a statesmanlike hesitation to change more than was absolutely

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1641.
May 27.

Feeling of
Pym and
his sup-
porters.

¹ Professor Masson argues that the number of Root-and-Branch men was greater than has been supposed, partly on the ground of an anti-episcopal petition from Cheshire, which purports to be signed almost exactly two to one of an episcopalian petition from the same county. The almost exact doubling of the signatures struck me as suspicious when I first compared the two petitions, and my suspicions have since been confirmed. Not only does Sir J. Aston, who got up the petition for Episcopacy, state that there was 'never any such petition seen in this shire' (*A Remonstrance against Presbytery*, 1641, E. 163); but a Puritan who answered Aston (*An Humble Remonstrance*, 1641, E. 178), and stated that some of the signatures to the episcopalian petition were forged, says distinctly that of the other petition he knows nothing. It was plainly a forgery. The appearance of a copy amongst the State Papers, with its crowded references at the edge, excites suspicion that it may have been the handiwork of 'marginal Prynne.' Any argument founded on the number of names subscribed to petitions is most unsatisfactory. All who were dissatisfied with the state of Church affairs would sign the Puritan petition of the county. Whether that petition asked for the abolition or modification of Episcopacy would depend on the temper of the local magnates, by whom the petition was drawn up.

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1641.

May 27.

Effect of
the vote of
the Peers.

necessary in the constitution of the Church, this feeling must always have been subordinated to the possibility of finding bishops who would leave politics alone, and who would content themselves with labouring in their own offices under the direction of the law. Whether such a prospect would ever be realised depended partly on the bishops themselves, but still more on the King. The vote to which the House of Lords had just come was one to bring out all the difficulties in the way of any compromise. No doubt there is much to be said, as long as Parliament makes laws for the Church, for the admission to the Upper House of counsellors who are prepared to speak of its needs from their own knowledge. But it would be far too high a price to pay for that advantage to allow those counsellors to be chosen in such a way as to make them the mouthpieces of one political party, whilst their own advancement in life was to depend on the constancy with which their votes were given. "The bishops," said Saye, "have had too absolute dependency on the King to sit as free men." It was not only from the mouths of the enemies of the bishops that this assertion proceeded. In the course of the following year Jeremy Taylor said exactly the same thing. "The interests of the bishops," he wrote, "is conjunct with the prosperity of the King, besides the interest of their own security, by the obligation of secular advantages. For they who have their livelihood from the King, and are in expectance of their fortune from him, are more likely to pay a tribute of exacter duty than others whose fortunes are not in such immediate dependency on His Majesty. . . . It is but the common expectation of gratitude that a patron paramount shall be more assisted by his beneficiaries in cases of necessity, than by those who re-

ceive nothing from him but the common influences of government."¹ What wonder was it that the feeling that the King was not what he should have been, the representative head of the nation, showed itself in the determination that he should not have twenty-six votes at his disposal in the House of Lords? There were some, no doubt, who wished to thrust the bishops out because they thought that they would be better employed in attending on their clerical duties, but there were others who wished to thrust them out simply because they were the creatures of the King.

The day on which it was known that the Lords had resolved to retain the bishops in their House was propitious to the opponents of Episcopacy. That morning Vane and Cromwell brought with them a Bill which is said to have been drawn up by St. John, and the object of which was the absolute extinction of Episcopacy. They passed it on to Hazlerigg, and Hazlerigg passed it on to Sir Edward Dering. Dering was one of those who had pronounced most strongly against clerical abuses, though he had not wished to see Episcopacy itself abolished. He was a vain man, never tired of mentioning in his letters to his wife how he had been respected by the mob which had gathered at Westminster in the days of Strafford's trial, and how voices out of the crowd had been heard to say, "There goes Sir Edward Dering!" and "God bless your worship!"²

The assistance of men of the stamp of Dering was

¹ Taylor, *Of the Sacred Order and Offices of Episcopacy*, Epistle dedicatory.

² *Proceedings in Kent* (Camden Soc.), 46. In the preface (xxxviii) Mr. Bruce suggests that he was already under suspicion, and speaks of him as being asked at this time by a Root-and-Branch man, "Art thou for us, or for our adversaries?" This, however, appears to have been said some weeks later.

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The Root-
and-
Branch
Bill.

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May 27.
Proposal
by Dering.

precisely what the Root-and-Branch men wanted. And he was just then in a mood to do what they wished. In a short speech he moved the first reading of the Bill, not because he desired that it should pass, but because he thought that it would frighten the Peers into giving their consent to the exclusion of the bishops.¹ After a sharp debate, in which the Bill was opposed by Falkland—who compared it, for its thorough-going violence, to a total massacre of men, women, and children—and was supported by Pym and Hampden, it was read a second time by a majority of 135 to 108.²

Its second
reading.

June 4.
The
Bishops'
Exclusion
Bill dis-
cussed in
conference,

On June 4 there was a conference on the earlier Bill. The Lords professed themselves ready to be enlightened if there were any sufficient argument for depriving the bishops of their seats.³ The Commons dwelt mainly on the incompatibility of civil and clerical functions, and on the probability that the bishops, if they were still allowed to have votes, would use them to support their own encroachments on the liberties of the subject. The Lords listened, but were unconvinced. On the 8th they threw out the Bill on the third reading.⁴

June 8.
and thrown
out by the
Lords.
Bills to
diminish
the prerogative.

Differences of opinion might prevail on the subject of Church-government. There was no difference of opinion on the necessity of limiting the prerogative. On the morning of the 8th, Selden, who was a steady voter on the episcopal side, brought in

¹ Moore's Diary (*Harl. MSS.* ccclxxvii. fol. 106) substantially bears out the report in Dering's published speeches.

² Moore's Diary, *Ibid.* Newsletter, *Sloane MSS.* mcccclxvii. fol. 70.

³ According to the letter of one of the Scottish Commissioners (*Woodrow MSS.* xxv. No. 162) this step was taken 'of purpose, it was thought, to have stopped the Bill of Root-and-Branch.' If so, Dering was very near being justified by the event.

⁴ *L. J.* iv. 239, 265.

three bills—one for declaring the illegality of ship money, a second for limiting the extent of the forests, and a third for abolishing the knighthood fines. In the afternoon of the same day bills for the abolition of the Courts of Star Chamber and High Commission were read a third time without a division.¹ Both parties were unanimously resolved that Charles should hereafter reign under strict constitutional limits.

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1641.
June 8.

Charles's one path of safety was still the same as it had been in the days of Strafford's trial. Only by frankly accepting the constitutional limits imposed on him could he avail himself of the support which the House of Lords was anxious to give him on account of their divergence of opinion from the Commons on the question of Church government. Such, it can hardly be doubted, was the advice offered by Bristol in June, as it had been in April. Charles had one ear for Bristol, and another for the Queen. No combination was too fantastic, no scheme too audacious, to be acceptable to Henrietta Maria, and to gain at least temporary approval from her husband's weakness.

Charles's
chances of
success.

On June 2 the Queen had an interview with Rossetti. She bemoaned the impossibility of inducing Charles to change his religion. She could, however, state positively that if the Pope would send money—150,000*l.* was the sum named—he would grant religious liberty in Ireland, and in England would for the present allow the Catholics to frequent the chapels of the Queen, and of the foreign ambassadors. When once he had again become the master of his people, the Catholics should have full religious liberty, with permission to open chapels of their own. Every religion except theirs and that of the English Church

June 2.
The
Queen's
interview
with Ros-
setti,

¹ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 285. (*C. J.* ii. 171.)

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1641.
June 2.

Negotia-
tion with
the Irish
Catholics.

should be extirpated. The Queen further engaged to write a letter to Cardinal Barberini, in which these promises should be made, and this letter was to be countersigned by Charles.¹

It would seem the height of madness to expect to make use of help from the Pope and from the Scottish Presbyterians at the same time. Yet more than this was behind. A negotiation was being carried on with the Irish Catholics in which they engaged, in return for liberty of worship, to give armed assistance to the King, though as yet the actual terms were not absolutely settled.² Nothing of all this was known at that time to the leaders of the Commons. But enough was known of Charles's recent proceedings to render them utterly distrustful.

June 8.
Report on
the Army
Plot.

On the day on which the new constitutional bills were read, Fiennes produced the first report of the Secret Committee on the Army Plot. He told of the attempt to introduce Billingsley's men into the Tower, of the schemes for inciting the army against Parliament, of the fortification of Portsmouth, and of the suspicions of an intrigue with the French Government. Examinations were read which left no doubt that, whatever the King's personal action might have been, the plot for exciting the army to take part in political affairs originated at Whitehall.³

Tumult in
the House.

Every word of this long report was a death-blow to the hopes of those who had thought to see Charles at the head of a reformed Government, and to save Episcopacy through him. The feelings to which it gave rise found vent in a scene of wild confusion.

¹ Rossetti to Barberini, June 4, *R. O. Transcripts*.

² *Ibid.*, Jan. 22, Feb. 2, 1642, *ibid.*

³ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 290. Moore's Diary, *ibid.* ccclxxviii. fol. 34.

The mention of Goring's oath of secrecy called up Wilmot. He did not know, he said, how Goring could without perjury have discovered that which he had sworn to keep secret. Digby replied that the oath was in itself unlawful, and did not bind Goring if he had been lawfully called on to reveal what he knew. Ever since Digby's unpopular vote on the Bill of Attainder he had had many enemies in the House. They perhaps understood him to imply that Goring had made his revelation without being called on lawfully. Digby had to explain his meaning and Wilmot to ask pardon of the House. Even this was not enough. Cries were raised calling on both to withdraw. Before the question could be put, Digby walked out. Some of the members dashed forward to stop him. Others did their best to rescue him from the assault.

Both Digby and Wilmot succeeded in reaching the door without injury. Their withdrawal was followed by a long and disorderly debate. In the midst of it the Serjeant-at-Arms brought in candles. A fresh dispute arose on the question whether candles might be brought in without the positive order of the House. Two of Digby's friends, anxious to prevent an adjournment, perhaps because they believed that the majority was on their side, snatched the candles from the Serjeant and set them on the floor. This was followed by a scuffle in which the Serjeant's cloak was torn from his back. The House at last broke up without coming to any conclusion. So great was the excitement that the imperturbable Lenthall confessed next morning that he had not expected to come away alive.¹ The two members who had seized the candles, were treated as scapegoats for the

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¹ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 299.

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June 9.
Henry
Percy's
letter.

sins of the House, and were sent to the Tower for a few days.¹ Then followed the reading of a letter written by Henry Percy to his brother Northumberland which contained fresh revelations of the Army Plot. Goring's character was at once cleared as far as a vote of the House could do it. Percy's letter, however, distinctly charged Goring with being implicated with Jermyn in a deeper plot than that in which he had himself been concerned.

June 10.
Digby
made a
Peer.

The next morning Marten moved that Digby should be sent for. Kirton told the House that such a motion had come too late: the King had raised Digby to the Peerage. He had himself seen him putting on his robes to take his place in the other House.²

If the feeling which had prompted Charles's act was natural, he had taken the worst possible way of giving it expression. Digby had not yet been condemned, and he was hardly likely to suffer worse consequences for his unguarded language than a few days' imprisonment. By making him a Peer, Charles showed not merely that unpopularity in the House of Commons was the highest passport to his favour, but that he was ready to increase the number of those Peers who would use their influence in the Upper House to place it in opposition to the Lower. An additional reason was given for keeping the organisation of the Church out of the hands of the King.

Inside the House of Commons the party which advocated a thorough change in the system of Church

¹ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 301. The majority for sending them was 189 to 172. The names of the Tellers, as given by D'Ewes, show that the minority was of the Episcopalian party. The Tellers, as is often the case, are reversed in the Journals. There is usually evidence forthcoming to show that D'Ewes is right and the Journals wrong.

² *Ibid.*

government was rather desirous of overthrowing an ecclesiastical despotism which they knew not how to remodel, than inspired with any strong preference for any other system to be established in its room. To a certain extent, no doubt, the majority might be regarded as Presbyterian; but, if so, their Presbyterianism was very different from the zealous devotion of Henderson and Dickson in the North. They wanted to have ministers who would preach decided Protestantism of the Calvinistic type, and after their experience of the last few years they thought that they were more likely to have what they wanted without bishops than with them. But they had no enthusiasm for the Scottish discipline.

If the minority were to contend against this widespread feeling it behoved them to act as well as to criticise. Williams, indeed, had been doing something. He had been gathering together opinions from divines of the most opposite views, and was understood to be elaborating a scheme in which all legitimate desires would find their fulfilment. Ussher,¹ too, with the full weight of his piety and learning, had allowed his friends to circulate a draft of a constitution for the Church, in which bishops were to appear as the heads of Councils of presbyters, and were to be disqualified from acting without their advice.

Such a scheme had an excellent appearance on paper. It was not quite so clear what would be its practical result, if bishops like Wren or Montague found themselves face to face with a council composed

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How far
was the
House of
Commons
Presby-
terian?

Plans of
Williams
and Ussher

¹ In the Rossetti Papers there is a running reference to a negotiation, in which Ussher professes his readiness to become a Catholic if he could obtain an income equivalent to 500*l.* a year. I am utterly incredulous. The Padre Egidio, through whom it was conducted, was perhaps hoaxed, or deceived himself.

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of ministers like Burgess and Marshall. The plan, for some reason or another, fell flat on the world. There was a good deal of talk about the advantages of Primitive Episcopacy, but there was no support given even in the House of Lords to any particular project for reducing it to practice. If the King had made any one of these plans his own, and had shown himself in earnest in combating the evils of the existing system, something might perhaps have been done. But Charles gave no sign that he took any interest in the matter. The Root-and-Branch Bill was the only scheme of reform practically in the field.

June 11.
The Root-
and-
Branch
Bill in
Committee.

Charles and
Hyde.

On June 11 that Bill was before a Committee of the whole House. Hyde was placed in the chair, as it is said in order that his voice should thus be silenced on the Episcopalian side. If it was so, he did his best to pay back his opponents in their own coin. Somewhere about this time Charles sent for Hyde, greatly to his astonishment. Between the two men there was much in common. Both of them were attached to the outward formulas of the Constitution. Both of them had a high veneration for the worship and ceremonies of the Church. Neither of them had any of the larger qualities of statesmanship.

Conversa-
tion be-
tween
them.

As soon as he saw Hyde Charles commended him for his faithfulness to the Church, and asked him whether he thought that the Bill would be carried in the Commons. Hyde replied that he thought it would not be carried speedily. "Nay," said the King, "if you will look to it that they do not carry it before I go to Scotland, when the armies will be disbanded, I will undertake for the Church after that time." "Why, then," said Hyde, "by the grace of God it will not be in much danger." Hyde subsequently boasted

that he had done his best as Chairman of the Committee to throw obstacles in the way of the Bill.¹

If the Church was in danger it was from Charles's inability to discover the necessity of reform. The debates which ensued showed how few even of the opponents of the Root-and-Branch Bill were as yet ready to support him in his policy of mere resistance. Rudyerd and Dering talked loudly, if somewhat vaguely, about a restoration of Primitive Episcopacy. Culpepper, with more practical instinct, asked merely for a change of men instead of the abolition of the office. To the words of the preamble, which declared that 'the present government of the Church had been by long experience a hindrance to the full reformation of religion,' he moved as an amendment that 'the present governors of the Church had been by late experience a hindrance to religion.'² His proposal failed to obtain acceptance. The abolition of archbishops and bishops, deans and chapters, was voted. It was hardly possible at the time to excite any enthusiasm for Episcopacy in England. D'Ewes doubtless gave expression to an anxiety which was widely felt when he said that the liberties and estates of Englishmen were in danger as well as their religion. If there were those who would entertain such a design as that of the Army Plot whilst Parliament was sitting, 'what was not to be feared when Parliament was dispersed!'³ How could the control of religious teaching be left in the hands of a man from amongst whose intimate counsellors the Army Plot had burst on the astonished world? The opponents of the Root-and-Branch Bill

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June 11.
Debate in
Committee
on the
Root-and-
Branch
Bill

June 12.

¹ Clarendon, *Life*, i. 93. His statement, that he waited on the King in consequence of a message through Percy, is one of his usual blunders. When Percy fled the Bill was not yet introduced.

² D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 217.

³ *Ibid.*, clxiii. fol. 309.

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June 12.

felt but little zeal in their own cause. The debates were long, and the body stood in need of refreshment. It was pleasanter, now that the summer days were come, to wile away the hours in the tennis-court or the theatre than to listen to dry discussions about bishops and deans. "They who hated the bishops," laughed Falkland, "hated them worse than the devil; they who loved them did not love them so well as their dinner."¹

Conversa-
tion be-
tween
Hyde and
Fiennes,

One day Hyde asked Fiennes in private what government he intended to substitute for Episcopacy. There would be time enough to settle that question, Fiennes answered. "If the King," he said, "resolved to defend the bishops, it would cost the kingdom much blood, and would be the occasion of as sharp a war as had ever been in England; for there was so great a number of good men who had resolved to lose their lives before they would ever submit to that government." At another time Hyde asked Marten, who was known to care little for religion, what he really wanted. "I do not think," was the reply, "one man wise enough to govern us all."²

and be-
tween Hyde
and Mar-
ten.

Hyde was shocked by such words. He did not see that the only way in which Charles could answer them was by being wise enough to govern. Charles had thrown the reins on the neck of the steed, and was surprised to find that it was taking its own way. The Committee found its deliberations perpetually interrupted, not, indeed by Hyde's intrigues, but by the necessity of listening to fresh disclosures on the subject of the Army Plot, and of making provision for the disbandment of the armies. Still, however, some progress was made. A proviso was introduced that, on the abolition of deans and chapters, none of their

Progress
with the
Bill.

¹ *Clarendon*, iii. 241.

² *Clarendon, Life*, i. 75.

property should be diverted from ecclesiastical purposes. At last, on June 21, the important point of the government to be substituted for Episcopacy was reached. Vane proposed a clause providing that Commissioners should be appointed for the present in each diocese to exercise ecclesiastical jurisdiction, and that these Commissioners should be appointed in equal numbers from the laity and the clergy.¹

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June 21.
Proposed
new gov-
ernment
of the
Church.

Here, then, was the Root-and-Branch scheme at last. It was referred to a sub-committee, to be put into shape.

If the feeling against Episcopacy gathered strength from the growing distrust felt in the King, it did not originate there. Outside the House the Puritan spirit was mounting, and the Puritan spirit assailed not so much the episcopal constitution of the Church as the forms of worship which the bishops protected. At the end of March five English divines, joining their initials² to form the uncouth name Smectymnuus, had issued a pamphlet in support of Presbyterianism in reply to Hall's 'Humble Remonstrance.'

Smectym-
nuus.

'Smectymnuus' was too professional to lift the controversy above the Calvinistic orthodoxy of the day. In the end of May, or the beginning of June, a new champion appeared on the scene. The singer of the 'Comus' and the 'Lycidas' felt that the time had now come when it behoved him to lay aside that task of high poesy, for which he had been girding himself from his youth up, and to throw himself into the great

June ?
Milton's
first pam-
phlet.

¹ D'Ewes's Diary, *Hart. MSS.* clxiii. fol. 337.

² Stephen Marshall, Edmund Calamy, Thomas Young, Matthew Newcomen, William Spurstow. Professor Masson (*Life of Milton*, ii. 219) is mistaken in quoting Cleveland's poem as evidence of the immediate popularity of the book. Cleveland speaks of the collection of the poll-tax, and his poem must therefore have been written some weeks after the date of the appearance of Smectymnuus.

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controversy, on the issue of which, as he firmly believed, depended the future weal or woe of England. Much of the argument by which he supported Presbyterianism against Episcopacy is familiar to the student of the pamphlets and the speeches of that eventful year. But whilst others contented themselves with argument from Scripture or from Church history, or with the wearisome repetition of doctrines which appeared to them to contain the sum of all truth, Milton drove right into the very heart of the matter, and in that wonderful rhythmical prose on which the reader is upborne as on a strong and steady stream, he strove to impress upon the world around the central doctrine of the 'Comus,' that spiritual perfection is not to be reached through the operation of the bodily senses.

"Sad it is," he wrote, "how that doctrine of the Gospel, planted by teachers divinely inspired, and by them winnowed and sifted from the chaff of overdated ceremonies, and refined to such a spiritual height and temper of purity and knowledge of the Creator, that the body, with all the circumstances of time and place, were purified by the affections of the regenerate soul, and nothing left impure but sin; faith needing not the weak and fallible office of the senses to be either the askers or interpreters of heavenly mysteries, save where our Lord Himself in His sacraments ordained, that such a doctrine should, through the grossness and blindness of her professors and the fraud of deceivable traditions, drag so downwards as to backslide one way into the Jewish beggary of old cast rudiments, and stumble forward another way into the newly-vomited paganism of sensual idolatry, attributing purity or impurity to things indifferent, that they might bring the inward acts of the spirit to the outward and customary eye-service of the body,

as if they could not make themselves heavenly and spiritual; they began to draw down all the divine intercourse betwixt God and the soul; yea, the very shape of God Himself, into an exterior and bodily form, urgently pretending a necessity and obligation of joining the body in a formal reverence and worship circumscribed; they hallowed it, they fumed it, they sprinkled it, they bedecked it, not in robes of pure innocency, but of pure linen, with other deformed and fantastic dresses, in palls and mitres, gold and gewgaws fetched from Aaron's old wardrobe, or the flamen's vestry; then was the priest set to con his motions and his postures, his liturgies and his luries, till the soul by this means of over-bodying herself, given up justly to fleshly delights, bated her wing apace downward, and finding the ease she had from her visible and sensuous colleague the body in performance of religious duties, her pinions now broken and flagging, shifted off from herself the labour of high-soaring any more, forgot her heavenly flight, and left the dull and droiling carcase to plod on in the old road and drudging trade of outward conformity."

In these words lay the central fire which warmed the hearts of all the nobler assailants of Episcopacy and the Prayer Book. It might be overlaid by political considerations or social jealousies, but at the bottom it was this that was meant by them all. To Laud's notion of a training of the spirit by the external habit they opposed the notion of the spirit loosing itself from bonds, contemptuously freeing itself from outward ceremonies or disciplinary institutions, and content to direct its course for itself in accordance with the will of its heavenly Guide.

It needs not to be said how one-sided a view of

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of the
Cheshire
Remon-
strance.

human nature it was. Man cannot profitably shake himself thus loose from external helps. Laud's doctrine, too, had a truth of its own. Familiar institutions and habitual actions mould the life of man far more than Milton would own. Milton's prose, like Milton's poetry, gave but the noblest expression to a one-sided tendency of the human mind. He declaimed against institutions because their importance was altogether unintelligible to him. In the struggle for representative government he had no sympathy excepting, so far as it appeared to him to subserve the development of a vigorous spiritual and intellectual life. That which had alarmed the Cheshire petitioners had no terrors for him. "We cannot but express," they had said, in reply to the Presbyterians, "our just fears, that their desire is to introduce an absolute innovation of Presbyterial government, whereby we, who are now governed by the canon and civil laws, dispensed by twenty-six ordinaries—easily responsible to Parliament for any deviation from the rule of law—conceive we should become exposed to the mere arbitrary government of a numerous Presbytery who, together with their ruling elders, will arise to near forty thousand Church governors, and with their adherents must needs bear so great a sway in the Commonwealth that, if future inconvenience shall be found in that government, we humbly offer to consideration how these shall be reducible by Parliaments, how consistent with a monarchy, and how dangerously conducive to an anarchy, which we have just cause to pray against, as fearing the consequences would prove the utter loss of learning and laws, which must necessarily produce an extermination of nobility, gentry, and order, if not of religion." ¹

¹ *A Remonstrance against Presbytery*, E. 163.

The very Root-and-Branch men in the House of Commons were as sensible of the danger as the Cheshire petitioners. Milton had hardly the patience to seek for an answer to the objection 'whether a greater inconvenience would not grow from the corruption of any other discipline than from Episcopacy.' "First," he tells us, "constitute what is right, and of itself it will discover and rectify that which swerves, and easily remedy the pretended fear of having a pope in every parish, unless we call the zealous and meek censure of the Church a popedom, which whoso does, let him advise how he can reject the pastorly rod and sheephook of Christ, and those cords of love, and not fear to fall under the iron sceptre of His anger that will dash him in pieces like a potsherd."¹

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Milton on
Presby-
terianism.

It is clear from such a paragraph as this that Milton's theories on government were no better suited to the actual England of the day than the Lady of the 'Comus' would have been at home at the Court of Henrietta Maria, or the Archangel Raphael in the Long Parliament. Yet not for this are they to be condemned. Their permanent value lies in the persistence with which they point to the eternal truth, that all artificial constitutional arrangements, all remodelling of authority in Church or State, all reform in law and administration, will be worthless in the absence of the high purpose and the resolute will of the individual men who are to make use of political or ecclesiastical institutions. "Love Virtue, she alone is free." Let the mind be cultivated to understand which are the paths of virtue. Let the spirit be attuned to the harmonies of heaven. The work to be done for the soul and intelligence of the individual

Value of
Milton's
pamphlets.

¹ *Of Reformation touching Church Discipline.*

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June?
Milton's
idea of
liberty.

Englishman was far greater than anything that Parliaments and Presbyteries could accomplish for the external regulation of the community.

Even in Milton's commendation of Presbytery there was something which made for liberty. His idea of Church discipline was merely one of meek and gentle admonition. In him the Independent was already visible beneath the Presbyterian. The teaching of the professed Separatists or Independents was already to be heard in London. Some of those who had been exiled to Holland had returned, and were once more preaching in London or elsewhere. Others were on their way from New England. But it was not the teaching of these men which caused alarm. They had their peculiar views about the constitution of the Church, but, in other respects, their doctrine was very like that of other Puritan divines of the day. That which gave offence was the more than Puritan arrogance with which they drew the line between their own sanctified congregations and the apostate churches which found room for the sinful and the profane, as well as the rapid growth of unauthorised congregations in London, and the assumption by tradesmen and artificers of the office of the preacher. Naturally these men adopted the Independent or Separatist scheme which did not set apart the ministry as a distinct office, and it was equally natural that ministers, whatever might be their opinions on the subject of Episcopacy, should join in denouncing the hatters and the felt-makers who fancied themselves capable of giving instruction without having themselves received an education which would fit them for their work. Still greater offence was given when it was known that women sometimes took upon themselves to preach, and the

Lay
preaching,

words of St. Paul, "I suffer not a woman to teach, were quoted with great unction by many whose lives were not always regulated in conformity with other parts of the teaching of the Apostle.¹ A very general sentiment was expressed in a doggerel verse which appeared some months later :—

When women preach, and cobblers pray,
The fiends in hell make holiday.²

This feeling found expression in the House of Commons. Holles complained of certain 'mechanical men' who had been preaching in London, 'as if, instead of suppressing Popery,' the House 'intended to bring in atheism and confusion.' The Speaker was directed to reprove them and to send them away with a warning to offend no more.³

The House could hardly do less. The idea of complete toleration to wise and unwise, educated and uneducated, was utterly unfamiliar to the members. Yet they hardly liked to intervene too harshly with men whose support was valuable to them. They had, too, so much on their hands, and such terrible obstacles in the way of accomplishing anything. Party feeling in the Commons was growing apace, and their uncertainty as to the King's intentions towards them, made their demands more trenchant than they would have been if they could have trusted that the laws which they made would be administered in the spirit in which they were conceived. On the 22nd, the day after the sketch of a new Church organisation had been introduced by Vane, Hazlerigg informed the House that a new plot had been discovered in Scot-

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June 7.
Lay
preachers
reproved in
the House
of Com-
mons.

June 22.
News of a
Scottish
Plot.

¹ A list of six women-preachers is given in *A Discovery of Sin*, E. 166.

² *Lucifer's Lackey*, E. 180.

³ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 279.

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June.

Montrose's
policy.

land. Was it safe, he asked, for his Majesty to be travelling to Scotland at such a time? ¹

The soul of that plot was Montrose. Jealousy of Argyle had, no doubt, had its full weight in sending Montrose to the King's side. But there can be little doubt that he was swayed in the main by higher considerations. He sought to find in the Crown a weight to counterbalance what he held to be a factious nobility resting on popular support. He had discovered, in the autumn, that there had been some talk of dethroning the King, and he knew that the Royal authority had practically ceased to exist. There was now a proposal that Judges and officers of State should be elected in Parliament; and it did not require much knowledge of Scottish society to be aware that such an arrangement would put the administration of the laws entirely in the hands of such of the great houses as were to be found on the popular side.

Montrose had been recently explaining his political principles in a letter to the King. Sovereign power, he said, must exist in every State. It might be placed, according to the circumstances of each country, in the hands of a democracy, an aristocracy, or a monarchy. In Scotland it must be entrusted to a monarchy. The nobles were incapable of postponing their private interests to the public good. The people were too easily led astray to offer a secure foundation for a stable Government. Let the King, therefore, come in person to Scotland to preside over the coming Parliament. Let him freely grant to his subjects the exercise of their religion and their just liberties. Let him be ready to consult Parliaments frequently, in order to learn the wants of the people,

¹ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 340.

and win his subjects' hearts by ruling them with wisdom and moderation.¹

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It was excellent advice, but Charles was not very likely to take it. If he was bent on coming to Edinburgh, it was not because he was burning with impatience to understand the wants of his Scottish subjects, but because he hoped to avail himself of their assistance in his quarrel with his English subjects. Whether the Scots were qualified for self-government or not, they were shrewd enough to resist an attempt to flatter them into becoming a mere instrument of attack upon the English Parliament.

About the middle of May it was known that Montrose had been talking loosely of his knowledge that Argyle had formed a plan for deposing the King. Evidence was taken, and, on the 27th, he was summoned before the Committee of Estates. In the face of Argyle he boldly maintained his ground. He gave the authority on which his statement had been based—that of Lord Lindsay and John Stewart of Ladywell. Lindsay explained that what he had said had no more than a general significance. Stewart maintained the truth of the charge, and was thrown into prison.

May 27.
Montrose
before the
Committee
of Estates.

Before further proceedings were taken, a certain Walter Stewart was captured on his way from London to Edinburgh. On him was found a paper in which, under the jargon of feigned names, were concealed warnings to the King against Hamilton's influence, to be presented to the King by Lennox and Traquair. With these were mingled assurances that Charles would be well received in Scotland if he came prepared to grant to the people their religion and just liberties. The paper further purported to contain

June 4.
Capture of
Walter
Stewart

¹ Napier, *Memorials of Montrose*, ii. 43.

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the King's reply to some further proposal made to him by Montrose, apparently to the effect that Argyle was to be charged with treason.

It may be that, as Montrose averred, this paper was drawn up by Stewart, and not by himself. It may even be true that he had not given Stewart any positive instructions to suggest the accusation of Argyle to the King. But there can be little doubt that the scheme was one which he had entertained, and it is just possible that Stewart's paper may have been the jottings of a messenger anxious to keep in mind all the loose talk which had been spoken in his presence. Such an explanation, not very probable in itself, was not likely to be accepted by the Scottish leaders. Montrose, together with his brother-in-law, Lord Napier, Stirling of Keir, and Stewart of Blackhall, who were implicated with him as the joint contrivers of the intrigue, was summoned before the Committee of Estates, and all four were committed to custody in the Castle. The resolution was no doubt prompted by the feeling that to come to a private understanding with the King was to separate from the national cause.¹

June 11.
Imprisonment of
Montrose.

Charles felt the full bearing of these revelations upon himself. In the Privy Council he protested

¹ The feeling of moderate men was expressed by Lothian. "I fear the King yet be engaged to further discontent if he come, for he will not find our Parliament so submissive and slavish as the last, nor will a pen to mark men's names hinder free voting and speaking. This work must go through or our rests must go upon it, and the parties inviting him will, in their undertakings, leave him in the mire, as others have done before." Later on the same writer says of Montrose: "In winter indeed, when the Band was burnt, I did what I could to quiet matters, and bring him off, and he thought I did him good offices. But now I took not so much pains, for his often relapses are not to be endured, and his practices will be found much to the prejudice of the public, and very malicious against particular men, who, to my knowledge, deserve it not at his hands."—Lothian to Ancrum, May 23, July 6, *Correspondence of the Earls of Ancrum and Lothian*, i. 121, 126.

that if he had resolved to go to Scotland, it was 'not to make distractions, but to settle peace.' Traquair distinctly asserted that neither the King nor Lennox knew anything of the scheme for accusing Argyle.¹

It is probable enough that the idea of attacking Argyle was more agreeable to Montrose than to Charles. What Charles wanted was not to establish his authority in Scotland, but so to pacify Scotland as to bring its influence to bear on England, or at least to prevent its influence being used against him. Already during the first half of June the courtiers were looking eagerly for any sign of a disagreement between the two Houses, which might follow on the rejection of the Bishops' Exclusion Bill.² Already, too, Charles had engaged in a second Army Plot. At the end of May or the beginning of June Daniel O'Neill, an officer who had taken part in the first plot, had been sent down to sound Conyers and Astley as to the feasibility of bringing up the army to London if the neutrality of the Scots could be assured. A Captain Legg was entrusted by the King with a petition, to which he was to obtain signatures in the army. At the foot of it were written a few words to commend it to Astley's notice, to which the King's initials were appended by himself.³

The petitioners, after thanking the King for his

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1641.

June 18.
Charles attempts to clear himself.

Charles's object.

The second Army Plot.

Proposed petition.

¹ There are rough notes of this scene in Vane's hand which I found amongst the Irish State Papers. They have since been transferred to the Domestic series. The words assigned to the King are: "It is not to make distractions, but to settle peace, which is not to be done by any but myself. The Commissioners in [?] of Scotland have cleared him, and therefore he desires you to hear my Lord Traquair. A foolish business concerning Captain Wal. Stewart." The documents relating to this affair are printed in Napier's *Memorials of Montrose*.

² Giustinian to the Doge, June $\frac{1}{28}$, *Ven. Transcripts*.

³ The whole evidence of this affair is to be found in D'Ewes's Diary under the date of Nov. 17, *Harl. MSS.* clxiv. fol. 157 b.

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June.

many concessions to his people, complained of the turbulent and mutinous persons who were daily forging new and unreasonable demands; and who, whilst all men of reason, loyalty, and moderation were thinking how they might provide for his Majesty's 'honour and plenty,' were only aiming at the diminution of his 'just regalities.' They then asserted that 'these ill-affected persons were backed in their violence by the multitude, and power of raising tumults; that thousands flock at their call and beset the Parliament and Whitehall;' not only 'to the prejudice of that freedom which is necessary to great councils and judicatories, but possibly to some personal danger of your sacred Majesty and the Peers.' Due punishment ought to be inflicted on the ringleaders of those tumults. "For the suppression of which," such was the final conclusion of the petition, "in all humility we offer ourselves to wait upon you, if you please, hoping we shall appear as considerable in the way of defence to our gracious Sovereign, the Parliament, our religion, and the established laws of the kingdom, as what number soever shall audaciously presume to violate them; so shall we, by the wisdom of your Majesty and the Parliament, not only be vindicated from precedent innovations, but be secured from the future that are threatened, and likely to produce more dangerous effects than the former."¹

Charles's
view of the
situation.

The language of this petition reveals the view which Charles took of the situation. He would abide by the law, but there was no law to compel him to give the Royal assent to Bills which he held to be injurious to his own rights and to the good of the nation. Once he had given way against his conscience

¹ *Clarendon*, iii. 170. As Hallam discovered, this petition is misplaced in date, so as to connect it with the former plot.

to the dictation of a London mob. He would do so no more. He was in his right in asking the army to repel force by force, and to overpower the violence of a turbulent populace.

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If only government were a mere affair of technical legality, it would be difficult to detect a flaw in this reasoning. Unhappily for Charles there are laws inherent in the constitution of human nature which are less easy to be defied than any which are to be found in the books of English lawyers. Puritanism was an existing fact, and Charles made no sign of any disposition to allow it any weight whatever. Government can never be conducted in the mere spirit of negation. Charles could object to the Church reforms proposed by the Commons. He had no solution of his own to offer, no plan for marking the difference between the Episcopacy of the future and the Episcopacy of the past.

Its weakness.

The second Army Plot, like the first, came to nothing. Conyers and Astley would hear nothing of it, and O'Neill, having been summoned before a Committee of the Commons to give an account of his connection with the former plot, sought safety in flight. It seemed as if Charles would be willing to acknowledge his obligation to rule in agreement with his Parliament. On the 22nd the King gave his assent to a Tonnage and Poundage Bill, conveying those duties to him for a limited time—a time which was to expire as early as July 15. By this Bill Charles surrendered for ever his claim to levy customs duties of any kind without a Parliamentary grant. He intended, as he said when he passed the Bill, to 'put himself wholly upon the love and affection of his people for his subsistence.' As for the idle rumours which had reached his ears about an extraordinary way,

Failure of the plot.

June 22.
The Tonnage and Poundage Bill.

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June 24-
Pym's pro-
posals.

he had 'never understood it otherwise than as having relation to the Scottish army, and preventing insurrection, which vanished as soon as they were born.'¹

What Charles in this ill-constructed sentence called preventing insurrection, Pym would call overawing Parliament. It is hazardous to suppose that Pym had no information on the second Army Plot, because no such information was publicly disclosed till five months later. But, even if this were the case, the news from Scotland was enough to put him on his guard. He saw clearly that unless harmony could be restored between the King and Parliament, inevitable confusion would be the result. On the 24th he carried up to the Lords ten propositions, asking that the armies might be disbanded as soon as money could be provided, that the King's journey might be delayed, and, above all, 'that His Majesty' might 'be humbly petitioned to remove such evil counsellors against whom there shall be just exceptions, and for the committing of his own business and the affairs of the kingdom to such counsellors and officers as the Parliament may have cause to confide in. Other clauses touched on the removal of Catholics from Court, and from attendance on the Queen, on the expulsion of Rossetti, on placing the military and naval forces in safe hands, on the drawing up of a general pardon, and finally on the appointment of a Joint Committee of the two Houses to consider of such particular courses as shall be most effectual for the reducing of these propositions to effect for the public good.'²

Effect of
these pro-
posals.

These ten propositions were a master-stroke of policy. The counsel and co-operation of the Lords were invited on every point. If Charles had reckoned on a conflict between the Houses, the ground was

¹ *Rushw.* iv. 297.² *L. J.* iv. 285.

now cut from beneath his feet. The propositions were accepted by the Commons without a dissentient voice. Those amongst them which related to the Catholics received the warm support of Culpepper. In the Lords, with one or two unimportant amendments, made with the object of sparing the Queen's feelings as much as possible, they were adopted without serious opposition. Once more, Charles found himself isolated. Once more, he had converted both Houses and both parties into opponents, when he had hoped to find supporters.

If Charles could have accepted the propositions it would have been well for England and for himself. The substitution of counsellors in whom Parliament could confide, for others in whom it had no confidence, would have led to the introduction of that Cabinet government which, after the interval of half a century, closed the era of revolution in England. It would probably, too, by bringing the leaders of the Opposition under the responsibilities of office, have produced some compromise on the ecclesiastical difficulty which would have satisfied moderate men on both sides, and which would have lasted till opinion was ripe for a further movement in the direction of that universal religious toleration which was the only possible permanent solution for the difficulties of the time. But it was too much to expect that Charles would willingly consent to a change, however desirable, which would be a death-blow to that authority which he had inherited, and which he believed to have been entrusted to him by God and the law for the public welfare.

Yet on some points he could not but give way. On the 25th he consented to the proposed disbandment of the army, and to the immediate dismissal of Rossetti. The disbandment would be facilitated by a Bill which

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1641.

June 24.

June 25.
Partial con-
cessions.

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1641.
June 25.
June 29.

had been for some time under discussion for the substitution of a poll tax, falling with a graduated scale of payment upon men of different ranks of society, for the subsidies which were so easily evaded. A few days later the King was besought to defer his journey to Scotland till August 10. It was hoped that by that time both armies would be disbanded, and that he would no longer find any soldiers on his way on whom he could exercise his fascinations.¹ To this request no reply was given, but it seems to have been understood that Charles would not leave London for some time to come.

It was easy for Charles to make concessions, if only he could avoid any hindrance being thrown in the way of his journey to Scotland. It is indeed impossible to argue, from any scheme which crossed Charles's mind, that he had sufficient fixity of purpose to have formed a settled determination to carry it out in action. At one time he may have flattered himself with the hope that yet one more concession would suffice to win back his people to their due allegiance, and to disgust them with the traitorous intriguers who were leading them astray. But his more frequent attitude was undoubtedly that of a gambler who is ready to risk everything because he has assured himself that it may all be recovered by a happy stroke which will enable him to enjoy his own again.

June 26.
Charles's
interview
with Ros-
setti.

Such was the temper in which he was when, on the day after he had consented to Rossetti's dismissal, the Italian came to Whitehall to take leave of the Queen. He found the King with her. After some general conversation, Charles begged him to thank the Pope and Cardinal Barberini for their compassionate sense of the present misery of his kingdoms.

¹ *L. J.* iv. 288-299.

He was under the greatest obligation to them for the prompt offers of assistance which had been made to him for the advantage of the Catholic religion. He did not think that he had ever treated it with rigour, but he would promise that if he ever became master of his kingdoms, he would treat the priests and the Catholics in general with the utmost possible gentleness, and would give them every relief in accordance with the declarations recently made by the Queen. He went on to speak of the Catholic religion more, as Rossetti thought, like a Catholic than a heretic. After some further compliments he left the room. As soon as he was gone, the Queen said that she and her husband had been considering what security they could give to the Pope that their promises would be kept if he came to their aid. In answer to this challenge the Queen repeated the offers which she had made three or four weeks before.¹ She then spoke freely of the course to be adopted. The King, she said, found the Parliament so irritated against him that he could do nothing at present without danger. He, therefore, wished to wait till the Houses had adjourned themselves, after which he would take measures for his own advantage.

Rossetti refused to take the letter which Henrietta Maria again proposed to write to Cardinal Barberini,² as too dangerous to himself. But he again pressed the subject of Charles's conversion upon the Queen. She replied that the King was certainly not averse from the Catholic faith. He had lately paid much attention to her when she had told him about some miracles wrought by a person whom it was proposed to canonise. Yet he was so timid, so slow, so irresolute in action, that it would be long before he could bring

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XIII.1641.
June 26.The
Queen's
declaration.¹ P. 193.² P. 194.

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1641.

June 26.

June 28.
Rossetti
leaves
England.

himself to carry out this holy resolution. Speaking further of a fresh demand which Parliament was likely to make, the Queen encouraged Rossetti by informing him that, according to the law of England, whatever was granted by a king under compulsion was null and void.¹ On the 28th Rossetti set out for the Continent. But he took up his quarters first at Ghent, and afterwards at Cologne, where he continued for some time to correspond with the Queen. It is hard to understand how any two persons who were not absolutely insane could have believed for a moment in the stability of this cloud-castle, a combination between the Pope and the Scottish Presbyterians. Perhaps Charles did not quite believe in it himself. There may have been something not altogether unreal in his efforts, from time to time, to content his subjects. If they would but gratefully accept reforms as coming entirely from his hands, and contentedly look to him alone for future favours, he would doubtless have been far better satisfied than in setting forth in quest of adventures which were more to his wife's taste than to his own. But there was nothing in that strangely constituted mind of his to prevent him from entertaining incompatible projects at the same time.

July 5.
Abolition
of the Star
Chamber
and the
High Com-
mission.

It was not long before his readiness to yield was again put to the test. On July 3 he gave his assent to the Poll Tax Bill. With respect to two Bills, for the abolition of the Courts of Star Chamber and High Commission, he announced that he must take time for consideration. On the 5th the required assent was given to both Bills. The Council of the North, which rested on no positive statute, had already been voted down. The Council of Wales had vanished with it. The circle of constitutional change was now complete.

¹ Rossetti to Barberini, July 18, *R. O. Transcripts*.

The extraordinary Courts which had been the support of the Tudor monarchy had disappeared. Whatever powers the King possessed must be exercised in accordance with the decisions of the Common Law Judges. If that were not enough the Commons had the power to bring the King to terms by stopping the supplies—unless, indeed, he chose to fall back on violent methods unknown to the law.

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1641.
July 5.

It was precisely this last possibility which made all that had been granted worthless. There were those in the days of Charles, as there are those now, who treated the danger as of little moment. Readers of Rossetti's despatches are hardly likely to take that view.

Charles, indeed, made one effort to win over public opinion to his side. He issued a manifesto in favour of the Elector Palatine, and he asked Parliament to supply him with the means to enable the young man to win back his father's inheritance. The Houses listened gravely and gave a decorous answer. But the hearts of the members were no longer in the Palatinate. They had the dread of that ill-starred visit to Scotland before their eyes. A Continuance Bill significantly fixed the expiry of a renewed grant of Tonnage and Poundage on August 10, the date on which Charles now proposed to set out for Edinburgh.¹ The Houses begged for a reply to their demand for the removal of evil counsellors. The next day Charles flashed into anger. He bade the Earl of Bath inform Parliament that 'his Majesty knows of no ill counsellors, the which he thinks should both satisfy and be believed, he having granted all hitherto demanded by Parliament; nor doth he expect that any should be so malicious as, by slanders or any other ways, to

The King's
manifesto
about the
Palatinate.

July 9.

July 12.

July 13.
Charles
declares
that he
knows of
no ill coun-
sellors.

¹ C. J. ii. 205.

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XIII.

1641.

July 13.

His deter-
mination to
visit Scot-
land.

deter any that he trusts in public affairs from giving him free counsel, especially since freedom of speech is always demanded and never refused to Parliaments.'¹

In vain Charles's advisers warned him against the wild adventure of his Northern journey. Hamilton, as far as can be now discovered, was busy at his usual work of intrigue. He had won over Rothes, and Rothes was employed to win over Argyle. The argument to be used appears to have been that if the King were stripped by the English Parliament of his right of appointing to offices, he would have nothing left to give to his faithful Scots.²

July 14.
The
Queen's
proposed
journey to
Spa.

If Charles was to seek for support in the North, the Queen would hardly like to remain near London as a hostage to Parliament in his absence. Once more there was a talk about her ill-health, which made it necessary for her to repair to the curative waters of Spa. She might take the opportunity of escorting her daughter to her bridegroom. The excuse was too transparent to deceive any one, and it was rumoured that she meant to carry with her the Crown jewels and plate, so as to be enabled to live at her ease in the company of Jermyn and Montague. It was more likely that her heart was set on gathering a military force in aid of her husband. She assured the Venetian Ambassador, who reported to her the rumours that were abroad to her discredit, that all that she wanted was to live at peace. "I am ready," she said, "to obey the King, but not to obey 400 of his subjects."

The new
French
Ambassa-
dor.

The Queen had the new French Ambassador, the Marquis of La Ferté Imbault, to consult, now that Rossetti was at last gone. He did his best to dissuade

¹ *L. J.* iv. 310.

² Rothes to Johnston, June 25, *Rothes's Relation*, 225. Giustinian to the Doge, July 1st, *Ven. Transcripts*.

her from her project. The House had already taken the precaution to consult her physician, Mayerne, who told them that the Queen's illness proceeded from some 'inward discontent of mind.' They could not be persuaded that, in order to remove that discontent, it was necessary for her to take with her so large a store of plate and jewels, which would 'not only impoverish the State, but might be employed to the promoting of some mischievous attempts to the disturbance of the public peace.' To a Parliamentary deputation she answered that nothing but her ill-health had made her resolve on the journey. The Commons sent privately to the guardian of her jewels to be ready to give an account of them, and intimated that still stronger measures would be adopted if the Queen persisted in her resolution. Upon this she gave way, and replied that she was ready to remain in England even at the hazard of her life.¹

In the meanwhile the Commons had not been idle. They had impeached one of the Judges of treason, and five others of misdemeanour for their part in the judgment on ship money. They had resolved that the proceedings against the imprisoned members of the Parliament which had been dissolved in 1629 were entirely illegal, and that reparation ought to be made by the Privy Councillors by whose warrant they had been committed. Then had come articles of impeachment against Wren for his harsh dealing with the Puritans, as Bishop of Norwich, and for his adoption of ceremonial practices, which had aroused even greater opposition than those which had been advocated by Laud. Digby's speech on the Bill of Attainder having been sent to the press, was warmly censured; and, it being understood that the

CHAP.
XIII.1641.
July 15.
Remonstrance of
the Houses.

July 17.

July 21.

Activity of
the Com-
mons.

¹ *L. J.* iv. 307, 321. Giustinian to the Doge, ^{July 22} Aug. 3, *Ven. Transcripts.*

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XIII.

1641.

July.

Progress of
the Root-
and-
Branch
Bill.

King intended to send him as ambassador to France, the Lords were asked to petition that no employment under the Crown might be conferred upon him.

At the same time the Root-and-Branch Bill was being pushed steadily through Committee. Vane's proposed frame of Church government was materially altered. So determined were the Commons at this time not to admit the clergy to power, that they rejected Vane's plan for placing ecclesiastical jurisdiction in the hands of Diocesan Boards, of which one-half were to be clergymen, and substituted for it a scheme by which nine lay commissioners were to be named in the Bill to exercise all ecclesiastical jurisdiction in England in person or by deputy. Objections were raised to the competency of lay commissioners; but Selden, who usually supported the bishops, now argued strongly in favour of the new project, which would at least have the merit in his eyes of taking authority from the hands of the clergy, and Selden carried the Committee with him. A few days later it was arranged that five ministers in each county should be charged with the functions of ordination.¹ In throwing off Episcopacy the House of Commons made up its mind not to establish Presbyterianism.²

July 12.
Lay Com-
missioners
to exercise
ecclesiastical
jurisdiction.

July 17.
Five minis-
ters in each
county to
ordain.

¹ The number of the divines is given as twelve in a contemporary letter, but D'Ewes's number of five is no doubt right. "They have voted another clause in the Bishops' Bill, that all processes that shall issue forth after the first of August next for ecclesiastical affairs shall be directed to the nine Commissioners, and that after that time any five or more of them shall have full power to try ecclesiastical causes, to call annual synods, and to appoint twelve divines in each county for to order ministers at four times in the year."—Appleton to J. Appleton, July 23, *Tanner MSS.* lxvi. fol. 100. The nine commissioners, according to Moore (*Harl. MSS.* ccclxxix. fol. 60), were named on the 14th. They were Sir Gilbert Houghton, Ralph Ashton, Roger Kirkby, Richard Shuttleworth, John Moore, Alexander Rigby, *John Atherton, Robert Holt, Sir Edward Wrightington* [?]. The persons whose names are in italics were not members of Parliament.

² Moore's Diary, July 12, *Harl. MSS.* ccclxxix. fol. 53 b. D'Ewes's

However much opinion may have been divided on this Bill, in all other respects absolute unanimity appears to have prevailed. On the 23rd it was resolved to take up the Remonstrance, which had frequently been talked of ever since the beginning of the session, in order that it might be known what had been the condition of the kingdom and Church when the House met, and what had been its proceedings in remedying the existing disorders.

This proposal, too, came to nothing for the present. Just at this time rumours were spread that the King was about to comply with the wishes of Parliament in the appointment of officers. It was said that the Secretaryship of State, which had been held by Windebank, was to be given to Mandeville, to Holles, or to Hampden.¹ One place—of no political importance, it is true—was actually disposed of. Pembroke had come to blows with Arundel's son in the House of Lords, and the Queen, who thoroughly disliked him, persuaded Charles to take from him the Chamberlain's staff and to give it to Essex. Court favour, it was hoped, would bring Essex back to his duty; and, at the least, there would be bad blood between two of the Opposition lords. Essex unwillingly accepted the place, but his political conduct remained unchanged.²

Diary, July 17, *ibid.* clxiii. fol. 406. Whitelocke's story that the Committee accepted Ussher's scheme of limited Episcopacy cannot be true. We have, however, this scheme published in a contemporary pamphlet, the *Order and Form of Church Government*, as that resolved on by the Commons. I have no doubt that this is an example of the many imaginary Parliamentary reports which were printed to sell.

¹ Nicholas to Pennington, July 15. Bere to Pennington, July 29, *S. P. Dom.*

² Appleton to Appleton, July 23, *Tanner MSS.* lxvi. 110. Giustinian to the Doge, ^{July 20,} _{Aug. 9,} *Ven. Transcripts.* The Elector Palatine to the Queen of Bohemia, July 28, Aug. 17, *Forster MSS.*

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XIII.

1641.
July 23.
A Remonstrance proposed.

Rumoured appointment of officers.

Essex Lord Chamberlain.

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XIII.

1641.
July 23.
Advice of
Williams.

The policy of entering upon a good understanding with men like Essex and Mandeville was strongly enforced by Williams, who was not likely to listen to any scheme for the substitution of force for skill.¹ He counted on the House of Lords to counterbalance the strong Puritan feeling of the Commons. But it was not easy to induce the Lords to assent to any work of constructive legislation. Williams's own scheme of Church reform had not attracted much support. It had been embodied in a Bill which had been read twice, and in Committee had then been allowed to sleep.² Yet, if no serious efforts at legislation were made, the nation would never rally round the Lords. The scheme of the Commons might be open to various objections, but at least it proposed that something should be done. The King and the Peers showed no sign of wishing to do anything.

Loudoun in
Scotland.

It is not possible to penetrate quite to the bottom of the King's design in his insisting on his visit to Scotland. But there can be no doubt that he intended to make concession in the North serve his interests in the South.³ At the end of June Loudoun had gone down to Edinburgh, ostensibly to obtain further instructions for the Scottish Commissioners in London. But he was also charged with a secret mission from the King,

¹ *Hacket*, ii. 163.

² *L. J.* iv. 296, 298, 308.

³ As the Queen put it in her conversation with Greçy in the spring of 1642, 'le Roi mon mari fait dessein d'aller en Ecosse pour voir si dans le cœur des sujets de ce royaume il y trouveroit chose avantageuse au bien de ses affaires.'—Greçy's Memoir, *Arch. des Aff. Etr.* xlix. fol. 124. On ^{July 21} ^{Aug. 3} Rossetti, who derived his information from persons about the Queen, wrote thus: "Per la giornata di S. M^{ta} in Iscotia continuano le voci, e gl' apparecchij, con soggiungersi, che l'esercito scozzese non si voglia sbandare, mostrandosi desideroso di voler restituire il Rè in autorità. Alla metà del venturo mi si è destinata la mossa, et a quel tempo si darà principio alla sessione del Parlamento di quel Regno, e confida il Rè di cavare proffitti di conseguenze a sollievo delle fortune sue destitute se gl' effetti siano per corrispondero alle speranze."—*R. O. Transcripts*.

and there is reason to believe that he was to offer certain terms in consideration of the exemption from punishment of Traquair and the other incendiaries.¹ It is also not improbable, though no evidence exists one way or the other, that he was to ask for the surrender of that letter which might show that the Parliamentary leaders had invited the Scots to invade England in the preceding summer. With this proof of treason in his hands Charles might hope to bring his chief opponents within the meshes of the law. Yet it seems hardly possible to doubt that his hopes from Scotland went far higher than this. At the end of June the Queen assured Rossetti that the King intended to take measures for his own advantage as soon as Parliament had adjourned itself.² Before the end of July the Venetian Ambassador informed his Government that the Queen intended to remove a hundred miles from London when the King went north, in order not to be exposed 'to those dangers which will be inevitable when the King resolves to return to this realm accompanied by the Scottish army and by the English troops at York.'³

Such, at least, may be taken to represent the ideas which were in the Queen's mind. It would seem that the Scottish Commissioners were at this time drawing near to Charles. The English Parliament had shown itself unwilling to discuss that commercial union which was so important to the poorer nation, and it is possible that this may have had some influence with them.

Yet, even if the Scottish Commissioners were drawing to his side, Charles must have known by this

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XIII.1641.
July.
Charles's
plans.

June 26.

July 30.

The Scot-
tish Com-
missioners.¹ Rothes to Johnston, June 25, *Rothes's Relation*, 225.² P. 217.³ Giustinian to the Doge, ^{July 30}/_{Aug. 9} *Ven. Transcripts*.

CHAP.
XIII.

1641.

July.

Execution
of Stewart
of Lady-
well.

July 26.
Execution
of a priest.

time how complete was the submission which he would have to make in Scotland. Stewart of Ladywell, whose evidence had been adduced by Montrose as bearing out his charge against Argyle, retracted his accusation under the influence of fear. Argyle, he said, had not talked of deposing King Charles, but only of deposing kings in general. His retractation profited him little. He was condemned to death for leasing-making—the crime of sowing disaffection by false reports between the King and his subjects. The sentence was carried out, and the death of the unfortunate man served as a warning that, for all practical purposes, Argyle was king in Scotland.¹

In England, too, the King was no longer master of his mercy. The persecution of the Catholics had again begun. The first victim was an old man of seventy-six, William Ward, who had in his youth been one of Allen's pupils at the seminary at Rheims. To those who offered to seek the Queen's intercession he replied that he was ready to die. Thirteen years before he had been with a comrade who had been executed at Lancaster, and his dying friend had then predicted that he, too, would glorify God in his death. At Tyburn he spoke bravely of his faith. Not even the King or the Peers, he said, could be saved without the Roman faith. At this the people, who had hitherto listened sympathetically, drowned his voice with their outcries. The hangman allowed the old man to die on the gallows before the bloody work of quartering began. An enthusiastic French lackey dashed at the fire in which the martyr's heart was being consumed, and, snatching it from the flames, rushed with it through the streets, followed by a crowd of pursuers, till he could keep on no longer. The relic he prized

¹ Napier, *Memorials of Montrose*, i. 296.

was brought back and thrown into the flames. The Spanish and Portuguese Ambassadors were present at the execution, and the latter brought with him an artist to sketch the lineaments of the dying man, that the Catholic world might know that there were heroes still on the earth.¹

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XIII.
1641.
July 26.

Henrietta Maria knew nothing of this miserable slaughter till it was past. When she was informed she said that if she had been told of it she would have pleaded for Ward as she had pleaded for Goodman. The risk to herself was no greater now than it had been then. It was not to be expected that she should have discerned that her own int̄ervention on behalf of the suffering Catholics was in truth their greatest danger. It was only recently that the Commons had had before them evidence on the Catholic contribution of 1639; and the knowledge thus acquired, impressing them, as it did, with the belief that the Catholics had been acting as a political party, must have hardened hearts which were hardened enough already to the dictates of pity. They were too much afraid to be merciful.

The Catholics feared as a political party.

At the end of July Charles, waiting still for the message which Loudoun was to bring from Edinburgh, appeared to be in a yielding temper. Possibly he merely wished to keep his adversaries in good humour till he was able to act against them. Possibly his shifting mood dwelt for a time on the hope that personal gratifications might win men over whose conscientious opposition he entirely failed to understand.² On the 28th, when Charles announced tha

July 28.
Essex to command in the South.

¹ Rossetti to Barberini, ^{July 20}/_{Aug. 5}.—Narrative of Ward's execution, *R. O. Transcripts*.

² "The change of the Lord Chamberlain was a thing my Lord of Essex did not at all sue for, and would not have accepted it, but that he saw the King was resolved the other should not keep it, and that if he

CHAP.
XIII.

1641.

July 29.
Rumours of
official
changes.

Bill for the
security of
religion
thrown out.

Disagree-
ment be-
tween the
Houses.

he had resolved to leave for Scotland on the 9th, he coupled his announcement with an intimation that any forces which might be needed on the south of the Trent should be placed under the command of Essex.¹ In well-informed quarters it was believed that a general elevation of the Parliamentary leaders to office was really impending. Saye was to be Treasurer, Hampden to be Chancellor of the Duchy of Lancaster, Pym to be Chancellor of the Exchequer, and Brooke was to have a seat in the Privy Council.²

If these changes were seriously contemplated the idea was soon abandoned. A Bill had been sent up to the Lords for imposing the obligation of signing the Protestation upon all Englishmen,³ which, as Protestants of every shade had agreed to accept it, would serve as a new test for the discovery of Catholics. Those who refused the Protestation were to be held to be recusant convicts without further process. They were to be incapable of holding office. The Peers who objected to sign were to be excluded from their seats in the House of Lords.⁴ On the 29th this Bill was rejected by the Lords. The next day the Commons ordered the impeachment of thirteen bishops who had taken part in the imposition of the new canons, and they voted that all who refused the Protestation were unfit to bear office in Church and

had refused that also, after so many other things which were put upon him, the world might have thought that the high hand he carried in Parliament was not so much for to maintain the liberties of the subjects as out of spleen to the Court."—The Elector Palatine to the Queen of Bohemia, July 28, *Forster MSS.* Evidently the notion that he had acted through spleen to the Court was one which he had found brought against him.

¹ *L. J.* iv. 331.

² Nicholas to Pennington, July 29, *S. P. Dom.*

³ *Diurnal Occurrences*, 317.

⁴ Rossetti to Barberini, Aug. $\frac{14}{24}$, *R. O. Transcripts.*

Commonwealth. They further ordered this last vote to be printed and sent down by the members to their respective constituencies.¹ The Peers took umbrage at this proceeding. They asked the Commons whether the paper in circulation was in reality theirs, and whether it had been printed by their orders. In the Lower House the questions thus put roused a spirit of resistance. Culpepper took the lead in complaint. The House avowed its vote. They wished, they said, that their vote should be 'a shibboleth to discover a true Israelite.'² The majority of the Peers were of opinion that the circulation of the paper was a breach of their privileges, and of the rights of the subject to have no qualification for office imposed otherwise than by the law of the land. So far had the Lords gone when a secret intimation from the King warned them to desist, 'until his return from Scotland.' Can it be doubted that he hoped by that time to have force on his side?³ For the sake of this the opportunity of supporting himself upon the House of Lords in a good cause was deliberately thrown away, as it had been thrown away in the days of Strafford's trial.

Charles had now made up his mind to take his own course. Nothing more was heard of ministerial changes. On August 3 Loudoun returned from Scotland. The Houses were by this time at issue on other points besides the obligatory signature of the

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XIII1641.
Aug. 2.

Aug. 3

Aug. 4

Aug. 3
Loudoun's
return.

¹ Moore's Diary, *Harl. MSS.* ccclxxix. fol. 114 b. D'Ewes was absent during these days, on account of his wife's death from small-pox. There is a touching cyphered entry on the 3rd: "Heu! heu! post dulcissimæ conjugis obitum, heu inexpectatum, ego plurimis diebus absens eram a Comitibus, et heri cum hic eram quasi stupidus sede. Hodie virilem assumens animum et Deo me subjiciens publica non neglexi."—*Harl. MSS.* clxiii. fol. 418.

² *L. J.* iv. 337, 338.

³ Dover's Notes in the House of Lords, *Clarendon MSS.* 1,603

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XIII.

1641.
Aug. 4.
Impeachment
of
thirteen
bishops.

Protestation. On the 4th the impeachment of the bishops was formally laid before the Peers. There was by this time a division of opinion as to the best manner of supplying the King's place in his absence. The Commons would have had a Lieutenant of the Kingdom appointed, with power to pass bills. The Lords, who were afraid lest the Root-and-Branch Bill should be urged upon them if there were any chance of its passing into law, wished to have Commissioners appointed who would merely be empowered to pass a few bills specially named. But both Houses were in accord in striving to avert the King's departure so long as the two armies were in the field.¹ On Saturday, August 7, the last opportunity of protesting appeared to have arrived, as he was to start on Monday. On Falkland's motion he was asked to defer his journey.²

Aug. 7.
The King
again asked
to stay.

The Ship-
money
Bill, and
the Forest
Bill.

The King
insists on
his journey.

On that day the King gave his consent to two Bills of no slight importance. One of them annulled the proceedings relating to ship money. The other limited the boundaries of the forests. But Charles announced that his resolution to proceed to Scotland was irrevocable. He had, he said, received information by Loudoun which made further delay impossible. What that information was he did not say. It stood out before the imagination of his hearers, as implying a new and terrible danger. Till ten at night the Commons prolonged their sitting, fruitlessly discussing

¹ The French Ambassador thought that the King still relied on Montrose. He was not aware of his dealings with the other party through Rothes and Loudoun. "On croit qu'il y aura un tiers parti en Ecosse, et que les Catholiques et ceux qui ne sont pas armés s'ennuyent du pouvoir de ceux qui gouvernent, c'est ce qui donne envie au Roi d'y aller. Le Parlement le connaît bien et n'y consentira point."—La Ferté's Despatch, Aug. 11, *Arch. des Aff. Etr.* xlviii. fol. 346.

² D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 2 b.

measures to avert so great a peril. It is said that words were spoken—it is hardly likely that they were uttered in open debate—declaring that the King had forfeited the crown.¹ In the end, it was resolved to sit again on the following morning, Sunday though it was. No stronger evidence need be sought of the overpowering sense of danger which had taken possession of the Commons. There were early prayers at St. Margaret's, followed by a sermon from Calamy.² A fresh appeal was made to the King, and a message was sent to the Scottish Commissioners begging them to approve of the proposed delay. Charles sent another message begging the Commissioners to disapprove of it. Their reply to him was all that he could wish. They were ready, they said, to risk their lives to restore him to his authority. So far had they been brought by their jealousy of the interference of the English Parliament with Charles's design of visiting his native kingdom.³

The King, therefore, stood firm, and he was no doubt provoked to resistance by the cries of a crowd of apprentices who had flocked to Westminster as in the days of Strafford's trial.⁴ He would put off his journey till Tuesday, but he would put it off no longer. At the same time he showed, in the most pointed way, that the goodwill of the Commons was no path to his favour. Bristol was admitted as a gentleman of the Bedchamber. In spite of the

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1641.

Aug. 7.
Excite-
ment in the
Commons.Aug. 8.
The Sunday
sitting.Charles
consents to
one day's
delay.Promotion
of Bristol
and his
partisans.

¹ Giustinian to the Doge, Aug. 13, *Ven. Transcripts*.

² *Diurnal Occurrences*, 333.

³ "Questi ringratiando sua Maestà della confidenza, le rimandorno che non si lasciarebbono guadagnare, farebbono apparire la loro fede, et la risoluzione di perdere la vita per rimettere il suo Principe nella prima autorità."—Giustinian to the Doge, Aug. 13, *Ven. Transcripts*.

⁴ *Ibid.* La Ferté's Despatch, Aug. 13, *Arch. des Aff. Etr.* xlvi. fol. 350.

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1641.

Aug. 8.

objection of the Commons, Bristol's son Digby was named Ambassador to France. Three noblemen were admitted to seats at the Council Board on Bristol's recommendation. Lennox, who was on the most friendly terms with him, was created Duke of Richmond. Savile had the promise of Vane's place as Comptroller of the Household as soon as the King returned. At another time these promotions would perhaps have been favourably received at least in the House of Lords, and it is certain that Bristol can have been no advocate of any appeal to violence. But with the dread of the Scottish journey before them, even the Lords were anxious to keep the balance of promotion even, and they joined the Commons in asking the King to make Pembroke Lord High Steward, and Salisbury Lord High Treasurer. Neither Pembroke nor Salisbury were likely to make their mark in official life; but if they had had the capacity of Burghley or Strafford, Charles, in the temper in which he was, would have refused to listen to their claims.¹ On Tuesday morning, he appeared for the last time in Parliament before his departure. He passed a Bill for confirming the treaty with the Scots, which had at last been completed, and for securing to them the future payment of 220,000*l.* which would still remain owing to them out of the Brotherly Assistance after they had crossed the Tweed. By another Bill the levy of fines for Knighthood was rendered illegal.

Aug. 9.
Petition for
the promo-
tion of
Pembroke
and Salis-
bury.

Aug. 10.
The Scot-
tish Treaty
finished.

The
Knight-
hood fines.

Charles sets
out for
Scotland.

Charles was now proof against all further entreaties. He would make any one repent, he said, who laid hands on his horse's reins to stop him. He told the crowd in Palace Yard which besought him to remain, that they might console themselves for his

¹ *L. J.* iv. 352. Frith to Pennington, Aug. 10, *S. P. Dom.*

absence. His Scottish subjects needed him as much as Englishmen did. It was hard to persuade any one that he was merely anxious to distribute his favours equally in the two kingdoms. At that very moment, the Scottish Commissioners were boasting that their nation 'would do all in its power to place the King in his authority again. When he appeared in Scotland, all political differences would be at an end, and they would serve their natural Prince as one man in such a cause.'¹

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XIII.
1641.
Aug. 10.

It is in the highest degree improbable that no rumour of this understanding with the Scottish Commissioners reached the ears of Pym. It was no mere shadowy danger—the exhalation of the dead Army Plot—which stirred the hearts of the Commons. They saw in the King's departure for Scotland the first act of the drama which, though they knew it not, was to end twelve months later in the raising of the standard at Nottingham. The ground which they had gained seemed to be shaking beneath their feet. The armed intervention of rude and illiterate peasants, trained to the discipline of camps and led by needy adventurers, would thrust aside the rule of men of speech and argument. In view of that risk both Houses and both parties forgot their differences. They were united as yet, as they were never again to be united till 1660, in their resolution that, as far as in them lay, there should not be a military despotism in England.

Danger of
the Parlia-
ment.

No doubt they over-estimated the danger, serious as it was. Whatever the Scottish Commissioners might say in a moment of irritation, it was most

Tendency
to over-
estimate it.

¹ Giustinian to the Doge, Aug. 13, *Ven. Transcripts*. On Nov. 13 Rossetti wrote that Charles 'ha sempre confidato di potere fare assai mediante la fattione scozzese, amandola per essere di là nativo.'

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1641.

Aug. 10.

unlikely that the Scottish nation would lend itself to an enterprise the results of which were certain to recoil on their own heads. The English army was, no doubt, highly discontented with the remissness with which its just claims to payment had been met; but it had already resisted two attempts to drag it into political strife, and it was likely enough that it would resist a third, even if Charles appeared in person on the scene. In truth, however, the surest protection to Parliament was in Charles himself. A double-minded man is unstable in all his ways. He had never convinced himself whether he really intended to use force or not. His intrigues to bring military power to bear upon his political opponents were hampered by a desire to remain within the limits of legality. He had a hankering after Leslie's pikes and muskets. He had also a hankering after Bristol's statesmanship. It was, therefore, highly probable that he would fail in making use of either. He had come on his journey to a point where two roads met, and he wished to travel along both roads at the same time.

CHAPTER XIV.

THE KING'S VISIT TO SCOTLAND.

As the first result of the King's departure the Root-and-Branch Bill was tacitly dropped.¹ It was no time to rouse party feeling, and there was no hope, that even if the Bill could be got through the Lords, it would receive the Royal assent. The energies of the Houses were directed to the provision of money, in order that both armies might be got rid of as soon as possible. It had been arranged that the Scots were to receive 80,000*l.* of the Brotherly Assistance immediately, and that on August 25 they should cross the Tweed. September 7 was set apart as a day of public thanksgiving for the conclusion of peace.²

CHAP.
XIV.
1641.
Aug. 10.
The Root-
and-
Branch
Bill
dropped.
Aug. 12.
The armies
to be got
rid of.

Parliament was anxious to keep the Scots in good humour. It was also anxious to keep a watch on the movements of the King. It was resolved that Parliamentary Commissioners should follow him to Scotland, nominally to see to the execution of the treaty, but in reality to see that Charles was not playing tricks. So suspicious were the Commons that they took no notice of the King's offer to issue a general pardon. They were afraid lest it might be interpreted as shielding Finch and Windebank, Percy and Jermyn, from the merited punishment which

Parliamen-
tary Com-
missioners
to attend
the King.

General
pardon put
aside.

¹ On the 12th there was an order to go into Committee on it on the 16th, but it was not acted on.

² *C. J.* ii. 253.

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XIV.

1641.
Aug. 12.

would fall on them if they returned to England.¹ They rather determined to deter the officers in the North from joining the King in any fresh scheme of violence, by declaring Suckling, Percy, and Jernyn to have been guilty of treason.² They again directed the preparation of the Remonstrance of the State of the Church and Kingdom. They would appeal to the people against the King. Nothing, however, was done in this direction for the present. Perhaps it was felt that the time needed more active measures.

Aug. 13.

On the 13th Captain Chudleigh, who had served as intermediary between Suckling and the troops in the first Army Plot, was examined at length, and deposed that he had been informed that a thousand horse were to be maintained by the clergy in support of the design.³ That such a plan should have been talked of in March was enough to increase the alarm of those who heard of it in August. On the 14th a Committee—the Committee of Defence, as it was called—was appointed to direct the attention of the Lords to the state of the Tower and other fortresses, ‘and to take into consideration what power will be fit to be placed, and in what persons, for commanding of the Trained Bands and ammunition of the Kingdom.’ The future Militia Bill was already foreshadowed in these terms of reference. Falkland and Culpepper sat on this Committee by the side of Pym and the younger Vane. There was an Episcopalian party in the House, but there was no Royalist party as yet.⁴

Aug. 14.
A Committee of Defence.

All ears were open for tidings from the North.

¹ Giustinian to the Doge, Aug. 12, *Ven. Transcripts*. L. J. iv. 365.

² Moore's Diary, *Harl. MSS.* ccclxxix. fol. 148 b.

³ Bishop Hall denies that the clergy had any such project; but it does not follow that it was not suggested by Suckling or Jernyn.—*Letter to W. W.* (E. 158.)

⁴ *C. J.* ii. 257.

Some weeks before, Holland had been appointed Lord General in Northumberland's room, and had been sent down to Yorkshire to take measures for the disbandment of the army. It has been said that he was out of temper with the Court in consequence of the refusal of the King to grant him the nomination of a new Baron, which would have placed a few thousand pounds in his pocket.¹ On the 16th an enigmatical letter written by him to Essex, in which the existence of danger was not obscurely hinted at, was read in both Houses.² The immediate result was a report from the Committee of Defence, recommending that 'some authority should be given to some person, in the absence of the King, to put the kingdom in a state of defence.'

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XIV.
1641.
Aug. 14.
Holland in
the North.

Aug. 16.
Reading of
a letter
from him.

Report
from the
Committee
of Defence.

Charles, in short, had left England without a recognised Government. The Elector Palatine, Lennox, and Hamilton had alone accompanied him on his journey. The Privy Council, with all its varied elements, had none of Charles's confidence, and was utterly incapable of acting with decision in any one direction. A body of Commissioners, indeed, had a limited authority to pass certain bills, but there was not even a Secretary of State to carry out the King's orders, as Vane joined the King in Scotland not long after his arrival. One of the clerks of the Council, Edward Nicholas, a diligent and faithful servant, remained behind, with orders to forward news to Edinburgh, and to carry out any instructions that he might receive. But he was in no position to command authority. The Queen, having conducted her mother to the sea-coast on her way to the Continent, had returned to Oatlands, angrily brooding over her fallen

No Govern-
ment in
England.

¹ *Clarendon*, iv. 2.

² *The Lord of Holland's Letter from York*, 1621, 100, a 39.

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XIV.

1641.
Aug. 16.
Suggestion
that Parlia-
ment can
issue ordi-
nances.

fortunes. She declared that, unless times changed, she would remain in England no longer.¹

Before the end of the day on which Holland's letter was read, a suggestion was made in the House of Commons, which led to a far more daring innovation on established usage than anything that had yet been done. A difficulty had arisen in procuring formal authority for the Parliamentary Commissioners who were to proceed to Edinburgh nominally to treat with the Scottish Parliament. The Lord Keeper was asked to pass their commission under the Great Seal. This Lyttelton positively refused to do without directions from the King. A proposal was made to order him to do it. D'Ewes—who earlier in the session had discovered that, though it was immoral and irreligious to pay interest, it was perfectly innocuous to pay damages—now informed the Commons that, though the Houses could not make the order which was proposed, 'an ordinance of the two Houses in Parliament' had always been of great authority; and he then cited from the Rolls of Parliament an ordinance of the year 1373.² It is true that the citation had no bearing whatever on the point in question, as the ordinance of 1373 had been made by the King, though it was announced to Parliament in answer to a petition of the Commons.³

Aug. 20.
The first
ordinance.

The House caught at the idea, and the first ordinance of the Long Parliament was sent up to the Lords. On the 20th the Lords adopted it. From henceforth the term 'ordinance' would be taken to signify, not, as it had done in the Middle Ages, a declaration made

¹ Giustinian to the Doge, Aug. $\frac{20}{25}$, *Ven. Transcripts*.

² D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 32 b.

³ It was 'faite en mesme le Parlement,' which perhaps led D'Ewes astray, but it was on the petition of the Commons, and the last clause begins 'Mes voet le Roi.'—*Rolls of Parl.* ii. 310.

by the King without the necessary concurrence of Parliament, but a declaration of the two Houses without the necessary concurrence of the King.¹

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XIV.

1641.
Aug. 20.

Its character.

As far as this first ordinance was concerned, the assumption of authority by Parliament was not very outrageous. It conveyed to Bedford and Howard of Escrick, in the name of the Lords, to Fiennes, Armin, Stapleton, and Hampden, in the name of the Commons, authority to attend his Majesty in Scotland, in order to present to him the humble desires of the two Houses according to certain annexed instructions. Parliament did no more than appoint a Committee to reside in Scotland, instead of appointing one to meet at Westminster. But the idea that the Houses could act alone, when it had once been thrown before the world was certain to gather strength. It would not be long before the Houses would grasp the reins of executive government which the King had dropped in his pursuit of military support.² Practically, indeed, this had been already done. The Houses shrank from ordering the Lord Keeper to set the Great Seal to a Commission, but they had not shrunk from ordering Holland to secure Hull, and that store of munitions which had been gathered there to supply the army in the last war, or to order Newport, the Constable of the Tower, to take up his residence in that fortress, and to see that it was safely guarded.³

Aug. 17.
Hull to be secured,

Aug. 18.
and the Tower.

That these measures were taken against the King there can be no reasonable doubt. They were the same in kind as those which brought about the Civil War in the following year. Yet they passed both Houses without the faintest opposition.

¹ Professor Stubbs, to whom I naturally applied on the subject, informs me that he is unable to recollect any case of ordinances in the Middle Ages as made by the two Houses without the Royal authority.

² *L. J.* iv. 372.

³ *Ibid.* 367, 369.

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XIV.1641.
Aug. 13.The King
at New-
castle.

The excited feeling of apprehension which had given birth to these measures, did not last long. It was soon known that the King had passed through both armies without causing any stir amongst them. At Newcastle he had been magnificently entertained by the Scottish commanders, had reviewed their troops and had expressed his high satisfaction at their military bearing. To Leslie he was especially courteous, and he promised an earldom to the rough soldier of fortune.¹ It was not on an immediate military revolt that Charles was calculating. He knew that he must satisfy the Scottish Parliament before those sturdy peasants would draw sword in his cause.

Aug. 14.
He arrives
at Edin-
burgh.Aug. 17.
Ratifies the
Acts.

On the 14th Charles rode into Edinburgh. On his first visit to the Parliament he offered to touch with the sceptre, and so to convert into law, all the Acts which he had so long resisted, and was somewhat disappointed to find that formality required at least a show of more mature consideration.² Before many days passed he was allowed to perform this part of his work with as cheerful a countenance as he was able to assume. Now that the Scots had all that they wanted, he might expect something from them in return. One man, on whom he had counted, was no longer able to render him any aid. Rothes died in England on the 23rd.³ Still Charles wrote to the Queen in high spirits. Everything appeared to him to be going well. Leslie's professions of service had been all that could be desired.⁴ For the first time in his life Charles laid himself out to win the affections of the people. He diligently attended the Presby-

Aug. 23.
Death of
Rothes.Confidence
of Charles.¹ Vane to Nicholas, Aug. 14, *Nicholas MSS.*² The Elector Palatine to the Queen of Bohemia, Aug. 17, *Forster MSS.*³ Nicholas to Vane, Aug. 24, *Nicholas MSS.*⁴ Giustinian to the Doge, ^{Aug. 27} ~~Sept. 6~~, *Ven. Transcripts.*

terian service, and listened without wincing to Presbyterian sermons. Henderson was as constantly at his side as Laud had been in the days of his power.¹ It was much in Charles's favour that his coming had been coincident with the termination of military effort. "This kingdom," wrote Vane, "speaks of nothing with so much heartiness as of the blessedness of this peace and of the joy and comfort thereof." The English army was at last slowly disbanding—as quickly, at least, as money could be furnished. The Scottish army broke up from Durham and Newcastle. On the 25th Leslie crossed the Tweed. The northern counties were glad to see the last of the hungry strangers, who had quartered themselves on them so long. The Scots, too, were glad to be on the tramp for home. It was, indeed, proposed that a force of 4,000 foot and 500 horse should be kept under arms till the English troops were entirely paid off, and Charles found grounds for believing that a still larger force would be placed at his disposal. He wrote to the Queen that the Scots had resolved to maintain in his service 5,000 foot and 1,000 horse, to be used wherever he wished, and against any enemies that he might choose. If these were not enough he should have more. Charles added that he had gained over, by assurances of office and promotion, those who had been his bitterest enemies. "This," he wrote, "will be enough to dispose them to support my interests with all their power, and to make them depend on me without exception."²

CHAP.
XIV.

1641.

Aug. 23.

The Eng-
lish army
begins to
break up.

Aug. 25.

Charles's
hopes of
military
assistance.

¹ Vane to Nicholas, Aug. 23, *Nicholas MSS.*

² The King's letters to the Queen have been lost, but Giustinian reports of this one that it stated that the men were to be offered to Charles 'da valersene dove e contro chi troverà più aggiustare la propria convenienza con una generale esibitione in appresso di prontamente somministrarle quel numero di gente maggiore che l'occasione ricercasse.'—Giustinian to the Doge, ^{Aug. 27} _{Sept. 6,} *Ven. Transcripts.* Giustinian was on good terms with the Queen.

CHAP.
XIV.
1641.
Aug. 25.
Charles's
negotia-
tions with
the Irish
Catholics.

Charles's hope of support from the Scottish Presbyterians was accompanied by a continuance of his hope of support from the Irish Catholics. Twice had messengers crossed the sea with communications from the King to Ormond and Antrim, the one of them a Protestant royalist of Strafford's school, the other a weak and inefficient Catholic peer. These two were to gather into one body the disbanded Irish army, and to seize Dublin Castle in the King's name by the authority of the Irish Parliament, in order to make it a basis of operations against the Parliament at Westminster. The Irish Catholics, it was hoped, would be easily won to the royal cause by the grant of religious liberty.¹

¹ The evidence for this has hitherto been a statement made by Antrim in 1650, printed in Cox, *Hibernia Anglicana*, App. xlix. The King is there said to have sent two messages: the one whilst the Irish Parliament was sitting, that is to say, between May 11 and Aug. 7; the second when he was at York, or about Aug. 12. The chief difficulty in accepting the story has been the occurrence of Ormond's name in it. There seems, however, to have been an impression amongst the Irish after the rebellion that he ought to have been on their side. The author of the *Aphorismical Discovery* (i. 12) says that 'my Lord of Ormond, though then a Protestant, was one of seventy-eight persons sworn to secure each his town or fort, and he afterwards (ii. 21) speaks of him as a traitor to the Irish cause, 'unmindful of his sworn covenant, and ungrateful to His Royal Majesty.' It will be seen that there is evidence of a third message sent from Scotland. Ormond may have been willing to support the King's authority against the English Puritans, and to accept religious toleration for the Irish Catholics. He never looked favourably on the cruelties exercised on them after the rebellion. As to the negotiation in general, it is placed beyond doubt by Rossetti's survey of the whole affair. The King, he says, had met with universal disobedience in England and Scotland. "L'Hibernia sola pareva che godesse qualche riposo, e per esser numerosa de' Cattolici si mostrava per conseguenza più fedele à S. M^{te}. Vedendo dunque il Rè lo stato nel quale si trovava, si risolse di far il matrimonio col Principe d' Oranges, di dove sperava haver aiuti di danari, et di gente, con valersi de' Cattolici, de' Protestanti, e di qualunque altro che industriosamente avesse potuto guadagnare al suo partito. Gli fu insinuato che l'Hibernia, come più Cattolica, e conseguentemente fedele, l'avrebbe servito, et in caso d'avvantaggio della Religion Cattolica, poteva egli similmente sperare altri aiuti, et all' hora furono

Of this wonderful scheme Charles's most faithful servants in England knew absolutely nothing. The confidential letters which he received from Nicholas pointed to a very different course of action. Let the King do all in his power to hasten the disbandment of the armies. By this he would make it evident that he had no intention of trusting to the employment of military force.¹ Nicholas understood that the only path of safety for Charles lay in gaining the sympathies of his English subjects.

CHAP
XIV.
1641.
Aug. 23.
Advice of
Nicholas.

Even in England there were symptoms that the tide of feeling, which had been running so strongly against Charles, was on the turn. Nothing was generally known of the wild projects which he had carried with him on his Northern journey. What was known was that he had passed through both armies without appealing to them for assistance. The natural result was that those of the Parliamentary leaders who had learned enough to predict evil were looked on as scared alarmists, who might have been trying to trouble the waters for their own ambitious ends. Other causes came to weigh in the balance against them. Never within the memory of man had the country been called on to bear such a pressure of taxation. Six subsidies had never before been granted

Possibility
of a reac-
tion in
England

introdotti i maneggi della libertà di coscienza, et anco dell' istessa sua conversione. Si applicò a quella, et a questa si voleva tempo a deliberare. Per tanto si cominciò a pensare all' Hibernia, si che sotto altri pretesti, vennero di là deputati, e secretamente si negoziò di permettere à loro la libertà di coscienza, quando fedelmente havessero voluto aderire al partito di S. M^{te}. Rappresento ciò di certo a V. Em^{te}, perche la Regina degnò di dirmelo, e più volte mi fu affirmato dal Padre Filippo, onde si proseguirono i trattati con diverse conditioni, parte delle quali non mi sono distintamente note, poiche solo s'appartenevano al Rè, cioè di dar loro alcuni magazini e commodità, ma ho ben certezza di questa, che era la permissione della libertà di coscienza."—Rossetti to Barberini, ^{Jan. 23,} 1642, *R. O. Transcripts*, ^{Feb. 7,}

¹ Nicholas to the King, Aug. 23, *Evelyn's Memoirs*, ii. Part ii. 4.

CHAP.
XIV.

1641.
Aug. 23.
Great
weight of
taxation.

Aug. 30.
The Scots'
departure
known in
London.

Effects of
Charles's
absence.

Aug. 24.
More ordi-
nances.

Aug. 27.

Aug. 30.

in a single session, and after the six subsidies had come the poll-tax, the amount of which would not be far short of six subsidies more. The whole may perhaps be estimated at somewhere about 800,000*l.* Payments were slowly and reluctantly made. That mere reluctance to meet taxation which had done so much to support the opponents of the King in the days of ship money, had shifted round to the King's side now. There was a longing for peace, for a cessation of strife at home and abroad. On the 30th it was known in London that the Scots had really evacuated the northern counties. The news was received with a hearty feeling of relief. His Majesty, it seemed, had been maligned. He had no intention of leading the Scottish army to dissolve Parliament, and to enable him to pronounce its legislation to have been null and void.¹

Of this change of feeling Charles was unable to take advantage. He was far away, scheming how to use that very violence which would make him most detestable to his subjects. He was not even present to keep up that show of authority which might one day be converted into real power. The Houses were accustoming themselves to the issue of ordinances. On the 24th there was one directing certain counties to send their poll money direct to the Earl of Holland. On the 27th another appointed a day of thanksgiving for the peace. On the 30th yet another ordered a general disarmament of recusants. If Charles's lan-

¹ As Giustinian puts it, the citizens abandoned their jealousy that the King was trying to persuade the Scots 'a secondare il corso delli generosi proponimenti che universalmente si crede portare nel petto la Maestà sua di scuoter cioè il giogo delle nuove leggi, et la continuatione di questo Parlamento in particolare, la qual gli toglie gli ornamenti del comando, et della esistimatione intieramente.'—Giustinian to the Doge, Sept. $\frac{3}{13}$, *Ven. Transcripts*.

guage can be trusted he was more annoyed at the interference of Parliament with a permission which he had given to the Spanish Ambassador to transport abroad 4,000 men of the Irish army, which was at last being broken up. The Commons insisted that it was unfitting to lend help to Spain against the Portuguese; and, to keep the balance even, they refused a similar permission to the French Ambassador. Two months later they would have been glad enough to know that these trained soldiers were not in Ireland; but the motive of their refusal, in the face of their own obvious interest, deserves the highest respect.¹

By this time a speedy adjournment had become an absolute necessity. The plague and the small-pox were raging in London and Westminster, and even the most earnest of members was thoroughly weary of the long and exciting work in which the House had been engaged. Most of the members, indeed, had already gone home without asking leave. About a dozen peers remained to represent the House of Lords, whilst some eighty remained constant to the call of duty in the Commons.² On the 28th, when all danger appeared to be at an end in the North, it was arranged that the House should adjourn on September 8, to meet again on October 20.

The day on which the adjournment was voted was indeed memorable in English history. It was the last time in which the two parties into which the House of Commons was divided loyally co-operated with one another. Whatever had been done so far by the Long Parliament stood the test of time. The overthrow of the special courts, by which the prerogative had been defended, under the Tudors and

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1641.
Aug. 30.
The Irish
levies for
Spain re-
fused.

Aug. 28.
An ad-
journment
voted.

End of
unanimity
in the Com-
mons

¹ *L. J.* iv. 381.

² Giustinian to the Doge, Sept. $\frac{2}{13}$, *Ven. Transcripts*.

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the first two Stuarts, together with the abandonment by the King of all claim to raise taxes without the consent of Parliament, was accepted as the starting-point of the restored monarchical constitution in 1660. That the King and the Houses must from thenceforward work together, instead of working in antagonism, was the doctrine of Hyde and Falkland as well as of Pym and Hampden. The theory of Strafford, that in cases of necessity, of the existence of which the King was the sole judge, he could act in defiance of Parliament, was without a single supporter. Yet from that moment of apparent unanimity dates the beginning of embittered strife. The war of tongues precedes but for a few short months the war of the sword. Laboriously, in the face of an angry and compact Opposition, the victorious party strove to embody its views in institutions which would last. It was all in vain. The ropes twisted of sand which were to bind the English people dropped into nothingness before the general resistance.

Beginning
of strife.

What was
the root of
the mis-
chief?

Naturally historians have wearied themselves to find the key of this riddle. Was it, as has been said, that the leaders of the majority were too impatient, that they were in a hurry to obtain absolute control over the Government, and that they did not give time to allow the results of the recent concessions to develop themselves peacefully? Was it that the leaders of the minority thought that enough had been done in the way of reform, and that Charles could be trusted to carry on the Government constitutionally under changed conditions? Those who have studied the Parliamentary debates of the first fortnight after the commencement of the King's Northern journey will be slow to adopt either of these conclusions. The men of one party were as ready as the men of the

Unanimity
in face of
the consti-
tutional
question.

other to put pressure upon the Sovereign, to make preparations for securing the fortresses of the kingdom, and for placing the military forces of the country in readiness for action at the bidding of the Houses. If no question other than the constitutional one had been at issue, or if the danger from Scotland had been a little more evident and had lasted a little longer, Lords and Commons would have passed with complete unanimity such a Militia Bill as that which was but the triumph of a party six months later, as surely as they had already concurred in supporting Pym's proposal for the substitution of counsellors approved by Parliament for counsellors selected by the King. The history of the next few years would, if the King had not yielded entirely, have resembled that of 1688. Charles would have been swept away by the uprising of a united people. There would have been no Civil War, because the courtiers, who would alone have stood by the King, would not have been sufficiently numerous to wage war against the nation.

The rock of offence lay in the proposed ecclesiastical legislation of Parliament. It was not in the nature of things that religious questions should be allowed to slumber. For the mass of Englishmen, religious belief was their only intellectual food, as religious books were their only literature. There were thousands for whom legal and constitutional arguments had but little attraction, who could throw their whole souls into an argument about Presbyterianism or Episcopacy, or about the comparative merits of various forms of worship. A great part of the intellect of the day had been occupied with these very subjects, and Laud and Williams, Milton and Chillingworth, had no peers amongst the writers of literary prose. The peculiarity of this ecclesiastical literature

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The religious difficulty.

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was that it was controversial in its nature. When its successful defence against Rome was over, the innate vigour of Protestantism showed itself in its variations. Free inquiry, rejected in theory by almost all Englishmen, silently pushed its way, and there was scarcely a possible form of Church worship or government which some Englishmen were not ready to defend. Under the most favourable circumstances the difficulty of moulding the ecclesiastical institutions so as to meet the new wants of the time would have required the most consummate prudence. The traditional belief of centuries, held alike by the zealot and the politician, was that religious liberty was but another name for anarchy, and that it was the duty of the State to see that no man was allowed to teach or to worship as seemed right in his own eyes. Great as in any circumstances it would have been, the difficulty had been enormously increased by recent events. Laud's unwise attempt to suppress Puritanism had recoiled on himself, and through him on the nation. The more extreme Puritans were maddened with resentment, and regarded the attack upon the bishops and the Prayer Book as a holy work. Power, they thought, had at last been placed in their hands for the destruction of an ungodly and anti-Christian idolatry. Those from whose moderation much might at other times have been expected could hardly be moderate now. They found themselves face to face with ecclesiastical usages which they detested, and which had recently been imposed on them with the harshest rigour. Was it possible that they should take into consideration religious feelings which they were unable to comprehend, and grant religious liberty to practices which had been as a yoke upon their own necks in the days of the Laudian ascendancy? Social

antagonisms were already prepared to embitter the religious conflict. The greater part of the nobility and gentry of England were inclined to look with contempt and loathing upon the claims of yeomen and handicraftsmen to throw off the yoke of authority, whilst the yeomen and handicraftsmen were well pleased to vindicate their independence against the upper classes on the ground of theology, in which they imagined themselves to be masters.

Difficult as it was to find a solution for the questions which arose, it was impossible to leave them unsettled. The Church was falling into anarchy, and its services were being moulded by the hazard of the moment at the will of the strongest. Some law must be laid down, some rule to which all would be bound to conform, whether it were a law maintaining enforced uniformity, or a law in protection of liberty.

If ever a firm hand was needed to take the reins of government, it was at this crisis, when there had ceased to be any Government at all. What was wanted was a calm and statesmanlike mind ready to listen to all claims, and to strike the balance between opposing forces. Charles, if he had had the power, had never had the capacity for such work as this. If it was to be done at all, it must be done by Parliament; and a Parliament, as had been shown in the days of Elizabeth, was less likely than a single mind to do such work worthily. It was more apt to mistake the voice of a majority for the voice of the nation, and less apt to remember that a large minority requires consideration from the mere fact of its existence. That tradition of compromise which is the inheritance of English cabinets had not yet been formed in the days when no cabinets were known.

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Need of a
strong
Govern-
ment.

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To make the Church really national, to give within it free play for the religious thought and life which was not too exuberant for its decorum, and to leave room outside for the growth of societies for which even its silken fetters were too oppressive, was the task which the time required. It was the last of which the predominant party was likely to think—it is but fair to add, was the last of which it could be expected to think.

Sept. 1.
Resolutions
on ecclesi-
astical in-
novations.

The announcement of the day of adjournment was followed by a feeling of regret in the majority of the Commons, that they should separate without having done anything for religion. It was resolved at least to put an end to Laud's innovations. It was determined that the communion tables should be removed from the east end of the churches, and the rails taken down; that 'all crucifixes, scandalous pictures of one or more persons of the Trinity, and all images of the Virgin Mary' should be 'taken away,' and 'all tapers, candlesticks, and basins be removed from the communion table;' that 'all corporal bowing at the name of Jesus, or towards the east end of the church, or towards the communion table be henceforth forborne;' that all dancing and sports be forborne on the Lord's Day, and the preaching of sermons be permitted in the afternoon.¹

Proposal
for altering
the Prayer
Book.

If no more than this had been proposed the scheme might have received, if not unanimous support, at least the support of a very considerable majority, in which many of the defenders of Episcopacy would have voted. The waters had been too deeply stirred by the winds of religious controversy to be calmed so easily. A member suggested that it would be well to think of some alterations in the Book of Common

¹ C. J. ii. 279.

Prayer.¹ Culpepper at once called on the House to provide a remedy against 'such as did vilify and contemn the Common Prayer Book . . . or else he feared it might be the occasion of many tumults in Church and State.' From that moment the party lines were strictly drawn. Behind the controversy on Episcopacy and Presbyterianism lay the controversy on forms of worship—a controversy which came home to every man who cared about religion at all. The attack upon the Prayer Book by the unnamed member was the commencement of the Civil War. There was now a possibility that Charles might find a party not only in Parliament but in the nation.

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Sept. 1.
Culpepper's motion.

Final formation of two parties.

In vain Cromwell urged that there were passages in the Prayer Book to which grave and learned divines could not submit. The house was thin, as it had long been, and this day Culpepper had a majority of 18 in a House of 92.

Culpepper's temporary success.

On the 6th Culpepper's resolution came up for further discussion. Pym and his supporters were anxious to confine the censure of the House to those who interfered with the existing service by creating actual disturbance in a church. Culpepper wished to extend it to all who 'depraved' or openly found fault with the Prayer Book, and he again carried his point. When the final vote was taken, some of his friends held back, and the clause was ordered to be recommitted for further consideration.²

Sept. 6.
The question postponed.

On the 8th the Lords agreed to the resolution on the removal of the communion table, but wished that, for the sake of decency, it should still be surrounded with rails in its new position, at least in those

Sept. 8.
The Lords amendments.

¹ *Diurnal Occurrences*, Sept. 1.

² D'Ewee's *Diary*, *Harl. MSS.* clxiv. fol. 82 b, 83, 84, 89.

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1641.
Sept. 8.

Order on
lecturers.

Sept. 9.
Order of
the Lords
that service
be per-
formed ac-
cording to
law.

churches in which it had been railed in at the east end.¹ Images of the Virgin which had been erected more than twenty years were to be allowed to stand, and every one was to be left free to do as he pleased in the matter of bowing. The clause on the Lord's day was left for consideration on the 9th, the adjournment having been postponed till that day.

Whilst the Lords were thus busy, the Commons took another forward step. They declared it to be lawful for all parishes to set up lecturers at their own charge, and there was no sign that they meant to consult the Lords on so important a declaration.² It is probable that the Peers took offence at the neglect. On the 9th they laid aside the resolutions of the Commons.³ In a house of twenty it was carried by a majority of eleven to nine, that an order of the 16th of January should be printed and published, to the effect 'that the divine service be performed as it is appointed by the Acts of Parliament of this Realm; and that all such as shall disturb that wholesome order shall be severely punished according to law; and that all parsons, vicars, and curates in their

¹ The cases of persons putting their hats on the table are well known. In a sermon preached in little more than a month after this date, there is mention of a woman who put her baby on the communion table with consequences that may easily be imagined.

² *C. J.* ii. 283.

³ In Dover's *Notes*, where the affair is misdated as Aug. 10 (*Clarendon MSS.* 1,603), we are told that 'our reasons for proceeding in this manner, before we advised with the House of Commons, was that the very night before they had in their House ordered that very order which is now set forth by them, to be published and printed before they had a conference with us. Query, whether the House of Commons have power of themselves to enjoin the whole kingdom anything which is not settled by the laws?' Dover was clearly mistaken in saying that the Commons published their order about innovations before the division in the Lords. Probably the truth is as I have put it in the text, though there is no actual direction in the *Journals* to print the order about lecturers.

several parishes shall forbear to introduce any rites or ceremonies otherwise than those that are established by the laws of this land.' The Lords not only passed this order, but they refused to communicate their resolution to the Commons. Against this latter resolve six peers, Bedford, Warwick, Clare, Newport, Wharton, and Mandeville, protested. Lyttelton, Manchester, and Hunsdon voted in the minority, but did not protest.¹

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1641.

Sept. 9.
Protest of
six Peers.

As might have been expected, the Commons in their turn took offence. D'Ewes said that it was not a fit time to print such an order, 'when all men who loved the truth expected a mitigation of the laws already established touching religion, and not a severe execution of them.' Yet it was hard to know what was to be done. Pym suggested that a messenger should be despatched to ask the King to revoke the Lords' order by proclamation.² The House probably felt that this would not be a hopeful course. It was finally resolved that their own resolutions should be published together with the order of the Lords. A commentary was to be affixed expressing surprise at the thinness of the Upper House when so important a decision had been arrived at. 'So it may still be hoped, when both Houses shall meet again, that the good propositions and preparations in the House of Commons, for preventing the like grievances, and reforming other disorders and abuse in matters of religion, may be brought to perfection.' 'Wherefore,'

Feeling in
the Com-
mons.

Both the
resolutions
and the
order to be
published.

¹ *L. J.* iv. 395. The names of the eleven who formed the majority are given in Dover's *Notes* as Bishop Williams, the Earls of Denbigh, Cleveland, Portland, Dover, Kingston, and Barons Mowbray, Wentworth, Dunsmore, Coventry, and Ospe. The names are given somewhat differently in the *Diurnal Occurrences*.

² This is noteworthy, as showing that Pym did not yet despair of Charles's co-operation.

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Sept. 9.
The Commons appeal to patience.

they ended by saying, 'we expect that the Commons of the Realm do, in the meantime, quietly attend the reformation intended, without any tumultuous disturbance of the worship of God and the peace of the Kingdom.'¹

The printing of this declaration was carried without a division. Nothing could have been more conciliatory than the last paragraph. The warning to submit to the law without impatience till Parliament was again in session was conceived in the best spirit of both parties.

The Lords appeal to the law.

For all that, the danger was postponed, not averted. The call to abide by the law which had sounded forth from the House of Lords would be sure to find a response in the nation, if it were coupled with a firm resolve to search out the defects of the existing law, in order to bring it into conformity with the new facts which had arisen since the law had been made. Otherwise it was no more than a fair show covering the passions of a party.

Adjournment of the Houses.

For the time interest was diverted to the North. On the 9th both Houses brought their sittings to an end, and most of the few members who had been constant to the last were allowed to enjoy a brief and well-earned rest.² Each House, however, left behind it a Committee charged to watch the progress of affairs, and to correspond with the Joint Committee which had been ordered to attend the King. That Committee, with the exception of the new Earl of Bedford, who was a less energetic man than his father had been, and who declined to make the journey, had

The Committees to sit in the recess.

Aug. 30.
The Committee in Edinburgh.

¹ *C. J.* ii. 287. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 110.

² It is customary to speak of the period ending here as the first session of the Long Parliament. The term, though convenient, is inaccurate, as there was no prorogation.

arrived in Edinburgh on August 30. Its leading spirits were Hampden and Fiennes. The King refused to give to this Committee any authority to treat with the Scottish Parliament, but he could not hinder them from remaining in Scotland to keep watch over his own proceedings.¹

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Aug. 30.

To all appearance Charles had at last succeeded in winning the hearts of his Northern subjects. On the day of the arrival of the English Committee, he was entertained at a magnificent banquet in the Parliament House. The Lord Provost drank the health of the King and Queen with the heartiest expressions of loyal devotion. "Over the whole town," wrote an Englishman who was present, "there was nothing but joy and revelling, like a day of jubilee, and this is taken of the union which doubtless is more firm by reason of the happy intervention of the unity of form of religion, at least for the present, and in the King's own practice, which wins much upon this people. Yesterday his Majesty was again at the great Church at sermon, where the bishops were not spared, but such downright language as would a year ago have² been at the least a Star Chamber business, imputing all that was amiss to ill counsellors, and so ingratiating His Majesty with all his people, who indeed show a zeal and affection beyond all expression."³

The feast in
the Parlia-
ment
House.

It is easy to conjecture what were the thoughts which arose in Hampden's mind as he looked for the first time on the fair town in the new-found loyalty which had been bought by so great and so suspicious a self-surrender. Charles was in the highest spirits. "You may assure every one," he wrote to Nicholas,

Sept. 3.
Charles full
of confi-
dence.

¹ The King to Lyttalton, Aug. 25, *L. J.* iv. 382.

² The word "have" is omitted in the MS.

³ Bero to Pennington, Aug. 30, *S. P. Dom.*

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Sept. 3.
Demand
that offices
should be
filled up
with the
consent of
Parliament.

“that now all difficulties are passed here.” He was not long in discovering that he had been too sanguine. In Parliament Argyle was relentless in demanding that no political or judicial offices should be filled up without the approval of Parliament, and Argyle’s supporters were in a clear majority in the House. He was not indeed all-powerful. There were many amongst the nobility, besides the imprisoned Montrose, who struggled hard against this new constitutional system, in which a majority of country gentlemen and burghers was to be welded, in the hands of one popular nobleman, into a political force to beat down the power of the great families. They had never intended to throw off the yoke of Charles in order to become the servants of Argyle. “If this be that you call liberty,” said the Earl of Perth, “God send me the old slavery again.”¹ Charles might choose his side. He might put himself at the head of the popular party or of the aristocratic party. It needed more decision than he possessed to do either with effect. “His Majesty’s businesses,” wrote Endymion Porter, “run in their wonted channel—subtle designs of gaining the popular opinion, and weak executions for the upholding of monarchy.”² Charles himself did not recognise the realities of the situation. He continued to write cheerfully to the Queen. Argyle, he told her, had promised to do him faithful service. Leslie was equally devoted to him, and had driven with him round the town amidst the shouts of the people.³ The Queen, we may be sure, knew well enough what it was that he expected from the devotion of Leslie and Argyle. During the weeks of his absence, she

Sept. 7.

Charles’s
hopeful-
ness.

¹ Webb to Nicholas, Sept. 5, *Nicholas MSS.*

² Porter to Nicholas, Sept. 7, *ibid.*

³ Giustinian to the Doge, Sept. $\frac{1}{17}$, *Ven. Transcripts.*

had been again urging the representatives of the Pope on the Continent to send her that supply of money which was so sorely needed. Might it not, she had asked, be sent to Cologne, only to be made over to herself if she could show that there was indeed a sufficient cause for its use. To this, as to all similar pleas, the Papal authorities were deaf.¹

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1641.
Sept.
The Queen's
application
to the Pope.

Charles's eyes were too steadily fixed on England for him to struggle very pertinaciously against the Scottish Parliament. On the 16th an Act was passed, according to which the King was to choose his officers 'subject to the advice of Parliament.'² Charles, perhaps, thought that the mere form of concession would be enough. The next day he gave in a list of Councillors, and on the 20th he added the names of the new officers of State. He proposed that Loudoun should be Chancellor, and that Lanark, who with his brother Hamilton, had now attached himself to Argyle, should remain Secretary of State. Roxburgh, a steady partisan of the King, was to keep the Privy Seal; and Morton, who was a still stronger Royalist than Roxburgh, was to be Lord Treasurer. At once Argyle rose to declaim against Morton, his own father-in-law, as a man deeply in debt, and incapable of so great a trust. Many of the nobility urged Charles to stand by his nomination. Morton, however, relieved him from his difficulty by voluntarily relinquishing his claims.³

Sept. 16.
Act for the
choice of
officers.

Sept. 20.
Nomina-
tion of
officers.

Opposition
of Argyle.

Sept. 22.

Charles was deeply mortified. Argyle, he found, meant to be master in Scotland. The blow was the more bitterly felt because it was accompanied by a still graver disappointment. The troops which had

Charles
ceases to
expect help
from Scot-
land.

¹ The Archbishop of Tarsis to Barberini, ^{Aug. 28} _{Sept. 7,} *R. O. Transcripts.*

² *Acts of Parl. of Scotland*, v. 403.

³ *Balfour*, iii. 66, 69.

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Sept. 22.

been kept on foot, and which Charles had expected to be placed at his own disposal for purposes which he, perhaps not very definitely, entertained, were dismissed to their homes.¹ From this moment, as far as it is possible to gather from the disjointed fragments of evidence which have come down to us, he ceased to expect any active aid from Scotland. It would be enough if matters could now be patched up in Edinburgh, so as to enable him to return to England without the appearance of utter defeat.

Demands of
Parliament.

Even this was difficult to obtain. The Parliament now claimed not merely the right to reject the King's nominee, but the right of presenting to him for his approval a nominee of their own. The barons, too, or lesser gentry, asked that their votes might be given by ballot, and that no one who had taken the King's part in the late war should be admitted to any office in the State.²

Argyle's
party.

In these demands lay the secret of Argyle's strength. He had against him the discontented nobles, but he had the Scottish nation at his back. In the minds of those country gentlemen and townsmen who followed him was the fixed idea that they had been fighting for a great cause, and that Roxburgh and Morton had deserted that cause in its hour of trial. Charles understood nothing of the kind. He wanted to shut his eyes to the past as though it had never been.

Sept. 25.
Charles's
depression
of spirits.

No wonder Charles's spirits were as depressed now as they had lately been buoyant. "There was never King so insulted over," wrote a sympathising bystander. "It would pity any man's heart to see how he looks; for he is never at quiet amongst them, and

¹ Giustinian to the Doge, ^{Sept. 21} Oct. 4, *Ven. Transcripts*.

² *Balfour*, iii. 71. *Baillie*, i. 390.

glad he is when he sees any man that he thinks loves him. Yet he is seeming merry at meat."

The foes of Argyle were fast growing beyond Charles's control. They bore Hamilton a special hatred as a deserter from their cause. Lord Ker, Roxburgh's turbulent son, who had sided with the Covenanters in the late troubles, sent him a challenge as a traitor to his King. Hamilton gave information to Charles, and Ker was forced to make an apology. The next day he was summoned before the Parliament to give an explanation of his conduct. He came with a following of 600 armed men, and it was only with the greatest difficulty that he was induced to acknowledge that he had been in fault.¹

Nothing had yet been done to bring to a close the dispute about the appointment of officers. Loudoun's nomination to the Chancellorship was at last accepted. For the Treasurer's place the King now named Almond, who had, indeed, been Lieutenant-General of the Army of Invasion, but who had joined Montrose in signing the Bond of Cumbernauld. The Parliamentary majority would not hear of him, and its claim to a direct election of officers was again put forward.

Day after day passed away without bringing an agreement. Around the King passion was waxing fiercer from hour to hour. Montrose, from behind his prison bars, watched the seething of the angry tide. Twice he wrote to Charles, offering to make revelations of the utmost importance to his crown and dignity. Twice Charles refused to listen to vague accusations. He believed, he said, that a man in Montrose's condition would say much to have the

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1641.
Sept. 29.
Hamilton
challenged
by Ker.

Sept. 30.
Ker forced
to apolo-
gise.

Loudoun
Chancellor.

Oct. 1.
Almond
nominated
for Treas-
urer.

Montrose's
letters.

Oct. 9.

¹ Wemyss to Ormond, Sept. 25, Oct., Carte, *Original Letters*, i. 1, 5. *Balfour*, iii. 36.

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1641.
Oct. 10.
The King
is ready to
give way.

His dis-
pleasure
with
Hamilton.

liberty to come to his presence. He had made up his mind to come to terms with the Parliament. On the following day he sent a message to Almond asking him to withdraw his claims to the Treasurership, as Morton had done before.¹

It was only natural that Charles, in making this concession, should make it in some ill-humour. It was only natural, too, that his displeasure should vent itself on Hamilton, who had promised so much and had performed so little. Lanark's pleadings on his brother's behalf only drew from Charles the cold reply that he believed that he was himself 'an honest man, and that he had never heard anything to the contrary; but that he thought' his 'brother had been very active in his own preservation.' Hamilton, in fact, had escaped the danger of being prosecuted as an incendiary by his new intimacy with Argyle.

Oct. 11.
Montrose's
third letter.

Proposal to
submit it
to a Com-
mittee.

Feeling of
Argyle's
opponents.

The 11th brought a third letter from Montrose. This time he averred his readiness to prove Hamilton a traitor.² After some hesitation Charles resolved to lay this letter before certain lords, amongst whom were Argyle and Loudoun, in order that they might advise him on the matter.³

So far, at least, Charles had taken the straight-forward course. It was not a course which was likely to commend itself to the wrathful noblemen who thronged around him at Holyrood. In Scotland the traditions of private war had not yet wholly died out. A great nobleman depended somewhat on the arguments of his advocates before the Court of Session, and somewhat on his personal influence with the

¹ Depositions of W. Murray and the Earl of Almond, *Hist. MSS. Com. Report*, iv. 167, 168.

² Hamilton's name was not mentioned, but there can be no doubt that he was the person in question.

³ Murray's deposition, *Hist. MSS. Com. Report*, iv. 167.

Judges, but still more upon the sharp swords of his retainers. It was rumoured that Argyle and Hamilton had 5,000 armed followers in Edinburgh.¹ Those who wished to put an end to the influence of Argyle and Hamilton thought far more of the means of carrying the charge against them to a practical issue than of the accumulation of legal proofs. Behind the veil which still hangs over their proceedings may be dimly discerned efforts to win over such of the soldiery as still remained under arms, and to secure the services of Leslie, that there might be no violent interruption of the course of justice. Such, at least, would be the most favourable interpretation of their conduct. How far this intention was communicated to Charles it is impossible to say. But it may be safely inferred that if it was communicated to him at all, he would only hear of it as a plan for vindicating the majesty of the law, and that it was only as such that it would be likely to secure his approval, though it is more probable that he did not give his assent to any definite scheme at all.² If he had really agreed to act on Montrose's last letter, it is not impossible that orders may have been given to Leslie to effect the arrest on that very evening.

Almond, at least, is said to have had nothing more than the enforcement of legal proceedings in his mind. Amongst those who were burning to throw off Argyle's yoke there were hotter brains than Almond's.

¹ Colonel A. Stewart's deposition, *Hist. MSS. Com. Report*, iv. 164.

² Even after the recovery of the depositions it is impossible to speak more precisely. Colonel Cochrane gave evidence to the effect that Murray, when he had inquired about his regiment, added, "You shall be bidden to know nothing but what ye get the general's order for" (*ibid.* 166). Captain Stewart deposed (*ibid.* 163), after relating Crawford's violent language, that 'the Lord Almond was of another judgment, that they behoved to be challenged by law.'

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Oct. 11.
Project of
arresting
Argyle and
Hamilton.

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Oct. 11.

The Earl of
Crawford's
plan.

The Earl of Crawford, the Catholic head of the house of Lindsay, had served as a soldier of fortune in the German wars on the side of the House of Austria. He had been employed by Charles to command troops against his native country in 1640, and had been dismissed from the English army by the Parliament on account of his religion. Such a man was not likely to brook the predominance of Argyle and the Presbyterians. He had talked of stabbing them in case of necessity, and had formed a plan for inviting them to meet at the King's lodgings, where they were to be seized, hurried down the backstairs, and carried on board a ship which was lying at Leith. He had entrusted this part of the plot to a certain Colonel Alexander Stewart. On the morning of the 11th this man sent for a cousin of his own, Captain William Stewart, and asked for his assistance in seizing Hamilton. "When you have gotten him," objected the Captain, "they would take him from you." "If it were so," was the reply, "we would make the Marquis desire his friends to stay off till he sustained a censure of what was to be laid to his charge, or else we would kill him, which is the custom of Germany where I have served." In such hands the scheme was slipping from an effort to bring an enemy to justice to a possible assassination.¹

Argyle and
Hamilton
to be seized.The plot
betrayed.

In any case, the plot would probably have been frustrated by the King's reluctance to take violent measures against Hamilton. Even before Montrose's letter was placed in Charles's hands the worst part of the design had been communicated to those whom it most concerned. Captain Stewart had told what he

¹ Colonel A. Stewart's deposition, *Hist. MSS. Com. Report*, iv. 164. The seizure, he said, was to be effected 'if the King was out of the way'—an important statement in the King's favour.

knew to Colonel Hurry, and Hurry gave information to Leslie. Whether Leslie was ready to guard prisoners of high rank or not, he had no mind to take part in a murder, and he passed the information on to the two noblemen who were endangered. Hamilton went to the King, and told him that, as he could not escape calumny, he should leave the Court. Later in the evening he received fuller intelligence of the design against him, and on the following morning Argyle sent a messenger to Charles to tell him all that he had learned. At the same time the Parliament, having been informed of the danger into which two of its leading members had fallen, opened an investigation into the whole affair.

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Oct. 12.

In the afternoon Charles set out for the Parliament House, unwisely allowing himself to be followed by some 500 armed men, in which were to be counted the bitterest enemies of the accused lords. Argyle, together with Hamilton and his brother, Lanark, either believed themselves to be in actual danger, or affected to believe it. Professing their unwillingness to risk a slaughter in the streets, they fled to Kineill, one of Hamilton's country houses.¹

Charles
goes to the
Parliament
House.Flight of
the accused
lords.

Such was the course of the Incident, as this plot was named at the time. When Charles appeared before the Parliament tears stood in his eyes. He spoke feelingly of his affection for Hamilton, his childhood's friend, and declared,—in touching remembrance of the night in which he had shown his confidence in the man who was then accused of conspiring to dethrone him, by admitting him to sleep in the

The King's
speech.

¹ Lanark's account, *Hardw. St. Papers*, ii. 299. Hamilton to the King, Oct. 22, *Hamilton Papers*, 103. *Baillie*, i. 392. *Balfour*, iii. 94. The date of the 2nd Oct. in the first-named paper is plainly a misprint for the 11th, which is sometimes written ii. in MSS. of this date.

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same room with himself,¹—that had Hamilton been in any real danger he did not think that ‘ he could have found a surer sanctuary than in his bedchamber.’ In the end, he asked that the Marquis should be sequestered from the House till the whole mystery had been cleared up, and that he might himself have justice done him by the refutation of the calumnies which had been laid upon him,²

Struggle
between
Charles and
the Parlia-
ment.

Charles soon found that he had not so ingratiated himself with the bulk of the members as to make them very eager to do him justice. They cared far more about tracking out the plot for the seizure of the fugitive lords. Charles urged that at least the inquiry might be openly conducted before the whole Parlia-

¹ *Personal Gov. of Charles I.*, i. 223.

² I entirely disbelieve Clarendon's story that Montrose offered to kill Hamilton and Argyle. Dr. Burton has argued (*Hist. of Scotland*, vii. 151) against the objection which has been made that Montrose, being in prison, could not have had an interview with Charles; that ‘ when great people are involved in deep plots, such and much greater obstacles have to be overcome.’ He forgot that Charles's opponents had the custody of Montrose's person. There is, however, another argument which seems to me to tell against the story of an interview between Montrose and Charles. All the evidence goes to show that Charles took no account of Montrose's first two letters. He could only have sought an interview after the third. That letter was only brought to Charles on the 11th. Montrose certainly could not have been got out of prison till after nightfall, and before nightfall Charles knew that Hamilton had received warning. He was hardly likely to send for Montrose after that. The fact is, there is no real evidence against Montrose. The story as told by Clarendon originally is a plain, straightforward narrative fitting in very well with all that we know of the matter from other sources. Twenty years later, Clarendon substituted another story, and told how Montrose had offered to commit murder. Such a change would be of value if he had had access to fresh evidence. But as all that he knew must have been derived either from Charles or Montrose, there can have been no fresh evidence. My explanation would be that he had a vague recollection of hearing that Crawford had offered to kill Hamilton and Argyle, and that, with his usual habit of blundering, he substituted Montrose for Crawford, just as in giving the names of the persons who suggested that the King should make his speech of May 1 about Strafford, he substituted Saye for Savile.

ment. The House, perhaps not knowing what disclosures might come out, insisted on an investigation by a Secret Committee. For days the struggle continued. The King saw in the eyes of those before him their suspicions that he had himself been an accomplice in the plot. He rightly felt that he was himself being put on his trial. "However the matter go," he said, "I must see myself get fair play." He called on the President to ask the House 'why they denied his just and reasonable request.' He protested that if they refused a public inquiry 'he knew not what they would grant him.' It was in vain that Charles protested. On the 21st he gave way, and a Committee of investigation was appointed.

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1641.
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Oct. 25.

Oct. 21.
Committee
of investi-
gation ap-
pointed.

How far
Charles was
to blame.

No one who has studied Charles's character can believe for a moment that he was directly guilty of conspiracy to murder. Yet, if he found himself distrusted, he had but himself to blame. No doubt Argyle was intriguing and ambitious, and Hamilton was but seeking to swim with the tide. But had not Charles, too, been intriguing and self-seeking? Why was it that he had courted first the Presbyterian middle-classes, and then, when he found himself unable to gain his ends by their help, had thrown himself upon the old feudal aristocracy? Was it so very surprising that that aristocracy was still what it had ever been? Its traditions were those of plot and violence, of enemies shot down in the streets of Edinburgh, or hurried off to imprisonment in distant strongholds.

Nor did Charles's guilt end here. He had not come to Scotland for any purpose connected with the welfare of the Scottish people. He had looked on them simply as the instrument by the help of

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Charles's
intentions
with regard
to the Eng-
lish leaders.

which he was to work his will in England, and he had no reason to be surprised if the instrument had broken in his hands.

Aug. 28.
He
attempts to
gain a
party.

Even now Charles had not by any means relinquished his projected attack on the English Parliamentary leaders. It may be that he did not consciously wish to overthrow the legislation of the past year. If the new laws brought with them improvements in his mode of governing, he was quite willing to accept them. But he had no intention of ceasing to govern, and it was quite evident to him that Pym and his allies were ambitious and designing intriguers who, for purposes of their own, wished him to cease to govern. He had, indeed, no notion of grasping authority, by placing himself boldly at the head of the nation as a whole, but he hoped that by interesting himself in certain questions which had a hold upon particular groups of his subjects, he might regain all that he had lost. In August he wrote letters expressing his anxiety for the speedy disbandment of the armies. In September he opportunely discovered that Parliament had omitted to include in its last Tonnage and Poundage Continuance Bill, some clauses which would have given satisfaction to the City merchants. "Therefore," he wrote to the Lord Keeper, "I command you, tell the City in my name that though their own Burgesses forget them in Parliament, yet I mean to supply that defect out of my affection to them, so that they may see that they need no mediators to me but my own good thoughts." A month later followed expressions ominous of vengeance, if vengeance could be had. Berkeley and O'Neill, two officers employed in the second Army Plot, had returned from the Continent, and had been put in custody by the Committee of the

Sept. 7.

Oct. 5.

Commons, which was in session during the recess. "I hope some day," wrote the King, "they may repent of their severity. . . . I believe, before all be done, that they will not have such great cause for joy." A week later he continued in the same strain, "I hope many will miss of their aims."¹

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On the day on which these words were written Charles can no longer have hoped for armed help from Scotland. It was the day when Edinburgh was in an uproar, and the three lords were flying to Kineill. The most probable explanation is that he hoped to obtain possession of that letter of invitation to the Scots to enter England which he believed to be in existence in Scotland, and to convict his opponents of treason on still stronger evidence than that which had been admitted against Strafford.

Hopes to
obtain evi-
dence
against the
leaders.

If Pym knew nothing of these unhappy projects, he at least knew enough to put him on his guard. Hampden was in Edinburgh, gathering more intimate knowledge of Charles's character. He watched him as he coquetted alternately with the Parliamentary Presbyterians, and with the dashing nobles who hated Parliaments and Presbyteries. It was not only to news from Edinburgh that Pym had to listen. Holland, on his return from the army in the North, had doubtless much to tell of that second Army Plot for their part in which Berkeley and O'Neill were now in custody. It would have been strange, too, if Lady Carlisle did not from time to time bring him tidings from Oatlands of the Queen's feverish expectations and plans, too cleverly devised to bear the test of action. He must have felt like a soldier who has braced

Hampden
in Edin-
burgh.

Pym in
London.

¹ The King's Apostyle, Aug. 28. The King to Lyttelton (not to Finch, as printed), Sept. 7. The King's Apostyles, Oct. 5, 12, *Evelyn's Memoirs*, ii. App. 3, 13, 27, 28, 30.

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Oct. 12.

Disorders
in London.

himself to the assault of a fortress, when he stands upon ground which he knows to be mined beneath his feet.

During the first days of October, London was in an agitated state. Disbanded soldiers were roaming about, robbing whomsoever they met. The post-bag containing letters for the King was opened by masked highwaymen. The religious troubles were on the increase. In virtue of the resolutions of the Commons, men entered the churches, breaking down the altars, dashing in the painted windows, and even tearing up the monuments of the dead when they bore inscriptions inviting to prayer for the departed.¹ Sober men were startled by the breaking out of wild and unlooked-for fanaticism. There were Adamites, it was said, who held it to be their duty to strip themselves of every shred of clothing when they met to worship God. There was the Family of Love, which was reported to plunge into the wildest excesses of debauchery. The Separatists, or Brownists as their adversaries styled them, were of a very different character, but they were treated in much of the pamphlet literature of the day as standing on hardly a higher level. Why, it was asked, should cobblers, weavers, feltmongers, and tailors take on themselves to interpret God's word directly contrary to God's word? Even from the pulpits of the official ministers strange assertions were heard. One minister affirmed that Popish innovations began when the Apostles ordained the first bishops. Another declared that parents ought to abstain from teaching their children the Lord's Prayer. Another minister chided some of his hearers for sitting in church with their hats off,

Oct. 10.
Growth of
fanaticism.

¹ Wallington's *Hist. Notices*, i. 259.

and bade them leave off that superstitious compliment. Another spoke of Felton's murder of the Duke of Buckingham with approbation, whilst yet another deliberately omitted from his prayers the name of Christ, lest any one in the congregation should be guilty of idolatry by showing reverence. It was said openly that churches were no more holy than kitchens, or the Lord's-table than a dresser-board. One man who attracted notoriety by rising in various churches in order to address the congregation, and who was known as the Prophet Hunt, used to tell all who would listen to him that the Old Testament was of no more use than an old almanac out of date. If a clergyman whose dress or appearance betrayed him as a supporter of the unpopular party ventured out into the streets, it was not long before he had a shouting mob at his heels. A Jesuit, a Baal's priest, an Abbey-lubber, a Canterbury's whelp, were the mildest epithets which were flung at him in derision. At a time when the current ran strongly in favour of the use of extemporary prayers, those who clung to the noble language of the Prayer Book with affection had often cause to regard with contempt the efforts of men without eloquence or education to provide a substitute for it. One preacher asserted that in the late time of drought he had heard a man praying in this fashion: "Lord, there have been some semblances, and some overtures, Lord, of rain. The clouds indeed were gathered together, but they were suddenly dispersed. Lord, Lord, Thou knowest that the kennels of the street yield a most unsavoury smell." The preacher professed that for his part he preferred the despised form: "O God . . . send us, we beseech Thee, in this our necessity, such moderate rain and showers, that we may receive

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Oct. 10.Extempo-
rary
prayers.

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Oct. 10.
Pym's
Committee.

the fruits of the earth to our comfort, and to Thy honour." ¹

It was hard to moderate between the disgust of a large part of the upper and more cultured class and the zeal of the many who were rushing headlong into the whirl of a religious excitement. Government there was none in England, save such as resided in the Committee of which Pym was the guiding spirit. That Committee did its utmost, after its fashion, to stem the tide. It ordered every disbanded soldier to return to his home. It strove to enforce the resolutions of the Commons as a mere declaration of the existing law. But it had a difficult part to play. The sense of insecurity provoked staid and nervous citizens to apprehension. The weight of taxation, especially of the terrible poll-tax, pressed heavily on rich and poor. The religious sense of a respectable minority in London, probably of a majority in the country, was deeply wounded. It was not against Presbyterianism that their anger was moved. The Root-and-Branch Bill had been a clear indication that the Commons had no wish to impose Presbyterianism on England. The present evil which was feared was the sudden uprising of the untaught multitude, that 'blatant beast' of which Spenser had written, forcing the acceptance of its uncouth shibboleths upon men of learning and education. "I think," wrote one who shared in this feeling, "it will be thought blasphemy shortly to name Jesus Christ; for it is already forbidden to bow at His name, though Scripture and the Church of England doth both warrant it and command it." Placards were already posted up against 'the precise Lords and Commons of the Parliament.'

Oct. 12.

Rising
feeling
against
the
Scots.

¹ The greater part of this paragraph is founded on *A Sermon preached at St. Paul's the 10th day of Oct. by T. Cheshire, E. 177.*

The authors of sedition, it was said, who had conspired with the Scots, must be expelled from Parliament, otherwise men would be found to take their lives, as enemies of God and the Commonwealth. Similar placards were exposed to the public gaze in many parts of the country, and especially in Yorkshire.¹

Parliament was to meet again on the 20th. On the 19th Pym read in Committee the letters from Edinburgh telling of the murderous design which had been timely frustrated. For the last ten days, he said, he had been receiving warnings that a similar design was entertained in England. When the Houses reassembled the shadow of the Incident was there to terrify them. "Other men," Essex and Holland thought, "were in danger of the like assaults."² D'Ewes moved in the Commons that the danger of a Popish plot should be the first subject of consideration, and that the Lords should be asked to join in settling religion, as a salve for all sores. Hyde and Falkland fell back on blank incredulity as to there being any danger at all, and asked that the affairs of Scotland should be left to the Scottish Parliament, and that they should not 'take up fears and suspicions without any certain and undoubted ground.' The House refused to listen to a plea which made so light of the peril, and the Lords were asked to concur in measures for the protection of Parliament. To this demand the Lords at once assented, and from that day a hundred men from the Westminster Trained Bands kept guard night and day in Palace Yard.³

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Oct. 19.
The Incident known
in London.Reassem-
bly of Par-
liament.Guard
voted for
Parlia-
ment.

¹ Wiseman to Pennington, Oct. 7, *S. P. Dom.* Giustinian's despatch, Oct. ^a₁₈, *Ven. Transcripts.*

² *C. J.* ii. 289. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 241 b. *Clarendon*, iv. 20.

³ *C. J.* ii. 290. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 12 b. *Diurnal Occurrences*, 329.

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Oct. 20.

The Epis-
copalian
party
becoming a
Royalist
party.

The language of Hyde and Falkland was sufficient evidence that the Episcopalian party was in process of conversion into a Royalist party. But their failure to secure any large following as yet, and the prompt concurrence of the Lords with the Commons, was evidence that the conversion was not as yet entirely effected. Even at this time it may safely be affirmed that, if no other question had been at issue than the political one, there would have been no permanent division of parties, and no Civil War, with all its melancholy consequences.

The fault of
division
falls on
both sides.
Pym.

Only partisan rancour can throw the blame of the Civil War on either side exclusively. Pym, far-sighted as he was on the constitutional question, had been bred up too long on the commonplaces of Puritanism to recognise boldly that no settlement of the Church was likely to be permanent which did not provide for both the chief phases of opinion. Without being himself a fanatic, he had more sympathy with the fanatics than he had with the ceremonialists. The grand vision of religious liberty never lightened his path. The hard problem of toleration which his own generation and the next were called to solve never presented itself to his mind as a question worthy of consideration. He would have had but one Church, one form of worship, one dogmatic teaching, though he would no doubt have administered this system in a large and tolerant spirit. Fatal as his choice was, nothing else could fairly have been expected from him. If he had not shared the errors of his followers he would never have been their leader. The belief that the State was to settle a definite Church order, to which all were bound to submit, was too deeply rooted in the English mind to be easily eradicated, and the unbending severity of Laud's government

had called forth a reaction strong enough to remove far away the thought of toleration for any practices which seemed akin to the Laudian innovations.

The action of Falkland is still more disappointing than that of Pym. It might have been expected that with his broad culture and wide sympathies he would have made some overtures with the object of enlarging the formularies of the Church, in order to embrace all moderate men within its fold. The policy of comprehension, indeed, was not altogether a promising one. It would, in any case, have left too many outside the widest possible Church to be accepted as a permanent solution of the problem. But at least it would have acknowledged that the problem existed. No help of this kind was forthcoming from Falkland. His entire want of imaginative force left him without creative power. He was a critic, an amiable, truth-loving critic, but not a statesman. He had attacked Laudian Episcopacy in February. His delicate nerves were shocked in October by the systematic rigour of Presbyterianism and by the fanaticism of the sects. He had said his last word in politics, and he now sank into a mere position of dependency upon a man in every respect, except rigidity of purpose, so inferior to him as Hyde.

Like Falkland, the Long Parliament itself had said its last word in politics. Everything that it had done up to this point, with the single exception of the compulsory clauses of the Triennial Act, was accepted at the Restoration and passed into the permanent Constitution of the country. Everything that it attempted to do after this was rejected at the Restoration. The first was the work of the whole Parliament, the second was the work of a majority. Failure, and it must be confessed deserved failure,

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The permanent
work of the
Long Par-
liament
ended.

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What has
yet to be
told.

was the result of Pym's leadership. Failure, and equally deserved failure, would have been the result of the leadership of Hyde.

It does not follow that the historian should pause here and throw down his pen in despair. It does not follow that he is even called on to regret the sad and melancholy tale which has yet to be unrolled of Englishmen, born to be as brothers, flying at one another's throats in savage hatred ; or, worse still, of Englishmen in despair casting away the high thoughts of their fathers to grovel in the slough of sensuality, except with that regret which is ever springing up afresh for the imperfections and weaknesses of human nature itself. Would England, it may well be asked, have been really the better if it had limited its desires to purely material objects, if it had been content to abolish ship money and the Star Chamber, to seize the purse, and, with the purse in its hand, to enter into its inheritance of power? Such gains have never been sufficient for any nation or for any man. Liberty and authority are only permanent when they are grasped not for their own sake, but for the sake of higher and more beneficent aims. Our fathers, it is true, strove in error. They walked on paths which led not to wisdom and justice, but to folly and injustice. But wisdom and justice were the objects which they set before themselves. Each party contended for an ideal Church, which was not soiled in their minds by the admixture of material dross ; and no man who strives even for a false ideal can fall so low as the man who strives for no ideal at all. The error was great, and it was sorely expiated. He whose lot it is to tell the tale of the heroic and fatal strife may well look beyond the strife and the immediate relaxation of energy which followed its conclusion. Even in the Restora-

tion he can foresee the Revolution and the reawakening of moral earnestness and intellectual insight, which was the ultimate result of the Revolution. If it was in England that the great problem of the seventeenth century was solved by liberty of speech and thought, if England has from time to time raised herself above the temptations of material wealth to loose the bonds of the slave, and to redress the wrongs of the oppressed, if her greatest glory has been that she has been not only free herself but the mother of free nations, it is because at this crisis of her fate she did not choose to lie down and slumber as soon as she judged that the rights of property were safe.

Even now voices were raised to point to the true path of safety. But they were not voices to which any man of authority was likely to listen. The desire for toleration naturally comes to the persecuted before it reaches the philosopher or the statesman, and the theory which had been struck out by the early Separatists retained its power over their successors. Henry Burton, who had been restored to his church in Friday Street, had been rushing forwards to extreme Puritanism, and in a pamphlet entitled *The Protestation Protested*,¹ had sketched out that plan of a national Church surrounded by voluntary Churches, which was accepted at the Revolution of 1688 as the final solution of the difficulty by which two generations had been troubled.² Still more remarkable was *A Discourse opening the nature of that Episcopacy which*

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raised for
toleration.July.
Burton's
Protestation Protested.Lord
Brooke's
Discourse

¹ Its publication is mentioned in a letter of July 11, R. Hobart to J. Hobart, July 11, *Turner, MSS.* lxvi. fol. 109.

² *The Humble Petition of the Brownists*, 1641, E. 178, declares for complete toleration even for Roman Catholics and for the Family of Love, on the ground that whatever is of God will prosper. The largeness of its charity is rather suspicious, and it was most probably intended as a caricature.

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Oct.*on Episco-
pacy.*

is exercised in England, the result of Lord Brooke's vacation studies. Never did so unpromising a beginning lead up to a fairer conclusion. Brooke entered upon his task by denouncing bishops as upstarts of low birth and ill-breeding. His argument meandered for some time amongst disputed points of ecclesiastical antiquity, in which he fails to interest the reader, because, like most other controversialists of his day, he shows that he is not led by any spirit of historical inquiry, and that he is thinking of Laud and Wren much more than of Ambrose and Augustine. When the constructive portion of the book is reached the author wins upon our sympathies. He is not, indeed, aware, any more than Pym was aware, of the full extent of the problem to be solved. His ideal Church is Puritan and nothing more. But he had been brought, as a member of the House of Lords, face to face with the question of the treatment of schismatics. He had doubtless been one of those Peers who visited the conventicle in Deadman's Place. In this practical way he had come to ask himself the question whether liberty of conscience for the ignorant as well as for the wise were good or bad. The bishops, he says, had declared that ceremonies were indifferent, and on that ground had forced all to take part in them. Brooke boldly answers that nothing is indifferent. The least action ought either to be done or left undone, and it is only our ignorance of the right course which we veil under the name of indifference. Yet if there is to be any sort of Church at all, it must impose certain acts upon its members. The difficulty comes when the community is of one opinion and an individual member of another. Brooke decides for the individual. No power on earth, he says, ought to force his practice. 'One that doubts with reason

and humility may not, for aught I yet see, be forced by violence.’¹ With this thought before him Brooke refused to be frightened by the danger of admitting ignorant and vulgar persons to teach. Why, he asks, may not a man be allowed to preach, though he is basely employed all the week in trade, as well as a bishop who is busy all the week with affairs of State? Brooke has full faith in the purifying effect of liberty. “Fire and water,” he says, “may be restrained, but light cannot. It will in at every cranny, and the more it is opposed it shines the brighter, so that now to stint it is to resist an enlightened and inflamed multitude.” The activity of the bishops in enforcing conformity had resulted in producing many thousand Nonconformists. Why could not men agree to differ? “Can we not dissent in judgment but we must also disagree in affection? We never prove ourselves true members of Christ more than when we embrace His members with most enlarged yet straitest affections.”²

It is impossible to over-estimate the value of such a book. Whilst the future champions of toleration were silent, whilst Cromwell was giving all his strength to the work of the hour, whilst Milton was lost in admiration of his latest birth of an all-embracing and unobtrusive Presbyterianism, Brooke had worked out the problem of his age, and had given the solution which, after forty-eight years of confused and weary seeking, all England would accept. His pleading on behalf of the liberty of unlicensed preaching preceded by three years Milton’s pleading for the liberty of unlicensed printing. No defect in the form of Brooke’s work should be allowed to distract our minds from its intrinsic value.

If Pym was very far from possessing Brooke’s

¹ P. 33.

² Pp. 98, 123.

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Merits of
Brooke’s
work.

The new
Bishops’

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Exclusion
Bill.

keenness of insight into the future, it was at least certain that his counsels would be given on the side of moderation. The Root-and-Branch Bill. was dropped at the reassembling of Parliament. The attempt made by the Committee to enforce the resolutions of the Commons in the matter of the ceremonies was also dropped. On the 21st a new Bill was brought in to deprive the clergy of all temporal authority, and especially to exclude the bishops from their seats in the House of Lords. The opposition to the measure was of a very perfunctory kind. Hyde objected to it on the ground that it meddled with the constitution of the Upper House, whilst Falkland took the more practical ground that it was certain to be rejected by the Peers. The only alternative scheme was offered by Dering, who asked that a national Synod should be called to remove the distractions of the Church. For the present no attention was paid to this suggestion, which had already been heard of on several occasions, almost since the first meeting of Parliament. It is probable that Pym felt it to be hopeless to expect any such Church reform as he regarded necessary, as long as a compact body of twenty-six episcopal votes was opposed to him in the House of Lords. The new Bill was pushed rapidly through the Commons. It was read a third time only two days after its introduction.¹

Oct. 23.

Feeling of
the Lords.

When the Bill was sent up to the Lords, some who wished it ill believed that it would be allowed to pass.² Its introduction a second time was evidently intended to form the basis of a compromise. Yet there was a large party amongst the Peers which was against all concession. The vigour of the sects

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 31 b. *Dering's Speeches*, 92.

² Nicholas to the King, Oct. 25, *Evelyn's Memoirs*, ii. App. 44.

during the vacation, and the violence with which the orders of the House of Commons had been in some places executed, had produced a feeling of irritation in many of the Peers, which was increased by the not unnatural resentment roused by an attempt to alter the ancient constitution of their own House. It was observed that on the day after the Bill was sent up, which happened to be a Sunday, an unusual number of Lords travelled down to Oatlands, to pay their respects to the Queen.¹ On Monday an incident occurred which showed how intense was the bitterness of the hatred of which Pym had by this time become the object. A letter was delivered to him in his place in the House. As soon as he had opened it, a rag, foul with the foulness of a plague-sore, dropped on the floor. The letter in which it was enclosed termed him a traitor and a taker of bribes, and assured him that if he did not die of the infection now conveyed to him, a dagger would be found to rid the world of his presence.²

In the first months of the Long Parliament, Pym and his friends had had the advantage of opposing vague and indefinite schemes. No one could tell precisely what the primitive Episcopacy of their adversaries would come to be in practice. That advantage they had now thrown away. After all that had been said and done in support of the Root-and-Branch Bill, it was impossible to imagine that the present Bishops' Exclusion Bill was Pym's last word on Church reform. What he wanted, it seemed, was to diminish the majority against him in the House of Lords before producing that scheme which appeared all the more dangerous because he had given no hint

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XIV.1641.
Oct. 23.

Oct. 24.

Oct. 25.
A plague-
rag sent to
Pym.Pym's pro-
posal stirs
up opposi-
tion.

¹ Giustinian to the Doge, Oct. 29,
Nov. 4, *Ven. Transcripts*.

² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 36 b.

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1641.

Oct. 25.

what its nature was to be. He would probably have gained far more than he would have lost by bringing forward now a complete but moderate plan of ecclesiastical reform. Unfortunately, he, too, had none of those powers of constructive statesmanship which were most needed at this crisis of our history.

The King's
manifesto
circulated
amongst
the Peers.

Not only was the advantage of definiteness of plan lost to Pym, but it had already passed over to the other side. On the 25th Nicholas had been circulating amongst the Peers an extract from a letter which had just reached him from the King. "I hear," wrote Charles, "it is reported that at my return I intend to alter the government of the Church of England, and to bring it to that form as it is here. Therefore I command you to assure all my servants that I am constant to the discipline and doctrine of the Church of England established by Queen Elizabeth and my father, and that I resolve—by the grace of God—to die in the maintenance of it."¹

The mani-
festo practi-
cally a
declaration
of war,

Charles had at last found some object to stand up for higher than his own prerogative. By this manifesto he was to abide till the last solemn scene of his life. It gave him the hearts of all who, from various causes, distrusted Puritan domination. In the mouth of any man less liable than he was to prefer intrigue to statesmanship it would, with some modification, have secured a firm foundation for the constitutional monarchy. But it was none the less a declaration of war in the mouth of Charles. He had no thought of making room for so many of the Puritan party as would be content to enter into a compromise with their fellow subjects. Yet Puritanism was still a

¹ This appears to have been the form in which the extract was circulated, but there was an earlier one. The King's Apostyle, Oct. 12. Nicholas to the King, Oct. 25, *Evelyn's Memoirs*, ii. App. 37, 44. The King to Nicholas, Oct. 18, *S. P. Dom.*

mighty force in England, and it was not for Charles to hope permanently to exclude it from the Church, any more than it was for Pym to hope to make it permanently dominant in the Church.

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1641.
Oct. 25.

Both sides, in short, misunderstood the fundamental conditions of government. Charles believed that an existing system could be maintained in the face of widely-felt dissatisfaction. Pym believed that a new system could be introduced by a mere Parliamentary majority in the face of a dissatisfaction equally widely felt. The one maintained that the House of Commons could effect no change without the assent of the King and the House of Lords. The other exalted the authority of an elected assembly whilst forgetting to inquire whether its decisions were in conformity with the actual necessities of the nation.

The funda-
mental con-
ditions of
govern-
ment mis-
understood.

Yet if there were faults and errors on both sides Charles was personally overmatched by Pym. In coolness and dexterity the Parliamentary leader was far his superior. On the 26th, Pym stopped a proposal made by Holles, that the bishops who had been impeached for their part in the late Canons should be accused of treason, whilst he himself carried a vote to ask the Lords to suspend the whole Episcopal Bench from the division on the Exclusion Bill, on the ground that they ought not to be judges in their own case, and that the thirteen who had been already impeached should be sequestered from the House till their case had been decided.¹ An attempt passionately supported by Strode to assert the claim of Parliament to a negative voice on ministerial appointments failed to secure the requisite support, and a simple petition was resolved on to express to the King the mere wish of the House on the subject. At the same time the Peers determined by a narrow

Pym and
the King.

Oct. 26.
Pym asks
that the
bishops be
suspended
from voting
on the Ex-
clusion
Bill.

Oct. 28.
Negative
voice on
appoint-
ments
claimed.

¹ C. J. ii. 295. D'Ewee's Diary, *Harl. MSS.* clxii. fol. 40 b.

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XIV.

1641.
Oct. 28.
Action of
the Peers.

majority to postpone consideration of the suspension of the bishops, and of the Exclusion Bill itself till November 10, the day fixed for the opening of the proceedings against the impeached Bishops.¹

The vacant
bishopsrics
to be filled.

It is plain that the majority in both Houses was for the present fluctuating. Neither side wished to push matters to extremities. Charles had no such feeling. Far away at Edinburgh, without the possibility of consultation even with his devoted adherents, he announced his intention of filling five bishopsrics which happened to be vacant. Williams was to be Archbishop of York. Hall and Skinner who were both amongst the impeached prelates were translated respectively to Norwich and Oxford. The other new bishops were no doubt excellent men, and one of their number Dr. Prideaux, the Rector of Exeter College, and Professor of Divinity at Oxford, would have done credit to the Bench in any age. What was serious in the matter was the indication of Charles's intention to nominate bishops as he had nominated them before, without any intimation that they were to hold their offices subject to future limitation.

Oct. 29.
Feeling in
the Com-
mons.

By the majority of the thin House which was now at Westminster, the appointment of the bishops was taken as an insult. Cromwell's vehemence carried the Commons with him in a resolution to demand a conference with the Lords on the subject, and an early day, November 1, was fixed for the consideration of that Remonstrance on the state of the kingdom which had been so often talked of in the earlier part of the year, but which had never been actually discussed.

The Remon-
strance to
be con-
sidered.

Before the appointed day arrived a fresh blow was aimed at the King. On October 30 Pym

¹ D'Ewes's Diary, *Harl. MSS.* clxii. 46 b. *L. J.* iv. 407.

revealed what he knew of the second Army Plot. O'Neill and Berkeley had been under examination, and their statements were now read. It was deduced from their evidence that when Charles went to Scotland he had gone with the hope of obtaining military assistance in the North, and it is now known from other sources that the inference was correct. Pym asked whether the danger was at an end yet. Secret forces, he said, had been prepared, and the chief recusants in Hampshire had been meeting for consultation. The Prince of Wales, who should have remained at Richmond, under the charge of Hertford, who was now his governor, had been a frequent visitor at Oatlands where his mother was keeping her Court, and the lad could receive no good in soul or body from his mother. It was to be feared that a connection existed between these plots in England and recent events in Scotland. When Pym sat down it was ordered that Father Philips, and Monsigot, who had recently arrived on a mission from the Queen Mother, should be sent for, and that the Lords should direct Hertford to keep a stricter personal watch over the Prince. With this demand the Lords promptly complied.¹ Whether Pym's suspicions were well founded or not it is impossible to say, but there is a serious corroboration of them in the language which had been used by the Queen to the French Ambassador less than a fortnight before. She then told him exultingly that her husband's affairs were in the best possible condition, and that more than 10,000 men were ready to assemble in his service on three days' notice.² That which seemed to her to be the increase of strength, was in very truth the cause of incurable weakness.

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XIV.
1641.
Oct. 30.
The second
Army Plot
denounced.

Fresh plots
suspected.

The Queen's
language to
La Ferté.

¹ C. J. ii. 299. D'Ewes's Diary, *Hart. MSS.* clxii. fol. 37 b.

² La Ferté's Despatch, Oct. 31, *Arch. des Aff. Etr.* xlvi. fol. 394.

CHAPTER XV.

THE IRISH REBELLION AND THE GRAND REMONSTRANCE.

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XV.
1641.
Nov. 1.
News of the
Irish Re-
bellion.

AGAIN and again Charles's intrigues rose up in judgment against him. On November 1, the day which had been set apart in the House of Commons for the consideration of the Remonstrance, news arrived at Westminster that a rebellion had broken out in Ireland, and that, but for information timely given at the last moment, Dublin itself would have been in the hands of the conspirators.

Retrospect
of the Ul-
ster Plan-
tation.

Startling as the news was, there was nothing in it to cause surprise. Everything that had been done in Ireland since the flight of the Earls in 1607 had been of a nature to lead up to such a catastrophe. For a few years after James's accession there had been a serious attempt to remedy the evils of Ireland by enlisting the sympathies of the people in the cause of at least material progress. Before the temptation offered by the commotions in Ulster English virtue gave way. Six counties were declared to be forfeited to the Crown under an artificial treason-law which had no hold on the Irish conscience. English and Scottish colonists were brought in to occupy the richest parts of the soil. The children of the land were thrust forth to find what sustenance they could on the leavings of the intruders, and were debarred even the poor privilege of serving the new settlers for hire, lest they should be tempted to fall upon their masters unawares. That which was done was done not so much in order that the land of Irishmen should be

confiscated, as that a British garrison should be planted amongst them. The result was equally disastrous.

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1641.

The system once established found favour in the eyes of succeeding Deputies. British colonists cost nothing to the State, and the means of the Government did not allow it to maintain an army in Ireland adequate to its needs. When St. John and the elder Falkland were Deputies there were fresh Plantations, and in spite of the efforts of land-jobbers and confiscators an attempt was made to treat the natives with something less of harshness than at Ulster. Three-fourths of the re-divided land was to be assigned to them, and only one-fourth to the British undertakers. Even at its best the system was one of the grossest injustice. Some few Irish families were no doubt the better for it. They received estates which would be permanently their own, and were thus induced to improve the land of which they had a secure possession. But the mass of Irishmen had no such good fortune. Their part in the old tribal tenure was utterly unrecognised, and they were contemptuously thrust out into the world to seek their fortunes as best they might.¹

Later Plantations.

When Strafford ruled in Ireland, he had resolved to carry out an extensive Plantation in Connaught. It is true that to him the change appeared to be likely to bring with it the blessings of English civilisation, and of English religion. It is true that under his rule a very practical toleration existed. Priests and friars who did not make themselves too conspicuous might go about without hindrance amongst a population which well-nigh adored them, and no

The projected Plantation of Connaught.

¹ See the account of these proceedings scattered over the *Calendar of Irish State Papers, 1615-1625.*

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XV.

1640.

Irishman had any difficulty in hearing mass as often as he pleased. But it was clearly understood that this license was merely provisional, and that Strafford was looking to the strength which a fresh confiscation would give him to enable him to suppress the exercise of the Irish religion with a heavy hand.

Strafford fell, but he left his hopes and fears to those who succeeded him. Lord Deputy Wandesford died before the end of 1640, and after a brief interval, his authority was handed over to two Lords Justices, Sir William Parsons and Sir John Borlase. The first was an adventurer who had made his fortune by evicting Irishmen from their lands. The second was an old soldier, without any qualifications for governing a country. The difficulties before them were such as to be almost insuperable. They found themselves face to face with a Catholic majority in a Parliament in which the Protestant minority was always ready to join the Catholics in pulling down the edifice of prerogative which had been erected by Strafford. Each House had a Committee in England negotiating with the King, and these Committees found Charles ready to give way on almost every point. He was too much occupied with his English difficulties to care whether Ireland were the better or the worse for his concessions.

The Lords
Justices
Parsons
and Bor-
lase.

Charles's
conces-
sions.

April.
Alarm of
the Irish
Council.

Blow after blow was struck at the revenue till the exchequer was threatened with a deficit as large as that from which Strafford's energy had saved it. The Lords Justices and the Irish Council were horrified to learn ¹ that the Plantation of Connaught, long suspended,

¹ In a letter in which the subject is treated from the English point of view, the Council stated 'that in the Plantations great parts of the lands have been so assured to the British by provisos in the grants and otherwise as they must for ever remain English, and cannot in point of interest come into the hands of Irish, which adds much to the strength of the

was at last definitely abandoned. It was still worse when they learnt that the Catholic Lords would be content with nothing short of toleration for their own religion, and had ventured to ask why the loyal Catholics of Ireland should fare worse than the rebellious Puritans of Scotland.¹ Such things, indeed, were

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April.
Toleration
of the
Catholic
religion
asked for.

government and service of the Crown, that by them the great Irish Lords, who for many ages so grievously infested this kingdom, are either taken away, or so levelled with others in point of subjection, as all now submit to the law, and many of them live in good order; that the Plantations have been made only in the Irish territories, where those sometimes unruly chieftains formerly governed, and where the Irish, by advantage of the times, prevailed by incursion, and in a manner continued rebellious for a long time to expel the English first planted, though now many of them are changed into a civil course of life; . . . that if no Plantations had been made, this kingdom had doubtless, in many parts thereof, continued in the old barbarism and tumultuary state, deprived in a manner of all the blessings which that providence of our renowned Princes hath thereby afforded to it, and—which would have been the worst of all—there could have been at this time very little appearance of the Protestant religion here other than where the State resideth, or where the Presidents of the Provinces do live, and in few other particular places; . . . that if the way of Plantations should now, on the sudden, be stopped, we do apparently foresee that it will beget much discouragement and scruple amongst those already planted, and doubtless will occasion disturbance from the former pretendants; . . . that, if it had been thought fit to proceed with those Plantations in Connaught and some other Irish territories lately found for the King in Munster; all which do amount to near a fourth part of the kingdom, where there are now few Protestants that have any considerable estates or fortunes, and the spiritual livings no way competent to support a resident ministry, where there are many ports, creeks, and havens lying open upon Spain and other kingdoms apt for trade, and fit to be inhabited by men of skill and industry . . . we could little doubt to affirm that His Majesty and his heirs should for ever, by God's blessing, have continuance of as firm rule and obedience in this kingdom as in any other his dominions.'—The Lords Justices and Council to Vane, April 24, *S. P. Ireland*.

¹ They asked 'che sia permesso la libertà di coscienza, et li Cattolici in particolare non solo chiedono con pietoso zelo l'esercizio publico della Romana religione, ma spalleggiati della gente da guerra, che non volse come scrisi agli ultimi comandamenti de S. M^{ta} sbandarsi, sono tumultuosamente entrati nella Chiesa Cathedrale Protestante di Dublin,'—Derry is no doubt meant—'dove hanno fatto col concorso di molto popolo cantare una solenne messa.'—Giustinian to the Doge, Jan. 7, *Ven. Transcripts*.

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April.

not said openly in the presence of the Lords Justices. But the Committee of the Irish Peers carried their wishes to Whitehall, and the Queen placed liberty of worship for the Irish on the list of the benefits which her husband was ready to bestow on the Catholics in the event of his receiving pecuniary assistance from Rome.¹

Hopes held
out to the
Catholics.

As part of a settled policy, Charles's offer of religious liberty to the Irish Catholics would have been worthy of all commendation, though it was hardly likely that he would have been able to carry it into effect. In his hands, it was a mere shifty expedient from which nothing good was to be expected, the mere suggestion of which was certain to kindle hopes which could hardly be disappointed with impunity. Everything seemed to be prepared to bring about a catastrophe. Almost immediately after Strafford's death Leicester had been appointed to the Lord Lieutenancy. Instead of hastening to his post, he loitered in England with no sufficient excuse. Charles showed no sign of anxiety for his departure, and it is possible that he was well pleased to leave the field open to the execution of plans in which Leicester could never be expected to concur.

Leicester
Lord Lieu-
tenant.

The Church
question
and the
Land ques-
tion.

Whether under any circumstances an Irish national and Catholic Parliamentary Government would have been tolerant of existing Protestant congregations may reasonably be doubted. It is certain that this question of toleration for the Church of the Irish people could not, as Charles imagined, stand alone. The Land difficulty followed close upon the heels of the Religious difficulty. To claim Ireland for the Irish, and to thrust out the intruders who were battenning on Irish soil, was the inevitable complement

¹ See p. 193.

of the demand that Irish ecclesiastical institutions should be constituted in accordance with the ideas of the Irish people.

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1641.

A wise and strong England able to repress armed resistance, and capable of doing justice to the real grievances of Irishmen, might possibly in time have effaced the traces of that evil which had been the work of English statesmen. Unfortunately, for more than thirty years, the English Government had not been wise, and now at last it had ceased to be strong. The native population had neither been crushed nor conciliated. Full of the memories of violated rights and goaded to bitter hatred by the contemptuous indifference of the conquerors, that population was mastered by a devouring indignation which when it once burst forth would rage as a consuming flame. For these men had not passed through the experience which had made Scotland invincible. They had not the discipline which comes of the traditions of successful warfare waged through generations under trusted leaders. Nationality was with them rather a hope of far distant gain than a precious possession bequeathed to them by their forefathers. The mass was rude and uncultivated, prone to sudden deeds of violence and to unthinking panics, cruel as children are cruel, under the sudden gust of passion or impulse. Even victory was certain to bring its own perils. Between the cultivated gentleman of Norman descent and the rude dispossessed peasant of Ulster there was little in common. For a moment they might act together, but there could be little mutual confidence between them.

Risk of
explosion.

May.

The peasant's hatred of the English colonists found expression in a large number of men of birth and education, who, either through their own

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1641.

May.

Roger
More.

fault or that of others, had fallen from wealth to poverty. Foremost amongst these was Roger More. His ancestors had once been in the possession of large estates in Queen's County, which had since been lost to the family. Merging his private grievance in the general grievances of his countrymen, he acquired their confidence by his force of character. "God and our Lady be our assistance, and Roger More," was an expression often to be heard on Irish lips. His attractive force was increased by his blindness to all except the nobler side of the object at stake, and he was able to inspire others with courage because he spoke from his heart of the cause in which he was engaged as one which appealed only to the purest and most elevated sentiments of human nature. It is to his credit that when he found himself face to face with the grim realities which his own enthusiasm had evoked, he risked his life to put a check upon the foul deeds which clouded the accomplishment of his purpose, and at last stood aside from the conflict rather than win success through a mist of tears and blood.

Sir Phelim
O'Neill.

Another leader of less commanding ability, but of higher position, was Sir Phelim O'Neill. He was the grandson of an O'Neill who had taken the side of the English Government after the flight of the Earls, and, now that Tyrone's son had died without issue, he regarded himself as the heir to the chieftainship of the Sept.

Lord
Maguire.

The patriotism of Lord Maguire was, like that of More and O'Neill, not uninfluenced by personal considerations. He was a young man overwhelmed by debt, and he had therefore everything to gain by a commotion. He might not only relieve his estate from the burden which weighed heavily upon it, but

he might hope to regain the authority which had been exercised by his ancestors in Fermanagh.

The first serious plan for rising in vindication of the claims of Irishmen to the soil seems to have been entertained in February, though the idea had not been absent from the minds of the natives during many years. The idea received a strong impulsion from the news brought from Westminster by every post. The English Parliament was evidently bent on treating Catholics with a harshness to which they had long been unaccustomed, and there was no reason to suppose that the Catholics of Ireland would be dealt with more gently than their brethren in England. "Undoubtedly," said More, "the Parliament now in England will suppress the Catholic religion."¹

The English Government would have had little to fear if it had had only to deal with a few discontented gentlemen. The gravity of the situation arose from the fact that the fears and hopes of these gentlemen were shared by the whole of the native population of the country. When, as had been at first intended, the disbanded army was on the march for the place where it was to have taken ship for foreign service, the soldiers were advised by priests and friars not to leave the country 'although they lived only on bread and milk, for that there might be use for them here.'² There can be no doubt that the Irish believed that they were called on to act in self-defence. It cannot have been unknown to them that if the Lords Justices and the Council could have their way they would proceed to a fresh partition of Irish land, and to a fresh attack upon the Catholic clergy.³ Amongst

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1641.
Feb.
The first
plan of a
rising.

June.
Signs of
trouble.

¹ Carte's *Ormond*, i. 156. Maguire's *Relation*, Nalson, ii. 543.

² Captain Serle's evidence, June 9, *S. P. Ireland*.

³ The Protestant Archbishop of Tuam complained about this ti

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1641.

June.

an ignorant and impulsive people, it was only too natural that belief should outstrip actual fact. Irishmen were soon firmly convinced that the English Parliament had declared its resolution to extirpate Irish Catholicism, and that the Lords Justices had openly expressed their determination to carry out its orders.

Aug.
Sir James
Dillon pro-
poses to
seize Dub-
lin Castle.

The Catho-
lic Lords
refuse to
join him.

In intriguing with the Catholic Lords, Charles was applying a lighted match to a magazine of gunpowder. One day in August, Sir James Dillon met Lord Maguire in Dublin, and proposed to him in the name of the Colonels of that army to seize the Castle with the help of the Catholic Lords. Influential Irishmen would at the same time surprise other fortified posts. The Lords, however, drew back, possibly wishing to act by the King's orders rather than in combination with irresponsible adventurers. Maguire and his immediate friends resolved to take an independent course. They were in correspondence with Owen Roe O'Neill, a brave and active officer in the Spanish service in the Netherlands, and he had promised to send arms for 10,000 men. It was finally arranged that an insurrection in the North should take place on the same day as the seizure of Dublin Castle, and after some hesitation October 23 was fixed on for the attempt.¹

that the titular Archbishop is plentifully maintained, generally respected, feeds of the best, and it is a strife betwixt the great ones which shall be happy in being the host of such a guest.' He adds that the country suffered grievously in having to pay a double clergy. The people, in multitudes, daily resorted to 'the mass-houses.' In Galway mass was said with such publicity 'that the well-affected English . . . at the daily hearing of the same as they go about their business in the street are much wounded in conscience.' The natives thought it hard to have to pay to the Protestant clergy a less sum than they paid cheerfully to their own priests. *S. P. Ireland*. It takes some effort now to understand that all this was written with complete seriousness.

¹ Maguire's *Relation*, Nalson, ii. 543. The probability that the Lords

Early in October a congress of priests and laymen was held in Westmeath in the Abbey of Multyfarnham. The question was agitated what course was to be taken with the English and other Protestants. The friars, followed by many who were present, urged, on every consideration of religion and policy, that there should be no massacre. Treat the English, they said, as the Spaniards treated the Moors, sending them back to their own country with at least some part of their property. Others argued that no way was so safe as a general slaughter. Banished men might come back with swords in their hands. It was evident that, before all was over, there would be wild work in Ireland.¹

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1641.
Oct.
Congress of
Multyfarn-
ham.

Some vague warnings had reached the Lords Justices from time to time. It was not till the evening of October 22, the day before the intended sur- held back in order to await instructions from the King, is much increased if we accept the detailed statement in *The Mystery of Iniquity*, (E. 76) by Edward Bowles, that the Irish Committee returned to Ireland 'the same month His Majesty went for Scotland,' namely August, 'leaving the Lord Dillon, who was presently after sent with the Queen's letters, requesting or requiring his being made Councillor of Ireland, to His Majesty then at Edinburgh.' If, as seems likely, Lord Dillon was to bring the King's last instructions, of which I shall have something to say later, this would account for the Lords' hesitations. Such evidence as this can only furnish indications, not proofs. What is remarkable is that they all point in the same direction. Lord Antrim's statement is that the second message from the King was sent by Captain Digby from the King when he was at York, and that Charles directed that the disbanded army should be brought together again, 'and that an army should immediately be raised in Ireland that should declare for him against the Parliament of England, and to do what was therein necessary and convenient for his service.' Antrim says that he informed Lord Gormanston, Lord Slane, and others in Leinster, and after going into Ulster he communicated the same to many there, but that 'the fools . . . well liking the business would not expect our time or manner for ordering the work, but fell upon it without us, and sooner, and otherwise than we should have done, talking to themselves, and in their own way, the managing of the work, and so spoiled it.'—Cox, *Hibernia Anglicana*, ii. 208.

Warnings
of danger.

Oct. 22.
The plot
betrayed.

¹ Jones's *Remonstrance*, 31.

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XV.1641.
Oct. 22.

prise, that they were roused from their lethargy. On that day Lord Maguire and Hugh Mac Mahon were in Dublin with eighty men, ready for the next day's work. Amongst these men was a certain Owen O'Conolly, whose name and birth had pointed him out as a fitting instrument for the design. Unluckily for the conspirators, the man was a Protestant in the service of Sir John Clotworthy. Concealing his real opinions, he contrived to escape, made his way to Parsons, and told all that he knew. He had learned, he said, from Mac Mahon, that the projected seizure of the Castle was but a small part of the enterprise. The next morning every Englishman in Dublin was to be slaughtered. All the Protestants in other towns were to be put to death that very night. There is every reason to believe that this promiscuous massacre did not enter into the plan of the conspirators. O'Conolly, and perhaps Mac Mahon as well, had been drinking heavily.¹ Exaggerated or not, the information must have fallen on the Lords Justices like a thunderbolt. To meet the danger, they had at their disposal only 3,000 men, scattered in small detachments over the whole face of the country. More than twice that number of those soldiers who had been lately disciplined by the King's orders, that they might serve him against his Scottish, and, possibly, against his English subjects, were also to be found in Ireland, but they were far more likely to join the rebels than to fight against them. The Government had hardly a shilling to dispose of. The conspirators had chosen a moment when the King's half-yearly rents and dues were still unpaid, and it was now most unlikely that they would ever be paid at all. Of the population of Ireland about nine-elevenths might be reckoned as

Weakness
of the Eng-
lish army.

¹ O'Conolly's examination, Temple's *Irish Rebellion*, 19.

Catholics by creed, and very nearly as large a proportion as Celtic by race. The city of Dublin had no fortifications, except those of the Castle, and, in deference to the constitutional objections of Parliament, not a single soldier was billeted in the city. It was calculated that in Dublin itself there were fifteen Catholics to one Protestant. The garrison of the Castle consisted of six aged warders and forty halberdiers, maintained for display in ceremonies of State.¹

The Lords Justices and the Council did all that was in their power. Maguire and Mac Mahon were seized. Mac Mahon declared proudly that 'what was that day to be done in other parts of the country, was so far advanced by that time, as it was impossible for the wit of man to prevent it.' "I am now in your hands," he ended by saying, "use me as you will. I am sure I shall be shortly revenged."²

Dublin at least was saved. An able soldier, Sir Francis Willoughby,³ was placed in command of the Castle, and made a show of defence which imposed on the multitude till a sufficient garrison could be obtained. For a time the whole city was given up to rumours. It was said that 10,000 rebels were already encamped on the Hill of Tara, seventeen miles from Dublin. At another time it was said that the rebels were actually marching through the streets of the city.⁴ In truth, the seizure of the leaders had deprived the conspiracy of its guides. The rift between the Catholics of English birth who hoped for a toleration granted by the King, and the Catholics of Irish birth who wished for an agrarian revolution

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1641.

Oct. 22.

Oct. 23.
Seizure of
Mac Mahon
and
Maguire.Dublin
saved.¹ Carte's *Ormond*, i. 168.² Examination of Mac Mahon, *L. J.* iv. 416.³ The man who had once been challenged by Falkland.⁴ *Temple*, 24.

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was already to be descried. It was afterwards to widen into a breach which would be fatal to all national action in Ireland.

Oct. 23.
News from
the North.

Anxiously the handful of English Protestants in Dublin waited for news from Ulster. On the night of the 23rd it was known that Monaghan had risen, English posts had been seized, and Englishmen had been plundered. At Newry, where there was a fort, the insurgents had overpowered the garrison, and had armed themselves out of the King's stores. Not a word was heard of the death of a single Englishman. These things, however, had taken place on the south-eastern edge of Ulster. It was impossible for any eye to penetrate through the veil to see what deeds might have been done behind it.

Oct. 24.
The Lords
of the
Pale.

The great difficulty of the Lords Justices was to know what to do with the Catholic Peers. They dared neither to trust them nor to alienate them. They made a show of confidence by placing in their hands a few arms for the defence of their houses in the country, but they prudently prorogued the Parliament, which was shortly to have met. On the 25th they despatched to Leicester an account of all that they as yet knew of their danger.¹

Oct. 25.

Nov. 1.
Feeling in
the English
Parliament.

On November 1 the despatch of the Lords Justices was read in both Houses at Westminster. Only one result was possible. Under no circumstances was the English Parliament likely to feel any sympathy with the grievances of the native Irish. In the face of a rebellion which threatened to sweep away the name and creed of Englishmen from Ireland, there was no room in the minds of Lords and Commons for

¹ The Lords Justices to Leicester, Oct. 25, *Rushw.* iv. 399. If the Lords Justices had intended to proclaim toleration for the Catholics they might have trusted the Irish Lords, but hardly otherwise.

any feeling save one of wrath and horror. They voted that 50,000*l.* should be borrowed for the suppression of the rebels, that Leicester should be requested to proceed at once to Dublin, and that 8,000 men should be raised to give effectual help to the colonists. In order that no time might be lost, they directed that volunteers should be invited to give in their names at once for the service.

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Nov. 1.
Votes of
Parliament.

Having done thus much, the Houses turned their attention to the root of the mischief, which they conceived to lay in the Queen's Court. Father Philips was sent for to give evidence before the Lords. He was much alarmed, thinking that Hamilton had betrayed the secret of the Queen's negotiation with Rome. He therefore raised the preliminary objection that he could not be sworn on the English Bible. The Lords, who knew nothing of the secret which he wished to conceal, took offence, and committed him to the Tower without any further attempt to obtain evidence from him.¹

Nov. 2.
Imprisonment of
Father Philips.

All this was done without a single dissentient voice. On one point opinion was divided. The King, startled with the wild shape which his intrigue with the Irish Lords had taken, had asked the Scottish Parliament to assist in the reduction of the rebels. The Scottish Parliament consented, and the English Parliament was asked to accept the offer thus made. Falkland and Culpepper, dreading lest Scottish troops might again give the law to England, raised objections. But their objections were overruled, and the Scots were told that if they would send 1,000 men into

Nov. 4.
Were Scottish troops
to be employed?

¹ *L. J.* iv. 418. Rossetti to Barberini, March $\frac{1}{18}$, *R. O. Transcript.* It is to be noted that whilst modern writers often dwell on the facility with which Pym accepted false rumours against the Catholics, Rossetti's mind is occupied with fears lest he should come to the knowledge of the true state of the case.

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Nov. 5.

Instructions to the
Committee
in Scotland.

Pym's additional in-
struction
for the re-
moval of Counsellors.

Ulster, the English Parliament would willingly take them into pay.¹

On the next day the House proceeded to draw up instructions for the Parliamentary Committee in Scotland. Then Pym rose. He said that he would be surpassed by no man in readiness to sacrifice life and estate in that cause. But as long as the King gave ear to the evil Counsellors by whom he was surrounded all that Parliament could do would be in vain. He moved an Additional Instruction to the effect that unless the King would remove those Counsellors and 'take such as might be approved by Parliament' they would not hold themselves bound to assist him in Ireland.

It was a startling proposal. Hyde opposed it as a menace to the King. Waller said that it was a declaration that the House was absolved from its duty, as Strafford had declared the King to be absolved from all rules of government. Waller was forced to ask pardon for his words, but it would seem that even Pym's own followers refused to support him further, as he was obliged to consent to the adjournment of the debate.² On the following day the House de-

Nov. 6.

¹ *Nelson*, ii. 600. *D'Ewes's Diary, Harl. MSS.* clxii. fol. 60 b.

² *D'Ewes's Diary, Harl. MSS.* clxii. fol. 100 b. It is extremely difficult to realise Pym's position with respect to the Popish plot. We do not know how much he knew, and we certainly do not ourselves know all. Here, for instance, is a sudden half-light thrown by a letter of Cardinal Barberini's. After speaking of the treatment of the King by the Scottish Parliament, he adds 'et il Principe d'Oranges stia con non puoca afflitione dovendo mandare il figlio in Inghilterra, sapendo che vi manda incerto se potrà riportarne in quà la spesa et forze del ritorno del medesimo figliolo.'—Barberini to Rossetti, Nov. 13^{to}, *R. O. Transcripts*. What can be meant by this except that the young Prince was to have come to England with ulterior designs, in some way to help Charles after a successful return from Scotland? Barberini says that he derived his knowledge from France. Again in a letter of ^{Dec. 25} Jan. 5, Rossetti says that when the King was in Scotland he

liberately rejected his motion.¹ On the 8th he reproduced it in a modified form. After a complaint that the miseries of past years had originated in the malice of persons admitted into very near places of Council and authority about the King, and that there was strong reason to believe that others had been 'contriving by violence to suppress the liberty of Parliament, and endanger the safety of those who have opposed such wicked and pernicious courses,' the Commons were asked to declare that they feared lest the same persons would divert the aids granted for the suppression of the rebellion in Ireland 'to the fomenting and cherishing of it there, and encouraging some such like attempts by the Papists and ill-affected subjects in England.' They were therefore humbly to beseech his Majesty 'to employ only such Counsellors and ministers as should be approved by his Parliament.'

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Pym modifies his proposal.

The King to name ministers approved by Parliament;

otherwise the Commons to provide for Ireland without the King.

"If herein," the Commons were further to say, "His Majesty shall not vouchsafe to condescend to our humble supplication—although we shall always continue, with reverence and faithfulness to his person and to the Crown, to perform those duties of service and obedience to which by the laws of God and this kingdom we are obliged—yet we shall be forced, in discharge of the trust which we owe to the State, and to those whom we represent, to resolve upon some such way of defending Ireland from the rebels, wished to form a good council of war 'di gente di Regno et ancora di forastieri.' Of the former he applied to Bristol, Lennox, Winchester, and Clanrickard 'e benchè questi due fussero Cattolici se sentiva però dal Rè volentieri il loro parere, mostrando medesimamente S. M^{te} propensione grande verso gl' Hibernesi.' Of the foreigners the Prince of Orange was chiefly thought of 'ancorche al presente non si sappia, come si scrive, che cosa possa succedere del matrimonio, et anche fu parlato del Duca di Buglione et si stimava buon' soldato il Duca della Valletta.'

¹ D'Ewes's Diary, *Harl. MSS.* clxii., fol. 108 b. C. J. ii. 301.

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as may concur to the securing of ourselves from such mischievous counsels and designs as have lately been and still are in practice and agitation against us, as we have just cause to believe; and to commend those aids and contributions which this great necessity shall require, to the custody and disposing of such persons of honour and fidelity as we have cause to confide in.”¹

Pym carries his motion.

Thus modified, Pym's Additional Instruction was almost more startling than it had been in its original shape. Culpepper declared that Ireland was part of England, and ought to be defended whatever might be the result. Even D'Ewes argued that, if a neighbour's house were on fire it would be the duty of those who were near to quench the conflagration without a preliminary inquiry into the moral character of the householder. Pym, however, held his ground, and carried his resolution by the considerable majority of 151 to 110.²

Revolutionary character of the proposal.

Undoubtedly no proposal of so distinctly revolutionary a character had yet been adopted by the Commons. The Act taking away the King's right of dissolution had, after all, left Charles in possession of such powers as law and custom had confided to him. The Additional Instruction seized upon the executive power itself, so far at least as Ireland was concerned. Yet it would be hard to say that Pym was not justified in what he did. No doubt he exaggerated the mischief which Charles's Counsellors were likely to do. But, after every allowance has been made, the fact remains that for the space of a whole year, Charles's relations with Parliament had been one long intrigue. The probabilities of his future action

¹ *L. J.* iv. 431.

² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 108 b.

had to be estimated with the help of the knowledge gained of his character through the two Army Plots and the Incident. It can hardly be doubtful now that Charles would not have submitted to that which he regarded as the unconstitutional authority of Parliament, a moment longer than he could help.

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Yet even those who admit that this was true, may ask whether Pym was not unwise in anticipating the conflict. Every effort which Charles had hitherto made to bring force to bear on Parliament had failed miserably. Every detected plot had only served to bring into clearer light the unanimity of both Houses and of both parties in the face of such dangers as these. Neither Hyde nor Falkland in the Commons, nor Bristol in the Lords, had any wish to see Parliament the mere creature of the King. Up to the end of October, greatly as the strain of this situation would have tried the patience of the most enduring statesman, Pym's wisest course was undoubtedly to stand on the defensive, relying on the nation itself to resist any rash act of the King's. Charles had no longer any military force openly at hand; and even if he thought himself able to rely on some occult support, it was in the highest degree improbable that he would have skill enough to avail himself of it at the critical moment.

Was Pym
wise in
making it?

Since the last week in October all such considerations had lost their weight. Whatever else might be the result of the Irish Rebellion, it was certain that a new army must be called into existence to suppress it, and that if this army were officered by the King's creatures, it would be dangerous to the Parliamentary liberties of England. The risk of military violence from the discredited, ill-disciplined army of the North in the spring and summer was nothing to the risk of

An army
necessary.

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military violence if it was to come from an army flushed with victory and steeled to discipline under leaders which it had learned to trust. It might be argued indeed that the suppression of the rebellion was a matter of such transcendent importance, that Pym was bound to run the risk of seeing the establishment of a military despotism in England rather than interpose the slightest delay in the transmission of succour to the endangered colony. Such, however, was not the view of Pym, and those who adopt it must carry the argument into a region too purely speculative to make it in any way necessary to follow them.

Nov. 6.
Cromwell
moves to
entrust
Essex with
power over
the Trained
Bands.

Nor was it only in respect to Ireland that the majority of the Commons was laying hands on the executive powers. Two days earlier Cromwell had carried a motion that the Lords should be asked to join in a vote giving Essex power from the House to command the Trained Bands south of the Trent in defence of the kingdom. It is true that this was only what Essex had authority from the King to do; but the addition of a clause 'that this power' might 'continue till this Parliament shall take further orders' was an open attack on the prerogative.¹

Nov. 8.
The Epis-
copalian
party now
Royalist.

Whether Pym's motion were justifiable or not, it was the signal for the final conversion of the Episcopalian party into a Royalist party. That party, in a minority in the Commons, was in a majority in the Lords. To baffle the Puritans had now become its chief object. For the sake of that it was ready to trust the King, and to take its chance of what the Irish campaign might bring forth. On the religious ground there was no longer any hope of compromise. Neither party had sufficient breadth of view to per-

¹ C. J. ii. 306. D'Ewes's Diary, Harl. MSS. clxii. fol. 106 b.

ceive the necessity of giving satisfaction to the legitimate demands of the other.¹

Diffident of support in the Upper House, the leaders of the majority in the Commons fell back upon the people. The often-proposed and often-postponed Remonstrance was read in the Lower House before the close of the eventful sitting of the 8th, and it was ordered that its consideration, clause by clause, should commence on the following day.

In the oblivion which falls even upon the proceedings of the most famous of Parliaments, this Remonstrance—the Grand Remonstrance, as posterity has agreed to call it—stands out as the starting-point of a new quarrel. To the historian, it is but a link in the chain of causation which was hurrying the nation into a civil war. So much of it as related to religion was an answer to the King's declaration in support of the doctrine and discipline of the Church which had recently been circulated amongst the Peers.² In political matters it merely defined the position taken up by the Commons in the Additional Instruction. That which specially distinguished it, was the intention of its framers to use it as an appeal to the nation, rather than as an address to the Crown.

¹ The state of feeling in the Upper House is well expressed in the following extract:—"The Bill for removing the Bishops out of our House sticks there, and whether we shall get it passed or not is very doubtful, unless some assurance be given that the rooting out of the function is not intended. The House of Commons have made a Remonstrance," *i.e.* the Additional Instruction, "and have desired us to join them in it, wherein they do, in the general, humbly pray His Majesty that he would be pleased to change his counsels, and for the future not to admit of any Councillor or Minister of State, but such as the Parliament shall approve of, and may confide in. This stops likewise in our House, and I believe will hardly pass with us without some alteration."—Northumberland to Roe, Nov. 12, *S. P. Dom.*

² See p. 280.

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The Remonstrance
read.

Its importance.

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Its charac-
ter.

It was not in the nature of things that a document thus prepared should contain a purely uncoloured description of past events. If Charles had drawn up a similar narrative, it would probably have been stained by equal exaggeration. Even writers the most prejudiced in favour of Royalty, if they only look facts in the face, have to assign a large share of blame for the misfortunes of this reign to Charles himself. It is no wonder that the authors of the Remonstrance assigned to him the whole. It was not to be expected that they should have discovered that they had themselves made many mistakes, and were likely to make many more, or that they should have failed to overestimate the importance of that Catholic intrigue which, as we now know, was no creation of their own fancy.

Attack on
the Catho-
lics, the
Bishops,
and the
evil Coun-
sellors.

The root of the mischief, they said, 'was a malignant and pernicious design of subverting the fundamental laws and principles of government, upon which the religion and justice of the kingdom' were 'firmly established.' This design was entertained by the Papists, the Bishops, and the evil Counsellors. These men had fomented differences between the King and his people, had suppressed the purity and power of religion, had favoured Arminians, and had depressed those whom they called Puritans. They had countenanced 'such opinions and ceremonies' as were 'fittest for accommodation with Popery, to increase ignorance, looseness, and profaneness in the people.' Further, they had done their best to alienate the King from his subjects by suggesting other ways of supply than 'the ordinary course of subsidies.'

If this was but a caricature, it was at least a caricature founded on truth. Motives were supplied or exaggerated, but the tendency of the acts which had

been done was very much what the Remonstrance alleged it to have been.

Then followed a long list of enormities, commencing with the very beginning of the reign. The Remonstrance told of the hasty dissolution of the Oxford Parliament, of the disasters of Buckingham's government, the breach of the privileges of the Commons, the imposition of unparliamentary taxation, the tyranny of the Ecclesiastical Courts, the imposition of a new Prayer Book on Scotland, followed by violent action against the Scots, and by the dissolution of the Short Parliament for its refusal to abet the designs of the Court against its brethren in the North. Then came a list of the good deeds of the existing Parliament. Wrong and oppression had been beaten down, and had been made legally impossible in the future. What was now needed was security. The authors of the two Army Plots had been busy in Ireland, and had 'kindled such a fire as nothing but God's infinite blessing upon the wisdom and endeavours of this State had been able to quench it.'

After this came a complaint against the Bishops, and against the Recusant Lords, who had returned to their places after the excitement about the Protestation had cooled down. They were charged with frustrating all the efforts after reformation made by the Commons.

What were these efforts after reformation? On this all-important point, Pym had as little chance of arriving at a satisfactory solution as Hyde. He was animated by no large spirit of comprehension or toleration. He had no broad remedy to propose, which would give to all men as much as they could legitimately claim. He was as unready to listen to Brooke's plea for the worship of the conventicle, as he was unready to listen to Hyde's plea for the wor-

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Acts of
Charles's
govern-
ment at re-
counted.

Complaint
against the
Bishops
and the Re-
cusant
Lords.

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The Com-
mons are
calumni-
ated.

ship of the cathedral. From one party as loudly as from the other was heard the cry for uniformity of doctrine and discipline.

“They infuse into the people,” said the authors of the Remonstrance, “that we mean to abolish all Church Government, and leave every man to his own fancy for the service and worship of God, absolving him of that obedience which he owes under God unto His Majesty, whom we know to be entrusted with the ecclesiastical law as well as with the temporal, to regulate all the members of the Church of England, by such rules of order and discipline as are established by Parliament, which is his great council in all affairs, both in Church and State.”

Their plan
of Church
discipline.

“We confess our intention is, and our endeavours have been, to reduce within bounds that exorbitant power which the prelates have assumed unto themselves, so contrary both to the Word of God and to the laws of the land, to which end we passed the Bill for the removing them from their temporal power and employments; that so the better they might with meekness apply themselves to the discharge of their functions, which Bill themselves opposed, and were the principal instruments of crossing.”

“And we do here declare that it is far from our purpose or desire to let loose the golden reins of discipline and government in the Church, to leave private persons or particular congregations to take up what form of Divine service they please; for we hold it requisite that there should be throughout the whole realm a conformity to that order which the laws enjoin according to the Word of God. And we desire to unburden the consciences of men of needless and superstitious ceremonies, suppress innovations, and take away the monuments of idolatry.”

“And the better to effect the intended reformation, we desire there may be a general synod of the most grave, pious, learned, and judicious divines of this island, assisted with some from foreign parts professing the same religion with us; who may consider of all things necessary for the peace and good government of the Church, and represent the results of their consultations unto the Parliament, to be there allowed and confirmed, and receive the stamp of authority, thereby to find passage and obedience throughout the kingdom.”

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The whole contention of the party of the Grand Remonstrance, the whole root of the baleful tree of Civil War, lay in these words. The malignant party, they went on to say, “tell the people that our meddling with the power of Episcopacy hath caused sectaries and conventicles, when idolatry and Popish ceremonies introduced into the Church by command of the Bishops, have not only debarred the people from thence, but expelled them from the kingdom. Thus, with Elijah, we are called by this malignant party the troublers of the State, and still, while we endeavour to reform their abuses, they make us the authors of those mischiefs we study to prevent.”

Position
taken up.

“No Popery!” was the cry on one side. “No sectarian meetings!” was the cry on the other. “No toleration!” was the cry on both.¹

In the face of such divisions of heart and mind

¹ A contemporary letter well brings this out. “Troubles . . . I believe will not yet cease until the business of religion be better settled, and the sectaries and separatists (whereof in London and the parts contiguous are more than many) may be suppressed and punished. . . . Oft times we have more printed than is true, especially when anything concerns the Papists, who (though they are bad enough) our preciser sort strive yet to make them worse, and between them both are the causes that in no discoveries we can hardly meet with the face of truth.”—Wise-man to Pennington, Nov. 11, *S. P. Dom.*

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Demand
for a re-
sponsible
Ministry.

every claim for increase of political power had the ring of faction in it. Yet it was impossible that the demand made in the Additional Instruction should be passed over in the Remonstrance. Charles was asked "to employ such Councillors, Ambassadors, and other Ministers in managing his business at home and abroad as the Parliament" might "have cause to confide in." Otherwise no supplies could be given. It would not be enough to allow the right of impeachment. "It may often fall out that the Commons may have just cause to take exceptions at some men for being Councillors, and yet not charge those men with crimes, for there be grounds of diffidence which lie not in proof. There are others which, though they may be proved, yet are not legally criminal."

Character
of Pym's
work.

Politically Pym—and Pym may fairly be regarded as the main author of the Remonstrance—was far in advance of his opponents. The position which had been taken by the Houses, with the full consent of both parties, was incomplete without the subordination of the Executive to Parliament. If Pym was in the wrong, it was not here that his mistake was made.

Nov. 9.
The Re-
monstrance
discussed.

On the 9th the Remonstrance underwent a closer examination. Fresh paragraphs were added, embodying additional grievances which had been omitted in the original draft. No opposition, so far as is now known, was offered to those clauses in which the King's past misgovernment was set forth in detail. During the discussion of the first two days not a single division is reported to have been taken.¹

Nov. 11.
Worse
news from
Ireland.

Once more the attention of the House was called off by bad news from Ireland. Before the first week

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 116 b, 121 b.

of the rebellion was over it had developed itself in the direction of that savagery which inevitably attends the uprising of a population suffering under grievous wrongs, without the habit of self-restraint which is the most precious fruit of the higher civilisation. It is true that on October 24 Sir Phelim O'Neill made known by proclamation that no harm was intended either against the King or against any of his subjects.¹ It is just possible that in some dreamy way he may have contemplated a revolution in which all wrongs should be righted without effusion of blood. The fact was far otherwise. There was, indeed, no general massacre in the North.² The Scots who formed the majority of the colonists were spared, apparently on some notion that, the cause of nationality being common to Scotland and Ireland, they were not to be regarded as enemies. Nor were the English put to the sword in a body. The condition of the settlers was none the less pitiable. In the first week of the rebellion the greater part of the fortified posts in the North of Ireland fell into the hands of the rebels. Freed from apprehension the wild multitude swooped down upon every English homestead, and thrust out the possessors to fare as best they might. It was not in the nature of things that violence should stop there. Two classes of Englishmen were specially exposed to danger—the officials who had enforced the payment of dues to the Crown, and the clergy who had drawn their maintenance from an impoverished people of another faith. From these classes victims were early chosen. A far larger number fell a sacrifice to the

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Oct. 24.
O'Neill's
proclamation.

No general
massacre.

Violence
and
murder.

¹ Proclamation, Oct. 24, *S. P. Ireland*.

² If a general massacre had taken place, it must have left traces in the *Carte MSS.* and the *State Papers*.

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Slaughter
in Fermanagh.

wild brutality of ferocious and excited mobs than to any deliberate purpose of vengeance. Worst of all were the deeds of the Maguires in Fermanagh. Exasperated by the imprisonment of Lord Maguire, they killed, if report spoke truly, no less than three hundred English on the first day of the outbreak. Even when the leaders of the natives were inclined to spare the prisoners, it was impossible to secure them against the brutality of their followers. It sometimes happened that the guard appointed to conduct the former masters of the soil to a place of safety, was driven off by the rude country-people, and the sad procession, clogged with helpless women and children, found its close in murder. No attempt was made to bury the victims. The stripped corpses lay about till the hungry dogs left nothing but scattered bones to bleach on the ground.¹

State of
Cavan.

In Cavan, on the other hand, Philip O'Reilly, who headed the rebellion, set his face against cruelty and murder. In Belturbet, he gave leave to about 800 English settlers to carry some of their property with them. A mixed multitude of men, women, and children, they set out for Dublin. "That night"—so the Rector told the story in after years—"we all lay in open field. Next day we were met by a party of the rebels, who killed some, robbed and spoiled the rest. Me they stripped to my shirt in miserable weather; my wife was not so barbarously used; both of us,

¹ Deposition of T. Grant, Feb. 9, 1642 (*Carte MSS.* ii. fol. 346). The deponent, who was examined on oath, says that, being in Fermanagh on Oct. 23, he heard that Mr. Champion was killed and his company murdered. He himself escaped, and, being retaken, was carried to Clones to be hanged, but was reprieved. He then mentions hearing of the hanging of twenty-one English prisoners at Carrigmacross, of two others at Monaghan, of the murdering of nineteen persons elsewhere. The mention of these particulars shows that he did not know of a universal massacre.

with a multitude of others, hurried to Moien Hall. That night we lay in heaps, expecting every hour to be massacred." At last they reached Kilmore, where they were received by Bedell, in whose conversation they enjoyed for three weeks 'a heaven upon earth.'¹ Then the fugitives, with numbers now increased to 2,000, were sent on under a guard of 200 Irish. For eight or ten miles the guards performed their duty well. Then they found that the whole country-side was roused. The warm clothes of the hated English would be a precious possession in the cold winter nights which were approaching. It was but a moment's work to rush upon the helpless crowd, to strip both men and women to the skin, and to send them on in their misery. Irish women and Irish children rushed to the spoil even more savagely than the men. If compassion left to some of the poor creatures a bare rag wherewith to cover their nakedness, it was snatched away when the next hovels were reached. About a hundred perished on the way from cold and hunger. The remainder were hounded on with fiendish mockery to Dublin, the city of refuge. One who told the tale gave thanks to God that, as amongst the shipwrecked companions of St. Paul, 'some came to land on planks, some on broken pieces of the ship, so some have passed these pikes, some with torn clothes and rags, some with rolls of

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Oct.The fugi-
tives from
Belturbet.

¹ Thus far the story is taken from the Bishop of Elphin's narrative, *Carte MSS.* xxxix. 365. Mr. Lecky (*Hist. of Engl.* ii. 131), having been led astray by Mr. Prendergast, calls this the Rector's letter to Bedell. It was written after the Restoration, when he had become a bishop. I take this opportunity of expressing my extreme admiration of Mr. Lecky's account of the Irish Rebellion. Having examined a large mass of original material amongst the *State Papers* and the *Carte MSS.*, I have been surprised to find how, even without having himself gone through the work of reference to MS. authorities, he almost always contrives to hit the truth.

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Further
outrages.

hay about their middles, and some of the riflers themselves exchanged their tattered rags for the travellers' clothes.'¹

Other more deliberate murders were perpetrated over the face of Northern Ireland. Protestant ministers and Protestant settlers were hung or stabbed. Unless the belief of those who escaped far outran the reality, simple death would have been to many a dearly prized relief. It was at least believed that noses and ears were cut off in sheer brutality, that women were foully outraged, and that 'some women had their hands and arms cut off, yea, jointed alive to make them confess where their money was.'² At Portadown a large number of persons were flung from the bridge into the river to drown. At Corbridge a similar tragedy was enacted. Tales of unimaginable brutality were afterwards collected from the mouths of those who had escaped from those awful scenes—tales swollen, we may hope and believe, by the credulity of fear, and which were often exaggerated by the credulity of superstition. The same testimony that was taken as evidence of the murders was taken as evidence of the visible appearance of the ghosts of the murdered. Statements were collected from excited fugitives, ready to believe the worst, and to tell all that they had heard, as well as all that they knew, under pressure from Commissioners who were anxious that the story which they elicited should be as horrible as it could be. But it does not follow that all was pure invention or the result of credulity. There is nothing to make the

¹ *A Brief Declaration of the Barbarous and Inhuman Dealing of the Northern Irish Rebels.* By G. E., Minister of God's Word in Ireland, E. 181. This was written soon after the Rebellion broke out, and has about it a moderation which inspires confidence.

² This is from the *Brief Declaration.*

commission of these barbarous actions antecedently improbable, and the historian may be content to record his belief that if any truthful narrative of those days could be recovered, it would be found to support the views neither of those who argue that the tales of unnatural cruelty are entirely to be rejected, nor of those who would admit every one of them as satisfactorily proved.¹ Terrible as these scenes were, those who perished were for the most part those who were driven naked through the cold November nights amongst a population which refused to them a scanty covering or a morsel of food in their hour of trial. To the Irish it seemed mercy enough when no actual blow was struck against the flying rout. Men hardly beyond middle age could remember the days when Mountjoy had harried Ulster, and when the sunken eye and the pallid cheek of those who had been dearest to them had told too surely of the pitiless might of the Englishman.

Of the number of the persons murdered at the beginning of the outbreak, it is impossible to speak with even approximate certainty. Clarendon speaks of 40,000, and wilder estimates still give 200,000 or even 300,000. Even the smallest number is ridiculously impossible. The estimated numbers of the Scots in Ulster were 100,000, and of the English only 20,000. For the time the Scots were spared. In Fermanagh, where the victims fared most badly, a Puritan officer boasted not long afterwards that he

¹ Mr. Gilbert, in the *Eighth Report of the Hist. MSS. Commission*, has dissected the celebrated *Depositions*. Mr. Sanford (*Studies*, 429), speaking of the alleged appearance of ghosts says:—"Because the terrified witnesses deposed to having seen this, we are therefore," he is writing ironically, "to believe that no massacres took place; as if the very fact of their imaginations being wrought up to fancying such sights were not the strongest proof that some horrible deed had been perpetrated in their presence."

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XV.

1641.
Oct.

How many
persons
were murdered?

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NOV. 11.
Reception
of the news
at West-
minster.

had rescued 6,000. Thousands of robbed and plundered fugitives escaped with their lives to find shelter in Dublin. On the whole it would be safe to conjecture that the number of those slain in cold blood at the beginning of the rebellion could hardly by any possibility have much exceeded four thousand,¹ whilst about twice that number may have perished from ill-treatment. Before long the tale of woe from Ireland would resound through England in a wildly exaggerated form. The letters read at Westminster on November 11, showed that even the full extent of the real calamity was as yet unknown in Dublin. But they told of Englishmen being spoiled and slain, and they declared that, if substantial relief were not soon afforded, Ireland would be lost and all its Protestant population would be destroyed. This was all that needed to be told in English ears. The Remonstrance was flung aside for a time, and the energy of both Houses was directed to the suppression of the Irish Rebellion. The younger Vane moved that the House should go into Committee to consider a present supply for Ireland. Henry Marten and his irreconcilable friends declared against him, but this time Vane's Episcopalian opponents ranged themselves by his side,² and he carried his motion by 98 to 68. As soon as the Committee had been formed, Strode called out that the debate should be postponed till the Remonstrance had been circulated

¹ Warner (297) gives 4,028 as the number of all those stated, on every evidence, to have been murdered. This was upon evidence collected within two years, and probably includes later murders. As much of the evidence was worthless, it is an exceedingly liberal calculation. I am dispensed from the necessity of supporting this by argument, by being able to refer to Mr. Lecky's investigations (*Hist. of Engl.* ii. 132).

² Strangways was one of his tellers.

in the country.¹ The House wanted to hear about Ireland, and not about the Remonstrance. It voted that 10,000 foot and 2,000 horse should be sent from England, and that the Scots should be asked to furnish 10,000 men, instead of the 1,000 which had been originally proposed. To all this the Lords gave their assent, as well as to so much of the Instructions to the Committee in Scotland as referred to the military arrangements. But they resolved to postpone to a more convenient season the consideration of the Additional Instruction which was intended to limit the King's Constitutional power of appointing ministers without the consent of Parliament.² It seemed as if Pym would fail in securing the support of either House for the Constitutional change which he had proposed.

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XV.
1641.
Nov. 11.

The Lords postpone the debate on the Additional Instruction.

The next day the tide was running in the same direction. The Commons had voted that 2,000 English troops should be sent at once, under Sir Simon Harcourt. They were then asked to request that 3,000 Scots should cross the sea at the same time. In this way the balance of force would be altered in favour of Puritanism. The Episcopalians took alarm, and proposed to limit the demand to 1,000. They carried their point by the large majority of 112 to 77.³

Nov. 12.
Proposed Scottish force for Ireland

Reliance on Scottish assistance was plainly not popular even in the House of Commons. The Common Council of the City was ready to support Pym. It declared its readiness to lend the sum which

¹ Mr. Strode, says D'Ewes, "moved against the order of this Committee that," &c. In order to make this more dramatic, Mr. Forster turns this into "Sir, I move against the order of the Committee that," &c. Of course D'Ewes meant that Strode was out of order.

² *L. J.* iv. 435. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 132 b.

³ The meaning of the division is evident from the names of the tellers—Hopton and Strangways for the majority, Erle and Marten for the minority.

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XV.

1641.
Nov. 12.
The City
ready to
lend.
Protec-
tions.

The City
declares
against the
Catholic
Lords and
the
bishops.

No. 13.
The Com-
mons fol-
low Pym's
lead.

was needed for the Irish expedition. It asked in return for relief from certain grievances. Members of Parliament, especially the Members of the House of Lords, had been in the habit of granting protections to their servants, to shield them from their creditors. What had been but a temporary inconvenience to a City tradesman when the longest session seldom exceeded six months, became a formidable burden in times when no one could tell through how many years a single session might be prolonged. On this matter the Commons were not likely to stand in the way of justice, and they pushed forward a Bill which was intended to remedy the evil. Having first set forth their own complaints, the citizens asked that the persons of the Catholic Lords might be secured, and that the bishops, who were the main obstacles to the passage of good laws in the Upper House, might be deprived of their votes. If this declaration expressed the real sense of the City, all the efforts of Charles's partisans to win London to their side would be made in vain.

The declaration of the City was the turning-point in the struggle. It came just after the impeached bishops had put in their answer in the House of Lords. It may be that the discovery that the City supported Pym's views, influenced some votes in the Commons. At all events, on the 13th they not only voted that the bishops' answer was frivolous, but they reconsidered their determination to restrict the immediate supply of Scottish troops to 1,000. They now resolved to ask for as many as 5,000, though 3,000 had been thought too much on the day before. Before night this proposal was agreed to by the Lords.¹

¹ D'Ewes's Diary, *Harl. MSS.* clxii. 142 b.

In these last conflicts Hampden had been once more by the side of Pym. He had left Fiennes behind him at Edinburgh, and had hastened back to throw himself heart and soul into the Parliamentary struggle. With him there was no looking back. What he had seen in Scotland seems to have confirmed him in the belief that Charles could not be trusted.

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1641.

Nov. 13.
Hampden
at West-
minster.

As soon as the immediate wants of Ireland had been provided for, the Remonstrance was once more taken up. On the 15th and 16th it finally passed through Committee.¹ As might have been expected, the only real struggle was on the ecclesiastical clauses. One of these, as originally drawn, complained of the errors and superstitions to be found in the Prayer Book. The Episcopalians mustered in such strength that their opponents were fain to submit to the excision of these words. They then proposed an amendment justifying the use of the Prayer Book 'till the laws had otherwise provided.' This alteration, however, they failed to carry, though they succeeded in preventing the insertion of an announcement that the Commons intended to dispose of the lands of the bishops and deans. Equally balanced as the parties appeared to be, the next effort of the Episcopalians was signally defeated. A statement that the bishops had brought idolatry and Popery into the Church was opposed by Dering, but was retained by the large majority of 124 to 99. The probable explanation is, that some members were

Nov. 16.
The Re-
monstrance
through
Committee.

¹ These were the third and fourth sittings. Mr. Forster intercalates (*The Grand Remonstrance*, 205) a fierce and long debate on the 12th which never existed except in his own imagination. The Commons were engaged on that day in discussing the question of sending troops to Ireland.

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XV.

1641.
Nov. 15.

The sup-
posed
PopishPlot.

in favour of the retention of the Prayer Book, who were not unwilling to pass a bitter condemnation on the past proceedings of the bishops.¹

During the last two days the attention of the House had not been entirely absorbed by the Remonstrance. The horrors of the Irish Rebellion had revived the belief in a great Popish Plot for the extinction of Protestantism in the three kingdoms. There was doubtless a singular opportuneness in the circulation of the rumours which sprung up just at the time when the fate of the Remonstrance was at stake, and it is quite possible that Pym and Hampden did not at this moment care to scrutinise so closely the tales which reached their ears as they might under other circumstances have done. But it must not be forgotten that a real plot existed; and with Pym's knowledge of much—we cannot tell of how much—of the Queen's subtlest intrigues, he could hardly venture to disregard any information, however trivial it might seem.

Nov. 15.
Two priests
captured.

Rumours of
plots.

On the 15th the Speaker informed the House that two priests had been taken. The House ordered that they should be proceeded against according to the law. In the meanwhile the Lords were engaged in examining one Thomas Beale, a tailor, who asserted that he had overheard some persons talking of their intention to murder no less than 108 members of the two Houses, and of a general rising to take place on the 18th.² Further inquiry was ordered by the Lords, where the majority was, at all events, not Puritan.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 153. All through his notes of this debate, D'Ewes speaks of his opponents as the party of Episcopacy, or the Episcopalian party. The words are in cypher, and have not been noticed by Mr. Forster. Mr. Sanford (*Studies*, 137) mentions them, but does not appear to have seized their importance.

² *L. J.* iv. 439.

After that, a letter was read in the Commons, to the effect that fresh fortifications had been raised at Portsmouth, that a Frenchman had been constantly passing up and down between that town and Oatlands—in other words, between Goring and the Queen—and that, lastly, “the Papists and jovial clergymen there were merrier than ever.”¹

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The Commons resolved to prepare an ordinance for putting the Trained Bands in a posture of defence under Essex in the south and Holland in the north, “and for securing the persons of the prime Papists.” The Lords recoiled from trenching so far upon the authority of the King, and it was only after some hesitation that they agreed to bring in a Bill to give effect to the wishes of the other House in respect to the Recusants, whilst they amended the ordinance by the insertion of words implying that no powers were conferred upon Essex and Holland in excess of those which had been given to them by the King’s commission.²

Nov. 17.
Precau-
tions re-
commended
by the
Commons.

Nothing could be made of Beale’s story. Goring, being summoned to give an account of the state of Portsmouth, unblushingly declared that there was no truth whatever in the current rumours.³ Other charges against the Court could neither be denied nor explained away. On the 17th the evidence was read before the House of Commons, which put it beyond doubt that in the second Army Plot, Legg had been the bearer of a petition, to which the King’s initials were affixed, in which the soldiers were expected to express their detestation of the leading members, and to declare their readiness to march to London

Nov. 17
O’Neill’s
examina-
tion.

¹ D’Ewes’s Diary, *Harl. MSS.* clxii. fol. 151 b.

² *L. J.* iv. 445–450.

³ D’Ewes’s Diary, *Harl. MSS.*, clxii. fol. 167 b.

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XV.

1641.

Nov. 7.
Belief of
the House
in the
second
Army Plot.

to suppress the tumults which those leaders had raised.¹

The reading of this and other evidence was followed by a vote that it was proved 'that there was a second design to bring up the army against the Parliament, and an intention to make the Scottish army stand as neutral.'²

No doubt the production of this charge at such a moment, was intended by Pym to influence the voting on the Remonstrance. In fact, its truth formed the strongest argument in behalf of the unusual course which he was taking. In the face of a King who had recently appealed to military force, and who would soon have an opportunity of appealing to it again, it was necessary somewhat to shift the balance of the Constitution. No doubt Charles might reply that he had only called on the army to repress tumults. The answer was obvious, that the tumults had been subsequent to a former appeal to the army.³

The way having thus been cleared, the House was ready for its last debate on the amended Remonstrance. There had been some intention of bringing it forward on the 20th. But the hour was late before it was reached. Its opponents asked for delay. Its supporters did not anticipate much further trouble. "Why," said Cromwell to Falkland, "would you have it put off?" "There would not have been time enough," was the reply, "for sure it will take some debate." "A very sorry one," said Cromwell,

Nov. 20.
Expecta-
tion that
there will
be no great
debate on
the Remon-
strance.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 157 b.

² *C. J.* ii. 318.

³ Mr. Forster here introduces a debate on the Remonstrance as taking place on the 19th. Neither the *Journals* nor D'Ewes know anything of any such debate. Among Dering's speeches, indeed, there is one said to have been delivered on the 19th; but internal evidence shows this to have been a misprint for the 16th.

contemptuously.¹ He did not reckon on the resistance which would be aroused by the proposal to appeal to the people apart from the statements contained in the Remonstrance itself. In the end it was resolved that the reading of the manifesto of the Commons should be proceeded with at once, but that the debate on it should be fixed for the 22nd.²

At noon on the appointed day the discussion opened. Some few alterations, for the most part merely verbal, were made, but in the main the Remonstrance was to be accepted or rejected as it stood when it left the Committee. A special attempt to expunge the clause which spoke of the Bishops' Exclusion Bill in terms of commendation, was made and failed. In the general debate the speeches of the Royalist-Episcopalian party are disappointing to the reader. Hyde positively declared that the narrative part of the Remonstrance was true, and in his opinion modestly expressed, but that he thought it a pity to go back so far in the history of the reign. Falkland complained of the hard measure dealt out to the bishops and Arminians. Dering took the same line. Many bishops, he said, had brought in superstition, but not one idolatry. If the prizes of the lottery, as he called the bishoprics, were taken away, few would care to acquire learning.

Culpepper, for whom the ecclesiastical side of the question had little attraction, argued that the Commons had no right to draw up such a Remonstrance without the concurrence of the Lords, and no right at all to send it abroad amongst the people. Such a course, he said, was "dangerous to the public peace."

¹ *Clarendon*, iv. 51. This cannot, of course, be taken for more than a mere reminiscence.

² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 178b.

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1641.
Nov. 22.
Their
weakness.

Such arguments were effective enough as criticism ; but they were not the arguments of statesmen. Not one of these speakers even sketched out a policy for the future. Not one of them took any comprehensive view of the difficulties of the situation, or gave the slightest hint of the manner in which he proposed to deal with them.

Pym's
speech.

Against such speakers as these Pym's defence was easy. "The honour of the King," he said, "lies in the safety of the people, and we must tell the truth. The plots have been very near the King, all driven home to the Court and the Popish party." Culpepper's constitutional lore had ignored this important fact. Then turning to the fears which he knew to be felt amongst his opponents, Pym expressed his readiness that a law should 'be made against secretaries,' though he could not refrain from adding that many of the separatists who had emigrated to America had been driven from England for refusing to read the Book of Sports. "The Popish Lords and Bishops" he went on to say, "do obstruct us. . . . We have suffered so much by Counsellors of the King's choosing that we desire him to advise with us about it, and many of his servants move him about them, and why may not the Parliament? Altar-worship is idolatry, and that was enforced by the Bishops in all their Cathedrals. This declaration will bend the people's hearts to us, when they see how we have been used."¹

Continu-
ance of the
debate.

After Pym sat down, the debate rolled on. But there was nothing of consequence to be added to what had been already said. Men were divided against one another, not so much by what was expressed in their speeches as by what was not expressed. Neither party would trust the other to model the Church according to its will.

¹ *Verney Notes*, 121.

The hot debate lasted till midnight. Candles had long ago been brought in, and it was by their dim and flickering light that the fateful vote was taken. The Ayes were 159; the Noes 148. The majority was but 11.¹ Peard, a strongly Puritan member, moved that the Remonstrance should be printed. The proposal meant that what had all along been intended by its framers should be carried into instant execution. It was to be sent forth as an appeal to the nation against the King. Hyde and Culpepper had already made up their minds as to the course to be taken.² As soon as the division was announced they offered to enter their protestations. They were told that without the consent of the House it might not be done. The proposal for printing was then waived for the time, and it seemed as if that long and stormy meeting would at last find an end.

The adjournment of the dispute was not enough for Geoffrey Palmer. He rose to press the motion for the entry of a protest "in the name of himself and all the rest." In the excited temper of the minority, these rash words kindled a blaze of enthusiasm. Shouts of "All! All!" rose from every side. Some waved their hats wildly in the air. Others "took their swords in their scabbards out of their belts and held them by their pommels in their hands, setting the lower part on the ground."³ "I thought," wrote an eye-witness, "we had all sat in the valley of the shadow of death; for we, like Joab's and Abner's young men, had caught at each other's locks, and sheathed our swords in each other's bowels." From

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The Remonstrance
pas-ed.

Question of
printing it.

Hyde and
Culpepper
protest.

Palmer's
protest.

¹ Mr. Forster (*Grand Rem.* iii. 16) completely disposes of Clarendon's assertion that many on his side had left the House before the vote.

² Nicholas to the King, Nov. 22, *Evelyn's Memoirs*, ii. App. 80.

³ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 180.

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this terrible catastrophe the House was saved by Hampden's presence of mind. In a dry, practical way, he asked Palmer 'how he could know other men's minds.'¹ The excited and wrathful crowd had their attention thus called away from the general question of their right to protest to the particular question of Palmer's right to speak in their names. Reason had time to re-assert its power, and all further discussion was postponed to another day. At the then unprecedented hour of four in the morning the members poured forth unharmed.²

As they trooped out, Falkland asked Cromwell, 'whether there had been a debate.' "I will take your word for it another time," was the answer. "If the Remonstrance had been rejected, I would have sold all I had the next morning, and never have seen England any more; and I know there are many other honest men of this same resolution."³

Cromwell
and Falk-
land.

It is likely enough that the two men never exchanged words again. With all his largeness of heart, Falkland had shrunk back, as Sir Thomas More had

¹ This is all that D'Ewes says. Mr. Forster treats a remark of the note taker's own as part of Hampden's speech. It is sad that a writer to whom all students of the period owe so much, can never be trusted in details. In a note at the foot of p. 320, Mr. Forster mentions D'Ewes's allusion to Hampden's "serpentine subtlety" as made on June 10. He should have said the 11th (*Hart. MSS.* clxiii. fol. 306 b). What is of greater importance is, that he follows Mr. Sanford in omitting to notice that the passage contains irrefragable evidence of having been written long after the date under which it is inserted, so that it has no weight as contemporary evidence. "Mr. Edward Hyde," wrote D'Ewes, "a young barrister of the Middle Temple (knighted afterwards upon the 25th day of March, 1643), made Ohancellor of the Exchequer, and a Privy Councillor." It is evident from this that D'Ewes's remark was a mere afterthought after he had separated politically from Hampden. This may prove a warning against placing implicit reliance on D'Ewes's comments on persons.

² D'Ewes's *Diary*, *Hart. MSS.* clxii. fol. 179.

³ *Clarendon*, iv. 52.

shrunk back before him, from the heat and dust of conflict, and had narrowed his intellect within the formalities of a Hyde and a Culpepper. Cromwell saw but part of the issue before his country, but what he saw he saw thoroughly. The strong Puritan faith of himself, and of those who felt as he did, was not to be crushed down by constitutional traditions. What was fair and just to those who cherished the doctrine and discipline of the Church of England he did not care to inquire. But he had clearly made up his mind what was to be done for those who regarded that doctrine and discipline as no more than another name for superstition. If the King and the House of Lords told them that there was no place for them in the English Church, they would appeal to the nation itself. If that appeal were made in vain, there was shelter for them beyond the Atlantic.

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The Grand Remonstrance was to these men something far greater than a constitutional document. For them it was a challenge put forward on behalf of a religious faith. It is in vain to regret that the struggle which was at hand, was not to be waged on mere political grounds. Political Constitutions are valuable so far as they allow free play to the mental and spiritual forces of a nation. If each side in the conflict was in the right when it stood on the defensive, each side was in the wrong when it took the offensive.

No King, said one party, shall rob us of our religion. No Parliamentary majority, said the other party, shall rob us of our religion. It was this, and this only, which gives to the great struggle its supreme importance. Neither party were contending for victory alone. They were contending as well for

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that which was to them a Divine order of things in the world. No voice—alas! not even Falkland's—was raised to direct them to that more excellent way which might have led them in the paths of peace.

The Civil War was all the nearer for that night's work. It was the apprehension of this that lent importance to the discussion on the right of protest. The majority had made up their minds on the subject. On the 25th it was voted that Palmer should be sent to the Tower. There he remained for twelve days, after which he was released on making submission to the House. The question of the right of protest seemed to be sufficiently settled in this practical way, and for some time nothing further was said about the matter.

Nov. 25.
Palmer
ordered to
be sent to
the Tower.

Amongst the minority which had opposed the Remonstrance, there were doubtless those who would still have admitted that some modification of Episcopacy, some reconsideration of the ceremonial observances of the Church, or even of its doctrinal formulas, might be advisable. But whether such as these were few or many, they could have no hope of success. In rallying round Charles they had planted themselves, whether they intended it or not, on the ground of resistance to all change. The King was now to be amongst them once more. All difficulties had been removed at Edinburgh by the simple process of his own complete surrender. Argyle had returned with Hamilton and Lanark, as the undoubted master of the State. Offices were disposed of as he wished to dispose of them. What Pym was aiming at in England, was thoroughly realised in Scotland. Argyle's power rested on those very classes, the representatives of the counties and boroughs, which made up the House of Commons at Westminster. Against this strongly consolidated authority, the high feudal nobility raged

Return of
Charles.

Argyle's
position in
Scotland.

in vain. Argyle was too politic to misuse his victory. Not only was the King declared to be totally guiltless of any share in the Incident, but there was a complete amnesty to all directly or indirectly concerned in it. Montrose and his friends were liberated from prison. Even Crawford found himself unexpectedly at liberty. Titles were scattered amongst the winners with a lavish hand. Argyle became a marquis and Hamilton a duke. The uncultivated old soldier, Alexander Leslie, to whom was due so much of the discipline which had served his country in good stead, had already taken his seat in Parliament as Earl of Leven.

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Nov. 25.

When Charles prepared to travel southward he knew that Pym was resolute to obtain from him those concessions which he had been compelled to make to Argyle. It is needless to say that he would feel far more degraded in becoming a merely nominal King of England, than he had felt in becoming a merely nominal King of Scotland. He knew, too, that his chance of resisting was far greater in England than it had been in Scotland. In the North the nation was practically one in religion, and its union in religion had been the cement which had bound together the Parliamentary Opposition before which Charles had succumbed at Edinburgh. In the South the nation was divided in religion. Charles, therefore, might hope to put himself at the head of a party strong in the nation itself, as well as strong within the walls of Parliament.

Its similarity with that claimed by Pym.

It is impossible to say with any certainty what was the precise form which the future took in Charles's mind as he travelled southward. It is probable enough that he had himself no clear perception, at least of the details of his own projects. But it is not likely that he had fixed his heart upon the

Charles's intentions.

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Nov. 25.

sweeping away of all that had been done since the meeting of Parliament, the revival of the Star Chamber and the High Commission, or the revival of ship money and monopolies. Not only was his mind one which loved to dwell as much as possible on the technical legality of his actions; but the contest in which he was now engaged was to be fought out on other issues than those which had been the object of struggle in the summer. The law as it stood gave him all that he needed to maintain the passive resistance which seemed enough to hinder those changes in the Church against which he had set his face. Legally, the majority of the Commons could do nothing without the consent of the House of Lords, and that consent they had for the time not the slightest chance of obtaining. To gain popularity and to wait till the majority in the Commons had made some mistake, was no doubt fraught with danger, like all policy of mere obstruction; but it was undoubtedly far more prudent than any recurrence to those ill-starred plots upon which Charles's hopes had been wrecked before.

Even this, however, required patience, and Charles had little patience; whilst his wife, under whose influence he would now again come, had less. To both of them Pym and Hampden were not merely leaders of a political Opposition to be defeated, but traitors to be punished. If the hope of obtaining in Scotland undeniable evidence of their share in the invitation of the Scottish army into England had been baffled, there was proof enough of treasonable conduct since. If Strafford had been sent to the block for attempting to alter the Constitution, had not these men done as much? Had they not reduced the authority of the King to its lowest ebb? Were they not striving by the Bill for the exclusion of the bishops to beat down

the true majority of the House of Lords? Had they not made use of the moment of danger in Ireland to threaten their Sovereign that, unless he would abandon his acknowledged right of selecting his counsellors at his pleasure, they would take out of his hands the management of the Irish war, and thereby place themselves in a position of military supremacy? It can hardly be doubted that Charles contemplated, long before his arrival in England, some course of action which would rid him of his enemies under the forms of law, as the Commons under the forms of law had rid themselves of Strafford.

Of such a course the first condition was to regain popularity, and of all places where popularity would be most useful the City of London was the first. Standing relatively higher in population and wealth in the seventeenth than it stands in the nineteenth century, its organisation gave it, in the absence of an organised national army, an influence to which there is nothing to be compared at the present day. The loans of the London citizens alone had made it possible for the House of Commons to disband the armies; and without the loans of the London citizens the House would find it impossible to provide for a campaign in Ireland. It was manifestly of the first consequence to the King to win London to his side.

The recent expression of the wishes of the Common Council for the expulsion of the bishops was not of favourable omen. But the wealthy citizens were now drawing towards Charles. There was the natural distrust for political disturbance felt by men engaged in wide-reaching commerce, and there was doubtless a contemptuous dislike of the petty tradesmen and apprentices who were crowding to the meetings in which

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Popularity
to be re-
gained.

The City of
London.

The
wealthy
citizens on
Charles's
side.

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illiterate members of their own class expounded the Scriptures in a wild and incoherent fashion. The new Lord Mayor, Gurney, was a strong Royalist, and the great majority of the aldermen were of the same way of thinking. When, therefore, it was announced that the King would do honour to the City by passing through it on his way to Westminster, it was resolved that he should be welcomed at a magnificent banquet at Guildhall.

Organisa-
tion of the
ceremonial.

The 25th was the day appointed. The reception prepared for the King was not to be one of those spontaneous outbursts of enthusiasm with which the present age is familiar. The Municipal authorities were accustomed to organise their ceremonies as they organised everything else. The attire of members of the City companies, the truncheons and the torches of the footmen, the tapestry to be hung by the householders upon the walls, the bells to be rung, and the bonfires to be lighted, were all prescribed by order.¹ Yet it is probable that even without these directions there would have been enthusiasm enough. There was a fund of loyalty in the hearts of the citizens; and the compliment paid to London for the first time in the reign would have made Charles popular in the City, if it were only for a moment.

Charles was well prepared. To gain the City, he had been told, was to dethrone King Pym, as the Royalists were now beginning to call the great Parliamentary leader. Let him assure the citizens that he would voluntarily abandon to them the forfeited lands in Londonderry, and that he would do his utmost to discountenance the hateful protections given by the Lords, and they would spontaneously rally to

¹ *Common Council Journal Book*, Nov. 19, 23, 24, vol. xxxix. fol. 245 b, 246 b, 252 b.

his side. The command over the army in Ireland would fall into the King's hands.¹

It was not much that the King had to offer; nothing but what the Commons had been ready to do. Yet he played his part well. Bringing with him the Queen, who had joined him at Theobalds, he was met at the entrance to the City by a stately cavalcade. Amidst loud and enthusiastic shouts of welcome, he assured his hosts that he would give back Londonderry and everything else which they desired. He hoped, with the assistance of Parliament, to re-establish that flourishing trade which was now in some disorder. He had come back with a hearty affection to his people in general. He would govern them according to the laws, and would maintain "the Protestant religion as it had been established in the times of Elizabeth and his father." "This," he added, "I will do, if need be, to the hazard of my life and all that is dear to me."

In these words Charles took up the challenge of the Remonstrance. What Nicholas had been ordered to circulate privately amongst the peers was now announced in open day. There was to be no surrender, no attempt to conciliate opponents, no place for Puritanism in the English Church. Yet even in this definite call to battle words were heard ominous

¹ These unsigned recommendations are amongst the *State Papers*, written on the same paper with a letter dated Oct. 23, but evidently themselves written after Nov. 8. They contain the first mention that I have found of the phrase "King Pym." If the City is gained by the King, it is said, it will be "engaged to stand by him against the Irish Rebellion; and whereas King Pym will undertake the Irish war, if he may have the disposal of all the English Councillors and Officers of State, His Majesty may refuse those propositions with safety, having now gained the City; for if any such bargain should go on with King Pym, he cannot undertake anything without the City, and, by the way the King is, hath enabled himself to do the work."

CHAP.
XV.

1641.
Nov. 25.

The King's
entrance.

Charles
takes up
the chal-
lenge.

CHAP.
XV.

1641.
Nov. 25.
Thinks
that the
better sort
are on his
side.

The ap-
plause of
the citi-
zens.

of failure. "I see," said Charles, "that all these former tumults and disorders have only risen from the meaner sort of people, and that the affections of the better and main part of the City have ever been loyal and affectionate to my person and government." It was characteristic of him to rest upon the organisation of society rather than on the spiritual forces by which society was inspired.

That day, at least, no shade passed over Charles's self-satisfaction. The Lord Mayor was knighted, and rose up Sir Richard Gurney. Amidst shouts, perhaps heartfelt enough at the time, of "God bless and long live King Charles and Queen Mary!" the Royal pair were conducted to Guildhall. The conduits in Cornhill and Cheapside ran with claret. At last the stately procession reached its destination. There was a splendid banquet and another gorgeous procession through the streets, amidst fresh acclamations from the crowd. That night Charles slept again at Whitehall.¹

¹ *Nelson*, ii. 674. According to the verses by J. H., printed with *King Charles, his Entertainment* (E. 177), the King's partisans expected from him three things: the lowering of the pretensions of the majority of the Commons, a check to Popery, and the overthrow of the sects.

"Those demy powers of Parliament which strove,
In our King's absence, to express their love
And care of us his subjects, now shall find
A Royal guerdon; those that were inclined
To practise mischief, of this judge shall have
A regal judgment and a legal grave.
Religion that in blankets late was tost,
Banded, abused, in seeking almost lost,
Shall now be married, and her spouse adore;
She now shall hate that Babylonish whore
That's drunk with mischief, likewise that presect
That left the Ohurch, for fear it should infect
Their purer outsides, those that likewise cry,
To bow at Jesus is idolatry.
Brownists, Arminians, Separatists, and those
Which to the Common Prayer are mortal foes,

His first step was to dismiss the guard which had been placed round the two Houses, under command of Essex, whose commission had expired at the King's return. At this the Commons took umbrage, and induced the Lords to join them in a petition requesting that the guard might remain till they had time to give reasons for its retention. The King replied that 'to secure them not only from real, but even imaginary dangers,' he had ordered Dorset to appoint some of the Trained Bands to guard them for a few days, to give them time to prepare their reasons. If he were then convinced, he would continue this protection to them, and also take such a course as might be fit for the safety of his own person.¹

CHAP.
XV.
1641.
Nov. 25.
The King dismisses the Parliamentary guard.
Nov. 26.
Nov. 27.

Dorset's guard.

Before this answer reached the Commons the House was deeply agitated. Strode, ever impetuous, had moved for putting the kingdom in 'a posture of defence, and for the commanding of the arms thereof.'² Mutual distrust had already produced the thought of an appeal to arms. The idea of that Militia Bill on which the breach finally came, was already to be traced in Strode's words.

Nov. 28.
The germ of the Militia Bill.

In the temper in which men were, a collision sooner or later was inevitable. It almost came on the evening of the 29th. A crowd of Londoners thronged

Nov. 29.
Dorset orders the guard to fire.

And cry a surplice, tippet, or a cope,
Or else a relic of the Pope.
All these shall have their wishes, they shall see
The Church now cleansed from all impurity."

The line threatening 'a regal judgment and a legal grave' has special significance. It would show, if nothing else did, that the plan of impeaching the Parliamentary leaders was already floating before the minds of Charles's followers. The whole passage is worthy of study. In my opinion it expresses the mind of the King's party far better than the ordinary talk of constitutional historians, about changes having gone far enough.

¹ *L. J.* iv. 452, 453, 455.

² D'Ewee's Diary, *Harl. MSS.* clxii. fol. 191 b.

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XV.
1641.
Nov. 29.

Nov. 30.

Venn
charged
with invit-
ing the mob
to West-
minster.

Suspicion
that mem-
bers were
to be
charged
with trea-
son.

Chilling-
worth ac-
cused.

Palace Yard, armed with swords and staves. They shouted "No Bishops!" at Sir John Strangways, and called on him to vote against the bishops. Dorset angrily bade his men give fire. Fortunately the order was disobeyed, and the crowd dispersed without bloodshed. The next day there was grave complaint in the House. To one party the behaviour of Dorset seemed utterly intolerable. To the other the insolence of the mob seemed no less intolerable. Strangways and Kirton charged Venn, one of the members for the City, with having sent for citizens to come armed to support the popular members as long ago as the 24th, the day on which Palmer had been called in question. It is by no means unlikely that the charge was true. It was met by the countercharge from Pym, 'that he was informed that there was a conspiracy by some members of this House to accuse other members of the same of treason.'¹

Measures which to one party appeared to be imperatively required in sheer self-defence seemed mere unprovoked aggression in the eyes of the other. Chillingworth, to whom for the moment the supreme danger would be that which was to be dreaded from the intolerance of Puritanism, was charged with spreading a rumour that the "party who were against Mr. Palmer would be questioned for so great a treason as the Earl of Strafford." In truth, it was easy to persuade Royalists that those who were assailing the fundamental laws of the Church were as guilty as

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 200. Compare a statement in the *Clarendon MSS.* (1542), I suppose by Hyde, of what he was ready to prove. He says that Venn's wife showed a letter from her husband, brought unto her by one of the members of the House. The writer says he had witnesses to prove his assertions, 'who were many days attending at the door to justify' his statements, 'but they never would call him in, although I moved it often.'

he who had assailed the fundamental laws of the State.¹

Pym replied in a long array of reasons by which he proposed to support the demand for a guard in which the House could confide. He spoke of the design formed in Scotland to kill some of the Members of Parliament, and of a similar design in London. To this, he said, the more credit was to be given from the discovery of the former plot to bring up the army against Parliament. Then, too, there was the conspiracy in Ireland, and the rumours that this, too, had branches in England. There were also reports from beyond the seas that there would soon be a great alteration in religion, 'and the necks of both the Parliaments will be broken.' Scarcely had these reasons been presented to the House when it was ascertained that Dorset's men had been withdrawn. The Commons at once took the matter into their own hands. At Pym's motion, two members, who happened to be justices of the peace for Westminster, were directed to set a watch. The House thus put itself under the protection of the local authorities.

The Lords were less anxious to be safely guarded against the King's designs; but they applied to the Commons to join them in a declaration prohibiting the concourse of armed multitudes at Westminster.²

Amidst fears and menaces on every side, a deputation from the Commons carried the Remonstrance to the King at Hampton Court. In a petition which accom-

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XV.

1641.
Nov. 30.
Pym's
reasons for
demanding
a guard.

The Lords
protest
against
tumultuous
assemblies.

Dec. 1.
The Re-
monstrance
taken to
the King

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 199 b.

² *Ibid.* fol. 201. *C.J.* ii. 327. *L. J.* iv. 329. The words of the Venetian Ambassador show how completely Sovereignty was at issue. The removal of the guard he says, "porge inditio che cessato loro l'appoggio delle armi Scocesi, e le speranze di esser spalleggiati da questa Città, sian per ridursi anco li più ostinati nei debiti della prima modesta e possa S. M^{te} ripigliare il giusto possesso dell' autorità goduta da predecessori suoi."—Giustinian to the Doge, Dec. 1³, *Ven. Transcripts.*

CHAP.
XV.

1641.

Dec. 1.

with an ac-
company-
ing peti-
tion.

panied it Charles was warned against the designs of the corrupt and ill-affected party, which was aiming at the alteration of religion and government. He was asked to concur in legislation aimed at the exclusion of the bishops from Parliament, and at the removal of the abuses which had been fomented by them. In this way he would unite together all such as joined 'in the same fundamental truths against the Papists, by removing some oppressions and unnecessary ceremonies by which divers weak consciences' had 'been scrupled and seemed to be divided from the rest.' The demand for counsellors agreeable to Parliament was renewed, and to it was added a special request that Charles would abstain from granting away any forfeited lands in Ireland, in order that they might serve as the basis of a fund to be applied to the expenses of the war.¹

Its recep-
tion by the
King.

Charles was in high spirits when this petition was read in his ears. He criticised its weak points, jeered at the notion that any one had advised him to change religion, replied to the claim about Ireland that it would not be well to sell the bear's skin before it was dead, and, after trying in vain to extract from the deputation an engagement that the Remonstrance should not be published, dismissed them with the promise that he would give an answer after he had taken time for consideration.

Dec. 2.
The King's
speech.

There can be little doubt that Charles had made up his mind to resist, and that he fully expected that resistance would be successful. The day after the Remonstrance had been handed over to him he came to Westminster to give the royal assent to a Bill for the renewal of Tonnage and Poundage for three months. In the presence of the two Houses, he spoke scornfully of the misplaced alarm under which the

¹ *Rushw.* iv. 437.

Commons were suffering, and after an allusion to his joyful reception in the City, he expressed a hope that his presence would dispel all their fears. He was resolved not only to maintain all the acts of the existing Parliament, but to 'grant what else can be justly desired in point of liberties or in maintenance of the true religion that is here established.' He then announced that commissioners had arrived from Scotland to treat about the relief of Ireland, and expressed a hope that in this matter there would be no delay.¹

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1641.

Dec. 2.

The position of legal resistance to violent change was the strongest which Charles could possibly assume now, as it had been the strongest which he could possibly have assumed in the days of Strafford's trial. Unfortunately to maintain it, now as then, required a stronger will and a more masterful temper than was ever at his disposal. Now as then, the rash eagerness of his wife, and the passionate zeal of heated partisans, would see in the tumultuous gatherings of the crowd at Westminster, a provocation to be met by an appeal to violence, instead of a call to the most scrupulous abstention from every indication of a readiness to appeal to violence. Yet even with every wish to remain on constitutional ground, it is hardly likely that Charles would have been a match for Pym. He had played too long with the wild machinations of the Queen to gain credit for a resolution to abide even by that system of passive resistance which was, after all, the dearest to his heart. The majority of the Commons were sore at the treatment which the Remonstrance had received at the King's hands on the preceding day, and at the language which had just been addressed to them from

Charles's
position of
resistance.

¹ *L. J.* iv. 459.

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XV.

1641.
Dec. 2.

the throne in the House of Lords. They felt no inclination to accept Charles's promise to grant ' what else can be justly desired ' as a sufficient guarantee that his future action would be more in accordance with their wishes than his past conduct had been. Above all, the conduct of Dorset irritated and alarmed them. That and not the King's address was the first object of their thoughts. The House left the Royal presence to wrangle over the question whether Dorset or the crowd had been to blame.¹ Disinterested lookers-on saw that, whichever might be to blame, parties were too inflamed to settle down in peace. " Within ten days," wrote the French Ambassador, " one side or the other will suffer a reverse." ²

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 205.

² La Ferté's despatch, Dec. $\frac{2}{12}$, *Arch. des Aff. Etr.* xlvi. fol. 430.

CHAPTER XVI.

THE ATTEMPT ON THE FIVE MEMBERS.

THE events which rapidly unfolded themselves after the presentation of the Grand Remonstrance, have afforded a favourite battle-field to constitutional lawyers and historians. On the one hand, it is easy to show that the King, ostensibly at least, was standing on the defensive, and that the sovereignty claimed by the House of Commons had never been theirs, and, in the unlimited form in which they claimed it, never ought to be theirs. On the other hand, it is equally easy to show that the past history of the King's relations with the Parliament had not been such as to invite confidence in the future, and that his defensive position involved an aggression of a very practical kind, because the existing law, if it were to be enforced as Charles would legally be justified in enforcing it, condemned the ecclesiastical practices dear to the hearts of a large proportion of religious Englishmen to absolute extinction. Yet, after all has been said, it is more than doubtful whether the ink which had been employed upon this argument has not been absolutely thrown away. Constitutional rules are good because they enforce the application of the laws by which healthy societies are governed to the details of political life in which the passions of the actors are most hotly stirred; but they cannot be made applicable to a society in which the whole head is sick, and the whole heart faint. The daily food of the constitution cannot be its medicine. Law and liberty, kings and

CHAP.
XVI.

1641.
Dec. 3.
Constitutional questions raised.

Why it is better to pass them by.

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XVI.

1641.

Dec. 3.

parliaments, are available to a society which, in spite of wide differences of opinion and character, is in substantial unity with itself. When that unity has departed, when religious and political factions glare at one another with angry eyes, the one thing needful is not to walk in the paths of the constitution, but to restore unity. No doubt, Pym and Hyde would have agreed upon the necessity of restoring unity, but each wanted to restore it by the simple process of suppressing the religion of the other. Not thus could a new order be evolved out of the ruins of the old. Religious antipathies will never bow their head before the mere remedy of force. It is only in the presence of some higher and more ennobling spiritual idea that they will sink abashed to the ground. In Elizabeth's days theological strife had been smoothed away before the common thought of patriotism in the face of the invader and the assassin. England was not in such danger now, and she needed a grander and more universal thought than patriotism, to reconcile the foes upon her soil. Because she had not yet wholly given her heart to the spirit of liberty, or had welcomed the all-conquering charity which clears the eye, and shakes the sword from the hand, therefore she was now entering into that valley of the shadow of death in which brother was to smite down brother in his blindness.

Bearing of
Irish affairs
upon Eng-
land.

If, in the darkness, Englishman could not discern the face of Englishman, how could it be hoped that he would discern the face of the Irish Celt? His rebellion and cruelty had left no room, if there had been room before, for any remembrance of the wrongs which he had suffered. There was no thought at Westminster of the employment of any remedy save that of force alone. And yet, as the conflict grew

visibly nearer in England, the force which it would be necessary to use beyond the sea would be a danger in England as well as in Ireland. On December 3 news arrived which brought this home to every man. Sir Phelim O'Neill had taken Armagh. The English prisoners had been stripped naked and bound hand and foot. O'Neill had exhibited "a commission under the Broad Seal of England by which he said that he was authorised by the King to restore the Roman religion in Ireland."¹

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1641.
Dec. 3.

Sir Phelim O'Neill declares that he had been acting by the King's orders.

Such was the tale brought by a prisoner who had been allowed to escape. A later and better authenticated story told how the commission produced was under the Great Seal of Scotland, and that it was affixed to a document purporting to proceed from Charles himself, and empowering all Irish Catholics to rise in defence of the King's person, to attack all castles and forts, and to 'seize the goods, estates, and persons of all the English Protestants.' That this document was forged there can be no doubt whatever; but it does not follow that it was not forged upon the lines of a real document sent from Edinburgh by the King to the Catholic Lords, authorising them to seize the forts and to use them against the English Parliament.²

¹ D'Ewes's Diary, *Harl. MSS.* clxii. 207 b.

² It is printed in *Rushw.* iv. 402. The internal evidence of the forgery is complete, as Charles would never have spoken of Protestants disparagingly. He would have said Puritans. See, too, the evidence in *Nelson* ii. 529. Dr. Burton (*Hist. of Scotland*, vii. 160) writes thus:—"When we find the document thus treated as an evident fabrication, there arises an obvious question—If there was a forgery for the purpose of creating a temporary delusion, why was it not in the name of the English Government, and under the great seal of England? As a warrant of sovereignty the great seal of Scotland was nothing in Ireland. If it was that only an impression of the great seal of Scotland was available, and that was considered better than no seal, the accident, when connected with what has yet to be told, is one of the strangest that ever

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1641.
Dec. 3.

Whatever the truth might be, the effect on the House was instantaneous. At Pym's motion, a com- happened." The author of a pamphlet which was published two years later, and obtained great notoriety, gave currency to the following rumour :—

"It is said that this commission was signed with the broad seal of that kingdom, being not then settled in the hands of any officer who could be answerable for the use of it, but during the vacancy of the Chancellor's place entrusted with the Marquis Hamilton, and by him with one Mr. John Hamilton, the scribe of the cross-petitioners in Scotland, and sometimes under the care of Master Endymion Porter, a very fit opportunity for such a clandestine transaction."

"By a coincidence which, if there was no foul play, must be called unfortunate, it is known that on the 1st of October, which is the date on the commission, the great seal of Scotland happened to be in a state of transition. . . . On the 30th day of September, Loudon was made Chancellor. . . . Though thus appointed to his office on the 30th of September, the great seal was not put into his custody until the 2nd of October."

In a note Dr. Burton points out that Endymion Porter had afterwards a hand in the celebrated affair of Lord Glamorgan, under somewhat similar circumstances. The acceptance of the evidence relating to the King's dealings with the Catholic Lords removes the difficulty of supposing that the King could possibly have sent off a document such as that which O'Neil published. The emissary of those Lords was Lord Dillon, who is connected with this affair in *The Mystery of Iniquity*, the pamphlet quoted by Dr. Burton, and attributed to Edward Bowles. He is there stated to have been in Edinburgh, and to have returned to Ireland to take his seat in the Privy Council to which he had just been admitted by the King's orders. What more natural than that he should have carried with him a formal authorisation for the movement of the Lords, or that, if he fell into O'Neill's hands, that authorisation should have been altered by O'Neill to suit his purposes and sent forth with the real seal attached to it? As for the Queen, it is certain that she had no part in the Ulster rising. Rossetti, who was now at Cologne, writes that Mary de Medicis had received a letter from her daughter 'piena di maggiori doglienze per le presenti commotioni d'Hibernia.' The statements afloat as to her participation distressed her, 'onde dalle suddette cose stava S. M^{te} molto travagliata, poichè parte de' disegni che s'havevano si dubita siano discoperti.'—Rossetti to Barberini, ^{Nov. 21} Dec. 1, *R. O. Transcripts*. That is to say, she regretted them because her other manœuvres were likely to come to light. And yet Pym is continually taken to task for being unreasonably suspicious. The relations of the King and Queen with the Catholic Lords are shown not merely by the evidence adduced at p. 242, but by the following extract from the letter just quoted :—'Adunque in questo proposito rappresenterò a V. Em^{ta}, che circa il negotio della libertà di coscienza molto si sperava per l'effet-

mittee was appointed to prepare for a conference with the Lords, in order to acquaint them what bills had passed which concerned the safety of the kingdom, and to which their lordships' consent had been refused, as well as to tell them 'that this House being the representative body of the whole kingdom, and their lordships being but as particular persons, and coming to Parliament in a particular capacity, that, if they shall not be pleased to consent to the passing of those acts and others necessary to the preservation and safety of the kingdom, that then this House together with such of the Lords that are more sensible of the safety of the kingdom, may join together and represent the same to His Majesty.'¹

Such a threat did not indeed necessarily imply a resolution to set at naught the constitutional authority of the Lords over legislation, but it would hardly have been made if there had not been some thought of proceeding in that direction. Charles was no doubt strengthened by it in his present wish to meet the Commons on constitutional ground. In other words, his ears were for the time open to Bristol rather than to the Queen. A few days before he had given Windebank's secretaryship to Nicholas. On the day of the appointment of the Commons' Committee he received a deputation from the London

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1641.
Dec. 3.
The Lords
warned
that the
Commons
can act
without
them.

Charles
intends to
offer con-
stitutional
resistance.

Nov. 27.
Nicholas
secretary.

tuazione di ciò nelle forze d'Hibernia, et queste sono quelle che hora fedelmente si sono mosse, e come una volta si disse alle loro Maestà che considerassero che ne' gran bisogni non havevano altra gente che i Cattolici Inglesi e d'Hibernia, e questi solamente per esser Cattolici, e come all' oposito gli Scozzesi, natione la quale ancorche havesse ricevuti tanti benefitii, nondimeno per essere Puritani erano ribelli, et questo fu ben sentito, et conosciuto per vero, e perciò si pensava d'incaminare le cose n vantaggio della nostra Santa Religione, ma che cosa si sia scoperto intorno a queste turbolenze non lo posso rappresentare a V. Em^{ta} per non haver ricevuto lettere dal Padre Filippo, ne da altri."

¹ L. J. iv. 330.

CHAP.
XVI.

1641.

Dec. 3.
The City
deputation
and Vane's
dismissal.Dec. 5.
Lennox
Lord
Steward.Dec. 6.
The Imp-
ressment
Bill.

Aldermen, and after knighting all who appeared, and promising to confer a baronetcy on the Lord Mayor, he cheerfully acceded to their request that he would return to Whitehall in order to give encouragement to trade. Taking heart from their loyal speeches he at once dismissed Vane from the secretaryship. On the 5th he named Lennox Lord Steward, and Lennox was a close ally of Bristol. The selection was a special defiance to the House of Commons, who wished to see Pembroke in the place.¹

On his arrival at Whitehall on the 6th, Charles found the Lords engaged upon a Bill authorising the impressment of soldiers for Ireland, which had come up from the Commons. One of its clauses distinctly denied the King's right to compel men to military service beyond the borders of their own country, except upon a sudden emergency caused by a foreign invasion. The first reading was not carried without considerable opposition. Lyttelton and Manchester concurred in asserting that it took away from the Crown a prerogative of which it had been possessed for 300 years, though it was, in fact, verbally copied from an unrepealed statute of Edward III.² It was to little purpose, replied Saye, that ship money had been abandoned by the King, if he retained his power of impressment.³ On the 6th, the Bill was read a second time, and amended in committee. Then the Peers intimated their dislike of the clause to which some of their members had taken an objection, by a message to ask the Commons to acquaint them with the reasons which had induced them to insert this clause in the Bill.⁴

¹ Giustinian to the Doge, Dec. $\frac{12}{26}$, *Ven. Transcripts*.

² See Hallam, *Const. Hist.* ch. ix.

³ *L. J.* iv. 462. Dover's Notes, *Clarendon MSS.* 1603.

⁴ *L. J.* iv. 463.

It was precisely the course which they had taken before throwing out the first Bishops Exclusion Bill. The reply of the Commons was the same in both cases. Those who had then brought in a Root-and-Branch Bill to regulate the Church, now brought in a Root-and-Branch Bill to regulate the army. If it was to be acknowledged as law that the King could levy troops in any part of England that he pleased, to use them against another part, they must demand the enactment of a new law which would take the command of the militia or trained bands of the counties entirely out of his hands. In the Bill which Hazlerigg brought in for this purpose, it was proposed that a Lord General, whose name was left blank, should be nominated to have supreme command over the militia. His powers were to be of the widest description. He was to raise men, to levy money to pay them, and to execute martial law. A Lord Admiral was to be appointed to command at sea with similar powers. The demand of the Lords for an explanation of the Impressment Bill was left unanswered.

No wonder the new Bill was received with indignation by the Royalists. Shouts of "Away with it! Cast it out!" resounded through the House. Culpepper truly said that it took from the King the power which was left to him by the law, 'and placed an unlimited arbitrary power in another.' Nor were these objections confined to the ordinary supporters of the Crown. Men who had struggled and suffered on behalf of English liberty might well shrink from setting up a military despotism. Yet the proposal to throw out the Bill without further consideration was rejected by 158 to 125, a larger majority than that by which the Remonstrance had been passed.¹

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 217 b.

CHAP.
XVI.

1641.

Dec. 7.
The Militia
Bill.

Anger of
the Royal-
ists.

CHAP.
XVI.

1641.
Dec. 8.

Progress of
the Irish
Rebellion.

Evidently the intention of many of its supporters was merely to convey a warning to the House of Lords. No attempt was made for the present to pass it even through a first reading.

In the background of the constitutional struggle at Westminster, lay the terrible Irish Rebellion. Every post which crossed the Channel deepened the horror. On the 8th letters were read, telling that the evil was spreading. Sir Henry Tichborne with a little garrison was penned in behind the walls of Drogheda. The flame had gained the South. The natives of Wicklow and Wexford had risen, and had advanced within four miles of Dublin. Most of the gentry of Louth and Meath had joined the rebels. All through Leinster and Munster agitation prevailed and robberies were committed. Money and troops must be sent at once. Lord Dillon was on his way with overtures from the rebels to the King. He was bringing with him an oath by which the insurgents had bound themselves to maintain their religion and the King's authority against his wicked ministers.¹

A declaration drawn up against toleration.

At Pym's motion, the Commons resolved to provide money to hasten the troops away. It was also proposed that the King should be asked to declare that he would never consent to grant a toleration of religion to the rebels. Culpepper argued sensibly enough that such a declaration would alienate those Irish Catholics who had remained steadfast in their allegiance. Holles asked that the declaration might apply to all the King's dominions, and Holles carried his point.²

Whilst the Commons were attempting to secure

¹ D'Ewes's Diary, *Harl. MSS.* fol. 219 b. Compare letters of the end of November amongst the *Carte MSS.*

² *Ibid.* fol. 226 b. *C. J.* ii. 335.

themselves against the Catholics, the King was attempting to secure himself against the City mob, which a few days before had again crowded round the Houses of Parliament, and had loudly expressed its disapprobation of the bishops. On the 9th Charles directed the Lord Mayor to preserve the peace of the City, and to see that the apprentices were kept in order.¹ The next morning armed men, appointed by a Westminster Justice, appeared, by order of the Lord Keeper, to guard Parliament from danger. Both Houses resented the interference, and, protesting that there was no danger at all, dismissed the guard. The Justice who had given the order was sent by the Commons to the Tower.²

On the whole the King was playing for the time the part of a constitutional sovereign, doing his best to protect the Legislature from mob violence, and professing to respect the law. In this direction pointed the rumours which prevailed of fresh appointments for Bristol's friends.³ Unluckily for the success of this policy, Charles could not silence the Queen, and the Queen was certain to lose him more votes in the Upper House than Bristol could gain. For the Peers, opposed as they were to Puritanism, were equally opposed to Rome, and there could be little doubt that the condition of the Catholics would be a hard one for some time to come. The Queen was maddened by the thought. The Lords had recently consented to a special measure for disarming the English Catholics, and though they had allowed Philips to leave the Tower, they had forbidden him to go near Whitehall,

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Dec. 9.
The Lord
Mayor
directed to
quiet tu-
mults.Dec. 10.
The West-
minster
guard dis-
missed.The King
plays a
constitu-
tional part.Dec. 9.
Excite-
ment of the
Queen.¹ *His Majesty's Special Command*, E. 179.² *L. J.* iv. 469. *C. J.* ii. 338.³ Wiseman to Pennington, Dec. 9; Bere to Pennington, Dec. 9, *S. P. Dom.*

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1641.

Dec. 8.

Sweeping
changes
proposed.

and might examine him on the Queen's secrets at any moment. She, therefore, threw her voice on the side of a thorough breach with the opponents of the Court. Northumberland, Essex, Saye, Hertford, Holland, and others were to be turned out of the Council and dismissed from their offices.¹

Dec. 10.
The pro-
clamation
on religion.

Yet, if Charles could not make his wife discreet, for the present, at least, he refused to follow her in her mischievous course. It was quite in the spirit of Bristol's policy that he issued a proclamation on the 10th announcing that, though he was considering with his Parliament how all just scruples might be removed, yet for the preservation of unity and peace he required obedience to the laws and statutes ordained for the establishment of the true religion.²

Such a proclamation was anything but a healing measure. Charles indeed held out some vague prospect of changes to which he might ultimately be induced to give his assent, but the immediate result would be to deprive the Puritan of his standing ground in the Church. The law, indeed, was on the King's side, but the law had ceased to be in accordance with the real wants of the nation.

Dec. 11.
The City
Petition.

The next day the weight of the City made itself felt in the opposite scale. Some 400 well-to-do merchants and tradesmen were borne in coaches to Westminster, to present to the Commons a petition in support of Pym's policy, and asking for the removal

¹ "Sir H. Vane, Junior, voted at Court to be put out, and my Lord," i.e. Northumberland, "should go the same way if the feminine gender might have their will. The truth is there is such fashions at Court that, if some might be hearkened unto, the King should lose all the best friends and servants he hath, merely by malicious plots."—Smith to Pennington, Dec. 10, *S. P. Don.* For other names see La Fertè's despatch of Dec. 17, *Arch. des. Aff. Etr.* xlvi. fol. 437.

² *Rushw.* iv. 456.

of the Bishops and Catholic Lords from Parliament. They asserted that the petition was signed by 20,000, and that many more signatures could easily have been procured. The Lord Mayor and his friends, they added, had endeavoured to throw obstacles in the way of the collection of signatures.¹

Both parties were evidently anxious to keep as far as possible within the letter of the law. On the day of the presentation of the City petition Charles named a commission charged to bring his expenditure within the limits of his income, so that he might be independent of tonnage and poundage if the Commons refused to dole it out to him any longer.² On the following day he issued a proclamation summoning the numerous members who were absent from their places in the House of Commons to return to their duties before January 12,³ no doubt on the calculation that these careless and unpolitical personages would give their votes to him, and that he would thus find himself in harmony with a majority in both Houses.

How could Charles hope that the month's interval which he needed to carry out this plan would pass over quietly? The Irish Rebellion would not brook delay. On the 14th the King appeared in the Upper House to make what he doubtless regarded as a great concession. He would give his assent to the Impressment Bill, if only a clause saving the rights of both parties were substituted for the clause denying his right to levy men for service outside the limits of their own counties.⁴ To his intense astonishment, he found that the Lords were as sensitive as the Com-

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1641.
Dec. 10.

Commission for reducing the King's expenditure.

Dec. 12.
Proclamation for the attendance of members.

Dec. 14.
The King's speech on the Impressment Bill.

¹ *C. J.* ii. 339. Giustinian to the Doge, Dec. $\frac{17}{27}$, *Ven. Transcripts. The Citizens' Humble Petition*, E. 180.

² *Council Register*, Dec. 11.

³ *Rymer*, xx. 505.

⁴ *L. J.* iv. 473.

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1641.
Dec. 14.

Case of the
seven
priests.

Talk of
executing
the Parlia-
mentary
leaders.

Dec. 15.
Printing of
the Remon-
strance.

Dec. 17.
The Lords
declare
that no
religion ex-
cept the es-
tablished
one is to be
tolerated.

mons to any suggestion of the employment of a military force capable of being used against Parliament, and they at once resented his interference with a Bill still under discussion, and called on him to name the persons upon whose information he had acted. On the subject of toleration for the Catholics too, the Peers were of one mind with the Lower House. The Commons had been clamouring for the blood of five out of seven priests who were lying under sentence of death. In their present indignation they asked that all seven should suffer, and to this the Lords raised no objection.¹ The King, however, refused to give way, and the unhappy men remained in prison some time longer. The Lords were too dependent on the King for the success of their ecclesiastical policy to do more than testify their disapprobation. The Commons were under no such bond. Not only were they irritated by Charles's refusal to abandon his claim to levy an army for general service, but they knew that language was being freely used at Court which threw a sinister light on the reasons of his refusal. It had become a matter of common conversation that plans had been discussed for the trial and execution of the Parliamentary leaders.² Whether Charles had done more than listen to these violent projects it is impossible to say. The Commons were goaded into taking a step in advance. They resolved to print the Remonstrance and to appeal to the people.³

The Lords next took up the Declaration against toleration, which had been sent up from the Commons. On the principle of intolerance both Houses were

¹ *C. J.* ii. 342. *L. J.* iv. 475.

² On ne parloit il y a quatre jours que de faire couper la tête a plusieurs de Parlement."—La Ferté's Despatch, Dec. 15th, *Arch. des Aff. Etr.* xlviii. fol. 440.

³ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 244 b.

agreed. But they were not of one mind as to the only religion to be tolerated. The Declaration, as amended by the Lords, proclaimed that no religion should be tolerated "in His Majesty's dominions of England and Ireland, but what is or shall be established by laws of this kingdom." It speaks much for the alarm felt in the Commons that they accepted it in a form which recognised the binding character of the existing Church law, until it had been altered with the consent of the Lords and of the King.¹ Bristol had been entrusted with the preparation of the amendment, and there can be little doubt that it represents his policy. A fair discussion, he trusted, would lead to some alterations in the Prayer-book, but would leave the Prayer-book in the main what it had been before.²

Such a policy was, at all events, worthy of trial. But it is impossible to deny that men's minds were hardly in a temper tending to accommodation. The order of the King that the law of the Church should be obeyed till it was altered, called forth a petition from certain ministers to the House of Commons, asking that they might not be compelled to use prayers against which their consciences protested, and which had been pronounced to be worthy of amendment by a committee of bishops and other grave divines, sitting by the direction of the House of Lords. "It seems," they said, "most equal that the consciences of men should not be forced upon that which a Parliament itself holds needful to consider the reformation of and give order in, till the same be accordingly done." Finally they asked that Convocation might be entirely passed by, and a free National Synod gathered to give advice to Parlia-

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Dec. 18.Agreement
of the Com-
mons.Bristol's
policy.Difficulties
in its way.

Dec. 20.

The
ministers'
petition.¹ *C. J.* ii. 349.² *L. J.* iv. 480.

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1641.

Dec. 18.

Question of
sending
Scots to
Ireland.

ment.¹ Convocation gave a preponderating voice to the Bishops and to the Chapters, which had a strong Laudian element, whereas a synod would give expression to the general feeling of the clergy.

Whatever Bristol wished to do, it behoved him to do quickly. Yet, until the Irish difficulty was settled, there was no time to do anything. On the subject of the Impressment Bill the Lords were now seeking an understanding with the King rather than with the Commons, and had refused to agree to the landing of 10,000 Scots in Ireland till they could be quite sure that 10,000 English would be sent as well.² They preferred that Ireland should remain in rebellion rather than that it should be conquered by Presbyterian Scotland. The Commons preferred that it should remain in rebellion rather than that the King should have an army at his disposal which he might employ against the liberties of England.

Dec. 20.
Right of
protesta-
tion refused
to members
of the Com-
mons.

On the 20th a question of no slight importance was settled. A claim to protest had again been made by a member of the Commons, and the House now ruled that such a claim was inadmissible.³ No member was to shake himself clear of responsibility for the vote of the House. An expression which slipped out from one of the minority left no doubt of the course which under existing circumstances it was desirable to take. "We must submit to a law," said Holborne, "when it is passed; but if we may not ask leave to protest, we shall be involved, and perhaps lose our heads in a crowd, when there is nothing to show who was innocent."⁴ In the eyes of the minority, it seemed, the majority were traitors, engaged in sub-

¹ *Nelson*, ii. 764.² *L. J.* iv. 481.³ *D'Ewes's Diary*, *Harl. MSS.* clxii. fol. 255.⁴ *Verney Notes*, 136.

verting the Constitution, and therefore liable to be sent to the block.

Formally the procedure of the House of Commons has ever since been ruled by that day's decision. No attempt to register a protest has again been made. Yet the demand of Hyde and Holborne has been long ago virtually conceded. The printing of the division lists effects far more than any protest recorded in the journals.

The aim of the majority was to make that appear to be a fact which was not one. The world was to be asked to believe that the resolutions of the House were the resolutions of the whole body, and not those of a mere majority. The delusion could not be kept up for ever. It might be impossible to ascertain in what way a particular member had voted. There would be no difficulty in discovering on what side he had fought and bled at Edgehill or Marston Moor.

The unity of a representative body is not to be preserved by the enforcement of its forms. If the statesmanship be wanting which takes account even of defeated opponents, if those opponents are pushed to the wall and called upon to abandon, not merely their preferences, but all that is dearer to them than life itself, Parliamentary unity is no longer possible. When the spiritual basis of co-operation is wanting, a quarrel arises which can be decided by the sword alone.

The discussions on the Impressment Bill were enough to show that both parties were already clutching at the sword. The day on which the question of protestation was settled in the Commons, Holles carried up to the Lords a declaration that, if they did not give way on the point at issue, the Commons would hold themselves free from responsibility for

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1641.

Dec.
Modern
practice.

The unity
of a repre-
sentative
body

The Im-
pressment
Bill again.

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1641.
Dec. 21.
The Militia
Bill read a
first time.
The Lords
asked to
send Scots
to Ireland.

the blood and misery which might follow. The next day the Lower House emphasised its warning by reading the Militia Bill for the first time, and by sending up a petition from a number of Irish Protestants of English birth, setting forth in detail the wretched state of Ireland, and urging the Lords to send away with all speed the 10,000 Scots who were but waiting for their word.¹

Reply of
the Lords.

The Lords were in a difficulty. They did not wish to curtail the King's prerogative, and to place Ireland in the hands of an army of Scottish Presbyterians. They, therefore, replied by asking the Commons to assure them that if the 10,000 Scots were sent, the 10,000 English should also go. The Commons refused to give any such assurance, as matters stood. Unless the Impressment Bill were passed the English soldiers could not go. The Lords answered by voting that both the English and the Scottish force should go, whilst they preserved a complete silence on the subject of the Impressment Bill.² Outside the House, this decision was set down to the obstinacy of the bishops, and many men began to ask one another whether it would be enough to exclude them from the House of Lords. Would it not be better, it was said, to abolish the office entirely?³

Their decision ascribed to the bishops.

For the present, the removal of the bishops from the House of Lords was the object which the leaders of the Commons had set before themselves as likely to put an end to the antagonism between the Houses. They knew full well what deep roots the ecclesiastical dispute had. The Commons had been recently engaged in inquiring into the difficulties thrown by the authorities of the City in the way of the petitioners

Dec 20.
Inquiry into the conduct of the City authorities

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 264 b. *L. J.* iv. 484.

² *Ibid.* iv. 485, 486.

³ *Salvetti's Newsletter*, Dec. 21
Jan. 3

who had asked that the votes of the bishops and the Catholic Lords might be taken away.¹ There was everything to show that the authorities regarded the signature of this petition as a punishable action. Lord Mayor Gurney, who had just received his promised baronetcy, had asserted that the petition 'tended to mutiny,' and that those who signed it 'did not know into what danger they fell.' The Recorder, Sir Thomas Gardiner, had taken fire at the statement that the exclusion of the bishops was desired by the Common Council. He swore that this was a lie. The petition, he said, 'did tend to sedition, and to set men together by the ears.' He was answered, that it tended to peace. "No!" he burst out, "it is for blood and cutting of throats; and if it come to cutting of throats, thank yourselves, and your blood be upon your own heads."²

The meaning of this was obvious. The Puritans knew that the forms of the Constitution were against them. The Episcopalians had the advantage—so great at the opening of a contest, so absolutely worthless after a contest has proceeded for a little while—of standing on the defensive. Pym and his followers had been reduced to mere protestations which they were powerless to transform into acts. They had discovered that they could not, by their protestations, compel the Lords to do anything whatever to modify the Prayer-book, or even to declare the King incapable of forming an English army on English soil without the consent of Parliament. The obstruction of the Peers seemed likely to remain master of the field. Even to petition for a constitutional change was counted as a crime by the Lord Mayor and Recorder of London.

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1641.
Dec. 20.

Strong
language of
the Lord
Mayor and
Recorder.

Apparent
strength of
the Episco-
palians.

¹ P. 348.

² C. J. ii. 350.

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Dec. 19.

Prophet
Hunt at St.
Sepulchre's

Nor was it possible to be certain that even in the City physical force would be on the side of the Puritans. On the Sunday morning a fanatic who went by the name of Prophet Hunt, having attempted after the sermon was over at St. Sepulchre's, to denounce the Divine vengeance upon an evil generation, was dragged off by the congregation, brought before the Lord Mayor, and committed to prison. In the afternoon there was a more serious riot. Praise-God Barebone, a leather-seller, whose remarkable name afterwards brought him to an unlooked-for celebrity, lived in Fleet Street near the corner of Fetter Lane. He preached so loudly to a congregation of Separatists which met in his house, as to attract the attention of the passers-by. A crowd soon gathered, mainly composed of apprentices, possibly the very lads who had been so noisy at Westminster a few days before. If so, they were quite as ready to bait a Separatist as to bait a bishop. The house was stormed, and its sign was unhooked in order to provide a gallows on which to hang the preacher. Fortunately, the constables arrived in time and saved Barebone by carrying off himself and some of his auditors in custody.¹

Attack on
Barebone's
house.

Dec. 20.

Difficulties
of the Par-
liamentary
leaders.

The difficulties thus raised would have been sufficient to try the nerves of the coolest statesman. As matters then stood, it was impossible that the leaders of the Commons should have remained cool. For months they had lived in a heated atmosphere of baffled plots, directed against themselves and the institutions which they firmly believed to be essential to the repose of their beloved country. They had

¹ *The Discovery of a Swarm of Separatists*, E. 180. Amongst the same collection of pamphlets (E. 138) is a discourse written by Barebone, arguing that it was unnecessary to rebaptise persons who had been baptised 'under the defection of Antichrist,' and that infant baptism was warrantable.

every reason to believe that such a plot was again on foot. Not only the chatter of the antechambers at Whitehall, but the talk of grave divines like Chillingworth, and of grave lawyers like Holborne, pointed to a conviction that the Crown and the Church were to be saved only by treating Pym and Hampden as Pym and Hampden had treated Strafford. In little more than three weeks the absentee members of the Commons might again be seen on the benches of the House. If an Episcopalian majority were the result, Charles would be able to settle the Church as he pleased. There could be little doubt that nothing at all would be done to conciliate the Puritans. The Laudian system would return, not now outside the pale of the law, but sanctioned by the very law itself. The Church system of the Restoration would be anticipated. Yet even this was not the limit of the danger. It was rather against violence than against law that the majority of the Commons sought to provide—violence, it might be, carried out in the name of the law, and executed by troops put in motion at the command of the King.

Would Charles have patience to wait till January 12 brought back the absentee members? Patience is hardly possible except where a deliberate plan has been formed, and Charles was never capable of forming such a plan. It can hardly be doubted that the plan of bringing the leaders of the Commons before a criminal tribunal, had again and again presented itself to his mind. It was just the sort of plan, combining a show of legality with a reality of violence, which would have most readily commended itself to him, and there is every reason to believe that he had sought in Scotland for evidence to convict them of complicity with the Scottish invasion. But with him

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Charles's
intentions.

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Dec. 20.

it was always one thing to propose a course of action to himself, and another to carry it out. Unless something occurred to force his hand, it was probable that this project would never be pushed on to actual execution, and might share the fate of the two Army Plots, and of the combination with the Irish Lords.

Dec. 21.
The new
Common
Council.

That something occurred on December 21. The elections to the Common Council took place, according to custom, on that day, and the elections were largely in favour of the Puritan opposition.¹ The constitutional division in Parliament was reproduced in the City. The new Common Council would side with Pym. The Aldermen would side with Charles and the Peers.

Charles re-
solves to do
something.

Charles felt that he had not a moment to lose. The opposition in the City would now have the benefit of organisation, and the City mob would be able, as powerfully as it had done in the days of Strafford's trial, to dictate terms to him at Westminster. The wisdom of waiting till actual tumults had taken place, and of falling back upon the dislike of the country to violence and disorder, was unknown to Charles. He directed or persuaded Balfour to surrender the Lieutenancy of the Tower, and appointed Lunsford in his place.²

¹ An account is to be found in *Somers' Tracts*, iv. 588, but I have grave doubts of the truth of the charge that the newly elected councillors came to vote before they were legally qualified to do so. From a pamphlet, *An answer to a late . . . pamphlet* (E. 135), it would seem that there was raised a question of the treatment of the poor by the old Common Councillors.

² Balfour told the Commons "that, the Earl of Newport being made Constable of the Tower, he had moved His Majesty that either he might be wholly entrusted with that charge, or else might surrender his Lieutenant's place which he had by word of mouth surrendered."—D'Ewes's Diary, *Harl. MSS.* clxii. fol. 266 b. Newport, however, had been Constable for many months; and, though Balfour probably felt hurt at the appointments, there must have been pressure put on him to bring him to give effect to his grievance at so convenient a moment.

The Commons heard of Balfour's dismissal before they broke up on the 21st. As the 22nd was observed as a fast, they could not take action till the 23rd. There was everything in the change to raise suspicion. Balfour had been staunch in resisting the introduction of Billingsley and his soldiers when Strafford's escape was planned. Lunsford was only known as a debauched ruffian, who was believed to be capable of any villany. If the talk of the seizure and execution of the leaders, of which so much had been recently heard, was to be carried into practice, Lunsford was the very man to keep a tight hold on his prisoners.

Hardly less significant than Lunsford's appointment was the answer which Charles at last saw fit to make to the Remonstrance. Rating the Commons severely for their disrespect in printing their complaints against his express wish, he declared his entire ignorance of the existence of any malignant party in the country. In all matters of religion he was quite ready to pay attention to grievances which might be presented to him in a Parliamentary way, or, in other words, with the concurrence of both Houses. The right of the bishops to their seats in the Upper House was part of the fundamental laws of England. If Parliament advised the calling of a National Synod, he would take the request into consideration, though he was persuaded that no Church could be found in which there was greater purity of doctrine than in the Church of England, nor in which the government and discipline were more free from superstition. This he was ready to maintain with his life against Popery on the one hand, and the irreverence of schismatics and Separatists on the other. As to the demand for a change of evil counsellors,

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Lunsford
appointed
Lieutenant
of the
Tower.
Dec. 23.

The King's
answer to
the Remon-
strance.

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Dec. 23.

Nature of
Charles's
appeal.

he could only say that he knew of none to whom that description applied, and that he had always been careful to choose men of ability and experience.¹

Such was Charles's profession of faith. He stood for the ancient Constitution and the ancient Church. Some slight changes might be needed, but they must be changes which would secure the approval of the House of Lords and of himself. That his words would find an echo there could be little doubt. Not all England was Puritan. At Dover, the recent proclamation on religion had been received with shouts of applause. "God bless his Majesty!" was the cry, "we shall have our old religion again;"² and the same feeling undoubtedly existed in many parts of the country.

The Lords
refuse to
petition for
Lunsford's
removal.

The stand taken by the King rallied to him the House of Lords. To a request from the Commons that they would join in a petition for the dismissal of Lunsford, and for the appointment of Conyers in his stead, the Peers returned a blank refusal.³

Displeasure
of the Com-
mons.

The reply of the Lords was taken in evil part by the House of Commons. For the first time the Peers had refused concurrence in protesting against a manifest danger to the persons of the members of the Lower House. What avowable reason, it was asked, could the King have had for the appointment of 'a man given to drinking, swearing, and quarrelling, much in debt, and very desperate?' Yet what were the Commons to do? They had no constitutional power to pass over the resistance of the Lords. The City was, no doubt, on their side. On the afternoon of the 23rd a petition asking for the rooting out of Episcopacy was brought in with 30,000 signatures.

¹ *Rushw.* iv. 452. ² Perceval to Pennington, Dec. 18, *S. P. Dom.*

³ *C. J.* ii. 354. *L. J.* iv. 487.

But the leaders of the House had no wish to appeal to force. They preferred to remain as long as possible on constitutional ground. On the 24th the Militia Bill received a second reading, and a special appeal for co-operation was sent up to the Lords.

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In this protest the Lords were conjured to join in a declaration to the King of the danger into which the kingdom had fallen through the machinations of Papists and other disaffected persons. Lunsford's appointment was sufficient evidence that this design was now approaching maturity. As the Lords had refused to join in petitioning against that appointment, the Commons now declared 'before God, and the whole kingdom,' that they had done all that was in their power to do. They had frustrated the design of bringing in the Irish army, and the plots for bringing up the English army and seizing the Tower. The malignant party was now encouraged by the progress of the Irish Rebellion, and by the delays in the House of Lords. All that was left for the Commons to do was to protest their innocence of the blood which would be spilt if Lunsford were continued in his charge. They would appeal to the King to grant such commissions as would enable them 'to defend his Royal person and his loyal subjects from the cruelty and rage of the Papists,' and they hoped that such of the Lords as shared their apprehensions would join them in making them known to his Majesty, and would do 'what appertains to persons of honour and fidelity for the common good.'

The Commons' declaration for the safety of the kingdom.

The Lords were in a difficulty. Men like Bristol had no liking for plots either Catholic or Protestant. Lunsford was hardly a champion to their taste. It was no doubt in order to give Charles an opportunity of withdrawing from his false position, that the Lords

Difficulty of the Lords.

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voted an adjournment of the debate on the Commons' declaration till the Houses met again on the 27th after the short Christmas recess. Yet twenty-two Peers not only voted against the adjournment, but formally recorded a protest against any delay in taking up a question which concerned 'the instant good and safety of the King and kingdom.'¹

Prospect of
danger.

The danger stood imminent before the eyes of men. "So as now," wrote D'Ewes, after recording the protest of the Lords' minority, "all things hastened apace to confusion and calamity, from which I scarce saw any possibility in human reason for this poor Church and kingdom to be delivered. My hope only was in the goodness of that God who had several times during this Parliament already been seen in the Mount and delivered us beyond the expectation of ourselves and of our enemies from the jaws of destruction."²

Newport
asked to
take charge
of the
Tower.

One step the Commons attempted to take in the face of the impending danger. Newport was Constable of the Tower, and consequently Lunsford's superior officer. They, therefore, requested Newport to take personal charge of the fortress,³ as he had done before under somewhat similar circumstances. They knew that they could count on Newport. Some one had told Charles that during his absence in Scotland there had been a conversation turning upon a plot of the King's. Newport, it was said, had burst in with—"If there be such a plot, yet here are his wife and children." When Charles asked Newport whether he had heard any discussion about seizing the Queen and her children, the Peer replied in the negative. "I am sorry," replied Charles scornfully,

¹ *L. J.* iv. 489.² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 278 b.³ *C. J.* ii. 357.

“for your lordship’s memory.” As soon as he heard of the request of the Commons to Newport, he dismissed him from the Constableness of the Tower.¹

Charles was going too far for his own supporters. On the 26th the Lord Mayor assured him that, unless Lunsford were removed, he could not answer for the peace of the City. The apprentices would try to storm the Tower. Before such remonstrances Charles could not but give way, and before night Lunsford was dismissed from a post to which he should never have been appointed. His successor was Sir John Byron, a brave and honourable man, warmly attached to the King, and who bore a character without a stain.²

What was done, however, could not be undone. The appointment of Lunsford in December was what the orders given to Billingsley had been in May. In both cases the King had kept within his legal rights. In both cases he had created amongst his opponents a sense of imminent danger.

When the Commons assembled on the 27th they were met by news from Ireland, even more discouraging than before. St. Leger, the President of Munster, announced that, unless reinforcements arrived from England, there was no hope of saving the province. Lord Ranelagh, the President of Connaught, declared that, though it might have been kept quiet with 500 men in November, it would need 3,000 now. Yet if an army must go to Ireland, how could the King be trusted with the appointment of its commanders? The rebels had given out that they had authority from the Queen to take arms for the Romish religion. What was of far greater importance, there was now

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Dec. 24.

Newport
dismissed
from the
Constable-
ship.

Dec. 26.
Lunsford
dismissed.

Dec. 27.
Fresh news
from Ire-
land.

¹ *L. J.* iv. 490. *C. J.* ii. 357.

² Bere to Pennington, Dec. 30, *S. P. Dom.*

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evidence that the Catholic Lords of the Pale were astir and had entered into communication with the rebels. Lord Dillon, who had crossed into Ireland in October, in all probability as the bearer of Charles's incitement to the Irish Lords to raise his standard in Dublin, had stopped in Longford on his way south, to listen to the terms demanded by the rebels, and had carried those terms to the Irish Peers. At a short meeting of the Irish Parliament, now entirely in the hands of the Catholics, it had been resolved to open negotiations with the Northern Rebels, and to despatch Dillon, though he was himself Protestant, to England. On his arrival Dillon informed Charles that the Catholic Lords were ready to support the Crown, on the condition of complete liberty of religion and complete independence of the Irish Parliament.¹ Pym, who does not seem to have been acquainted with this negotiation, knew of Dillon's arrival. Dillon was arrested and examined by a Committee, from which, on the 27th, Pym made his report. That report disclosed at least part of the plan of the Catholic Peers. The Lords Justices were to be removed, and Ormond was to take their place. The Irish Parliament, when it met in January, was to continue in session. At its recommendation some officers would be dismissed, and others put in their room, because, as matters stood, 'most of the officers' were 'more faithful to the Parliament of England than to the King.' The petition which Dillon had brought from Longford, in which full toleration was demanded, would then be granted.²

Lord Dillon
in England.

The terms
of the
Catholic
Peers.

Dillon's
scheme.

The Com-
mons take
alarm.

Such were the overtures of which Dillon had made himself the mouthpiece. Can it be wondered

¹ Giustinian to the Doge, Dec. 17, ^{Dec. 24} 27, ^{Jan. 3}, *Ven. Transcripts.*

² D'Ewes's Diary, *Harl. MSS.* clxii. 282 b.

that the Commons saw in them a fresh danger to the State? It is true that they did not know, as we know, that the plan of supplanting the Lords Justices by Ormond, and for securing the toleration of the Irish Catholics had been in agitation during the whole summer, and was now favourably regarded by the King.¹

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Nor was it merely a future peril against which it was necessary to guard. Almost at the very moment at which the House was listening anxiously to Dillon's revelations, the blow had fallen in Ireland. By the junction of the Catholic Lords with the Ulster rebels, what had hitherto been a local rising had grown to the dimensions of a national resistance.

It is unnecessary to enter in detail into the causes which brought about the breach between the Lords Justices and the Catholic Lords. Each, with good reason, thoroughly distrusted the other. The Lords Justices believed that the Lords of the Pale were intriguing against them with the King, and that they would never cordially support a government by which their religion was proscribed. The Lords of the Pale believed that the Lords Justices would never agree to tolerate their religion, or allow them to exercise any political influence. On December 3 the Lords

The Lords
Justices
and the
Catholic
Lords.

¹ On Jan. ²/₁₂, 1642, Rossetti wrote from Cologne upon news derived from England somewhere about Dec. 20, that 'loro Maestà per restituirsi . . . nello stato di prima non puoco speravano nelle forze degl' Hiberneai,' and that the Irish were gaining strength, 'non senza intrinseco gusto del Rè d'Inghilterra ancorche egli mostri et non possi far di meno di mostrare estrinsecamente l'opposito, poichè se bene vien ciò discorso in diversa maniera, tutto però sino dall' anno passato andavasi disponendo per potere poi anche tener in freno quel Parlamento dalle precipitose risoluzioni che si facevano contro la Regia autorità, intendendosi oltre di ciò di sradicare affatto la Religione Puritana, e concedere la libertà di coscienza a Cattolici con l'uso libero della Protestante et queste due solamente fossero e permesse e stabilite, conforme pur hoggi di si vede andarsi levando a poco a poco tutte l'altre.'

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Dec. 3.
The Lords
summoned
to Dublin,

Dec. 7.
but refuse
to come.

Dec. 15.
Sir Charles
Coote sent
to Clontarf.

Justices invited the Lords of the Pale to come to Dublin to a conference on the state of the kingdom. The Lords, suspecting danger, refused to come,¹ and assembled at Swords on the 9th to consult together, refusing to disperse on orders so to do.

A few days later Sir Charles Coote was sent out by the Government to punish some wreckers at Clontarf. Already that officer had earned for himself the detestation of the Irish. Having been sent against the Wicklow rebels he had led the way in those acts of cruelty which were soon to balance the cruel actions of the Irish in the North.² His soldiers had been recruited from the Protestant fugitives from Ulster, and such men knew no mercy. To them an Irishman was but a savage beast, to be destroyed without pity. It was at least believed that he had looked on approvingly when one of his soldiers was carrying the body of an infant on the point of his pike, and had jestingly observed, that he "liked such frolics." At Clontarf, Coote burnt not only the village, but the house of a gentleman who was at that time at the meeting at Swords.

The Lords at Swords were not more ready to disperse upon such an outrage as this. The whole country round was in a disturbed condition. Whilst Irishmen were abroad plundering English troops, English troops were attacking the plunderers, cutting down and hanging those whom they caught.

Junction of
the Lords
of the Pale
with the
Ulster
rebels.

The Lords and their followers had already abandoned Swords. On the day on which Clontarf was burnt they had summoned a meeting of the gentry of the County of Meath, at the hill of Crofty. Whilst

¹ The Lords Justices and Council to Kildare and others, Dec. 3. The Lords of the Pale to the Lords Justices, Dec. 7, *Temple*, part ii. 22.

² Diary of Coote's Force, *Clarendon MSS.* 1,584.

they were still in discussion, a party rode up, amongst which were the leaders of the Ulster rebels. It was not long before an agreement was struck up, and two discordant elements were merged, at least for a time, in national resistance.¹

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Ormond stood by the King, and took no part in the resistance of the Catholic Lords. The relations between him and the Lords Justices were not such as to make any military success possible. He would gladly have attacked the Northern rebels earlier, but the Lords Justices, prudent from their own point of view, preferred waiting for a Puritan army which would show no mercy to Irish Catholics. Already, before the actual combination between the two Irish parties had been formed, the Lords Justices and their supporters in Dublin congratulated themselves on the prospect opened before them. "Those great counties of Leinster, Ulster, and the Pale," they wrote to Leicester, "now lie the more open to His Majesty's free disposal, and to a general settlement of peace and religion by introducing the English."²

Ormond
and the
Lords
Justices.

The consequences of the reluctance of the Lords Justices to act vigorously, excepting through their own instruments, were bitterly felt in Munster. Sir William St. Leger, the President of that province, was a hale old soldier, with a soldier's contempt for unarmed multitudes, and a soldier's preference for prompt action in time of peril. "In these days, my Lord," he had written to Ormond, "Magna Charta must not be wholly insisted upon." The Ulster rebels must be attacked at once. "It is not possible," he thought, "that 12,000 naked rogues could stand

Sir Wil-
liam St.
Leger in
Munster.

¹ Carte's *Ormond*, iii. 141.

² The Lords Justices and some of the Council to Leicester, Dec. 14, Carte's *Ormond*, iii. 176.

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Nov. 20.

Nov. 25.

Dec.

Dec. 27.
Feeling
produced
on the
Commons.

before 1,000 well-armed horse. . . . I would venture my life to go through the North with 2,000 foot and 600 horse.”¹ Not long after these words were written his skill and courage were put to the test. In Tipperary a rabble carried off a large number of cattle belonging to the President’s brother-in-law. Taking with him two troops of horse, St. Leger rode off in pursuit of the offenders, killing and hanging those whom he could seize, sometimes, it is said, persons who had no part in the robbery. The news of these violent proceedings raised the nobility and gentry of the district. Some of them told St. Leger that he had been to blame in exasperating the people. Replying fiercely that they were all rebels, and that he would not trust a soul of them, he rode off to Waterford. Subsequent attempts to restore peace were unavailing. The English were everywhere plundered when out of the protection of stone walls, and there were some murders. The influence of the Irish gentlemen and of the Catholic priests was thrown on the side of mercy, but that influence was not always available. By the middle of December Munster was in full revolt, and the English had been driven for refuge to such fortified posts as they still held.² By the vigour of Clanricarde some sort of order was still preserved in Connaught.

Such was the news which dinned upon the ears of the Commons at Westminster. Many of them were convinced that the King’s advisers were at the bottom of the mischief, and, as we now know, they were not wholly in the wrong. Unfortunately, they struck in the wrong place. A member stood up and named

¹ St. Leger to Ormond, Nov. 8, 13, *Carte’s Ormond*, Letters xxxiv., xxxv., xxxviii.

² Account of the insurrection in Tipperary, *Carte MSS.* ii. fol. 74.

Bristol as an evil counsellor. Orders were given to produce the letters in which, in 1626, the King had charged him with having persuaded him at Madrid to change his religion.¹

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Charge
against
Bristol.

Even amongst the Lords, the events of the last few days had not been without effect. They asked the Commons to join them in bringing to justice the person who had informed the King against Newport. Their attention was, however, soon drawn in another direction. A crowd of apprentices and others, attracted by curiosity or love of excitement, had come to Westminster to see the members as they entered the House. When the Lords arrived they broke out into shouts of "No Bishops! No Popish Lords!" Williams clutched at a lad who was amongst the noisiest. His comrades rushed to the rescue. The Archbishop was hustled and his gown torn. About 500 of the rioters poured into Westminster Hall, where they found Lunsford and a party of officers who had formerly served in the discharged army. Lunsford and his friends drew their swords and chased the mob out of the Hall, following them up King Street, and striking at those whom they could reach. A few of the fugitives were wounded, and for a time the officers appeared to have everything their own way. After a while the runaways recovered their spirits, and with a shower of stones drove their assailants to take refuge in Whitehall.²

The mob at
Westmin-
ster.

Williams
insulted.

The rioters
chased by
the officers.

The Lords not unnaturally treated the appearance of the mob as an interference with their freedom. On the one hand they offered to do justice to any man who had been injured by the officers. On the other

Measures
proposed
by the
Lords.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 284 b. *C. J.* ii. 358.

² Slingsby to Pennington, Dec. 30, *S. P. Dom.* Salvetti's *News-letter*,
Dec. 31
Jan. 10

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hand, they asked the Commons to join in a declaration against riotous assemblies, and to petition the King for a guard.¹ The danger to themselves was a very present one. The crowd had remained shouting and gesticulating after its victory, and when the sitting came to an end Hertford warned the bishops of the risk which they would run in the streets, and advised them to pass the night within the precincts of the House. "These people," he said, "vow they will watch you at your going out, and will search every court with torches so as you cannot escape." The danger was not so great as Hertford imagined, and the bishops reached their homes in safety.²

Most of the
bishops
absent
themselves.

The next morning only two of the bishops³ were bold enough to take their seats. It is easy to ridicule those who absented themselves as unreasonably careful for their own safety. The mob had done no great harm as yet. But the only thing that can be safely predicted of an excited and undisciplined mass of human beings is that its future proceedings are beyond calculation, and the bishops cannot be blamed for refusing to expose themselves to danger. By this time the mob was thoroughly bent on mischief. Missing their sport with the bishops, they rushed to Westminster Abbey to break down the organ and the altar. Fortunately, they were kept at bay by Williams's servants, assisted by some gentlemen whom he called to his aid.

Attack on
Westmin-
ster Abbey.

The Com-
mons re-
fuse to
blame the
mob,

If both Houses had combined to restore order, the task would have been easy. Unhappily, after the appointment of Lunsford and the examination of Dillon, the majority of the Commons was more afraid

¹ *L. J.* iv. 493.

² Hall's 'Hard Measure,' *Works*, i. xlv.

³ Goodman of Gloucester, and Pierce of Bath and Wells. *H. of Lords' Minute Book.*

of the King than the majority of the Lords was afraid of the mob. The Commons refused to join the Peers in throwing blame upon the citizens. "God forbid," said Pym, "the House of Commons should proceed, in any way, to dishearten people to obtain their just desires in such a way."¹ "The greater part of the House," noted D'Ewes, "thought it unreasonable to make any such declaration at this time, to discontent the citizens of London, our surest friends, when so many designs and plots were daily consulted of against our safety." The Lords were informed that the Commons would join them in asking for a guard, if Essex might command it. In a conversation which ensued Cromwell drove the nail home by moving an address to the King to remove Bristol from his counsels, on the ground that he had recommended him in the spring to bring the Northern Army to his support.²

There is little doubt that Cromwell was mistaken. The Commons, however, were not likely to interpret Bristol's conduct more favourably when they learned that a debate had been raised in the Lords, on a motion to declare that, in consequence of the continued presence of the rabble, Parliament was no longer free.³ Of this motion Bristol's son, Digby, was the warm supporter, and probably the actual proposer.⁴ A

¹ These words, given by Clarendon (iv. 14), are taken from Dover's Notes, *Clarendon MSS.* 1,603.

² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 287 b.

³ The connection is plainly seen in the unfinished sentence which concludes the notice in the *Minutes Book*. "Upon the rabble's coming and pressing about the Parliament there was much dispute whether this Parliament——"

⁴ The words ascribed to Digby are 'that the House of Commons have invaded the privileges of the Lords' House, and the liberty of the subject,' and 'that this is no free Parliament.'—*L. J.* iv. 495. Rossetti says he 'prese l'assunto di provare' this proposition, which looks as if he had proposed the motion.—Rossetti to Barberini, Jan. 15, *R. O. Transcripts.*

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but offer to
join the
Lords in
asking for
a guard for
Essex may
command.

Motion in
the Lords
that Par-
liament is
not free.

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feeling sprang up in the Lower House that the proposal meant more than its words implied. If Parliament was not free now, it could hardly be said to have been free in May. If so, it might be held that Charles was not bound by the Act prohibiting a dissolution, and he might have proceeded at once either to get rid of a Parliament which he detested,¹ or to adjourn it to some place where the citizens would not be able to come to its rescue.

It is, of course, possible that less than this was intended. If the motion had been carried and had been followed by the adjournment of the House for a considerable time, the King would have had the Commons alone to deal with. The Commons alone would have been constitutionally powerless to effect anything whatever. Whether the King had made up his mind or not to seize their leaders upon a charge of treason cannot be known. But it can hardly be doubted that he had long contemplated such a measure, or that the scheme was favoured by a far larger number of persons than those who were ready to avow it after the attempt had been made and failed.

That failure had begun already. The perception of danger from the King as well as from the House of Commons made the Lords an uncertain support to lean on. As far as was possible they strove to do their duty. Royalist as the Upper House was, it voted, though by a bare majority of four, that Parliament was free.² The next day they not only consulted the judges as to the legal mode of dealing with the mob,

Its rejection.

Dec. 29.

¹ Smith to Pennington, Dec. 30, *S. P. Dom.*

² *L. J.* iv. 494. Rossetti to Barberini, Jan. 1st 1642, *R. O. Transcripts*. The attendances given in the Minute Books show that 54 were present, and that some of the Opposition, who had protested on the 24th, were absent.

but they directed the Attorney-General to draw up a proclamation forbidding the wearing of weapons in the vicinity of Parliament. They were wiser than the King. They wished to free the Houses alike from tumultuous citizens and swaggering officers.

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Dec. 29.

The Lords
try to
mediate.

Unhappily the Lords could not count on Charles. To repress all violence, and to throw the blame on those who persisted in attempting to disturb the peace, was too simple a course for him. There can be little doubt that his mind had been strongly attracted to Ireland once more by Dillon's message, and on the 28th he had informed the Lords that he was himself ready to raise 10,000 volunteers for Ireland, if the Commons would find them pay.¹ The very next day those, if any there were, who were disposed to trust him with the selection of such a force, received a warning against such imprudence. On the 29th the King invited to dinner the very officers against whom complaints had been made, as a compliment to them on their appointment to commands in the army destined for Ireland.² A force selected by the King, and officered by Lunsford and his companions, was the new danger against which Pym had to provide.

Dec. 28.
The King's
proposal to
send volun-
teers to
Ireland.

Dec. 29.
Dinner
given to
the officers.

It was, indeed, difficult to keep the peace amidst such jarring elements. In those days of trouble, two names, destined to a wide celebrity, were heard of for the first time. The high-mettled gentlemen sneeringly spoke of the short-haired apprentices who had rejected the unloveliness of lovelocks as Roundheads. Their adversaries retorted by speaking of the officers as

Cavallers
and Round-
heads.

¹ *I. J.* v. 494.

² The disturbance, of which an account will be immediately given, happened 'le jour que le Roy traittoit les colonnels et capitaines qui doibvent aller en Irlande.'—Heenvliet to the Prince of Orange, Jan. 17, *Groen van Prinsterer*, 2me ser. tome iii. 498.

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Cavaliers—a word which carried with it a flavour of opprobrium, as implying a certain looseness and idleness of military life. Before long the two nick-names would be the accepted terms for two great political parties.

The fray in
front of
Whitehall.

When the Cavaliers came out from dinner, eight or ten of them strolled in front of the Palace. There they found about a hundred men armed with clubs, swords, and staves, bawling out “No Bishops! No Popish Lords! Hang up the Popish Lords!” Spying the group of officers they shouted, “There stand red-coats, a knot of Papists!” and one of the crowd followed up the abuse by throwing a clot of dirt. On this ‘the gentlemen, with their swords drawn, went over the rails to them, and so the affray began, many swords being drawn on either side, and those who would deliver their swords, the gentlemen gave them a kick, and bade them begone; others that resisted had some hurt.’ Other similar combats—if combats they can be called—occurred in the neighbourhood. Some sixty citizens, according to one account, and one or two gentlemen were more or less injured.¹ As they went off, the citizens threatened to return on the morrow for their revenge. At Court it was expected that they would come 10,000 strong.²

Charles
sets a
guard at
Whitehall.

In the face of this threat Charles finally determined to throw over the Lords. Instead of combining with them to set up some constitutional barrier against tumultuous assemblies, he fell back upon the officers whom he had gathered round him. He directed that

¹ Heenvliet to the Prince of Orange, Jan. 7, *Groen van Prinsterer*, 2me ser. tome iii. 398. Examinations of Cox, Downs, and Sherlock, Dec. 29, *S. P. Dom.* The gentlemen ‘in all their skirmishes have avoided thrusting at them because they would not kill them.’—Slingsby to Pennington, Dec. 30, *S. P. Dom.*

² Smith to Pennington, Dec. 30, *S. P. Dom.*

all the gentlemen of his Court should wear swords, and that a guard should be posted at Whitehall Gate. Those very men whose presence was offensive to both Houses, were to form his mainstay in time of trouble.

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Worse was yet to come. As the King was going to bed Williams arrived with a protest signed by himself and eleven other bishops for presentation to the King and the Lords. The bishops, it declared, having been violently assaulted in coming to the House, and lately chased away and put in danger of their lives, could find 'no redress or protection.' They therefore protested that all laws, orders, votes, resolutions, and determinations made in their absence were null and void; or, in other words, that the vote of the 28th, declaring Parliament to be free, was to be set aside as irregular.¹ They concluded by asking the King to command that this protest should be entered amongst the records of the House.²

The protest
of the
Bishops.

Was this protest, so memorable in its consequences, in reality the work of Williams? Charles took it from the hand of the Archbishop, and, without reading a word, gave it to Nicholas. The next morning Nicholas, also without reading a word, gave it to the Lord Keeper, with instructions to lay it before the Lords.³ It is impossible to believe that if Charles had never seen it before, he would not have taken the trouble to make himself master of its contents. The initiation of the plan may in all probability be traced to Digby, the most indiscreet of Charles's partisans. On the afternoon of the 28th he had been baffled in his

Who was
the author
of it?

Dec. 30.

¹ Rossetti distinctly points to this particular vote as the one to be annulled by the protest.—Rossetti to Barberini, Jan. $\frac{16}{28}$, *R. O. Transcripts*.

² *L. J.* iv. 496.

³ Heenvliet to the Prince of Orange, Jan. $\frac{7}{17}$, *Groen van Prinsterer*, ser. 2me, tome iii. 497.

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Dec. 30.

attempt to obtain the assent of the Lords to a declaration that Parliament was no longer free. What can be more probable than that he was the suggester of a scheme by which that vote might be treated as null and void?

Effect of
the protest
on the
Lords.

Whatever doubt may be entertained as to the authorship of the protest, there can be none as to its effect. At a time when the King had no better friends in England than the Peers, it administered to them a severe rebuke by inviting the King to order them to register an assertion that Parliament was not free, in the teeth of their vote of the previous day. Even the proved fidelity of the Lords gave way before such an insult as this. They at once communicated the protest to the Commons as 'containing high and dangerous consequence,' and extending to the deep intrenching upon the fundamental privileges and being of Parliament.¹ Once more the two Houses were of one mind. Charles had in a moment done all for which during many weary weeks Pym had been struggling in vain. No wonder that, when the news reached the Commons, not a few of the members were overjoyed, 'at this indiscreet act of the bishops.'² At Pym's motion the doors were closed. He, at least, did not believe that the authors of the protest intended to confine themselves to words. There was, he said, a design to be executed upon the House of Commons that very day, and it was therefore desirable to ask the City to send their Trained Bands to guard the imperilled Parliament.³

The Lords
side with
the Com-
mons.

Pym moves
that the
City
Trained
Bands
should be
sent for.

Impending
danger.

There can be little doubt that Pym spoke on trustworthy information. It is inconceivable that so much

¹ *L. J.* iv. 496.

² *D'Ewes's Diary, Harl. MSS.* clxii. fol. 294 b.

³ *Ibid.* fol. 295.

trouble should have been taken to obtain an excuse for treating the Parliament as no longer free unless there had been an intention of proceeding against the leaders of the Commons as enslavers of the Commonwealth. Nor was it merely the present position of the Commons that was at stake. If all that had been done in the Lords since December 27 was to be annulled on account of the pressure of the mob, all that had been done since the meeting of Parliament might be annulled on account of the pressure of the Scottish army. It would doubtless be unjust to the King to imagine that he seriously contemplated the reconstitution of the Star Chamber and the High Commission, especially as he did not need them for the purpose which he had now on hand. But there were certainly some amongst his followers who would have been glad to have treated the whole work of the Long Parliament as illegal. In a paper of jocular queries circulated in the City in the preceding summer, it was asked, 'whether statutes enforced upon the King with the awe of an army will be of any force hereafter,'¹ and there can be little doubt that many of the gentlemen now guarding Whitehall would be ready to answer the question in the negative. Those officers were growing formidable. "I never," wrote an observer of passing events, "saw the Court so full of gentlemen; every one comes thither with their swords. This day 500 gentlemen of the Inns of Court came to offer their services to the King. The officers of the army since these tumults have watched and kept a Court of Guard in the Presence Chamber, and are entertained upon the King's charge; a company of soldiers put into the Abbey for the defence of it. The citizens, for the most part, shut up their shops,

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Dec. 30.¹ Queries, Aug. *S. P. Dom.*

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Dec. 30.

Civil war
feared.

and all gentlemen provide themselves with arms as in time of open hostility. Both factions look very big, and it is a wonder there is no more blood yet spilt, seeing how earnest both sides are. There is no doubt but if the King do not comply with the Commons in all things they desire, a sudden civil war must ensue, which every day we see approaches nearer.”¹

As usually happens before the outbreak of war, the deeper causes which made it possible were almost forgotten in the immediate dangers of the situation. On one side was the alarm caused by the mob, on the other side was the alarm caused by the armed retinue of the King. Nor was it unlikely that the officers at Whitehall would soon have troops at their disposal. That very day drums were beating in the streets for the levy of the volunteers which were to form the army which was to be commanded by Lunsford and his comrades.²

Yet, in spite of all this, Pym found it hard to move the Commons to a sense of the danger in which they were. They refused to assent to his motion for summoning the Trained Bands from the City. Pym was relieved from his difficulty by the message from the Lords complaining of the protest. He found the House ready to answer to the signal given them by the Peers. At Pym’s motion, the bishops who had signed the protest were impeached as guilty of high treason by endeavouring to subvert the fundamental laws of the kingdom, and the very being of Parliament. One member indeed said, that ‘he did not

Impeach-
ment of the
Bishops.

¹ Slingsby to Pennington, Dec. 30, *S. P. Dom.*

² The fact is mentioned in Salvetti’s *Newsletter* of ^{Dec. 31}/_{Jan. 10}, but as the arrest of the bishops is spoken of as having taken place—‘questa sera’—it is evident that the passage was written on the 30th. A Committee of the Commons was named on the 31st to inquire into the matter.—*C. J.* ii. 365.

believe they were guilty of treason, but that they were stark mad ; and therefore desired they might be sent to Bedlam.'¹ No other voice was raised in their favour.

The impeachment was at once accepted by the Lords. Before night ten of the twelve found themselves in the Tower. The other two were sent to the House of the Usher of the Black Rod, on the ground of their age and infirmity.

The wits made merry over Williams's mischance. One caricature represented him as a decoy duck leading his brethren into captivity. Another depicted him as clad in military guise, with a musket in his hand, and a bandoleer slung over his episcopal robes. Laud, it is said, was much amused at this last stroke of wit at his rival's expense.²

High Treason was a large word to apply to that which the bishops had done, most of them in mere inadvertence. But there can be no doubt that they had allowed themselves to become the tools of men more unscrupulous than themselves. Their protest was the first step in a course in which Charles was to make himself master of the State again under legal forms. Their impeachment was the first step in a course in which the leaders of the Commons were to make themselves masters of the State under legal forms. The two rival authorities had been playing a game for the goodwill of the House of Lords, and Charles, with victory in his hands, had thrown his chance away.

No doubt Pym never thought of sending the bishops to the scaffold. It was enough for him if he could get rid of their adverse votes. From that time no more than four bishops took their seats in the

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Their im-
prisonment.Intention
of Pym.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 285. *Clarendon*, iv. 145.

² Heylyn's *Cypr. Angl.* 492.

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Dec. 30.
The Peers
persist in
their medi-
ation.The Com-
mons pro-
tect them-
selves.

House.¹ Yet, even then the Peers persisted in their efforts at mediation. They still refused to ask that Essex might command the guard which all acknowledged to be necessary, on the ground that the King ought not to be pressed to name a particular person.²

The moderation of the Peers was lost on Charles. He took no steps to restore confidence. The Commons gave orders, as they had formerly done, to some of their own members who happened to be Justices of the Peace, to see to the security of their House.

Dec. 31.

The next day they conveyed to the King an independent request for the appointment of the Earl of Essex, and directed halberets to be brought into the House for their own use in case of a sudden attack. At the same time they adjourned till January 3, ordering that a Committee of the whole House should meet at Guildhall. The House could not adjourn itself to any place but Westminster. A Committee, it was now held, could meet anywhere.

The City
ready to
preserve
order.

Both parties were of one mind in wishing to conciliate the City. On the same day as that on which the Committee was appointed, a request was addressed by the King to the Common Council, that they would lend their Trained Bands to preserve order, and the Common Council had answered in the affirmative.³

1642.
Jan. 1.
The King
sends for
Pym.

Yet, in spite of this, the King's situation was sufficiently gloomy. It was probably on the following day, the first of the New Year, that he took the unexpected step of sending for Pym, and offering him the Chancellorship of the Exchequer.⁴ Whether Pym

¹ On Jan. 3 and 4 there were only four bishops present.—*House of Lords' Minute Book.*

² *Ibid.*

³ *C. J.* ii. 364, 365. *An Exact Collection*, 30. *Rushw.* iv. 472.

⁴ "The King is too flexible and too good-natured; for within two hours, and a great deal less, before he made Culpepper Chancellor of the Exchequer, he had sent a messenger to bring Pym unto him, and would

refused to come, or Charles repented his hasty decision, cannot now be known. Two hours later he had fixed on Culpepper for the post, with Falkland as his colleague in the vacant secretaryship. At the Sunday sitting of the 2nd, they were both sworn as Privy Councillors, though they did not officially take up their appointments till a few days later.

In themselves, neither Culpepper nor Falkland was likely to render much assistance to Charles. Culpepper was a ready debater, and nothing more; whilst Falkland's sensitive mind was more anxious to avoid the responsibility of doing anything that he could not justify to himself, than to strike out the path of safety for others amongst the dangers which showed themselves on every side.

The real leader of the party in the Commons was Hyde, as Bristol was its leader in the Lords, though Hyde preferred to remain an unofficial adviser. What conduct Hyde would have recommended at this conjuncture is of no historical importance. No doubt he regarded as traitorous the attempt to effect a change of law by bringing down a mob to intimidate the House of Lords; and it is probable enough that he regarded Pym and a few others as having justly earned the penalty which he had himself joined in awarding to Strafford. But we may be sure that no reasonable man would have advised an attack upon the leaders of the Commons at a moment when the House of Lords had been alienated by conduct so irritating. If Charles was about to make a false move, it

have given him that place."—Dering to Lady Dering, Jan. 13. *Larking's Proceedings in Kent*, 66. As Mr. Forster shows, Culpepper was announced to the Council as Chancellor of the Exchequer on Sunday, the 2nd. The Council was usually held after the morning service, and it is more likely that the message to Pym would have been sent on Saturday than when the King was just going to the Chapel. Besides, Culpepper may very well have been informed of his appointment on the 1st.

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Culpepper
Chancellor
of the Ex-
chequer
and Falk-
land Secre-
tary.

Hyde as an
unofficial
adviser.

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The Parli-
amentary
leaders are
said to in-
tend to im-
peach the
Queen.

was not from Hyde, or Culpepper, that the impulse came.

Just as Charles fancied that he had once more placed himself on constitutional ground, he received news from the City which must have filled him with agony and alarm. There had been, it was said, long secret conferences amongst the Parliamentary leaders, who had betaken themselves to Guildhall to attend the Committee. They had convinced themselves that the Queen was at the root of the mischief, and had resolved to impeach her as having conspired against the public liberties, and as having held intelligence with the Irish rebels.¹

The
Queen's
fear.

No one knew better than Henrietta Maria what a crushing case could be made out against her. Army plots and Irish plots, intrigues with the Pope and intrigues with the Prince of Orange, must have stood out clearly in her memory, to be recalled not with shame, but with regret. In such a mood she

¹ They, wrote the Venetian ambassador, 'fermati in lunghe segrete conferenze, persuaderano a se stessi che le mosse del Rè et i risentimenti di lui procedessero da consigli della Regina, deliberarono perciò di accusarla in Parlamento di conspiratione contro la libertà publica, e di secreta intelligenza nelle sollevationi d'Irlanda, il che tutto penetrato dalle Maestà loro prese espediente il Rè di abbandonare l'usa della dissimulatione, e dichiarare al Parlamento della Camera Alta colpevoli di tradimento cinque Parlamentarii della Bassa ed uno della Alta.'—Giustinian to the Doge, Jan. $\frac{7}{17}$, *Ven. Transcripts*. Heenvliet says much the same thing: 'qu'ils commencèrent à parler, comm' on m'a dit, de mettre la main sur la Royné, et que ce n'estoyent que ces six surnommés.'—Heenvliet to the Prince of Orange, Jan. $\frac{7}{17}$, *Groen van Prinsterer*, 2me ser., tome iii. 497. An English letter reports that 'it is said Parliament have been treating of something concerning the Queen, et hinc illæ lacrymæ.'—Berners to Hobart, Jan. 10, *Tanner MSS.* lxvii. fol. 234. All this bears out Clarendon's statement (iv. 280). On Jan. 20 Stapleton informed the Commons that the Queen told Newport 'that articles had been preferred to her which should be put into Parliament against her.'—D'Ewes's Diary, *Harl. MSS.* clxii. fol. 339. Afterwards the Queen said, 'she never saw any articles in writing,' which does not necessarily clash with her former statement.—*An Exact Collection*, 68.

may well have given ear to the intemperate Digby, who was in the same case with herself. Since his declaration that Parliament was not free, impeachment stared him in the face.

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To impeach the impeachers of the Queen was the course which recommended itself to that impetuous counsellor.¹ It was what Strafford had urged Charles to do, fourteen months before, and to Strafford's rejected advice Charles came at last. Hesitating and irresolute as he was, he could hesitate no longer. The danger of his wife touched him more nearly than his own. To save her from insult and ruin he had sacrificed his most faithful minister. For her dear sake he was ready now to stake his throne.

The assailants to be impeached.

Five members of the House of Commons—Pym, Hampden, Holles, Hazlerigg and Strode—were selected as the main offenders. There can be no doubt, that if by the fundamental laws of England was meant that constitutional arrangement which had prevailed in the days of Elizabeth, they were guilty of treason at least as much as Strafford had been guilty. If he had done his best to reduce Parliaments to a cipher, they had done their best to reduce the Royal authority to a cipher. The true defence of both Strafford and Pym was, that the old Constitution had broken down and needed reconstruction; but, so far as Pym was concerned, this was not an argument likely to find favour with Charles.

The charge against the five members.

In conducting these operations, the utmost secrecy was to be maintained. Of the law officers of the

Instructions to the Attorney-General.

¹ Clarendon's assertion about Digby seems to me entirely in accordance with probability, in spite of Mr. Forster's argument. He was not aware of the strength of the evidence on the proposed attack on the Queen. The quotation at p. 137 from Bates's *Elenchus motuum*, to the effect that the King's course was taken 'by the advice of some of the Privy Council, who were themselves members of the House,' is hardly sufficient authority.

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Crown, the Attorney-General, Sir Edward Herbert, was alone consulted. He received instructions, written in the King's own hand, directing him, as soon as the charge was laid before the Peers, to ask for a secret committee to examine evidence. If Essex, Warwick, Holland, Saye, Mandeville, Wharton, or Brooke were named as members of it, he was to object, on the ground that the King intended to call them as witnesses. Subsequently, Mandeville's name was scratched out of this list, and orders were given to impeach him together with the five members of the Lower House.¹ Digby, it was said, had offered to prove that when the rabble appeared at the doors of Parliament, Mandeville had bidden them to go to Whitehall.² As a point of tactics, as great a mistake was made by this resolution as had been made in the protest of the bishops. It called on the Lords to sacrifice a member of their own House.

The im-
peachment.

The impeachment was fixed for the next day, January 3. As soon as the Lords met, Herbert appeared to charge with treason the six persons designated in his instructions. They had traitorously endeavoured to subvert the fundamental laws and government—to deprive the King of his legal power, and to place in subjects an arbitrary and tyrannical power over the lives, liberties, and estates of his Majesty's liege people! They had 'endeavoured, by many foul aspersions upon his Majesty and his government, to alienate the affections of his people.' They had 'endeavoured to draw his Majesty's late army to disobedience to his Majesty's commands, and to side with them in their traitorous designs.' They had 'traitorously invited and encouraged a

¹ Notes by the Attorney-General, *Nicholas MSS.*

² *Clarendon*, iv. 155.

foreign power to invade His Majesty's Kingdom of England.' They had 'traitorously endeavoured to subvert the rights and very being of Parliaments.' They had 'endeavoured, as far as in them lay, by force and terror, to compel the Parliament to join with them in their traitorous designs, and to that end had actually raised and countenanced tumults against the King and Parliament.' Lastly, they had 'traitorously conspired to levy, and actually had levied, war upon the King.'¹

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As soon as the charge had been recited, Herbert asked for the arrest of the incriminated persons, and for the appointment of a Committee to examine into the accusation against them.

Under ordinary circumstances, the House of Lords would have rallied round the throne. On that day four bishops were present, and fifty-five lay Peers, of whom only twenty-one afterwards opposed Charles in the Civil War.² Yet, the Lords were in no mood to encourage an act of violence, even when it took a legal shape. Digby, who had undertaken to move for Mandeville's arrest as soon as the Attorney-General had done his part, whispered to Mandeville that the King was ill-advised, and hurried out of the House.³ He doubtless gathered from the looks of the Peers that he would fail to carry his motion. As soon as he was gone the Lords appointed a Committee to inquire whether the Attorney-General's procedure had been according to law.

Feeling of
the Peers.

Committee
of inquiry
named.

Already, before the news of the impeachment reached them, the Commons were in considerable excitement. The King's answer to their petition for a guard had just reached them. "We," said Charles,

The King's
answer to
the demand
for a guard.

¹ *L. J.* iv. 501.

² *House of Lords' Minute Book.*

³ *Clarendon*, iv. 154.

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“ are wholly ignorant of the grounds of your apprehensions ; but this we do protest before Almighty God, to whom we must be accountable for those whom He hath entrusted to our care and protection, that had we any knowledge or belief of the least design of any violence, either formerly or at this time against you, we would pursue them to condign punishment, with the same severity and detestation that we would do the greatest attempt upon our Crown . . . and we do engage unto you solemnly the word of a King, that the security of all and every one of you from violence, is, and shall ever be, as much our care as the preservation of us and our children ; and, if this general assurance shall not suffice to remove your apprehensions, we will command such a guard to wait upon you as we will be responsible for to Him who hath charged us with the safety and protection of our subjects.”¹

The words were written on the 31st, before the impeachment of the members had been determined on. Yet, even now, there was nothing in them which Charles would care to disavow. In his own mind he was meditating a legal process against traitors, not a deed of violence. To the Commons his proceedings might bear another aspect. After some conversation on the dangers in the midst of which they were walking, a message was sent to the City to ask that the Trained Bands might be made ready.

The Commons
appeal to
the City.

Members'
studies
sealed up.

By this time the news of the impeachment had probably reached the House. Then Pym rose to say that his own study, as well as those of Holles and Hampden, had been sealed up by the King's directions. It was at once resolved that to do this without leave from the House was a breach of privilege. In this the Lords were asked to concur, as well as in a resolution that the assem-

¹ *Rushw.* iv. 471.

blage of soldiers at Whitehall was a breach of privilege. The Commons also requested the Peers to insist on having a guard to be approved of by both Houses.

Before anything could be done, the Sergeant-at-Arms appeared with orders from Charles to arrest the five members. A Committee was named to acquaint the King that the demand concerned their privileges, and that they would send a reply as soon as they had given it full consideration. In the meantime, the gentlemen named would be ready to answer any legal accusation. That this might be made plain, the five members were ordered to appear in their places from day to day.

Whether the King's attempt to arrest the members were justifiable or not, it was one more offence given to the Lords. They had hitherto been in the habit of deciding on the arrest of impeached persons, and they had just appointed a Committee to inquire what was the proper course to pursue. Instead of trusting the Lords, Charles had sent to arrest five out of the six accused persons in his own name. The Lords at once took up the challenge. They ordered the studies which had been sealed up to be broken open, and, abandoning the position which they had hitherto maintained, they agreed to join in the request for such a guard as would satisfy the two Houses. A week before a large majority of the Peers was on Charles's side. He could no longer count even on a minority. The Commons, as might have been expected, went further than the Lords. They arrested the officers who had sealed up the doors of their members.¹

It is easy to understand that Charles saw nothing in all this but a sheer defiance of his authority. He

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The arrest
of the five
members
demanded.

Offence
given to
the Lords.

The King's
feelings.

¹ *L. J.* iv. 501. *C. J.* ii. 366. D'Ewes's Diary, *Harl. MSS.* clxii. 300 b.

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honestly believed that Pym and his associates were engaged in an attempt to alter by force the existing order of things, and he no less honestly believed that that existing order was good for England as well as for himself. In appealing to law, he appealed to that which seemed to him to be entirely on his side. As to precedents and legal maxims, he doubtless troubled himself very little about them. In England, precedents and maxims had grown up around the double centre of Parliament and the King, and something at least might be quoted on either side. At all events, Charles could remember having frequently heard that no privilege of Parliament was available against treason, and in 1626 his Attorney-General had accused Bristol before the Lords, without being met by any objection to the course pursued.¹

Prepara-
tions for
action.

That evening Charles took counsel with his intimates at Whitehall. Urged on by Digby and the Queen,² he resolved to go in person to secure the members, if necessary, in Parliament itself. He had on his side the trusty Cavaliers at Whitehall. The Tower was in Byron's hands, and Byron would keep it safely. Thirty or forty artillerymen were introduced into the fortress, and the men of the Tower Hamlets, who formed the usual garrison, were deprived of their arms.³ An answer to the petition of the Houses was prepared, in which Charles announced his intention of giving them a guard selected by the Lord Mayor, and commanded by the

¹ "He had a precedent for it, in his own time, of Sir R. Heath, his then Attorney's impeaching of myself of High Treason, which impeachment was received and admitted of by the House of Peers."—*An Apologie of John Earl of Bristol* (E. 897), p. 53.

² This seems to have been the meeting referred to by Clarendon, iv. 154.

³ D'Ewes's Diary *Harl. MSS.* clxii. fol. o b.

Earl of Lindsay; and he knew that both the Lord Mayor and Lindsay could be trusted.¹

This answer was never sent. A message was despatched to the Lord Mayor, bidding him to refuse obedience to orders from the Commons, and to raise the Trained Bands to keep the peace in the City, and even to fire on the rioters if it were necessary. Gurney was already in bed when the message reached him, but he promised to obey the directions given when morning came.² Charles might well hope that no mob from the City would appear at Westminster on the morrow. At the same time, Sir William Killigrew and Sir William Fleming were sent round to the Inns of Court, charged to exhibit the articles against the members, and to ask the lawyers who had come to Whitehall in the last week to defend the King, to keep within doors on the following day, and to 'be ready at a moment's warning.'³

If the members were to be arrested at all, common prudence would have dictated an attempt to seize them in their beds, as the French Parliamentary leaders were seized in 1851. Such a course it was impossible for Charles to adopt. He wanted—if it were but for the satisfaction of his own mind—to preserve the appearance of legality, and he probably imagined that he could persuade even the House of Commons of the rectitude of his intentions. No doubt he must have sufficient force about him to secure his

¹ Answer for a guard, *Forster's Arrest of the Five Members*, 116, note.

² The King to the Lord Mayor, Jan. 3. Latch to Nicholas, Jan. 4, *Forster*, 157, 159. The Queen Mother afterwards told Rossetti that her daughter had written to her in these words: "I rumori di quà si sono condotti à segno tale che all' arrivo di questa lettera in Colonia bisogna ò che noi siamo rovinati ò che il Re assolutamente commandi."—Rossetti to Barberini, ^{Jan. 28} ~~Feb. 7~~, *R. O. Transcripts*.

³ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 305 b.

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The Lord
Mayor to
keep order
in the City.

Object of
these pre-
parations.

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The secret
betrayed.Jan. 4.
Meeting of
the Com-
mons.

object, and to compel obedience if it were denied. It was not in his character to expect a persistent refusal, or to represent clearly to himself the bloodshed which might ensue in case of resistance.

Charles little imagined that before he went to bed that night his secret was already known.¹ Very possibly Clarendon may have been right in thinking that Will Murray was the betrayer. The next morning, when the House met, the five members protested their innocence.² The Commons sent up the articles of

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 306 b.

² Mr. Forster here introduces long speeches of Pym and Hampden, without giving any reference. They are to be found in two contemporary pamphlets. On the title-page of Pym's speech the date given is Wednesday the 5th of January, and the other is said to have been spoken by Mr. Hampden, Burgess for Buckingham (!), on Wednesday the 4th. Some one has corrected this date to the 5th. Surely Mr. Forster ought not to have dated the speeches on the 4th without remark! A further examination of Pym's speech shows that it cannot possibly have been spoken on the 4th. Amongst queries 'proposed, according to Mr. Forster (p. 164), is 'whether to beset the doors of the House during such accusation' be not a breach of privilege, which is followed by a reflection that 'the last question had a pregnant meaning on the morning of this eventful day, but its full significance was still to come.' The actual question assigned to Pym in the printed speech is 'whether for a guard armed to come into the Parliament to accuse any of the members thereof be not a breach of the privilege thereof.' Obviously this cannot have been said till after the attempt on the 4th. This is, however, equivalent to saying that it cannot have been said at all. As Mr. Forster was aware, Pym was not in the House on the 5th, having taken refuge in the City. Neither can he have spoken it at any time in the City, as it is addressed to Mr. Speaker, and the House was then in Committee. Besides, there is not the slightest trace of any such speech then occurring. As for the dates assigned, in reality the 4th was on a Wednesday. We have further three other printed speeches, one assigned to Hazlerigg, as on Tuesday the 4th, one to Holles, as on Wednesday the 5th, one to Strode, as on Tuesday the 3rd, and to crown the absurdity one said to be Lord Kimbolton's (Mandeville's) addressed to Mr. Speaker. I have no doubt that they are all forgeries. It may be remembered that on Jan. 25 one Martin Eldred confessed that a young Cambridge scholar forged a petition for him, which a stationer printed, purchasing it for half a crown, on which D'Ewes said 'that there were now abiding in and about London certain loose, beggarly scholars, who did in alehouses invent speeches,

accusation to the Lords as a scandalous paper, accompanying them with a request that inquiry might be made into its authorship. Messages were sent to the Inns of Court, to express the assurance of the House that their members would not act against Parliament. Soon afterwards news was brought 'that there was a great confluence of armed men about Whitehall,' and it was known that measures had been taken to secure the Tower for the King. A fresh message was thereupon sent off to warn the City. Nothing more had been done when the House adjourned for the dinner hour at noon.¹

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n 4.

If the blow had not already fallen, it was because Charles had been involved in his usual vacillation. According to a not improbable account, he had that morning sought out the Queen, and had given strong reasons against the execution of the plan. Henrietta Maria was in no mood to accept excuses. "Go, you coward!" she cried, "and pull these rogues out by the ears, or never see my face more." Charles bowed to fate and his high-spirited wife, and left her, resolved to hang back no longer.² Again there was delay, perhaps on account of the adjournment at mid-day;

and make speeches of members in the House.' On Feb. 9, D'Ewes again spoke to the effect 'that there had [been] much wrong offered of late to several members of this House by publishing speeches in their names which they never spake. I had yesternight a speech brought to me by a stationer, to whom one John Bennet, a poet lodging in Shoe Lane, sold it for 2s. 6d. to be printed. It was pretended to be spoken at a conference with the Lords on Friday last, when the Bill for taking away the bishops' vote was carried up, at which time there was no conference at all about that matter. . . . He hath fathered this speech upon me.'—D'Ewes's Diary, *Harl. MSS.* clxii. fol. 351 b; 376.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 304 b.

² So far from Anchtell Grey's note in *Echard*, ii. 520. The betrayal by Lady Carlisle is given by Madame de Motteville, and may be accepted in general terms, though the details are manifestly incorrect. On other versions see *Forster*, 139.

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and before Charles actually left Whitehall, the Queen had trusted the secret to her ill-chosen confidante Lady Carlisle, and Lady Carlisle at once conveyed the news to Essex.

Warnings
sent to the
five mem-
bers.

Before dinner was over the five accused members received a message from Essex, telling them that the King was coming in person to seize them, and recommending them to withdraw. They could not make up their minds as yet to fly. In truth, Charles was still hesitating in his usual fashion, and it might be that he would never accomplish his design. When the House met again at one, satisfactory replies were received from the Inns of Court. The lawyers said that they had gone to Whitehall, because they were bound to defend the King's person, but that they were also ready to defend the Parliament. The Lords, too, had shown themselves resolute, and had agreed to join the Commons in styling the Attorney-General's Articles a scandalous paper.¹

Answers
from the
Inns of
Court.

Fiennes's
story.

Then came a statement from Fiennes. He had been to Whitehall during the hour of adjournment, and had been told by the officers that they had been commanded to obey Sir William Fleming, one of the two who had been sent round to enlist the lawyers on the King's side.

The King
sets out
from
Whitehall.

The full meaning of this news was soon to appear. It may be that the contemptuous term applied to the accusation which he had authorised had at last goaded Charles to action. Late—but, as she fondly hoped, not too late—the Queen had her way. About three o'clock, Charles, taking with him the Elector Palatine, hurried downstairs, calling out, "Let my faithful

¹ D'Ewes's *Diary*, *Hart. MSS.* clxii. fol. 305 b. *L. J.* iv. 503. It is impossible to reconcile the story told by Madame de Motteville about the Queen and Lady Carlisle with anything that can possibly have occurred.

subjects and soldiers follow me." Throwing himself into a coach which happened to be near the door he drove off, followed by some three or four hundred armed men.¹

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Such a number could not march at any great speed. A Frenchman, named Langres, who had probably been set to watch by the Ambassador La Ferté, pushed through the crowd, and ran swiftly to the House of Commons.² He at once called out Fiennes and told him what he had seen.³ The five members were at once requested to withdraw. Pym, Hampden, Hazlerigg, and Holles took the course which prudence dictated. Strode, always impetuous, insisted on remaining to face the worst, till Erle seized him by the cloak, and dragged him off to the river-side, where boats were always to be found. The five were all conveyed in safety to the City.⁴

The news
carried to
the House.

Escape of
the five
members.

It was high time for them to be gone. Charles's fierce retinue struck terror as it passed. The shopkeepers in the mean buildings which had been run up against the north end of Westminster Hall hastily closed their windows. Charles alighted and strode rapidly through the Hall between the ranks of the armed throng. As he mounted the steps which led to the House of Commons, he gave the signal to them to await his return there. About eighty of them, however, probably in consequence of previous orders, pressed after him into the lobby, and it was after-

Arrival of
the King.

¹ Giustinian's despatch, Jan. $\frac{7}{17}$, *Ven. Transcripts*.

² D'Ewes says that the Frenchman 'passed through the troop.' Mr. Forster, misreading the last word as 'roof,' makes him climb over the roofs of the houses, in which case he would hardly have reached his destination in time.

³ La Ferté's despatch, Jan. $\frac{6}{18}$, *Arch. des. Aff. Etr.* xlix. fol. 8. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 310 b.

⁴ *Ibid.* fol. 306 b.

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Scene in
the lobby.

wards noticed that 'divers of the late army in the North, and other desperate ruffians' had been selected for this post.

Charles did his best to maintain a show of decency. He sent a message to the House, informing them of his arrival. As he entered, with the young Elector Palatine at his side, he bade his followers on their lives to remain outside. But he clearly wished it to be known that he was prepared to use force if it were necessary. The Earl of Roxburgh leaned against the door keeping it open so that the members might see what they had to expect in case of resistance. By Roxburgh's side stood Captain David Hyde, one of the greatest scoundrels in England.¹ The rest were armed with swords and pistols, and many of them had left their cloaks in the Hall with the evident intention of leaving the sword-arm free.

The King
enters the
House,

As Charles stepped through the door which none of his predecessors had ever passed,² he was, little as he thought it, formally acknowledging that power had passed into new hands. The revolution which his shrewd father had descried when he bade his attendants to set stools for the deputies of the Commons as for the ambassadors of a king, was now a reality before him. He had come to the Commons because they would no longer come to him. To Charles the new constitutional fact was merely a temporary interruption of established order. In his eyes there was visible no more than a mortal duel between King Charles and King Pym. As he moved forwards, the members standing bare-headed on either side, his

¹ See the account of him in Webb's *Memorials of the Civil War in Herefordshire*, i. 219.

² Except Henry VIII., as Slingsby wrote; but surely this is only an indistinct reminiscence of Wolsey's presentation of himself before the Commons.

glance, perhaps involuntarily, sought the place on the right hand near the bar which was usually occupied by Pym. That seat was empty. It was the one thing for which he was unprepared. "By your leave, Mr. Speaker," he said, as he reached the upper end of the House, "I must borrow your chair a little." Standing in front of it, he cast his eyes around, seeking for those who were by this time far away.

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and takes
the Speak-
er's chair.

"Gentlemen," he said at last, "I am sorry for this occasion of coming unto you. Yesterday I sent a Sergeant-at-Arms upon a very important occasion to apprehend some that by my command were accused of high treason, whereunto I did expect obedience, and not a message; and I must declare unto you here that, albeit no king that ever was in England shall be more careful of your privileges to maintain them to the uttermost of his power than I shall be, yet you must know that in cases of treason no person hath a privilege; and, therefore, I am come to know if any of these persons that were accused are here."

The King's
speech.

Once more he cast his eyes around. "I do not see any of them," he muttered. "I think I should know them." "For I must tell you, gentlemen," he went on to say, in continuation of his interrupted address, "that so long as those persons that I have accused—for no slight crime, but for treason—are here, I cannot expect that this House can be in the right way that I do heartily wish it. Therefore I am come to tell you that I must have them wheresoever I find them."

Looks in
vain for the
five mem-
bers.

Then, hoping against hope that he had not come in vain, he put the question, "Is Mr. Pym here?" There was no reply, and a demand for Holles was no less fruitless. Charles turned to Lenthall. "Are any of these persons in the House?" he asked. "Do you

Asks
whether
they are
present.

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The
Speaker's
answer.

see any of them? Where are they?" Lenthall was not a great or heroic man, but he knew what his duty was. He now gave voice, in words of singular force and dexterity, to the common feeling that no individual expression of the intentions or opinions of the House was permissible. "May it please your Majesty," he said, falling on his knee before the King, "I have neither eyes to see, nor tongue to speak, in this place but as this House is pleased to direct me, whose servant I am here; and I humbly beg Your Majesty's pardon that I cannot give any other answer than this to what your Majesty is pleased to demand of me."

"The birds
are flown."

"Well," replied Charles, assuming a cheerfulness which he can hardly have felt, "I think my eyes are as good as another's. Once more he looked carefully along the benches. "Well," he said, "I see all the birds are flown. I do expect from you that you shall send them unto me as soon as they return hither. If not, I will seek them myself, for their treason is foul, and such a one as you will thank me to discover. But I assure you, on the word of a king, I never did intend any force, but shall proceed against them in a legal and fair way, for I never meant any other. I see I cannot do what I came for. I think this is no unfit occasion to repeat what I have said formerly, that whatsoever I have done in favour, and to the good of my subjects, I do mean to maintain it."¹

So Charles spoke, and so no doubt he thought. He did not intend to assassinate the five whom he accused, any more than Pym had a year before intended to assassinate Strafford. But he meant again to be King of England, as he and his father before him

¹ I have put my account together from the narratives in *Rushworth*, *D'Ewes*, and the *Verney Notes*. Compare *Forster*, 184, and *Slingsby's* letter printed by him in a note to p. 194.

had understood kingship. It would not be his fault if resistance brought bloodshed with it.

He knew now that, for the time at least, he was baffled. As he left the House, with gloom on his brow, he could hear the cries of 'Privilege! privilege!' raised behind him. His armed followers were exasperated at the failure. Those minutes of waiting had sadly tried their patience. Strange words had fallen from the lips of some of them. "I warrant you," said one, cocking his pistol, "I am a good marksman, I will hit sure." "A pox take the House of Commons," growled another, "let them be hanged if they will." When the King reappeared there was a general cry for the word which was to let them loose. "How strong is the House of Commons?" asked one. "Zounds!" cried another, as soon as the absence of the five was known, "they are gone, and now we are never the better for our coming." The general feeling of these men was doubtless expressed by an officer on the following day. He and his comrades, he said, had come 'because they heard that the House of Commons would not obey the King, and therefore they came to force them to it; and he believed, in the posture that they were set, that if the word had been given, they should certainly have fallen upon the House of Commons.'¹

Such was the shape which Charles's legal and peaceable action took in the eyes of those whom he had called on to execute his design. The Commons at once adjourned with the sense that they had but just escaped a massacre. The orderly D'Ewes testified his opinion of the danger by stepping to his lodgings and immediately making his will.²

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1642.

Jan. 4.
The King
withdraws.

Impatience
of his
followers.

Adjourn-
ment of the
House.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 306 b, 310.

² *Ibid.* clxiii. fol. 121 b.

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XVI.
1642.
Jan. 5.
The King
in the City.

Charles could not afford to acknowledge that he had failed. The next day he set out for the City, hoping to obtain there what he had not obtained at Westminster. He took with him in his coach Hamilton, Essex, Holland, and Newport, perhaps with the idea of sheltering himself under their popularity. The rumour spread that he was carrying them with him in order to imprison them in the Tower. Multitudes poured into the streets in no gentle humour. At last he reached Guildhall and made his demand to the Common Council. After he had spoken there was a long silence, broken at last by shouts of 'Parliament! Privileges of Parliament!' The meeting was, however, not unanimous. Cries as loud of "God bless the King!" were heard. Charles asked that those who had anything to say should speak their minds. "It is the vote of this Court," cried one, "that Your Majesty hear the advice of your Parliament." "It is not the vote of this Court," cried another, "it is your own vote." "Who is it," asked the King, "that says I do not take the advice of my Parliament? I do take their advice; but I must distinguish between the Parliament and some traitors in it. Those I would bring to a legal trial." On this a man sprang on a form and shouted out, "Privileges of Parliament!" Charles repeated what he had said in a slightly altered form. "I have and will observe all privileges of Parliament, but no privileges can protect a traitor from a legal trial." In spite of the division of opinion, it was evident that there would be no surrender of the members. As the King passed out there was a loud shout of "Privileges of Parliament!" from the crowd outside. He stopped to dine with one of the sheriffs. On his way back to Whitehall the streets rang with the cry of "Privileges of Parliament!"

One bold man threw into his coach a paper on which was written "To your tents, O Israel!" The allusion to Rehoboam's deposition was one which Charles could not fail to understand.¹

Every hour that passed leaving the five members still at liberty told against Charles. Whilst he was in the City the Houses met as usual at Westminster. The Commons contented themselves with drawing up a declaration in vindication of their broken privileges, after which they adjourned to the 11th, appointing a Committee, in which any member who came might take part, to sit in the interval at Guildhall. As far as the rules of the House would permit, the Commons put themselves under the protection of the City.

The order was made in the midst of great excitement. It was rumoured that the scene of the preceding day was to be repeated, and that Charles was coming to arrest a fresh batch of members.²

It is possible that the rumour was based on a proposal which appears to have been made by Digby soon after Charles's return from the City. If he might take with him Lunsford and a party of Cavaliers, he would tear the traitors from their hiding-places.³ Charles was not prepared for open violence, and preferred to issue a proclamation commanding all his loving subjects to arrest them and to lodge them in the Tower, to be safely kept till they could be 'brought to trial according to justice.' Nothing was said of Mandeville, probably in order to avoid further collision with the Lords.

Already the City had declared against Charles.

¹ *Rushw.* iv. 479. La Ferté's despatch, Jan. 1^o, *Arch. des Aff. Etr.* xlix. fol. 8. Slingsby to Pennington, Jan. 6. Wiseman to Pennington, Jan. 6, *S. P. Dom.*

² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 308 b.

³ *Clarendon*, iv. 155.

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XVI.

1642.
Jan. 5.
"To your
tents, O
Israel!"
Parliament
at West-
minster.

A Com-
mittee to
sit at
Guildhall.

Digby's
proposal.

Proclama-
tion for the
arrest of
the mem-
bers.

The City
petition.

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1642.

The Common Council, so divided in his presence, had, as soon as he was gone, agreed on a petition in which the case of the five members was openly assumed to be just.¹

Jan. 6.
The Com-
mittee at
Guildhall.

The next day the Commons' Committee met at Guildhall. They at once proceeded to make out a case against the King, and began by voting that the impeachment itself was illegal. The debate which preceded this resolution has not been preserved, and we cannot tell how the strong precedent of Bristol's case was got rid of, unless it was argued that it applied merely to a member of the House of Lords. But it was felt that the main outrage lay, not in the impeachment, but in the attempted arrest. Treason, urged D'Ewes, must have been committed in the House or out of it. If the former, only the House itself could bear witness of it, and its consent was therefore necessary to a trial. If the latter, the House must be satisfied of the truth of the charge before surrendering its members, 'for else, all privilege of Parliament must of necessity be destroyed, for by the same reason that they accuse one of the said members, they may accuse forty or fifty upon imaginary or false treasons.'

D'Ewes's
argument
on the
privileges
of Parlia-
ment.

He mis-
quotes pre-
cedents.

D'Ewes's last words had hit upon the actual danger. Antiquarian as he was, he was more successful in laying down principles than in supporting them with precedents. He quoted two cases, one of which applied only to words spoken, whilst the other would have made against his own argument if it had been accurately stated.² A third precedent on which he

¹ *Common Council Journal Book*, xl. fol. 12.

² The last case is Parry's. D'Ewes asserted that Parry, 'being a member of the House of Commons, was first delivered up by them to safe custody, and arraigned and condemned of High Treason.' In his own *Journals of the Parliaments of Elizabeth*, we find under Feb. 11, 1585: "Upon a motion made by Mr. Digges, that Dr. Parry, a late un-

relied was more to the point. He showed that the Peers, after trying several Commoners for the murder of Edward II., had declared, with the King's assent, that they would thenceforward try no one who was not of their own order.¹

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Jan. 6.

After this, the Committee turned its attention to the legality of the warrant on which the arrest had been made. It was resolved that the King could not himself issue such a warrant. It must be issued by ministers who would be responsible for all that had been done. Then returning to the point which had been previously discussed, the Committee resolved that no member of the House could be arrested without the consent of the House. Whether this last resolution were justifiable by precedent or not, the former one was only a slight extension of a doctrine as old as that on which Charles relied when he declared that there could be no privilege of Parliament in case of treason. "A subject," it had been laid down by Chief Justice Markham, "may arrest for treason. The King cannot, for if the arrest be illegal, the party has no remedy against the King."²

Question of
the legality
of the
warrant.

After all, there is something unreal in these arguments on both sides from law and precedent. Law and precedent are serviceable as safeguards against the arrogance of force. They secure a fair trial to those who are accused of a definite crime acknowledged

Law and
precedent
useless
here.

worthy member of this House, and now prisoner in the Tower . . . hath so misbehaved himself as deserveth his said imprisonment in the Tower." On this it was resolved 'that he be disabled to be any longer a member of this House.' Parry, in fact, was arrested, and the House was subsequently acquainted with the occurrence and expelled him. On Feb. 12 D'Ewes explained that Parry was expelled 'before any indictment of treason was preferred against him.'—*Hart. MSS.* clxii. fol. 384 b. This, however, is not to the point, as the question related to his arrest.

¹ *Rolls of Parl.* ii. 54.

² D'Ewes's Diary, *Hart. MSS.* clxii. 308 b.

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1642.

Jan. 6.

The ques-
tion of
sovereignty

Twofold
conception
of life.

A com-
promise im-
possible.

Dangers of
the Com-
mons.

by general consent to be punishable if it has really been committed. There was no such general consent now. On one hand it was held to be treason to assail the authority of Parliament. On the other side it was held to be treason to assail the authority of the King. It was a question of sovereignty, and no Judges, whether they sat in the House of Lords or in Westminster Hall, could be trusted to decide that.

Nor was that all. Behind the question of sovereignty rose a twofold conception of life—religious, ecclesiastical, and political—which divided Charles from the Commons by a gulf which it was impossible to bridge over. To each of the parties in the strife the other seemed bent on imposing its ideas upon the whole nation by force or fraud. For this the Parliamentary leaders had welcomed the intervention of the Scots, and the turbulent violence of the City mobs. For this Charles had intrigued with Irish Catholics and Scottish Protestants, with the English army and with the agent of the Pope. Compromise was hardly possible now. Even the House of Lords had been unable to find a common ground of pacification. Yet, perhaps in some measure because he was the weaker party, the intrigues of Charles had been far more dangerous than those of the leaders of the Commons. The tumults which they had encouraged were visible to the eye, and were calculated to arouse resistance from all peaceable and law-abiding men. A little patience, a little self-restraint, would have sufficed to banish them from the scene, and enable Charles to triumph over disorder. The King's appeals were made to forces which were invisible, and the danger from which was beyond calculation. The Commons knew that they had not merely to deal with the armed garrison of Whitehall. These men were but the officers

of that force of 10,000 volunteers which Charles had engaged to raise for the Irish war. It is hard in these days to keep before our eyes the mass of ignorance and untaught brutality on which the society of the 17th century rested. It is useless to plead that that society was in no danger because the Hydes and Falklands wished for nothing but constitutional government. The real danger lay in the military organisation of that lower class which cared nothing for the Hydes and Falklands, and which was to be drilled and disciplined by swashbucklers like Lunsford. And behind this terror lay a worse. Indistinct as was the information possessed by the Commons, there were grave reasons to suspect that the King was ready to make use of the Irish insurgents against the English Parliament, and, as we now know, the suspicion was not wholly without foundation. The name of the Queen was still more freely used than that of her husband. Men spoke openly of the troubles in Ireland as the Queen's rebellion.¹ The belief was not likely to die out whilst courtiers were heard to say of the Irish that their 'grievances were great, their demands moderate,' and that they might 'stand the King in much stead.'²

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1642.
Jan. 6.

Men's minds were everywhere predisposed to panic. The guardian of the peace had become the aggressor, and hardly anything seemed unlikely or impossible. That night an alarm was raised, probably an echo of Digby's rejected proposal. The Lord Mayor was asked to call out the Trained Bands. On his refusal the Trained Bands dispensed with his authority. No less than 40,000 men turned out completely armed to defend their homes, and 100,000 more appeared with

Panic in
the City.

¹ Salvetti's *Newsletter*, Jan. 7.

² Slingsby to Pennington, Jan. 6, *S. P. Dom.*

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Jan. 7.

halberts, swords, and clubs. As soon as it was ascertained that they had been misled by false news, the Lord Mayor had little difficulty in sending them home to their beds. That night of panic gave evidence that Charles had not merely to face the riotous apprentices who had irritated him at Westminster. The tradesman's love of peace and order, which had manifested itself in his favour on his return from Scotland, had passed over to his opponents, as the House of Lords had passed over to his opponents a few days before.¹

Evidence of
intention to
attack the
Commons.

The next day's Committee was held at Grocers' Hall. It was for some time occupied in hearing evidence on the conduct of the soldiers who had followed Charles to the House. After this an intimation was given to the five members that they should take their seats on the 10th, the day before the resumption of the sittings at Westminster.

The King
still reso-
lute.

Could the House again sit at Westminster in safety? Hitherto the King had shown no signs of flinching. On the 7th a herald, standing in front of Whitehall, proclaimed all the six impeached persons as traitors. Charles ordered the Lord Mayor to do the same in the City. Gurney could no longer do as he would. He replied that the proclamation was against law. An official who was sent on the hopeless task of effecting the arrest, returned without his prey, having been 'much abused by the worse sort of people.'² On the following day the King gave a fierce reply to a City Petition in favour of the members, and an Order in Council bade the Lord Mayor and Aldermen to secure the persons who, on the night of the panic, had dared to call out the Trained Bands without authority.³

Jan. 8.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 309 b.

² Giustinian's despatch, Jan. 14. *Ven. Transcripts.* Carteret to Pennington, Jan. 7, *S. P. Dom.*

³ The King's answer, *Rushw.* iv. 481. The Council to the Lord Mayor, Jan. 8, *S. P. Dom.*

In the face of this danger the Committee cut the knot of the long-agitated question of the guard. A resolution was passed declaring it to be legal to require the sheriffs to bring the force of the county for the security of Parliament. It was further resolved that, as there was no law in existence on the subject of the militia, the Lord Mayor, the aldermen, and the Common Council ought 'on this pressing and extraordinary occasion' to appoint the officers and to raise men.¹

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1642.
Jan. 8.
The Committee demands a guard from the City.

The next day was Sunday. It is easy to imagine the sermons that were preached, and the quiet, heart-felt joy at the great deliverance, not unmixed with proud satisfaction at the part played by the City in guarding the Commons of England from harm.

Jan. 9.
A Sunday in the City.

On Monday morning Philip Skippon, the Captain of the Artillery Garden, was appointed Serjeant-Major-General, to take the command of the City Trained Bands. A pious, practical soldier, who had risen from the ranks, he was the very man to command a Puritan force. "Come, my boys," he once said when battle was approaching, "my brave boys, let us pray heartily and fight heartily. I will run the same fortunes and hazards with you."² He was now ordered to raise a guard for offence or defence. The request of the Commons' Committee, on which this authority was conferred, was at last backed by a similar request from a Committee of the Lords.³ All the constituted authorities were now against Charles. The popular current ran in the same direction. The seamen and mariners of the Thames offered to join in the defence of the Houses, and their offer was gladly accepted.

Jan. 20.
Skippon appointed to command.

Offer of the seamen and mariners.

As soon as these arrangements had been made,

¹ *Common Council Journal Book*, xi. fol. 14.

² *Whitelocke*, 65.

³ *Common Council Journal Book*, xi. fol. 15.

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1642.

Jan. 9.
The five
members in
the Com-
mittee.

Further
arrange-
ments for
the return
to West-
minster.

Charles
anxious for
the Queen's
safety.

the five members entered the Committee, and received a hearty welcome. Soon afterwards a deputation from the apprentices arrived to ask permission to join in the morrow's procession. The Committee, mindful of the alarm which might be caused by the re-appearance of these frolicsome lads upon the scene, gravely requested them to guard the City in the absence of their masters. Then came an announcement from Hampden, that some thousands of his constituents were on their way from Buckinghamshire with a petition. At first the Committee felt some anxiety at the approach of so numerous a body, but it was finally resolved to throw no opposition in their way. Finally an offer was accepted from the men of Southwark to guard their own side of the river.¹

By the time that these arrangements were completed Charles was no longer at Westminster. On the 9th he had become aware that it would be impossible to resist the return of the Commons. If there had been nothing else to influence them, the humiliation of remaining a defeated spectator of the triumph of his enemies would have been too great to bear. But he was more anxious for the Queen's safety than for his own dignity. He told Heenvliet, the Agent of the Prince of Orange, that he was sure that the Commons intended to take his wife from him. He at once despatched a messenger to Holland, no doubt, to beg for material help from the Prince of Orange.² At the same time he wrote to Pennington, commanding him to send a ship to Portsmouth to await orders, and to obey no future directions which did not emanate from himself.³

Jan. 10.

The next morning Charles prepared to set out.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 313.

² Heenvliet to the Prince of Orange, Jan. $\frac{11}{11}$, $\frac{14}{12}$, *Groen van Prinsterer*, 2me ser. iii. 500, iv. 1.

³ Pennington to the King, Jan. 11, *S. P. Dom.*

Holland and Essex, together with Lady Carlisle, begged some who were in the King's confidence to plead for delay. No one would undertake the hopeless task. Heenvliet was finally applied to. "Who would dare to do it?" was all the answer he could give.¹ There must have been an unaccustomed air of firmness in that irresolute face. At that moment Charles stood by his wife. He had done nothing to raise her to truer, broader views of the world in which they both lived, because he had no true and broad views of his own. He could not even carry out persistently her rash and petulant commands. But he could suffer with her tenderly and lovingly. Long afterwards when she told how with a word of hers she had, as she believed, betrayed the secret of the design of surprising the five members, the memory of his self-restraint rose to her lips. "Never," she said, "did he treat me for a moment with less kindness than before it happened, though I had ruined him."²

In loving affection the Royal pair set out on their long exile. Charles was never to see Whitehall again, till he entered it as a prisoner to prepare for death. Henrietta Maria was after many years to return to the scene of her early happiness, a sad widow amidst a world which knew her not. Charles's troubles had commenced already. Essex and Holland refused to follow him, and told him that his proper place was with his Parliament. They expressed their readiness to surrender their offices. This was, however, refused, and Charles started without them. When Hampton Court was reached no preparations had been made for their reception. That night the King and Queen had to sleep in one room with their three eldest children.³

¹ Heenvliet to the Prince of Orange, Jan. 11, *Groen van Prinsterer*, 2me ser. iii. 500.

² Madame de Motteville, *Memoirs*, ch. ix.

³ Berners to Hobart, Jan. 17, *Tanner MSS.* lxiii. fol. 242.

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1642.

Jan. 10.
The King
prepares to
leave
Whitehall.

The King
and Queen
set out.

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1642.
Jan. 11.
The return
of Parlia-
ment.

The next morning London was the scene of joyous commotion. At one o'clock the members of the House, with the five heroes of the day amongst them, took boat to return to Westminster. They were surrounded by a multitude of gaily dressed boats, firing volleys as they passed along. On the north side the City Trained Bands marched westward with resolute purpose. In the midst of them Mandeville was seated in a carriage. They bore aloft on their pikes a printed copy of that Protestation which, at the crisis of Strafford's fate, had rallied Englishmen to the cause of the Protestant religion, and the liberty of the subject.¹

Pym's
triumph.

That day witnessed Pym's greatest triumph. He was now King Pym indeed. He was no longer the chief of a party, for he had the nation at his back. Both Houses of Parliament, now united, followed his bidding. Patiently and vigilantly he had stood upon the watch-tower peering into the darkness to descry the fleeting and shapeless forms of anarchy and conspiracy. He had taught men to seek for the basis of law and order in Parliament rather than in the King. Yet for him, as for other men, the hour of triumph was but the hour of opportunity. Could he seize the moment as it passed, and make permanent that harmony which had so unexpectedly sprung up? Was this government by Parliament to acknowledge the limitations imposed on it by nature? Was it to be a means of imposing upon men the despotism of a majority, or was it to bow before the majesty of that true freedom which consists in the liberty of each individual man, to strive as seems best to himself after that ideal of duty which reveals itself in his soul. The Church question was still unsettled, and unhappily there was nothing in Pym to make it probable that he would solve it aright.

¹ Bere to Pennington, Jan. 13, *S. P. Dom.* Giustinian's despatch, Jan. $\frac{14}{24}$, *Ven. Transcripts.* *Rushw.* iv. 484. *Clarendon*, iv. 199.

CHAPTER XVII.

THE EVE OF THE CIVIL WAR.

THE King's first act on the morning of his arrival at Hampton Court was a preparation for civil war, or, as he himself would have explained it, for the maintenance of his just authority against rebellion. It is probable that in his orders to Pennington on the day before, with regard to Portsmouth, he had in view something more than the Queen's embarkation, and that he was already enabled to expect that Goring would place that fortress in his hands whenever he thought it desirable. He now turned his thoughts upon a place still more important than Portsmouth. At Hull were still stored up the munitions which had been provided for the Scottish war, and it was also conveniently situated for the reception of those Danish troops of which he had wished to make use against the Scots, and of which he was again thinking of making use against his own subjects. He now appointed the Earl of Newcastle to be Governor of Hull, and gave instructions to Captain Legg, the officer who in the summer had carried to the army the petition marked by the King's initials,¹ to hasten to the North to secure the submission of the citizens of Hull to their new governor. Special instructions were given to Nicholas to keep these orders a profound secret, and to forbear entering them in the signet

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1642.
Jan. 11.
The King's
plans for
the occupa-
tion of
Hull.

Newcastle
to be
Governor of
Hull.

¹ Vol. ii. p. 211.

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1642.
Jan. 11.

Hotham
ordered by
the Houses
to occupy
Hull.

office, according to the usual official course.¹ There can be no reasonable doubt that if the news of Legg's success had reached Charles, Digby would have started for Holland² and Denmark to secure assistance, and especially to hire Danish soldiers to land at Hull.³ Charles, however, could not count on secrecy amongst his most intimate followers. The King's plans were no doubt betrayed to Pym even before they were put in execution. Orders were therefore given by Parliament to Sir John Hotham to secure Hull by means of the Yorkshire Trained Bands, and not to deliver it up till he was ordered to do so by 'the King's authority, signified unto him by the Lords and Commons now assembled in Parliament.' In a few minutes Hotham's son, who was himself a member of Parliament, was speeding down the North road, even before Legg had started on his errand.⁴

¹ The King to Nicholas, Jan. 11. Legg to Nicholas, Jan. 14, *S. P. Dom.*

² We learn from La Ferté's despatch of Jan. $\frac{6}{15}$, that Heenvliet was negotiating for Charles's mediation to bring about a truce between Spain and the States, and that there was to be money paid by the Prince of Orange. La Ferté warned the Parliamentary leaders of this, so that they knew that Charles was seeking aid abroad.

³ Digby's proceedings will be related in their proper place. As however, he did not go to Denmark, and all that has been hitherto known on the subject has been drawn from the suspicions of the Parliamentarians, it is as well to quote here the following extract: 'Le Roy ne voyant esperance d'autre secours, despechoit le mylord Digbie au Roy de Dennemarque, pour en avoir de luy, et en intention d'assurer la descente des Danois le Roy donnoit ordre au Comte de Newcastle de s'en aller à Hul, port de mer vers Dennemarque:—Forster to Chavigny, Feb. $\frac{3}{15}$, *Arch. des Aff. Etr.* xlix. fol. 27. Forster was a Catholic, and gave reports to the French Government of news from England. If, as I believe, that news reached him from persons about the Queen's Court, his intelligence would be decisive on such a point.

⁴ That Hotham started first may be gathered from Giustinian's statement, that the command was given to Newcastle on account of the King's knowledge of the order to Hotham, and from the fact known from a letter from the Mayor of Hull (*L. J.* iv. 526) that Hotham arrived

In the face of such danger there was no lack of unanimity between the two Houses. Both Lords and Commons concurred in accepting a guard of the City Trained Bands under Skippon's command, rather than a guard of the same Trained Bands selected by the Lord Mayor, and placed under the orders of the Earl of Lindsey, as the King now proposed. Both Lords and Commons concurred in passing rapidly through all its stages, a Bill enabling Parliament to adjourn itself to any place it would; in other words, enabling it to sit at Guildhall instead of sitting at Westminster. On one point alone did the Lords show any scruples. They objected to join in addressing to the King a demand that Conyers might supersede Byron as Lieutenant of the Tower. They were ready to join in all necessary measures of defence, but they were not inclined to wrest from the King that executive authority which the Commons thought could no longer safely be left in his hands.

Already evidence had been given that Pym could count on support elsewhere than in the City. Four or five thousand gentlemen and freeholders of Buckinghamshire had ridden up with petitions to the Houses which were but the echo of the Grand Remonstrance. Hampden's constituents declared that they were ready to live and die in defence of the privileges of Parliament.¹

Each hour as it passed brought news of thickening dangers. On the morning of the 12th it was known that Lunsford and his Cavaliers had been gathering at Kingston, and that Digby had come over from Hampton Court to concert measures with them. As before Legg; but, as Forster's evidence points to a substantive plan for the occupation of Hull by the King, I think it may be gathered that Hotham was sent off on account of intelligence received at Westminster of the King's intention.

¹ *C. J.* ii. 369. *L. J.* iv. 504.

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XVII.

1642.
Jan. 11.
Unanimity
of the
Houses.

The Buck-
ingham-
shire peti-
tion.

Jan. 12.
Digby and
Lunsford at
Kingston.

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1642.

Jan. 12.

the magazine of the County of Surrey was at Kingston, the obvious interpretation of the proceeding was, that the Cavaliers intended to seize the store of arms, and to gather a force which would enable the King to be-take himself to Portsmouth. The Commons proposed to parry the danger by ordering the sheriffs of the neighbouring counties to call out the Trained Bands for the suppression of such assemblies, as contrary to law. At the same time, the Peers summoned Byron before them to give account of the recent attempt to strengthen the garrison of the Tower. Byron, how-ever, refused to leave the fortress without an order from the King. Various rumours of plots to murder the popular lords were also afloat, and received more attention than would have been accorded them in quieter times.¹

Byron sum-
moned
before the
Lords.

Jan. 13.
The King
at Windsor.

The tidings of the next day did much to carry conviction to all that a struggle was imminent. Charles had removed to Windsor. He had taken time to consider the Bill allowing Parliament to ad-journ itself, and had announced that, as the legality of his impeachment of the accused members had been disputed, he would now abandon it, and 'all doubts by this means being settled,' he would proceed against them 'in an unquestionable way.' The announcement that the prosecution was not to be abandoned caused the greatest irritation. Fresh news came in of Luns-ford's armed men and their supposed design upon Portsmouth. What had happened at Hull no one could yet tell. Already that morning the Lords had pointed to the necessity of doing more than call out the Trained Bands of the counties round Kingston and Windsor. They thought that the order should 'be made general for all England.' The first proposal of

He will
have the
members
tried in
another
way.

¹ C. J. ii. 372. L. J. iv. 507.

a new Militia Bill had thus come from the Peers.¹ The Commons were not slow to take the hint. They drew up a declaration, to be sent to all the counties, inviting them 'to put themselves in a position of defence'—in other words, to call out the Trained Bands for their own security.

The declaration in which this invitation was contained threw the blame of all that had occurred on 'the Papists.' There was, it was firmly believed, a vast Catholic conspiracy threatening dangers of which the outbreak in Ireland was but the premonitory symptom, and of which the attack on the members was the commencement in England. Not only had Parliament been defied, and its privileges broken, but agreements had been made with foreign Princes for the introduction of foreign troops into the country, and arms had been collected with a view to a rising at home. Therefore it was necessary that the country should stand on its guard. Magistrates must see that the county magazines were well furnished. Strong watches were to be placed to prevent surprise, and no soldiers were to be levied, or arms and ammunition collected, 'nor any castles, forts, or magazines delivered up without His Majesty's authority, signified by both Houses of Parliament.'

In the policy of this declaration the Lords concurred entirely. With the consent of the Lower House they issued a general order to the sheriffs, enjoining upon them the duty of suppressing unlawful assemblies and securing the magazines, though they prudently objected to irritate the King needlessly by the narrative of his

¹ *L. J.* ii. 510. *C. J.* ii. 375. Heenvliet to the Prince of Orange, June $\frac{1}{2}$, *Groen van Prinsterer*, ser. 2, iv. 1. This Militia Bill must not be confounded with the one which had been brought in before Christmas to appoint a general with arbitrary powers, and which was probably only intended to frighten the Lords into passing the Impressment Bill.

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XVII.

1642.
Jan. 13.

The counties to be invited to defend themselves.

The declaration of the Commons for the defence of the country.

Jan. 14.
The Lords concur in the policy of the declaration, but object to its form.

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XVII.

1642.

Jan. 14.
The Prince
not to leave
the king-
dom.The King
aims at
Portsmo-
uth.

past misconduct.¹ Afterwards, upon hearing that the King had taken the Prince out of the hands of his governor, the Marquis of Hertford, they directed Hertford to resume his charge, and requested the King not to permit the Prince to be taken out of the kingdom.²

It was impossible to disconnect the removal of the Prince with the evident desire of the Court to secure Portsmouth. A gentleman from Windsor informed the Commons that a waggon laden with ammunition had gone down to Windsor, and that another waggon similarly laden had started from Windsor to Farnham. In Windsor there were about 400 horse and 40 officers. A messenger had been despatched to Portsmouth.³ It was doubtless known in London that the King had carried with him those magnificent crown jewels on which Buckingham had once attempted to raise money in Holland, and that if a seaport could be secured, he would not be without the means of tempting foreign mercenaries to his help.⁴

The crown
jewels with
the King.Pym's
proposal.

Up to that morning hopes of an accommodation may possibly still have been entertained. Pym, at least, can hardly now have expected it any more. He declared that the King must be plainly told that these armed gatherings were against the law. In the Commons it was freely said that it would be necessary to inquire who had advised him to impeach the members. A Committee was appointed to place the kingdom in a posture of defence more thoroughly than by the action of the individual sheriffs. The com-

¹ *C. J.* ii. 377.² *L. J.* iv. 512-514.³ *C. J.* ii. 379.

⁴ The connection between the Prince's removal and the intention of going to Portsmouth is clearly put in the following: "Hora stimano alcuni che in questo tempo il Rè possa esser vicino a Posmur, havendo condotto seco la Regina, il Principe e la Principessa, et anco portato le gioie."—Rossetti to Barberini, ^{Jan. 30,} ^{Feb. 9,} *R. O. Transcripts.*

mand of the militia was ultimately in the Lords-Lieutenants, and the Lords-Lieutenants had been appointed by the King. On the 15th the Committee recommended that the members for each county, and for the boroughs contained in it, should nominate a person to be appointed as its Lord-Lieutenant in the room of the King's nominee. On the same day the Peers were again asked to join in requesting that Conyers might be substituted for Byron at the Tower.¹

The Lords were not ready to wrest the whole executive authority from Charles's hands. Before long it was known that the King had asked Heenvliet to attempt to bring about an accommodation. On the 17th Heenvliet was at Windsor, and on the following morning he had an interview with Charles. Charles showed no appreciation of his real position. He chatted about Holland's ingratitude, and said that the Bishops' Exclusion Bill had been introduced in order to diminish the Royal power. Heenvliet, apparently weary of this babble, asked what message he was to carry to the gentlemen at Westminster. Tell them, said the King, that you find me hard to satisfy, and then they will be anxious to secure your help. At any rate Heenvliet was to keep the negotiation on foot till he heard from the Prince of Orange, who, as Charles hardly doubted, would be ready to intervene in his behalf.

Heenvliet was then taken to the Queen. Henrietta Maria at once broke out into complaints against the Commons for their accusations against her, and protested that she had never given evil counsels to the King, and that she detested the Irish rebellion. The King, she said, would be well content if he could

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1642.

Jan. 15.
The Commons recommend that the Lords-Lieutenants shall be appointed by Parliament.

Jan. 17.
Mediation of Heenvliet.

Jan. 18.
His interview with Charles;

and with the Queen

¹ *C. J.* ii. 379, 380. Heenvliet to the Prince of Orange, Jan. 14, *Groen van Prinsterer*, ser. 2, iv. 1.

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1642.

Jan. 18.

enjoy his revenue as he had had it before these troubles, and if his Parliament met every three years instead of remaining in perpetual session. At present, he was worse off than a Venetian Doge. He would remain at Windsor for two days. If he had not then received satisfaction, he would go to Portsmouth. She and the Princess would remain there in safe custody, whilst the King and the Prince betook themselves to Yorkshire. Heenvliet here suggested that there might be danger in such a course. No, she said, the King's name is revered everywhere except in London. In Scotland and Yorkshire it is especially respected. Newcastle had already occupied Hull in his name. There was a larger quantity of munitions there than in the Tower itself. As to the Tower, Byron had been ordered to blow it up rather than surrender it. The King would publish a manifesto avowing his desire for peace, and forbidding the Trained Bands to obey any one but himself. Parliament had no right to meddle with them. If they refused obedience, all their property would be forfeited by law. The Prince of Orange must not allow the King to perish. "If we go to Portsmouth," she ended by saying, "I hope you will soon come there with good news."¹

Charles's
hopes prove
vain.

Before long both Charles and his wife discovered that they had been deceiving themselves with false hopes. The Cavaliers at Kingston were dispersed by the county Trained Bands. Not a soul in the North or in Wales was disposed to stir in his favour. Newcastle and Legg had failed utterly in their attempt on Hull. The Mayor had refused to admit any troops into the town, whether under Newcastle or Hotham. The King had now but 200 men with him. It was

¹ Heenvliet to the Prince of Orange, *Groen van Prinsterer*, ser. 2, iv. 2.

therefore necessary to abate something of his high pretensions.¹ On the 20th, abandoning his design on Portsmouth, he despatched to Westminster a more conciliatory message than any which he had penned since his return from Scotland. In this he asked the Houses to place upon paper all that they judged necessary on the one hand for the maintenance of his authority and the settlement of his revenue, and on the other hand for the establishment of their own privileges, the security of 'the true religion now professed in the Church of England, and the settling of the ceremonies in such a manner as may take away all just offence.' When all this had been digested 'into one entire body,' he would show how well disposed towards Parliament he was.

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1642.
Jan. 20.
He sends a
concilia-
tory mes-
sage.

A month before, such a message would doubtless have been received with rapturous applause. Even now there were some who had hitherto opposed the King, who were inclined to see in it an augury of better things. No doubt it pointed to such a settlement of the Church as would have been in accordance rather with the views of Bristol than with the views of Pym. No doubt, too, the urgent question was not how the Church could be settled, but whether Charles could be trusted. Yet it was inevitable that those who wished to see the Church settled in Charles's way should be inclined to trust him, and that those who wished to see it settled in another way should be inclined to distrust him. There were certainly grounds enough for distrust. The message offered no security against an appeal to force, if force were at hand. Both Houses therefore agreed in sending for Newcastle to give an account of his conduct at Hull. But the Lords wished to return a simple

Its recep-
tion.

¹ Giustinian to the Doge, Jan. 21, *Ven. Transcripts*.

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1642.

Jan. 20.

The Commons demand the fortresses and the militia.

Jan. 24.
The Lords refuse to join them.

Pym's appeal to the Lords.

Jan. 26.
Lennox moves for an adjournment for six months.

reply of thanks to the King's message. The Commons, who had the day before ordered the circulation of the Protestation through the kingdom for signature, as a token of the public disapprobation of the attempt on the members,¹ now asked that the fortresses and the militia might be placed in the hands of persons in whom Parliament could confide. On the 24th the Lords refused to join in this request. But the number of protests, which usually stood at 22 or 23, was on this occasion swollen to 32.

The next day Pym laid before the Lords petitions from London, Middlesex, Hertfordshire, and Essex, in support of his policy. The voice of the petitioners, he said, was the voice of England. He adjured the Peers to remove the obstructions to a peaceable settlement which still existed. The Commons would be glad of their help, and would be sorry 'that the story of this present Parliament should tell posterity that in so great a danger and extremity the House of Commons should be enforced to save the kingdom alone, and that the House of Peers should have no part in the honour of the preservation of it.'

When Pym's proposal was discussed in the House of Lords, Lennox rose to a motion for adjournment. "Let us put the question," he said hastily, "whether we shall adjourn for six months." The Peers felt that Digby's motion that Parliament was no longer free had come back to them in another form. To leave the House of Commons alone in Session would be a direct admission that no constitutional remedies were any longer possible. Lennox was therefore compelled to acknowledge that he had given offence. Twenty-two Lords of the opposition protested against

¹ C. J. ii. 353.

the mildness of the penalty. The Commons took the matter up warmly, and asked the Lords to join in petitioning the King to remove Lennox from his office at Court. The Lords refused to censure Lennox more heavily than they had done already.¹

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1642.
Jan. 26.

Irritation on both sides was the natural result of the abnormal situation. There was absolutely no Government in England. The King was projecting the restoration of his authority by reliance on anything except the loyalty of the English nation. A Government acting in accordance with Parliament would soon have dispersed the panic fears which exaggerated even the great danger which in reality existed; and the demand that the military forces of the realm should be commanded by persons in whom Parliament could confide, was the first step to the establishment of such a Government. It is useless to say that the Commons could afford to wait. The nation, at least, could not afford to wait. Men could not trade with security when they might expect at any moment to hear that foreign soldiers had landed, or that Irish rebels had been imported to wage war in England; whilst the whole military organisation of the country was thrown out of gear, because the King wished it to be employed for other objects than for the public safety.

Difficulty
of the
situation.

Reason was on the side of the Commons. That the Lords should take the opposite view is intelligible enough. Tradition and precedent were on the King's side. Many of the Peers feared the sweep of a democratic tide. The Commons, still in name the Lower House, were speaking to the Lords as their undoubted masters. The Lords were already treated as a mere appendage to a greater and more powerful assembly.

Reasons for
the Lords'
resistance.

¹ *L. J.* iv. 543. French Newsletter, Feb. $\frac{2}{13}$, *Arch. des Aff. Etr.* xlix. fol. 24.

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1642.
Jan. 26.

In the wake of distasteful social and political changes loomed religious changes equally distasteful. Yet the Lords hardly knew what to do. They distrusted the Commons, but as yet they distrusted Charles as well.

Jan. 25.
The Commons' petition.

On the refusal of the Lords to join in asking for the fortresses and the militia, the Commons had independently presented their request to the King. Charles had returned an evasive answer, and on the 31st the House voted the evasion to be equivalent to a denial,¹ and also drew up an ordinance conferring power in each county upon persons to be afterwards named, to train the inhabitants for war, to name Deputy-Lieutenants with the approbation of Parliament, and to appoint officers, as well as to suppress 'all rebellions, insurrections, and invasions,' according to directions from the King signified by Parliament.

Jan. 31.
The militia ordinance.

Something indeed had been already done to carry into action the terms of the ordinance. The younger Hotham had made himself master of Hull in the name of the Parliament. Skippon and the City Trained Bands were blockading the Tower, and Byron acknowledged that it was not capable of offering a long resistance.

Hotham occupies Hull.

The Tower blockaded.

A position so strained could not last long. In the City the burden fell heavily on the poor. On the 31st a petition was presented to the Commons by the Artificers of London and Westminster. It was immediately sent up to the Lords. The poor men, said Holles, who carried it up, had declared that they wanted bread. "The House of Commons said that they are not in fault, but have done what they could to take away the causes of these distempers; therefore they protest, for their own safeties, lest they should be involved, that they are not guilty of these mischiefs."²

Jan. 31.
The artificers' petition.

¹ *C. J.* ii. 395, 405.

² *L. J.* iv. 559.

When the Houses met the next morning an unusual sight presented itself to their eyes. Palace Yard was thronged by a crowd of women. "We had rather bring our children," they said, "and leave them at the Lords' door, than have them starve at home." The crowds of petitioners who had been appearing during the last few days at Westminster were not without effect on the House of Lords. The most persistent Royalists saw in them an organised renewal of those scenes which had preceded the death of Strafford.¹ Others may have been convinced of the gravity of the situation, and may have been disappointed at the King's letter, as containing no serious guarantees.² On February 1 the Lords voted that they would join the Commons in asking the King either to set forth distinctly his charges against the accused members, or to abandon the prosecution. Later in the day they passed a far more serious vote. They agreed to join in a petition to the King, asking him to entrust the fortresses and the militia to persons in whom Parliament could confide.³

The Lords no doubt felt their isolation.⁴ Instead of placing himself at their head, the King had done nothing to show repentance for his past faults. All

¹ Giustinian's despatch, Feb. $\frac{4}{14}$, *Ven. Transcripts*. Salvetti's *Newsletter*, Feb. $\frac{4}{14}$.

² For the view that Charles, in his anxiety to save the Queen from the danger which he apprehended, may have passed the word to his partisans to withdraw for a time from active opposition, see a pamphlet by Dr. A. Buff, *Die Politik Karls des Ersten*, in which Clarendon's misrepresentations are admirably dissected. But I rather suspect that, as at the time of Strafford's trial, there was a middle party which had been voting with the Royalists. Its defection now would make resistance to the Commons hopeless.

³ *L. J.* iv. 556, 558.

⁴ Dover, in his notes (*Clarendon MSS.* 1,603) says that 'that very night, many of our Lords being absent, it was carried for to join.' This may be true, but, as another vote was taken the next day, it is evidently not the whole truth.

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1642.
Feb. 1.
The women
in Palace
Yard.

Position of
the Lords.

They join
the Com-
mons about
the accused
members,

and about
the militia.

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1642.

Feb. 4.

The
women's
petition.

Feb. 5.

The
Bishops'
Exclusion
Bill passes
the Lords.

Feb. 4.

The Prince
of Orange
will not
help
Charles.

Feb. 6.

The King's
answer on
the militia.

round them was a population surging with impatience. On the 4th came a long petition from the women about Popery and idolatry, and another long petition from Surrey, crying out for a speedy settlement. The next day the Lords passed the Bishops' Exclusion Bill, which they had steadfastly resisted in the autumn.¹

Once more Charles found that his hope of support from the Lords had failed him. Nor was this the whole extent of his disappointment. Hardly had he received the message which told him that both Houses were of one mind on the militia, when Heenvliet brought tidings that the Prince of Orange refused to mediate in his favour, and counselled him above all to keep clear of war. "It is hard," said Charles, "but I will think of it, and see you again in the evening." The Queen added, that she was resolved to leave the kingdom, and that she would go to Holland, to deliver over her daughter to her youthful bridegroom. "Either the King," she added, "will agree with his Parliament or not. If he does, I will soon return. If not, I had rather be in Holland than here." The agreement, she explained, must be honourable to the King. In Scotland and Yorkshire the whole population was on his side. He would try his best to come to an understanding with his Parliament. If things turned out badly he would go into the North, and she would therefore only be in his way in England.

Reflection brought more strongly before Charles the necessity of at least the appearance of concession. On the 6th he replied to the message on the militia. He wished to know what authority was to be given to the new commanders, and for how long a time it was to be exercised. When he was satisfied on these points, he was ready to entrust the forts and the

¹ *L. J.* iv. 564. Heenvliet says the third reading was carried by 36 to 23, which shows the untruth of Clarendon's statement that it passed by the abstention of its opponents.

militia to the persons named by Parliament, reserving to himself the right of excepting to unfit persons so named. As to the accused members he would drop all proceedings against them.

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1642.
Feb. 6.

At last, if only Charles were in earnest, a reasonable basis of settlement was found. The next day he had a long conversation with Heenvliet.

Feb. 7.

“How am I to take away the bishops,” he said, “having sworn at my coronation to maintain them in their privileges and pre-eminences? At the beginning I was told that all would go well if I would allow the execution of the Lord-Lieutenant of Ireland; then it was, if I would grant a triennial Parliament; then it was, if I would allow the present Parliament to remain sitting as long as it wished; now it is, if I will place the ports, the Tower, and the militia in their hands; and scarcely has that request been presented, when they ask me to remove the bishops. You see how far their intentions go. Nevertheless, to content them and my people, I have answered that I will name persons whom they approve of to command, but that they must tell me for how long a time this arrangement is to last, so that I may not strip myself entirely.” Later in the day Charles explained his plans more clearly. As soon as the Queen was gone, he said, he should go into Yorkshire, not with the intention of taking arms, but in order to see what the Houses would do. He did not doubt that they would be more supple than he. He hoped that if they attacked him, the Prince of Orange and the States would not suffer him to perish.¹

The King's
vexation at
the Bishops'
Exclusion
Bill.

What could be expected from a man so unhappily constituted? He could neither frankly yield nor firmly refuse. Even if it were strictly true that he had

¹ *L. J.* iv. 566. Heenvliet to the Prince of Orange, Feb. $\frac{4}{14}$, $\frac{6}{18}$, *Groen van Prinsterer*, ser. 2, iv. 16, 17.

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XVII.1642.
Feb. 7.

given way to content his people, he believed himself to have been grievously wronged, and he hoped that when he spoke from the midst of the sympathising Yorkshiremen he would be able to compel better terms.

On one point, indeed, Charles of necessity yielded.

Feb. 11.
Conyers in
charge of
the Tower.

On the 11th he announced that he would transfer to Conyers the Lieutenancy of the Tower now that Byron was no longer able to defend it.¹ In the meantime the Commons had drawn up a list of persons whom they recommended as Lords-Lieutenants. On the 12th this list was accepted by the Lords, to be presented to the King. The Houses agreed that the authority of the new officials should continue till Parliament determined otherwise.

Feb. 12.
Lords-
Lieutenants named
by Parliam-
ent.Feb. 13.
The King
accepts the
Bishops' Exclusion
Bill.

On the 13th the King and Queen were at Canterbury on their way to Dover, the port chosen for the Queen's embarkation. The question whether the Royal Assent should be given to the Bishops' Exclusion Bill had been the subject of much contestation. Culpepper had argued in vain that it would be prudent to allow it to become law. The Queen was more successful.² To her it was a matter of indifference whether a few heretics, calling themselves Bishops, sat in the House of Lords or not. The one thing of importance was, that her husband should retain his hold on the sword. As soon as she had sailed, his movements would be free. When he was once in Yorkshire he would easily find his way into Hull, and at Hull he would be in a position to receive supplies from the Continent. Charles yielded to his stronger partner. Never, he fondly promised her, would he surrender his command of the militia.³

¹ *L. J.* iv. 577.² *Clarendon's Life*, ii. 18.³ See Henrietta Maria's Letters from Holland, published by Mrs. Everett Green.

In this temper he addressed himself to the demands of Parliament. It is needless to inquire whether, in some abstract constitutional system formed without reference to any particular circumstances of time and place, the presence of bishops in Parliament is desirable or not. They had gained their place there when they had been the depositories of the moral and intellectual force of the nation. In 1642 they were no more than an excrescence on political and religious life. They had made themselves the servants of the King, and apart from him they had no inherent strength by which they could stand. Few spoke in their defence, and most of those who did defended them not for their own sake, but for the sake of institutions which would fall more easily when they were gone from the political world. At his wife's bidding Charles consented to the Bill, which, by reducing them to their spiritual functions, gave them a fresh chance of regaining the goodwill and admiration of their fellow-countrymen. At the same time he passed the Bill for pressing soldiers for Ireland, with the clause forbidding him to compel men to go out of their counties without permission from the Houses. He also offered to put in execution the laws against the Recusants, and bound himself to grant no pardons in future to the Catholics without consent of Parliament, on condition that the seven priests who had been condemned in December might have their sentence commuted to banishment. He would also refer to Parliament all questions relating to the Church and the Liturgy, though he required that its recommendations should be submitted to him as a whole after the subject had been thoroughly discussed. He would leave nothing undone for the relief of Ireland, and, if Parliament saw fit, he would venture his person in the war. Finally he wished

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1642.
Feb. 13.
The bishops
in the
House of
Lords.

The Bill for
pressing
passed.

The King's
message.

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1642.
Feb. 14.
Thanks
from the
Houses.

Impeach-
ment of the
Attorney-
General.

Digby's
intercepted
letter.

The King's
warrant to
Newcastle.

the Houses to examine into the causes of the decay of trade.¹

No wonder that, coupled with the former offer about the militia, this message drew forth warm expressions of thanks from both Houses. If only Charles could be trusted, everything might yet go well. Unluckily, that very afternoon, after the impeachment of the Attorney-General for his conduct in relation to the accused members had been laid before the Lords, Pym brought up a packet of letters written by Digby from Middelburg, whither he had fled. One of them was addressed to the Queen, and in such a crisis it was resolved to break the seal. The contents were ominous of danger. "The humblest and most faithful servant you have in the world," wrote Digby, "is here at Middelburg, where I shall remain in the privatest way I can, till I receive instruction how to serve the King and your Majesty in these parts, if the King betake himself to a safe place where he may avow and protect his servants from rage and violence; but if, after all he hath done of late, he shall betake himself to the easiest and compliantest ways of accommodation, I am confident that then I shall serve him more by my absence than by all my industry."²

Digby's letter received an appropriate comment by the reading of the warrant by which the King had empowered Newcastle to take military possession of Hull.³ How was it possible to doubt that strong influence was being brought to bear upon the King to induce him to set Parliament at defiance? Even the most sanguine must have suspected that till the militia were actually in safe hands there could be no

¹ *L. J.* iv. 580.

² *L. J.* iv. 582. *Rushw.* iv. 554.

³ *L. J.* iv. 585.

security for the State. On the 15th the arrangements previously made for the command of the militia were embodied in an ordinance, and that ordinance was sent in the name of both Houses to the King. On the 22nd Digby was impeached of High Treason.¹

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XVII.
1642.
Feb. 15.
The militia
ordinance.
Feb. 22.
Digby
impeached.

To the messengers who brought him the militia ordinance Charles refused to give an immediate answer. He had plainly made up his mind to say nothing till the Queen was in safety. On the 23rd she was under sail, carrying with her her daughter and the Crown jewels, full of hope and courage, and half believing that she had inspired her husband with something of her own resolution. After a tender farewell, Charles galloped along the cliffs in the direction in which the vessel was sailing, keeping his eyes fixed upon it to the last.²

Feb. 23.
The Queen
sets sail.

On the 26th the King was at Greenwich. He sent for the Prince of Wales, and, in spite of the remonstrances of Parliament, he kept the lad with him. He was now buoyed up with a fresh hope as unsubstantial as were the many others which had melted away in his hands. The militia ordinance had given rise to some dissatisfaction in the City as overriding the municipal authority of the Lord Mayor,³ and there had been a movement amongst the citizens to resist it, of which George Benyon, a wealthy merchant, was the leading spirit. Charles had therefore drawn up a sharp answer to the message with which the Houses accompanied their ordinance, but he was persuaded by Hyde to hold it back for further consideration. On the 27th he had a long interview

Feb. 26.
Charles at
Greenwich.

¹ *L. J.* iv. 587, 602.

² Madame de Motteville's *Mémoires*, ch. ix. Giustinian to the Doge, March $\frac{4}{14}$, *Ven. MSS.*

³ Giustinian to the Doge, Feb. 26
Mar. 7, *ibid.*

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XVII.

1642.
Feb. 27.
He accepts
Hyde as
his secret
counsellor.

Hyde's con-
stitutional
views.

Their per-
manent
weakness,

with Hyde. Hyde, it was arranged, was to remain at Westminster, to watch the proceedings of Parliament, and to send notice to the King of all that it was desirable for him to know. He was also to accompany every message which left the Houses for the King with a secret despatch containing the answer which he judged most fitting to be given. Charles was to copy the proposed answer with his own hand, and to address it to Parliament as if it were his own.¹

Charles's acceptance of Hyde as his unofficial adviser marks a new departure in the constitutional system of the English monarchy. Hyde's great achievement was to throw over the doctrine which Strafford had inherited from the Tudors, which taught that there was a prerogative above the law, capable of developing out of itself special and transcendent powers to meet each emergency as it arose, whether Parliament approved or not. The King, according to Hyde, was to work in combination with his Parliament; but he was not to allow the House of Commons to force its will upon the House of Lords, still less was he to allow both Houses combined to compel him to give the Royal Assent to Bills of which his conscience disapproved. That such a conception of the Constitution could under any circumstances have been permanently adopted is absolutely impossible. It did not even attempt to solve the question of sovereignty, which Strafford had been prepared to solve in one way, and which Pym was now prepared to solve in another. It was the idea of an essentially mediocre statesman. It was based on negotiations, and provided so elaborately that nothing obnoxious should be done, that there was no room left for doing anything at all. Strafford and Pym were men of real,

¹ *Clarendon's Life*, ii. 24.

if limited, insight. Hyde removed no difficulties ; he awoke no enthusiasm ; he welded together no divergent elements.

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XVII.

1642.
Feb. 27.

Yet, with all this, Hyde had at least a marvellous temporary success. He gave the King a party, and that party, though defeated in the field and doomed to many years of proscription, rose again to embrace almost the whole nation for a time. The explanation of this success is not hard to find. Hyde's policy of negation was welcome to those who were indisposed to change, and in 1642 nearly half the nation, and in 1660 nearly the whole of the nation, was indisposed to change. All who feared the intolerant rule of Puritanism or the interference of shopkeepers and artisans in the affairs of Government welcomed a theory which acknowledged the right of the King to stop a legislation which was not very likely to take the course of which they approved. Other causes, no doubt, combined with this pure conservatism. Hyde had on his side the traditional reverence for the King, combined with the more honourable reverence for the law, and it was tempting to dispense with the toilsome labour of investigating what the law ought to be in favour of the far easier task of accepting whatever existed as the perpetual rule of life.

and tem-
porary
success.

Undoubtedly Hyde's connection with Charles brought the Civil War nearer than it was before. He could gain for him a party. He could not gain for him a nation. If he could not quite separate him from his old belief in his prerogative as something personally inherent in himself, or from those insane appeals to forces which never proved to be really on his side, he could at least render such attempts more infrequent, and could cover them, when they occurred, with the decent veil of constitutional argument. Men

The Civil
War
brought
nearer.

CHAP.
XVII.

1642.
Feb. 27.

Charles's
plans.

seemed to be listening to the voice of the law itself when they were only carried away by the sonorous eloquence of a pleader.

Even now, indeed, Charles had something very different in view from the formation of a constitutional party. He had promised the Queen that he would listen to no terms of accommodation which did not imply the submission of the Parliamentary leaders. With the Prince in his hands, he would go to the North and throw himself upon the known loyalty of his people there. Hull was to be seized, or, if the attempt failed, Newcastle or Berwick should be occupied to keep open his communications with the Continent. Charles had still hope of assistance from Scotland. With these projects in hand, the negotiation with Parliament became but a secondary object. "I will not differ from you," he said to Hyde's proposal that his reply should take a less offensive form, "for now I have gotten Charles, I care not what answer I send to them."¹

Feb. 28.
The King's
answer
voted a
denial.

That answer stated that, though Charles was ready to place the militia in the hands of the persons nominated, they must receive their commissions from himself, and those commissions must determine whenever he saw fit.² As this arrangement gave no security against himself, the Houses voted that the answer was equivalent to a denial of their request. Charles's movements were even a greater reason for alarm than his words. Parliament begged him to remain in the neighbourhood of Westminster. If he did not, it must needs be a cause of great danger and distraction.³ "For my residence near you," he replied, "I wish

The Houses
beg him to
continue
near West-
minster.

¹ *Letters of Henrietta Maria*, 52-65, Clarendon, *Life*, ii. 27.

² *An Exact Collection*, 90.

³ *Ibid.* 92.

it might be so safe and honourable that I had no cause to absent myself from Whitehall; ask yourselves whether I have not.”¹ It did not follow that, because he was uneasy at Westminster, it was necessary for him to go to York. Yet on the day after the reply was given, he started on his ill-starred journey for the North.

The Commons felt that there was but one course to pursue. They voted that the kingdom should be ‘put in a posture of defence by authority of both Houses,’ and this resolution was at once accepted by the Lords.² By the 5th an ordinance had passed formally appointing the new Parliamentary Lords-Lieutenants, and conveying to them authority to command the militia ‘for the suppression of all rebellions, insurrections, and invasions.’³ In sheer self-defence, as they deemed it, the Houses had seized upon the sword.

On the 9th the King was at Newmarket. A Parliamentary deputation waited on him to present a declaration of their fears and jealousies, pointing out the many surprises to which they had been subjected from the first Army Plot to the attempt on the members. Charles could not understand that they could have any reasonable suspicions at all. “That’s false!” “That’s a lie!” were the expressions which burst from him as the declaration was being read. The next day he returned his answer. “What would you have?” he cried. “Have I violated your laws? Have I denied to pass one Bill for the ease and security of my subjects? I do not ask you what you have done for me. God so deal with me and mine, as all my thoughts and intentions are upright for the main-

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XVII.

1642.
March 2.
Charles's
reply.

The king-
dom to be
put in a
posture of
defence.

March 5.

March 9.
Declaration
of fears and
jealousies.

The King's
answer.

¹ The King's Answer, March 2, *L. J.* iv. 641.

² *C. J.* ii. 464. *L. J.* iv. 622.

³ *L. J.* iv. 625, 628.

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XVII.

1642.
March 9.

He absolutely
refuses the
militia.

No under-
standing
possible.

Charles's
reference to
Ireland.

Troops sent
to Ireland.

tenance of the true Protestant profession, and for the observation and preservation of the laws of this land; and I hope God will bless and assist those laws for my preservation." In vain Pembroke begged Charles to come nearer his Parliament, and to say clearly what he wanted. "I would whip a boy in Westminster School," replied the King, "that could not tell that by my answer." Might not he, Pembroke suggested, grant the militia for a time? "By God!" was the fierce answer, "not for an hour. You have asked that of me in this, was never asked of a king, and with which I will not trust my wife and children."

No understanding was any longer possible. The evident sincerity of both parties kept them asunder. Charles believed at the bottom of his heart that Parliament was plotting to strip him of his lawful authority in order to destroy the Church. The Houses believed in all honesty that Charles was plotting to set up an arbitrary power which, whether he intended it or not, would redound to the advantage of the Pope.¹

One more word Charles had yet to speak. "The business of Ireland," he said, "will never be done in the way that you are in. Four hundred will never do that work. It must be put into the hands of one. If I were trusted with it, I would pawn my head to end that work; and, though I beggar myself, I can find money for that."¹

Ireland, in fact, had not been entirely neglected. Before the end of December Sir Simon Harcourt had arrived in Dublin with 1,500 men. In February Sir Richard Grenville brought 400 horse, and George Monk, one day to be more famous than either, landed

¹ *Rushw.* iv. 532.

with 1,500 foot. Parliament would gladly have sent more men if money could have been found to pay them. On January 24 the City had announced that it would be impossible to raise a loan in the unsettled condition of affairs. On February 11 some London citizens presented themselves before the House of Commons. There were, they said, 10,000,000 acres in Ireland,—about one-third of the acreage of the kingdom,—liable to confiscation. There would be no difficulty in raising 1,000,000*l.*, if a quarter of these lands, or 2,500,000 acres, were assigned to subscribers. This monstrous scheme of confiscation was received without a word of objection. Lords and Commons, Episcopalians and Puritans, were of one mind here. The scheme for the opening of a public subscription passed through both Houses in a week. The King's consent was asked, and on the 24th his answer was read in the House.¹ If he had any better policy than that of Parliament it was time to speak out. He did nothing of the kind. Hinting a disapprobation which he durst not express, he replied that he consented 'to every proposition now made to him, without taking time to examine whether this course may not retard the reducing of that kingdom by exasperating the rebels, and rendering them desperate of being received into grace if they shall return to their obedience.' What excuse can be made for the man who had no time to spare in such a case as this?

The Lords Justices hoped to have everything their own way now. There would be one more sweeping confiscation—lands and wealth for Englishmen, the sharp sword or the pangs of hunger for the Irish. The

CHAP.
XVII.
1642.
Jan 24.
Difficulty
in finding
money.
Feb. 11.
The Under-
takers.

Feb. 24.
The scheme
accepted by
the King.

Fighting in
Ireland.

¹ *C. J.* ii. 420, 425. *L. J.* iv. 593, 607. *Moore's Diary, Harl. MSS.* cccclxxx. fol. 131.

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1642.

Feb. 11.

rebels in the neighbourhood of Dublin were attacked and driven back, houses and cottages were burnt, and the inhabitants cut down or hanged without mercy. There was no glory to be gained in such a war. The Irish were badly armed, or not armed at all. 'Poor naked rogues,' was the phrase usually applied to them, but they swarmed around in numbers so great as to make the struggle appear endless. They never stood long before a charge of disciplined troops except behind walls. Their very resistance was counted a crime. Sir Simon Harcourt was slain in storming a fortified post near Dublin. After entering through a breach, his soldiers, as one of their number told in his diary, 'slew man, woman, and child to the number of 300 and more.'¹

March 25.

The siege of
Drogheda.

Very much the same miserable story came from Drogheda. Tichborne and his little garrison within were hard put to it to ward off starvation. But the Irish, though assisted by their friends inside, failed in every attempt to take the town. Whenever it suited Tichborne to make a sally, he drove the besiegers like sheep before him, killing those whom he could reach. Here, too, their numbers alone made them formidable. Early in March, Ormond was sent with a small force to relieve the place. The terror of his coming had been sufficient, and before he arrived Drogheda was free.

Feb. 23.
Orders to
Ormond.

March.

It had been with no good will that the Lords Justices had sent forth Ormond on this mission. The orders which they had given him commanded him to burn and destroy all places in which rebels had been harboured,² and to 'kill and destroy all the men

¹ Diary, *Clarendon MSS.* 1584.

² Carte's narrative is supported by the large collection of letters in the *Carte MSS.*

there inhabiting able to bear arms.'¹ Lest he should distinguish himself too much, he was ordered not to pass the Boyne, to follow up the enemy. His suggestion that the houses of such of the lords or gentlemen of the pale as came to him to surrender might be spared, was contemptuously set aside.² The fierce spirit of revenge which had been kindled by pity for the victims of Irish cruelty was degraded by the Lords Justices to be the instrument of avarice. Every Irishman knew that for him the struggle was one for life and death, for religion and land. "It is not my cause alone," wrote Lord Mountgarret to Ormond, "it is the case of the whole kingdom, and it hath been a principal observation of the best historians that a whole nation, how contemptible soever, should not be so incensed by any prince or State how powerful soever, as to be driven to take desperate courses."³

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XVII.
1642.
March.

Lord
Mount-
garret's re-
mon-
strance.

Into that red mist of blood which was settling down upon Ireland it is happily not the duty of the historian of England to enter in full detail. The unarmed, untrained Irish peasants fell before the stronger disciplined bands of England as grass before the mower. Nobler spirit never was than that of Edmund Verney, a younger son of Charles's Knight Marshal. Yet even his temper was lowered by the element in which he worked. "There is little news," he wrote from the camp in which he served; "the enemy runs from us wheresoever we meet them, but if we chance to overtake them we give no quarter, but put all to the sword." To butcher

The misery
of Ireland.

May 30.

¹ Lords Justices to Ormond, Feb. 23, *Carte, Letters*, lx.

² Ormond to the Lords Justices, March 9. The Lords Justices to Ormond, March 11. Temple to Ormond, March 10. *Carte, Letters*, xiii., lxiv., lxxv.

³ Mountgarret to Ormond, March 25, *Carte MSS.* iii. fol. 12.

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1642.
June 22.

July.

grown men only was fast becoming a mark of virtue. When Trim was taken, in June, writes the same officer, "we put some fourscore men to the sword, but, like valiant knights errant, gave quarter and liberty to all the women."¹ When the Scots landed at last, their cruelty was even worse. A party of them near Charlemont 'took many cows, killed about forty men, and many women and children, in all some say five, some seven hundred.' The poor wretches had not even been guilty of the crime of defending themselves. They had no powder with them. All that could be said of them was this: "They did endeavour to drive away their cows."² The Irish in turn were goaded into fury. Ever since the relief of Drogheda there had been fresh scenes of murder. Englishmen and Irishmen were to one another but noxious beasts of prey to be slaughtered without mercy. All feeling of a common humanity had been lost between them. The imaginative power which calls up before the mind the real life of an enemy was altogether lacking, and for want of it the people perished.

March 19.
The Ad-
venturers'
Bill re-
ceives the
Royal
Assent.

March 16.
The Com-
mons claim
supreme
power for
Parliament.

For the misery of Ireland no party in England could avoid responsibility. On March 19 Charles gave the Royal Assent to that monstrous Bill which was to hand over to English adventurers two millions and a half of acres on Irish soil. He had ceased to think of Ireland except so far as it might assist him in his struggle with the English Parliament. That struggle was already taking a sharper form. On the 16th the Commons answered the King's declaration that the ordinances of the Houses were not to be obeyed without his consent, by a resolution 'that when the

¹ E. Verney to Sir R. Verney, May 30, June 22, *Verney MSS.*

² Conway to Ormond, July 18, *Corts MSS.* iii. fol. 325.

Lords and Commons in Parliament, which is the supreme court of judicature in the kingdom, shall declare what the law of the land is, to have this not only questioned and controverted, but contradicted, and a command that it should not be obeyed, is a high breach of the privilege of Parliament.' Such a claim of sovereignty was necessarily followed by many acts which were violently unconstitutional, in the sense that they would have been out of place in a state of things in which the Constitution was in working order. Even before the words had been spoken, Parliament had claimed the right of directing the armed force by sea as well as by land. Northumberland was constitutionally timid, and was unwilling to take an active part in the strife. He was accordingly asked to appoint Warwick to command the fleet, which would soon be ready to put to sea.¹

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XVII.
1642.
March. 16.

March 15.
Parliament
claims the
command
at sea.

The Commons had little doubt that Charles was prepared to use force against them. A letter directed to Pym was picked up in Palace Yard. The writer stated 'that he had heard the King say that he had the nobility, the gentry, and divers honest men on his side; that the Parliament had irritated the military men and denied them employment in Ireland, and so prepared swords for their own throats; that he did not doubt, if Hull proved right, but that an army of 16,000 men, commanded by the said military men or officers, would keep him in safety.' Some one attached to Charles's person had been heard to say, "What if you see Hull yield to the King, and young Hotham be hanged up?"² Four days later came news of a statement made at Rotterdam by a mariner named Henley, that he had been asked by a servant

Report of
the King's
intentions.

March 19.
Danger
from
foreign
forces.

¹ *L. J.* iv. 645.

² *D'Ewes's Diary, Harl. MSS.* clxiii. fol. 33.

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XVII.

1642.
March 19.

of Lord Digby to take charge of a ship at Elsinore, which was one of a fleet intended to bring thirty or forty thousand Danish soldiers to Hull. An anonymous letter from Newmarket, directed to Pym, added that French troops were to be sent to Ireland, that the English navy was expected to take part against Parliament, and that all the resolutions of the Commons were betrayed to the King by some of the members of the House.¹ No wonder that the Houses directed that no troops should be admitted into Hull without authority from Parliament.²

March 22.

The
Queen's de-
signa.

Whether these rumours were exaggerated or not, there can be no doubt that they were not mere inventions. The Queen was not looking only to the money which she hoped to raise by pledging her own and the Crown jewels. She did hope to obtain aid from the King of Denmark. She did think it possible to bring about by her mediation a truce between Spain and the Dutch Republic—a truce which would enable Frederick Henry, gained over by the splendid offer of a marriage between his daughter and the Prince of Wales, to intervene effectually on her husband's behalf. Behind this were visions still more vague of help from France or Spain, from the Emperor or even from Bavaria.³

March 7.
The Queen
urges the
seizure of
Hull.

For some time the impatient Queen had been urging her husband to gain possession of the seaport on which her hopes were fixed. "When you

¹ *L. J.* iv. 655.

² *Ibid.* iv. 656, 659, 662.

³ The evidence for this is scattered over Rossetti's letters. See too the quotation from Barberini at p. 298, note 2. At a later time, after Charles had abandoned these projects, Rossetti writes that having made particular inquiry, he had discovered 'che il pensiero del Rè d'Inghilterra è di restituire in autorità et abbassare anzi distruggere, se potrà, il partito Parlamentario, ma per cio effettuare non vede luogo di poter prevalersi di mezzi forestieri.' This was on the ground that France was engaged in a

come to Hull," she wrote, "if you find the country well affected, Hull must absolutely be had. If you cannot, you must go to Newcastle, and if you find that is not safe, go to Berwick, for it is necessary to have a seaport."¹ Charles did not find it easy to seize Hull, especially after the disclosure of the scheme for introducing Danish troops into England. On the 19th he rode into York,² and did his best to curry favour with his subjects by ordering the execution of the laws against the Catholics. The feeling at York was not as hostile to him as that of London. In the city itself, the common people, dissatisfied with the suppression of the Council of the North, placed themselves on his side. A proposal to petition the King to return to his Parliament found but little support, and those who advocated it were compared to the Gadarenes who besought Christ to depart from their coasts. But there was little enthusiasm for the King, and no inclination to plunge into civil war. The address sent up to him suggested under respectful forms that it would be well for him to come to an understanding with Parliament. Charles in his answer expressed himself ready to do so, if only Parliament would acknowledge its errors.³

If Charles thought it expedient to abandon for a time his projects upon Hull, it was with no thought war of its own, that Spain was weak, and so forth. Of the Prince of Orange 'se bene il Padre Filippo dice che esso Principe non habbia danari, si crede pero sia per somministrarne segretamente per non crescere la gelosia agli Stati causata dal matrimonio del figliuolo. Circa à Bavari si credono meri discorsi. In Danimarca si potrebbe havere maggior speranza di gente se bene sino adesso non si scopre veramente che vi sia passata trattatione.'—Rossetti to Barberini, July 15, R. O. *Transcripts*.

¹ The Queen to the King, March 17, *Letters of Henrietta Maria*, 52.

² *Iter Carolinum* in Gutch, *Coll. Curiosa*, ii. 427.

³ Stockdale to Lord Fairfax, March 25, April 1. *Fairfax Correspondence*, ii. 389. Yorkshire Petition, April 5. *L. J.* iv. 710.

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XVII.
1642.
March 7.

March 19.
Charles at
York.

April 5.

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1642.

March 23.
Essex and
Holland
sent for.

March 28.

Charles's
apparent
helpless-
ness.March 25.
The Kent-
ish peti-
tion.

of acknowledging the authority of the Parliament at Westminster. He wished to show that the centre of the State was to be found wherever his person was.

On March 23 he summoned Essex and Holland, with two other lords, to attend him at York on the pretext that he wished to keep state at Easter, and at the Feast of St. George. The House of Lords at once ordered its members to remain in attendance on their Parliamentary duties.¹

Charles's efforts to shake the resolution of the Houses had hitherto been singularly ineffectual. Intrigue and argument in turn had been employed in vain. The ramparts of Hull were still manned by Hotham's Trained Bands. Hyde's lengthy state papers were answered by others as lengthy, and apparently more convincing than his own. No man was prepared to draw sword merely to give the King the mastery over his Parliament. If Parliament had really represented the nation in 1642 as it had represented it in 1640, Charles would have been powerless. For some time there had been signs that it was no longer so, and those signs had lately been increasing rapidly.

Most valuable as an indication of the distracted condition of the country was the Kentish petition, drawn up on March 25 by the Grand Jury at the Assizes held at Maidstone. It is true that, as afterwards appeared, the Grand Jury had been selected not in the usual way by the Sheriff, but under the direction of Justice Mallett, who presided over the Court; and that of the nineteen gentlemen who composed it, a bare majority of ten supported the petition. But the importance of the petition lies not in its official character, but in the language in which it

¹ *L. J.* iv. 675.

was couched. It began by thanking Parliament for the excellent laws which 'by His Majesty's grace and goodness' had been obtained, and by asking for the full execution of the laws against the Catholics. It then proceeded to request 'that the solemn liturgy of the Church' might be freed 'from interruptions, scorns, profanations, threats, and force of such men who daily do deprave it, and neglect the use of it in divers churches, in despite of the laws established;' that episcopal government might be preserved, and that all differences concerning religion might be submitted to a synod chosen by the clergy, and means taken to provide against the scandal of schismatical and seditious sermons and pamphlets, and some severe law made against laymen for daring to arrogate to themselves and to exercise the holy function of the ministry—to the advancing of heresy, schism, profaneness, libertinism, anabaptism, atheism.' Coercive jurisdiction must be restored for the repression of moral and ecclesiastical offences. Ireland must be relieved. The militia must be settled by law with His Majesty's consent, and no order of either House, not grounded on existing law, was to be enforced till the Royal Assent had converted it into a statute.

The Kentish petition may fairly be accepted as embodying the spirit which was soon to animate the King's supporters in the Civil War. Their newly awakened zeal for the prerogative had been quickened by the belief that it would be used to crush the disturbers of ecclesiastical peace. They protested against the assault which was being made upon the Church which had been inspired by the broad and tolerant spirit of Hooker. That Church, they felt instinctively, deserved better things than to be torn asunder to gratify the ranting outcries of the conventicle. Un-

CHAP.
XVII.

1642.
March 25.

Spirit of
the peti-
tion.

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1642.
March 25.
Milton's
argument
on ecclesi-
astical
jurisdiction.

happily they could see nothing in Puritanism but its weakest and lowest side. Still more unhappily they scouted the very idea of toleration for the sects. "The prelates," as Milton had written a few weeks before, "as they would have it thought, are the only mauls of schism. Forsooth, if they be put down, a deluge of innumerable sects will follow; we shall all be Brownists, Familists, Anabaptists. For the word Puritan seems to be quashed, and all that heretofore were counted such are now Brownists."¹ Milton refused to be led astray by that dread of the sects which was sweeping away the bulk of the English gentry to the King. His inference was precisely the opposite from that which was drawn by the Kentish petitioners. "Jurisdictional power in the Church," he boldly said, "there ought to be none at all. . . . For when the Church without temporal support is able to do her great works upon the unforced obedience of men, it argues a divinity about her; but when she thinks to credit and better her spiritual efficacy, and to win herself respect and dread by strutting in the false vizard of worldly authority, it is evident that God is not there, but that her apostolic virtue is departed from her, and hath left her key-cold; which she perceiving, as in a decayed nature, seeks to the outward fomentations and chafings of worldly help and external flourishes to fetch, if it be possible, some motion into her extreme parts, or to hatch a counterfeit heat of jurisdiction."²

It finds no
response.

It would have been well if the practical men in the House of Commons had bestowed some attention on the strange utterances of this idealist. His time was not yet come. Even Cromwell, who was one day to be-

¹ *The Reason of Church Government against Prelaty*, i. 6.

² *Ibid.* ii. 3.

come the exponent of these thoughts in the field and in Council, would now have deemed them, if they reached his ears at all, too unpractical to be worthy of attention. The Kentish petitioners were to be put down, not answered. Four of their number—Sir Edward Dering and the honest large-minded antiquary Sir Roger Twysden amongst them—were sent for to be examined as offenders. Judge Mallett, who had presided at the assizes, and Bristol, who was charged with having in his hands a copy of the petition without giving information to Parliament, were committed to the Tower; whilst selected extracts from the petition itself were voted to be seditious.

The House, in fact, had a plan of its own for the settlement of the Church. Questions at issue were to be determined, not, as the petitioners proposed, by an assembly of divines chosen by the clergy, many of whom had been instituted under Laudian influence, but by an assembly of divines chosen by Parliament. A Bill condemning the late innovations had already passed the Commons and had been read twice by the Lords.¹ Two absolutely contradictory conceptions of Church worship were face to face. Neither side would give way. Neither side thought it possible to conciliate the other. If any one moment can be selected as that on which the Civil War became inevitable, it is that of the vote of March 28, by which the Kentish petitioners were treated as criminals. From that moment the indignation of hundreds of high-spirited gentlemen came rapidly to a head, and it would not be long before they placed their swords at the services of a king who shared in their prejudices and their resolve.²

CHAP.
XVII.
1642.
March 25.
March 28.
Harsh
treatment
of the
petitioners.

The rival
schemes
for the
settlement
of the
Church.

The Civil
War now
inevitable.

¹ *C. J.* ii. 502, 507. *L. J.* iv. 678.

² Three days later Salvetti wrote: 'Io credo che se Sua Maestà

CHAP.
XVII.

1642.

March 28.
Its cause in
the con-
servatism
of English-
men.

It has often been said with truth, that the miseries which France underwent at the close of the last century were in the main owing to the persistency with which Frenchmen followed ideals to the disregard of the historical conditions of their time. English politicians and English writers have never been weary of repeating that our Revolution was conducted after a very different fashion. It has been our glory that our liberties were inherited from our ancestors of old, and that the men of the 17th century claimed no more than a confirmation of the rights which had been won at Runnymede and Lewes, and which were in some sort brought by our remoter progenitors from beyond the sea. Yet this advantage, like every other, has brought with it its attendant disadvantage. In the crisis of the 17th century it produced in both parties a shortsighted conservatism which was fatal to any peaceable solution of the problem before the nation. Men had grown so familiar with inquiries into what had been, that they did not sufficiently trouble themselves to ask what ought to be. They consulted antiquity when they should have been providing for the future. They did not see that they had embarked on an unknown sea, and that their old charts would avail them little.

Parliament
no longer
represents
the nation.

If both parties were equally impervious to new ideas on the supreme question of toleration, it was of little consequence that the existing constitutional formalities were better observed by the party which was about to support the King than by the party which continued to oppose him. Pym and his friends

avrà un poco di pazienza sia per rimettersi; siando impossibile che il Parlamento non si rompa in ultimo fra di loro; oltre che i Gentilhuomini siando stracchi del suo rigido procedere cominciano ad aderire a Sua Maestà.—Salvetti's *Newsletter*, April 11.

had been driven by the course of events to uphold the doctrine that Parliament and not the King was supreme in England. How could they hope to make it good unless the votes of Parliament embodied the national will? Yet it was now perfectly evident that this was no longer the case. Killigrew's suggestion that a deputation of members should be sent into each county to inquire into the opinions of the constituencies, on the ground that 'it was not the exacting of a law that made it in force, but the willing obedience to it,' was no doubt open to grave objections, but it touched the weak point of Pym's policy to the quick.¹ It was Pym's part to assume that he had all England at his back. On March 29 directions were sent to Hotham to reinforce the garrison of Hull, and on April 2 the Commons voted that the munitions at Hull should be brought to London, though the vote was afterwards changed, at the instance of the Lords, to a request to the King to consent to their removal. On the other hand, a company of horsemen rode out of London on the 3rd to join the King at York, and it was known that the Gentlemen Pensioners had obeyed a summons from Charles to attend his person in the North.

On April 4 the Commons appointed a Committee to prepare a declaration of their ecclesiastical policy; and on the same day the two Houses, finding that Charles had forbidden the appointment of Warwick to command the fleet, directed Northumberland to instal their nominee as Vice-Admiral in defiance of the King. The two resolutions had a closer connection than appears at first sight. The ecclesiastical policy of the Commons rendered necessary their preparations for war.²

CHAP.
XVII.

1642.

April 1.
Killigrew's
suggestion.March 29.
Hull to be
secured.

April 2.

April 3.
Help for
the King.Measures
taken by
Parlia-
ment.¹ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 58 b.² *C. J.* ii. 510. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 62 b.

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XVII.

1642.
April 8.
Benyon
sentenced.

The Royalist peers
cease to
attend.

April 5.
The York-
shire peti-
tion.

April 7.
The King's
reply.

April 8.
The decla-
ration of
the Houses
on Church
reform.

The Lords had already agreed that the militia ordinance should be put in force even without the King's consent. On the 8th they sentenced Benyon to fine and imprisonment for his attempt to stir up resistance to the militia ordinance under cover of the privileges of the City.¹ The Lords in truth were no more than a shadow of their former selves. Many of the Royalist peers had given up the struggle and had ceased to attend in their places. In the division taken on Benyon's sentence, there were but nineteen votes in the majority. The minority was composed of fourteen only.²

Charles had, in the meanwhile, been listening alternately to his hopes and fears. As yet there had been little to encourage him in the North. The bulk of the gentry showed little inclination to support him, and petitioned him to come to terms with Parliament. Charles, in his reply, assured them that all would be well if only Parliament would consider the message in which he had asked that its demands on ecclesiastical matters should be presented to him as a whole, and would agree to settle the militia by bill instead of by ordinance.³

It would have been better for Charles if he could have been content to act persistently on these lines. The outburst of feeling which had been to some extent revealed in the Kentish petition, had drawn from the Houses an announcement of the moderation of their desires and intentions with regard to the Church. Their only wish, they said, was for a due and necessary reformation of the government and liturgy of the Church, and to take away nothing in the one or the other but what shall be evil and justly offensive, or at least unnecessary and burdensome, and for the

¹ See p. 427.

² *L. J.* iv. 682-705.

³ *Rushw.* iv. 613.

better effecting thereof, speedily to have consultation with godly and learned divines.¹

The course which prudence clearly dictated to Charles was to accept the hand thus held out to him, to endeavour to reduce to a minimum the changes which would be demanded, and to come to some compromise on the question of the militia. Yet in order to make such an attempt possible it was absolutely necessary that he should be able to inspire confidence in his sincerity, and should induce his subjects to believe that he was no longer the Charles who had dabbled in army plots the year before. Yet as if to render all hope of conciliation impossible, on the very day on which the resolution on the Church was accepted by the Lords a message was speeding southwards which revived all the old suspicions.

In this message Charles announced his resolution to go to Ireland to suppress the rebellion. For this purpose he intended to raise a guard of 2,000 foot and 200 horse and to arm them from the magazine at Hull. To remove all misunderstanding he had ordered a bill to be prepared for settling the militia, a bill which, as it afterwards appeared, proposed that the command should be placed in the hands of the persons named in the Parliamentary ordinance, to be exercised for one year under the directions of the King signified by both Houses of Parliament, as long as he was in England, and under the directions of Parliament alone when he was beyond the sea.²

We may well believe that Hyde had no part in this unlucky message.³ No one who read it could

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Charles declares that he will go to Ireland.

His probable intentions.

¹ *L. J.* iv. 706.

² *Ibid.* 709. The bill has not been preserved, but its contents may be discovered from the subsequent discussions.

³ Here is the opinion of a strong Royalist on it: "You may easily imagine how unsatisfied I am with the resolution His Majesty hath taken

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doubt that Charles, having been disappointed of the support which he had expected in the North, intended either to put himself at the head of the army which he intended to lead against the Irish insurgents, or even to avail himself in some way of those very insurgents whom he was professing to assail. In either case the relinquishment of the command of the militia for a single year would only tide over the time till he was ready to return from Ireland at the head of a body of devoted and victorious troops.

The
Queen's
hopes for
help from
the Dutch.

That this strange scheme for a journey to Ireland had been concerted with the Queen there can be little doubt.¹ In the spring of 1642, as much as in the spring of 1641, she was the centre of a wide-reaching plot for securing the co-operation in her favour of irreconcilably antagonistic forces. Her offer of the Prince of Wales to Frederick Henry as a son-in-law had made its expected impression, and the Prince of Orange had readily taken up her suggestion that Dutch ambassadors should be sent to England nominally to offer the mediation of the States between the King and Parliament, but in reality to pave the way for more direct assistance to be given, if it should prove necessary, to the Royal cause. It was true

concerning Ireland, till I understand from you how it agrees with the sense you have of what is fit for him to do at this time . . . The King is resolved to take the Prince with him."—Grandison to Hyde, April 12, *Clarendon MSS.* 1,588.

¹ "I will reply to your letter, where you say that if you can go to Ireland, and that the road by England is not safe, that you will go to Ireland by Scotland, which is a road that I apprehend extremely; for the troops who are going are entirely devoted to the Parliament, and they will hold you as a prisoner, if the Parliament please; thus you cannot join the army of the Catholics, nor approach Dublin by that road."—The Queen to the King, ^{April 26}/_{May 5}, *Letters of Henrietta Maria*, 66. On the suspicions of Parliament, see Giustinian to the Doge, April ¹⁵/₂₆, ^{April 22}/_{May 2}, *Venice MSS.*

that the commercial aristocracy of the Province of Holland set itself strongly against this plan for entangling them in strife with the English Parliament, and that even the lower ranks of the population hitherto devoted to the House of Orange showed signs of breaking away from an allegiance which called on them to applaud the sacrifice of the interests of the republic to a dynastic alliance with a Catholic Queen.¹ But at the beginning of April the project if opposed was not given up, and the same might be said of that other project for obtaining aid from Denmark. Ever since the King had left London a succession of communications had been passing betwixt him and his uncle; and though the idea of sending Digby to Copenhagen was abandoned from fear of rousing the suspicions of Parliament, a communication was on April 11 addressed by the Queen to Christian IV., which could hardly have referred to anything else than the succour which she expected from him.²

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April 11.
and from
Denmark.

¹ Zon to the Doge, March $\frac{7}{17}$, $\frac{14}{24}$, $\frac{21}{31}$, *Venice MSS. Olanda.*

² Dr. Fridericia, whose thorough knowledge of the archives of his country led me to consult him on this point, has been good enough to write to me from Copenhagen as follows: 'In our *Geheimarchiv* exists a notice about a conversation between Henrietta Maria and the Danish resident, Tanke, at the Hague, dated *Hagæ Comitûs*, April $\frac{11}{11}$, 1642. The Queen says that she has received a letter from the King Charles to be sent to the King of Denmark, *per nobilem aliquem ex Hollandia*, but fearing that such a mission might increase the suspicion of the Parliament, she has preferred to give the letter to the resident, *quum sit de re tantum privata*. More is not noted down, and in the relations of the resident to the King he does not mention this conversation at all. But, besides that, there exist two letters of credence from Charles I. to Christian IV., of the first half of 1642, the first dated Dover, Feb. 23, and the second dated York, May 10; but the names and purposes of the ambassadors are not named. In the first letter the King speaks about *l'extremité ou je suis*; in the second he only mentions propositions to be made. The missions are not, as far as I know, elsewhere mentioned in Danish sources. But before this, two ambassadors, also the Colonel Henderson who returned to Denmark in the autumn of 1642, visited Christian IV. in the first days of February.' I

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April 11.

April 6.
The Queen
urges
Charles to
seize Hull.

If any one of these schemes was to come to anything, it was absolutely necessary that the King should have in his possession a seaport in which to receive foreign troops or foreign munitions of war. The Queen had little patience with her husband's hesitation to make the attempt on Hull. "As to what you wrote me," she urged, "that everybody dissuades you concerning Hull from taking it by force, unless the Parliament begins—Is it not beginning, to put persons into it against your orders? For my part I think that the Parliament believes that you are constantly expecting an accommodation . . . and that else, they would speak after another fashion. For you having Hull is not beginning anything violent, for it is only against the rascal who refuses it to you. . . . Think that if you had not stopped so prematurely, our affairs would perhaps be in a better state than they are, and you would at this moment have Hull."¹

April 14.
The King's
answer
about the
magazine
at Hull.

The King would gladly have had Hull if he could have had it without show of open violence. On the 14th, whilst he was still waiting for an answer to his proposal to visit Ireland, he sent a reply to the request made to him by Parliament for his permission to remove the magazine from Hull to the Tower. That reply was doubtless drawn up by Hyde. Treating the appointment of Hotham as the illegal act which it undoubtedly was, he appealed to that sense of legality which is always strong in Englishmen, and which was especially strong in the 17th century. "And now," he wrote, "let us ask you; . . . Will feel no doubt that the letter of credence of Feb. 23 was intended to have been carried by Digby. Of that of May 10 I can only guess that it contained detailed instructions for Digby, or for some other person, whom Charles still contemplated sending.

¹ The Queen to the King, April 14, *Letters of Henrietta Maria*, 59.

there never be a time to offer to, as well as to ask of us? We will propose no more particulars to you, having no such luck to please or to be understood by you. Take your own time for what concerns our particular; but be sure you have an early, speedy care of the public, that is of the only rule which preserves the public, the law of the land; preserve the dignity and reverence due to that. It was well said in a speech made by a private person," it was Pym's speech against Strafford from which Charles was about to quote, "but published by order of the House of Commons, this Parliament—'The law is that which puts a difference betwixt good and evil, betwixt just and unjust. If you take away the law, all things will fall into a confusion, every man will become a law unto himself; which, in the depraved condition of human nature, must needs produce many great enormities. Lust will become a law and envy will become a law; covetousness and ambition will become laws, and what dictates, what decisions, such laws will produce may easily be discerned.' So said that gentleman, and much more very well in defence of the law, and against arbitrary power."¹

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April 14.Charles
quotes
Pym.

Over Pym and the Parliamentary majority Charles might enjoy an argumentative triumph. Their own experience was teaching them the truth which Strafford had always firmly upheld, that the government of nations must rest upon a broader basis than that of positive law. They had grasped at arbitrary power to defeat arbitrary power. Charles clung to arbitrary power under the form of legality. Pym's true answer was that the King was not to be trusted. A legal power, which was to put the King at the head of a

Value of
this reply.¹ C. J. ii. 532.

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April 14.

conquering army in Ireland, in order that he might return with the means in his hands of stopping even the most necessary reforms in England, was a legal power which ought to be abolished as soon as possible.

April 15.
Parliament
requests the
King not to
go to Ire-
land.

Already, before this message was received, Parlia- ment had begged the King to desist from his purpose of visiting Ireland, under the transparent pretext of anxiety for the safety of his person, and had added a threat that if he persisted in going, they would pay no obedience to any commissioners appointed to govern England in his absence. Their answer to the King's ap- peal to the law was a peremptory order that the maga- zine should be removed from Hull, accompanied with a full approval of Hotham's conduct in command. On the other hand something was done to give the King satisfaction in his demands about the militia and the Church. On the 20th the Commons took in hand the nomination of the divines who were to be con- sulted on the proposed ecclesiastical reforms, and on the same day the King's Militia Bill, which had come down from the Lords, passed through Committee. It is true that it was subjected to some amendments. The time of its operation was extended from one to two years, and it was now proposed that instead of leaving the right of calling out and employing the militia to the King's orders, signified by the two Houses of Parliament, it should be left with the Lords-Lieuten- ants themselves, who were named in the Bill. It was obvious that, as proposed by the King, the Bill would, as long as Charles remained in the kingdom, have reduced the militia to inactivity, unless he chose to send a message requesting the Houses to put it in motion; and that, therefore, the Bill as it came from York would offer no security against an

April 18.
Order of
Parliament
to remove
the maga-
zine.

April 20.
Nomina-
tion of
divines.

The King's
Militia Bill.

invasion coming with the concurrence of Charles himself.¹

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April 20.

It is unlikely that Charles had any inclination to favour the Militia Bill, even in the shape in which it had left his hands, as soon as he heard that he was not to go to Ireland. The reception of the resolution of the Houses to remove the magazine from Hull stung him at once to action of that kind which he most affected. He would go to Hull, not as an act of war, but merely to take possession of his own. The town was his, and the munitions were his. Who would resist him if he claimed his own property?

The King
resolves to
go to Hull.

He was the more able to act freely, as he had just had the satisfaction of recovering another of his children. On the 16th Hertford arrived, bringing with him the Duke of York.² In that which Charles was about to do he had some local feeling on his side. On the 22nd Sir Francis Wortley and about twenty other Yorkshiremen presented him with a petition in the name of the county, in which he was asked to forbid the removal of the munitions.

April 16.
The Duke
of York
brought to
the King.

April 22.
Wortley's
petition.

In what he was about to do Charles intended to avoid everything that savoured of violence. He believed that Sir John Hotham, if properly approached, would not refuse to surrender the fortress to its natural master. On the 22nd, therefore, he despatched the Elector Palatine and the Duke of York to visit the town, as if to satisfy their curiosity. The lads were directed to send information to the King as to his chance of obtaining admission. In their inexperience they mistook the respect with which they were received for a sign of loyal sub-

¹ The account of the Bill comes from the subsequent explanations on both sides. The reason given for its amendment is purely conjectural.

² Nicholas to Roe, April 20, *S. P. Dom.*

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April 23.
The King
before Hull.

mission, and they despatched a messenger to the King with a favourable account of all that they had witnessed.¹ The next day accordingly Charles set out for Hull. When he was three or four miles off, he punctiliously sent Bristol's half-brother, Sir Lewis Dives, with a letter to Hotham, explaining that he was coming to view his magazines, and threatening, in case of refusal, to make his way into the town, 'according to the laws of the land.'²

Hotham's
position.

If Hotham had been suddenly confronted by the King in person, it is possible that he might have given way. As it was, he had plenty of time to collect his thoughts. He knew that about forty-five suspicious persons had entered the town the night before in the train of the Princes, and he had reason to believe that the Princes had not come on a mere passing visit of curiosity. He was now informed that Charles had 300 horsemen in his train, and it was rumoured that there were 400 more behind. Before the King made his appearance, Hotham resolved to be true to those who had placed him where he was. He ordered the drawbridges to be drawn up, and sent to announce to Charles his resolution. When he learned that in spite of this message the King was before the gates, he took his stand on the wall. With all humble expressions of duty he refused to break his trust. Charles was not likely to be satisfied with such an excuse as this. His followers cried out to the garrison to kill Hotham and to throw him over the wall. The garrison stood staunchly by their commander. Charles made one last attempt. He engaged that if Hotham would but let him in he would bring with him but twenty men. Hotham, who knew that, on account of the Royalist feeling of

Hotham
refuses to
admit the
King.

¹ Giustinian to the Doge, ^{April 20}/_{May 9}, *Venice MSS.*

² Hotham to the Speaker, *L. J.* v. 28.

the population, it would be as easy to get him out again with 300 as with 20, positively refused. Charles called on the heralds to proclaim Hotham a traitor, and rode discomfited away.

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April 23.

It was a matter of course that a long and vehement paper war should arise out of this incident, that the Houses should declare that the King's efforts to get possession of Hull were actuated by a desire to obtain a basis of operations for a Civil War, and that the King should declare that Hotham had simply committed an act of treason. The real interest of the situation lay elsewhere. That King and Parliament could not leave their quarrel much longer to the arbitrament of amicable discussion was by this time a foregone conclusion. The only question of real importance was whether Charles would find an army to back him. His first attempt did not seem likely to be crowned with success. On the 30th a large number of the gentry of Yorkshire with the High Sheriff at their head appeared to present a petition to the King repudiating the action of Sir Francis Wortley. Before the petition was presented Charles asked them whether they would defend his person from violence, and would counsel him how to vindicate himself from the affront which he had received at Hull. They replied that they would always be ready to defend him from violence, and that the best way to vindicate his honour was to follow the counsel of Parliament.¹ Charles was obliged to content himself with the issue of a negative order to the High Sheriff requiring him to prohibit the levy of the Trained Bands of the county on any other summons than his own.² On the same day the Houses at Westminster having heard that Charles had positively

Controversy
opened.

April 30.
The King's
demand of
the York-
shiremen.

May 5.
Prohibits
the levy of
the York-
shire
Trained
Bands.

Declaration
that the
militia or-

¹ *L. J.* v. 36. D'Ewes's Diary, *Harl. MSS.* 163, fol. 101 b.

² *Rushw.* iv. 574.

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April 22.

dinance is
to be exe-
cuted.

Committee
sent to
Yorkshire.

refused his assent to his own Militia Bill on the pretext of the alterations which had been made in it, issued a declaration of their resolution to fall back upon the ordinance, and required all persons in authority to put it in execution. At the same time they despatched a Committee to Yorkshire to watch over their interests there.¹

It was not in Yorkshire alone that Charles met with a rebuff. In Scotland, too, he had been asking for more support than he was likely to get. The proposal of going to Ireland had been in all probability of the Queen's suggestion. What she wanted was that he should join the army of the Catholics there. Charles preferred to wage war under forms of peace. At the same time that he had announced² to his English Parliament his intention of going to Ireland, he had made a similar announcement to the Scottish Privy Council, informing them that he intended to take Edinburgh on his way. He even hoped that Scotland would support him in his contention against the English Parliament. No hope could have been wilder. He had, it is true, a considerable party in the Scottish Council. But Argyle stood firm, and Argyle's will was not to be resisted. On April 22 the Council drew up a recommendation to the King to abandon the Irish expedition and to come to terms with his Parliament.

Scotland
refuses to
help the
King.

Whilst Charles was beating about for support, the Commons acted on the supposition that he intended to make war against them if only he were able to do so. On the 23rd Parliament struck at

¹ *L. J.* v. 46.

² Declaration, April 22. *L. J.* v. 53. The Queen to the King, April 22, *Letters of Henrietta Maria*, 66. Forster to Chavigny, April 22, *Arch. des. Aff. Etr.* xlix. fol. 83.

the King through the Attorney-General. Sir Edward Herbert was sentenced to imprisonment for his conduct in impeaching the members. There was nothing vindictive in his treatment, and in little more than a fortnight he was set at liberty.¹ On the 30th the Kentish petition at last reached the House. Two of the principal gentlemen who brought it were at once committed to prison; Bristol had been released some days before. On May 7 a peremptory order for the removal of the Hull magazine was issued by Parliament, and on the 10th a review of the London Trained Bands, 8,000 strong, was held in Finsbury Fields in the presence of both Houses of Parliament.²

The King's prospects appeared to be more gloomy every day. On the 8th the Parliamentary commissioners arrived at York. As might have been expected they found but a cool reception from Charles, who warned them not to tamper with his subjects there. He had invited the gentry of the county to meet him at York on the 12th. On their arrival, he unfolded his wrongs in their presence. "You see," he said, "that my Magazine is going to be taken from me—being my own proper goods—directly against my will. The Militia, against law and my consent, is going to be put in execution; and lastly, Sir John Hotham's treason is countenanced. All this considered, none can blame me to apprehend danger." He was therefore resolved to have a guard for the protection of his person, and to this he asked their concurrence.

The assembly was much divided. The next morning four several answers were returned, ranging from complete acquiescence in the King's demand to a curt

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April 23.
Sentence on
the At-
torney-
General.
April 30.
The
Kentish
petition
presented.

May 10.
Review in
Finsbury
Fields.

The King
at York.

May 12.
The King's
appeal to
the York-
shire
gentry.

May 13.
Diversity
of their
answers.

¹ *L. J.* v. 11, 58.

² *Clarendon*, v. 139. *Salvetti's Newsletter*, May 13.

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May 13.

advice to him to hearken to his Parliament. In the end a Committee of twelve was appointed to draw up a reply; whilst a large number of Freeholders complained bitterly that they ought to have been consulted on the matter as well as the gentry, and urged upon the King the importance of coming to an understanding with his Parliament.¹

The Committee of twelve could come to no agreement. Six were for doing as the King wished, and six for a negative answer. Charles took the matter into his own hands. On the 14th he issued orders that the gentry of the county were to appear in arms at York on the 20th as a guard for his person.² The next day a regiment of the Yorkshire Trained Bands were ordered to meet in arms on the 17th. At the same time Charles ordered Skippon, the commander of the City Trained Bands, to come to York, and directed the Lord-Keeper to remove the Law Courts from Westminster to the same city.

May 14.
The King orders a guard.

May 15.
Sends for Skippon, and orders the removal of the Courts.

May 17.
Resistance of Parliament.

May 20.
Summons from Parliament.

On the 17th the Houses resolved that the removal of the Courts and the order to Skippon were alike illegal, and directed the Sheriffs to suppress any levy of men made without his authority.³ On the 20th they expressed the opinion that the King intended to make war against his Parliament, and summoned him to desist from his purpose of raising troops. If he did not, they would be bound to use their utmost endeavours to secure the peace and quiet of the kingdom.⁴

May 21.
The King's guard.

Charles had already made up his mind to summon round him what forces he had at his disposal. His Yorkshire guard would not have been sufficient to secure him. The regiment of Trained Bands called

¹ *Rushw.* iv. 615.

³ *L. J.* v. 67.

² *Ibid.* 621.

⁴ *Ibid.* 76.

out by him was quartered at York, and on the 21st about 200 gentlemen of the county rode in to place themselves at his disposal. One or two Lords were already with the King. He had already invited the Lords and Commons who were willing to support him to place themselves by his side. The Lord-Keeper, timid and indecisive, yet unable to resist a Royal order, was the first to slip away and to bring the Great Seal to the King at York. Hyde quickly followed, and for some time there was a continued stream of noblemen and gentlemen making their way northwards. Before the end of the month, on the other hand, Warwick's ships had fetched away the stores from Hull, and had safely lodged them in the Tower.

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May 21.

Flight of
Lords and
Commons.

All this time the paper war had continued as hotly as ever. At last on June 2 it was brought to a head by the Nineteen Propositions which were sent off on that day by the Houses to the King. They were a new edition of the Provisions of Oxford. They claimed sovereignty for Parliament in every particular. The King's Council, the King's officials, the very Judges of the land were to be selected by Parliament. The Militia ordinance was to be accepted, all delinquents to submit to the justice of Parliament, the King's guard to be dismissed, and the fortresses placed in the hands of persons approved of by Parliament. The Recusancy laws were to be put fully into execution. The children of Roman Catholic parents were to be educated as Protestants. The Church was to be reformed according to the desires of Parliament, and no Peers subsequently created were to be allowed to sit in the House of Lords without the consent of both Houses.¹

June 2.
The Nine-
teen Propo-
sitions.

¹ *L. J.* v. 97.

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June 2.
Their
character.

It is impossible to deny that these propositions carried with them an abrogation of the existing Constitution; yet with the exception of the clauses directed against the Recusants, and those which related merely to matters of temporary importance, there is scarcely a word in them which is not in accordance with the spirit of the Constitution of the present day. What we do indirectly through a Cabinet which maintains itself in power only so long as it is secure of the support of the House of Commons, our forefathers proposed to do directly by an immediate vote of the two Houses. Sovereignty, they held, must be lodged in Parliament which represented the nation, and not in a king on whom no man could depend.

So far the argument sounds well enough. Its weakness lay in the fact that this special Parliament did not at this time any longer represent the nation as a whole, nor did it claim to content itself with representative functions alone. Where thought is free and religious and scientific liberty is secured, a representative assembly may well claim to be but the mirror in which the national purpose is reflected. It does not claim to force future generations into a form which it has chosen for them. It leaves the wind of spirit and intelligence to blow whither it listeth, and makes no attempt to crush down the new life of the future into the narrow mould of which alone it approves. It was not so with the Long Parliament in 1642. It was to choose for the nation the Church-forms and the Church-doctrine which it thought best. In all matters of the highest moment England was to take its ply from Parliament, and not Parliament from England. Pym and his comrades claimed the rights of representation without understanding its duties.

Nor was this all. Even if it could be assumed

that the ecclesiastical policy of Pym's supporters was entirely right, it was inevitable that, in the clash of authorities, Parliament should assume many functions which it could not permanently exercise without detriment to the nation. Parliament had come slowly and reluctantly to the conclusion that the government of England could not safely be left in Charles's hands. Charles could not be allowed to use the executive powers which he had hitherto possessed to introduce foreign troops into an English seaport, and with their help to make himself master of the country. Yet it was impossible that those executive powers could remain in abeyance. Even when public excitement is at the lowest ebb, it is absolutely necessary that there shall be some government to direct the course of public action. Recent experience has taught us that the wisest course would have been the dethronement of Charles and the immediate instalment of a new sovereign. Parliament could not venture on such a step. Public opinion amongst its own members as well as in the nation would have scouted the idea as treacherous and disloyal, and its own anxiety to innovate as little as possible led it to the greatest and most disastrous of innovations. The Houses took the executive authority into their own hands, and assumed functions for which a representative assembly is by its very nature unfitted. Nothing could come of it but hasty and violent action. Rewards and punishments would be distributed according to the temper of the majority. The majesty of the law would be overwhelmed in the attempt to uphold it. In the midst of the struggles of parties and factions the will of the many would be substituted for the will of one.

It was this which was sending so many of the English gentry on the road to York. They felt in-

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June 2.
Nothing
better to be
hoped from
Charles.

stinctively that it was not a reign of liberty which was offered them at Westminster. Yet what better thing could they expect from Charles? What possible political institutions could be founded on his dry legality, on his persistent claim to stop all legislation to which his personal assent was not given, on his determination to ignore the rights of conscience in all who differed from himself? The mind turns bewildered from Westminster to York, and back again from York to Westminster. Nowhere is to be seen the large-hearted genius which pierces to the heart of a situation, and which holds aloft the principle which reconciles instead of the principle which separates. The nation, as well as its Parliament, has broken asunder, and sad and evil are the days that are before it. Yet the spectacle, miserable as it is, is not one to be turned from with loathing. "If the heart be right," said Raleigh on the scaffold, "what matter how the head lie?" With most who took opposite sides now, the heart was right. Cavalier and Roundhead were taking sides neither in thoughtlessness nor in anger. Each saw the fault in his brother; though he could not discern his own.

June 3.
The meet-
ing at Hey-
worth
Moor.

Even by this time it was not absolutely certain that the King would find a party to defend him. On June 3, whilst the Nineteen Propositions were on their way from London, the freeholders and farmers of Yorkshire met at the King's bidding on Heyworth Moor close to York. The number of those who flocked to the rendezvous was variously calculated from 40,000 to 80,000. It was too great a number to come to any ascertained decision. Copies of an appeal from the King were read aloud in different parts of the moor. The King, followed by his new guard, rode about to show himself to his subjects.

Once Sir Thomas Fairfax, the eldest son of that Lord Fairfax who was member for the county and one of the Parliamentary commissioners, pressed near enough to offer a petition on the Parliamentary side. Charles refused to receive it, though Fairfax laid it on the pommel of his saddle. Fairfax was hustled and insulted by the King's attendants. In so large a crowd no order could be kept, and no attempt was made to ascertain its real feeling. Shouts were raised for the King from time to time, but no definite proposition was made, and no definite engagement given. Each party interpreted the temper of the meeting according to its sympathies. Parliamentarians thought that the absence of any distinct offer to support the King was evidence that the popular feeling was against him. Royalists attributed this result merely to defective organisation, and asserted that if a Royalist petition were circulated it would be subscribed by as many hands as there were heads at the meeting. Satisfactory news, too, arrived from Wales, and it was understood that the Principality was prepared to rise at a moment's warning.¹

At Westminster each successive step taken by the King was met by a fresh act of defiance. On June 6 Charles's prohibition of the musters of the militia was answered by a declaration in which sovereignty was claimed by Parliament, even more distinctly than before. If the King, they asserted, chose to allow armed bands to be collected for the breach of the peace, it was the duty of the Houses to interfere. "What they do herein hath the stamp of Royal authority, although His Majesty, reduced by evil counsel, do in his own person oppose or interrupt

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June 3.June 6.
Sovereignty
distinctly
claimed by
Parliament.

¹ Boynton to Constable, June 4. Nicholas to Roe, June 8, *S. P. Dom.*

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the same; for the King's supreme and royal pleasure is exercised and declared in this high court of law and counsel, after a more eminent and obligatory manner than it can be by personal act or resolution of his own."¹

From such a declaration there was no drawing back. What was now done, was done, as the Houses firmly believed, in their self-defence. "Peace and our liberties," wrote one of the most moderate and unambitious members of the House, "are the only things we aim at. Till we have peace, I am sure we can enjoy no liberties, and without our liberties, I shall not heartily desire peace."²

June 9.
Ordinance
for bring-
ing in
money,
plate, and
horses.

June 10.
Personal
call on the
Lords and
Commons.

On the 9th an ordinance was passed calling on all who were willing to assist their suffering country to bring in money, plate, or horses for its service.³ Lords and Commons liberally responded to the appeal, though there were many still on the benches of the Lower House who refused to answer to the call made individually to them in the House.⁴ Constitutional purists, like D'Ewes, might well regret that in thus demanding of each man a declaration of his intention, 'the very liberty and freedom of the House suffered.'⁵ The time for such scruples had passed. Men were taking sides in a civil war, not carrying on a constitutional debate. More to the purpose was the sharp answer of Killigrew, a Royalist member who still remained at Westminster. "If there be occasion," he said, "I will provide a good horse and a good sword; and I make no question, but I shall find a good

¹ *L. J.* v. 112.

² Sir R. Verney to Lady Barrymore, June 9, *Verney MSS.*

³ *L. J.* v. 121.

⁴ According to Nicholas 70 subscribed, 33 craved time for consideration, 50 refused. Nicholas to Roe, June 15, *S. P. Dom.*

⁵ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 157.

cause."¹ Such words were not of peaceful omen. On the 11th, news arrived more threatening still. It was now known that the Queen had been selling or pawning jewels in Amsterdam, and had purchased considerable stores of munitions of war for the service of the King.²

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1642.
June 11.
Arms prepared at
Amsterdam.

On the very day on which this information was circulated in London, a forward step was taken at York. It was there resolved to meet organisation by organisation. The mere prohibition to execute the Militia Ordinance had produced no effect whatever to the south of the Humber. In London, indeed, the Lord Mayor was so good a Royalist as to order the proclamation containing the prohibition to be publicly read in the City. But even in Lincolnshire, where Royalism was strong amongst the gentry, Lord Willoughby had succeeded in inducing the trained bands of the county to accept the Parliamentary Ordinance. On the 11th, therefore, Charles determined to take more active measures, and by issuing Commissions of Array to direct the trained bands to place themselves at the disposal of officers appointed by himself. Parliament indeed questioned the legality of these commissions, and a new controversy sprang up as bitter and as lengthy as that which had raged over Hotham's right to occupy Hull.³

The King's prohibition of the execution of the Militia Ordinance without effect.

The Commissions of Array.

Such controversy was of no practical importance whatever. The main question for the moment was whether the King would succeed in carrying his own party with him. Again and again, in the course of the past year, he had alienated his friends by en-

¹ *Clarendon*, v. 338.

² *L. J.* v. 126. The Queen to the King, ^{May 29} June 4, June 7. *Letters of Henrietta Maria*, 77, 81.

³ *Rushw.* iv. 655.

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1642.
June 13.

Feeling of
the Lords
at York.

gaging in plots with foreign powers or with discontented soldiers. If he would be at the head of a great party in England, he must rely upon that party alone. He must share its feelings and its prejudices. Yet even the Lords and gentry who had joined the King at York were by no means so active in his service as he could have wished. They were weary of Pym's dictation, and they were resolved not to submit their necks to the Puritan yoke. But they had no wish to provoke a civil war, and with all their hearts they detested those intrigues with the Irish Catholics and with foreign powers, the existence of which they could hardly help suspecting. If Charles was not to be isolated as he had been in 1640, he must throw himself, as far as his nature permitted him to do so, entirely upon the loyalty of his English supporters.

It was this that he at last resolved to do. Yet even now, if he for a time took the right course it was rather because his intrigues had failed him than because he had made up his mind to abandon his intrigues. The news which reached him from beyond the limits of England in the first fortnight of June was not encouraging. Early in May he had made a fresh appeal for help to the Scottish Council.¹ He called on all the members of the Council on whom he could rely to attend at Edinburgh in order to cast their votes on his side. They came according to the custom of their class and nation with armed retainers at their backs. At once the rumour spread that Argyle was in danger. Thousands of sturdy peasants flocked over from Fife. Edinburgh and the Lothians declared for Argyle. On May 31 a deputation, with

MAY 20.
Charles ap-
peals to the
Scottish
Council for
help.

MAY 31.

¹ The King to the Scottish Council, May 9. The King's Declaration, May 20. Petition to the Council, May 31. The Council to the King, June 4. *Council Act Book*, Registry Office, Edinburgh.

the Earl of Haddington at its head, summoned the Council to keep peace with the English Parliament. The Council dared not disobey the popular cry. On June 2 an answer was returned to Charles vaguely worded, but conveying an unmistakable intimation that if he quarrelled with the English Parliament he had no assistance to expect from Scotland.

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1642.
June 2.
Refusal of
Scotland.

Still less hopeful was the news from the Hague. The Dutch ambassadors for England had indeed been nominated, but it was understood that they would offer no mediation unless it were agreeable to both parties. Frederick Henry finding that the stream of public feeling in his own country was against him had withdrawn his countenance from the Queen's projects. Denmark and Bavaria, France and Spain showed no signs of helping her. For a time Henrietta Maria had clung to the hope that something might come of the King's journey to Ireland, and had proposed to join him there. That journey to Ireland was, however, now definitely abandoned, and the Queen remained at the Hague chafing at her enforced inactivity, and wondering why it was that all men did not rise up in support of her righteous cause.¹

News from
the Hague.

Under this discouragement Charles at last discovered that it would be better for him to show confidence in his own subjects than to put his trust in foreign aid.² He now strove to assure those who sur-

¹ See Rossetti's letters, and Zon's despatches for April and May.

² After describing the Queen's failure in the words printed at p. 438, note 2, Rossetti continues as follows: "Onde il Rè d'Inghilterra considerando bene la presente consideratione degl' interessi del mondo, scorge da ogni banda di poter poco sperare; ma se pure da alcuna delle predette parte potesse ricevere qualche aiuto di gente, pensarebbe questo essergli di desvantaggio più tosto che di profitto, attesa l'avversione che quei popoli hanno naturalmente a forastieri, et anco per esser questi troppo dannosi, dubitandosi che i medesimi del partito del Rè, quando quelli l'introducessero nell' Isola, fassero per alienarsi da S. M^{ta}, . . . per le quali cagioni ha deliberato di procurare con le forze naturali del Regno,

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1642.
June 13.
The King's
declaration.

Engage-
ment of the
Peers.

June 15.
Charles and
the Peers
protest that
they do not
mean war.

rounded him that he would stand solely on the defensive. On June 13, he announced that he would maintain the liberties and the just privileges of Parliament, and 'that he would not, as was pretended, engage them or any of them in any war against the Parliament, except it were for his necessary defence and safety, against such as did insolently invade or attempt against his Majesty, or such as should adhere to his Majesty.' To this the Peers at York replied that they would stand by the King's just prerogative, and would not obey any order respecting the militia which had not the Royal assent. Two days later Charles called on the Peers to join in a protest that no aggressive war was intended. They at once responded to his call. "We," they said, "whose names are underwritten, in obedience to his Majesty's desire, and out of the duty which we owe to his Majesty's honour and to truth, being here upon the place, and witnesses of his Majesty's frequent and earnest declarations and professions of his abhorring all designs of making war upon his Parliament; and not seeing any colour of preparations or counsels that might reasonably beget the belief of any such designs, do profess before God and testify to all the world that we are fully persuaded that his Majesty hath no such intention, but that all his endeavours tend to the firm and constant settlement of the true Protestant religion; the just privileges of Parliament; the liberty of the subject; the law, peace, and prosperity of this kingdom." To this were subscribed the names of thirty-five Peers, of Falkland, Nicholas, Culpepper, Sir Peter Wych, and Chief Justice Bankes.¹

e per via di negotiationi co' Principali dal Parlamento d'andar estenuando la fattione Parlamentaria e con la forza destramente metterai in autorità et in atto di potere comandare." Rossetti to Barberini, July 13, R. O. *Transcripts*.

¹ *Clarendon*, v. 342.

The acceptance of Charles's declaration by the Peers was an event of no slight importance in English history. It laid the foundations of that great party which, under the management of Hyde, ultimately brought about the Restoration settlement, and which struggled in vain to maintain it after time had proved its hollowness. For the time Charles and his supporters were bound together by the strongest of all ties, a common hatred. The immediate effect of the protestation of the Peers was absolutely nothing. No war was ever staved off by the declarations of both parties that they intend to stand on the defensive, if it were only because neither party is ever of one mind with the other upon the limits which separate the defensive from the offensive. The very day after the protestation was signed it was resolved to put in execution the Commissions of Array, and it was certain that Parliament would consider this a direct act of offensive warfare.

It was resolved to make a beginning with Leicestershire. The Parliamentary Lord-Lieutenant was the Earl of Stamford, an incompetent man of large estate. The leading spirit amongst the King's Commissioners was Henry Hastings, a younger son of the Earl of Huntingdon. In the greater part of the county the feeling was in favour of Parliament, but the Mayor of Leicester and some members of the Corporation sided with the King.

On the 16th Hastings arrived at Leicester, hoping to get into his hands the county magazine of arms and munitions. To his disappointment he found that it had been removed to Stamford's house at Broadgate. In the absence of the Sheriff he persuaded the under-sheriff to issue warrants for the execution of the Commission of Array. He then went back to York, but returned on the 22nd, bringing with him

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June 15.
Foundation
of the
Royalist
Constitu-
tional
party.

June 16.
The Com-
missions of
Array to be
executed.

Condition
of Leices-
tershire.

Henry
Hastings
at Leices-
ter.

June 22.

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June 22.

a hundred armed miners from his collieries in Derbyshire, and as many other persons as he could persuade to follow him. He found that the county was against him. Scarcely a man of the trained bands would answer to his summons. When he entered Leicester he was confronted by Palmer, the High Sheriff, who denounced his proceedings as illegal. An audacious messenger sent by Parliament to arrest him attempted to carry out the orders which he had received. Hastings, however, was rescued by his friends, and ultimately left the town.¹

June 17.
Newcastle
seized.

In Leicestershire the King's Commissioners were in what can hardly be described otherwise than as an enemy's country. In Northumberland Charles was in no such difficulty. On the 17th the Earl of Newcastle took possession of Newcastle for the King. Levying soldiers amongst his own tenants and the trained bands of Northumberland and Durham, he secured Tynemouth Castle and erected fortifications at Shields. Charles had at last a port where he might receive supplies from Holland.² His supporters were jubilant. The King, wrote one of them, was now 'the favourite of the kingdom.' His enemies would doubtless raise an army against him. It was all the better. They would do enough to entail on themselves the forfeiture of their estates, which would then be bestowed on the King's good servants.³ Such was the spirit which was rising alongside of the constitutionalisms of Culpepper and Hyde.

June 22.
Engage-
ment to
furnish
horse for
the king.

At York all men were busy in preparing for that war which was now seen to be inevitable. If money and plate were pouring in at Westminster, the King's

¹ Nichols, *History of Leicestershire*, iii. App. 22. *L. J.* v. 131, 142, 164.

² *L. J.* v. 170.

³ Wilmot to Crofts, June 22. *L. J.* v. 169.

principal supporters answered by an engagement to furnish him with 1,935 horse, and to pay them for three months.¹ Such offers would not, however, constitute an army. By separating from London and his Parliament, Charles had cut himself off from those financial resources which were still left to him by the law. When he left Greenwich on his Northern journey, he had no more than 600*l.* in hand. That he had been able to maintain himself at all during the past months had been owing, not to the scanty resources of the public revenue, but to the munificence of a single Catholic peer. The Earl of Worcester, the Lord of Raglan Castle, was possessed of an estate valued at 24,000*l.* a year, a rental equivalent to more than 100,000*l.* at the present day. As a Catholic he was exposed to special risks in the impending conflict, and if he had been himself indisposed to assist his sovereign, he could hardly fail to be dragged away by the impetuous zeal of his eldest son.

That son, Lord Herbert, far better known by his later titles of Glamorgan and Worcester, was a man of genius. He who divined the steam-engine a century before the days of Watt, now threw himself, with all the ardour of an enthusiast, into the cause of the King. Over him Charles exercised that wonderful charm which sprang from his gentleness and the consideration which he exercised towards those who accepted his sway. From time to time during the first weeks after the King had left Greenwich, Herbert supplied him with no less than 22,000*l.* from his own and his father's resources. Then when open resistance to the Parliament seemed, to a Royalist so decided as Herbert, the only honourable course, in all probability in the early part of June, the heir of

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1642.
June 22.

The Earl of
Worcester.

Lord
Herbert.

Supplies
Charles
with
money.

¹ Engagement, June 22, *S. P. Dom.*

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June 30.

Raglan was busy in gathering all the money that it was in his power to collect, and at last found his way to York to pour no less than 95,500*l.* into the exhausted treasury of his astonished master; whilst 5,000*l.* more followed in July.¹ Thus, and thus only, was Charles enabled to prepare for the field.

Hastings
returns to
Leicester-
shire.

In the end of June the activity of the Royalists was more vigorous than ever. On the 30th Hastings was once more in Leicestershire, with an armed force and the notorious Lunsford in his train. At Ashby-de-la-Zouch, he announced his own appointment as High Sheriff of the county.² "We must look to our safeties," said Pym, when the news reached Westminster. The feeling of the House was that force must be met by force, and that troops must be despatched to Leicestershire. "This," wrote D'Ewes in his diary, "was a sad morning's work. . . . I, seeing all matters tending to speedy destruction and confusion, had no heart to take notes that afternoon." Again and again during the past month he had expressed in his written self-communings the horror with which he regarded the approaching war, and his distrust of the fiery spirits, as he termed them, who were persuading the House to defy the King, and to lay down principles of government which he knew better than anyone else to be very different from those which had been accepted in earlier centuries. Yet it was not mere timidity which kept him fixed at Westminster. If his reverence for law and precedent drew him to the side of Charles, his Puritanism fixed him reluctantly by the side of Pym, and with him, as with so many of his contemporaries, the religious motive was the strongest.

July 1.
Parliamen-
tary troops
to be sent.
Feeling of
D'Ewes.¹ Dircks' *Life of the Marquis of Worcester*, 54, 330.² *C. J.* iii. 646. D'Ewes's *Diary*, *Harl. MSS.* clxiii. fol. 252 b.

More startling news than that from Leicestershire awaited the Houses. Northumberland informed the Lords that he had been dismissed from his office of Lord High Admiral. An ordinance was at once prepared, directing Warwick to continue in charge of the fleet in the Downs. Charles, indeed, had made arrangements for confiding it to Pennington. Letters had been despatched to the captains simultaneously, with the order dismissing Northumberland, directing them to obey Pennington and not Warwick. Pennington set out from York to assume the command, and travelled hard till he was near the Downs. Then he hesitated and waited for further information. On the 2nd Warwick came on board the flag-ship, and summoned the captains to accept him as their Admiral. Five only stood out, but their crews gave them no support, and before the day was over the fleet had placed itself at the disposal of Parliament.¹

As Pennington had failed in the Downs, Hastings failed in Leicestershire. He wished to possess himself of the County Magazine at Broadgate, but the popular feeling was too strongly against him, and he was compelled to content himself with proclaiming as traitors those who detained it from the King.²

Charles's attempt to get possession of the fleet and of the magazine in Leicestershire was accepted at Westminster as a declaration of war. At the request of the Commons, the Lords concurred in the appointment of a joint committee 'to take into consideration whatsoever may concern the safety of the Kingdom, the defence of the Parliament, and the preservation of the peace of the Kingdom, and opposing any force that may be raised against the Parlia-

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July 1.
Northumberland dismissed.
Is Warwick or Pennington to command the fleet?

July 2.
The fleet accepts Warwick.

Hastings' failure in Leicestershire.

July 4.
Appointment of a committee of safety.

¹ *L. J.* v. 169, 178, 185. *Clarendon*, v. 376.

² *D'Ewes's Diary*, *Harl. MSS.* clxiii. fol. 255 b.

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July 4.

ment.' In this committee, composed of fifteen members, five Lords, Northumberland, Essex, Pembroke, Holland, and Saye, were joined with ten Commoners, of whom the most conspicuous were Pym, Hampden, Fiennes, Holles, and Marten.¹ In this committee of safety Parliament had at last the rudiments of a government. It was evident that its first occupation would be of a military nature. On the 5th it was known that a small vessel from Holland had brought to the Humber arms and ammunition from the Queen.² The first thing to be done was to secure Parliament from interruption near at hand. Lord Mayor Gurney, who had actually published the King's Commission of Array in the City, was impeached, and by the 6th a vote had been agreed to by both Houses for raising a distinct army of 10,000 men from London and the neighbourhood. The ordinance for organising the militia for the defence of each county was no longer deemed sufficient.³

July 5.
News from
the Humber.

Impeachment of the
Lord
Mayor.

July 6.
An army to
be raised.

D'Ewes
asks for an
accommodation.

The spectre of civil war was visibly there before the eyes of all men. To the horror which its aspect created D'Ewes gave expression. "In respect of civil affairs," he said, "I dare be bold to say that the liberty and property of the subject were never so clearly asserted to them as they are at present. The main matter then which yet remains to be secured to us is the reformation of religion, and I desire that we may come to particulars in that. If a monarchy continue amongst us, there must of necessity remain a confidence from the subjects towards the Prince. For the town of Hull itself, I desire not that it should be delivered up to his Majesty, but that we might

¹ *L. J.* v. 178. *C. J.* ii. 651. The other five were Sir W. Waller, Sir P. Stapleton, Sir J. Meyrick, Pierpoint, and Glyn.

² *L. J.* v. i82.

³ *C. J.* ii. 653, 654.

humbly supplicate his Majesty to appoint Sir John Hotham governor there, till other things were peaceably composed between his Majesty and us, and that he should not deliver it up but by his Majesty's command, signified to him by both Houses of Parliament."

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July 6.

No wonder that cries of "Well moved" were heard on every side. No wonder too that a proposal which commended itself to the feelings of the House was rejected by its intelligence. It needed but little acquaintance with human nature to know that the King would never accede either to a Puritan Reformation of religion, or to the appointment of Hotham to the command of Hull. No one cared to answer the benevolent antiquary, but the House quietly passed to the consideration of matters of more practical importance.¹

Reception
of the pro-
posal.

On the 8th news came in of increasing Royalist activity in the Western Midlands. Herefordshire had declared strongly against Parliament. In Worcester-shire the Sheriff, backed by Lord Coventry, was prepared to execute the Commission of Array. It was known on the following day that Lord Northampton had announced his intention of pursuing the same course in Warwickshire. At York, the King had granted Commissions for the raising of cavalry, and had himself taken up a position at Beverley at the head of a small force under the command of the Earl of Lindsey, whom he had appointed general of his army.² The Commons resolved that the army of 10,000 should at once be levied.³ On the 11th the Houses concurred

July 8.
News of
fresh Roy-
alist move-
ments.

July 9.

Resolutions
of the Com-
mons.

¹ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 259. I quote this speech in preference to Rudyerd's, which seems to have been delivered soon after it, because D'Ewes goes more to the root of the matter.

² *L. J.* v. 192, 202.

³ *C. J.* ii. 663.

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1642.
July 11.
Declaration
that the
King has
begun the
war.

July 12.
Essex ap-
pointed
general.

in a declaration that the King had actually begun the war.¹ On the 12th Essex was appointed to command the Parliamentary army, and each member of the two Houses was called on to declare his readiness to live and die with the new general 'in this cause for the safety of the King's person, the defence of both Houses of Parliament, and of those who have obeyed their orders and commands, and for the preservation of the true religion, laws, liberties, and peace of the Kingdom.'² Incongruous as these phrases sound now, they were doubtless a true expression of the feelings of those who then uttered them.

July 11.
The King
demands
the delivery
of Hull.

Digby's
intrigue
with Ho-
tham.

This resolution was accompanied by a fresh petition to the King, imploring him to accommodate differences. Charles was not likely to pay heed to such a petition now. He hoped at last that the day had arrived when Hull would be in his hands. It was true that he had no more than 2,500 men with him at Beverley, and that no sane man would expect to capture a fortified town with so small a force. But it was not on force that Charles counted. Shortly before his advance to Beverley, Digby had been with him bringing intelligence from the Queen. On Digby's return the small vessel in which he was, was captured and carried into Hull. He assumed the air and language of a Frenchman, and for a little time escaped notice. Knowing that he could not long preserve his disguise, he demanded with rare audacity to be brought before the Governor. Throwing himself on Hotham's generosity, he revealed his name and purpose, and urged him to play a glorious part in the restoration of peace to his country by surrendering Hull to the King.

Hotham
agrees to
surrender
Hull,

To all this Hotham listened. He was no Puritan,

¹ *L. J.* v. 201.

² *L. J.* v. 208.

and he had been pushed on, without much consideration, into the position which he now occupied. Digby's offers of Royal favour touched him, and he consented to surrender the place if the King would but attack it in person. Charles had taken him at his word, and his advance to Beverley had been the result of the expectations thus held out. As usual, however, Charles procrastinated and lost the opportunity. During the four days that he remained at Beverley, Hotham had time to meditate on the difficulties of the enterprise to which he had hastily committed himself. He told Digby that his own garrison would never allow him to give up the fortress. Digby was allowed to escape, but the gates of Hull remained closed to Charles.¹ The King rode off to Newark and Lincoln after despatching an angry summons to Parliament to give up the town. Hotham sat down to write a despatch, in which he took credit to himself for the discovery of a plot to betray Hull to the King.²

At Lincoln the King encouraged by his presence all who were inclined to resist the Militia Ordinance. He found much support amongst the gentry of the county, who promised to come to his aid with 400 horse. Money too, of which in spite of the liberality of Worcester and his son he was sorely in need, had been coming in at last. The University of Oxford sent him 10,000*l.*, and the Cambridge University had spent 6,000*l.* in the Royal cause.³ On the 16th Charles was again at Beverley,⁴ where he found Holland with a petition from the Houses for accommodation. No messenger could have been more ill-fitted for the task assigned to him. Amongst the Royalist party he was

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1642.
July 7.

July 17.
but
changes his
mind.

July 15.
The King
at Lincoln.

Money
coming in.

¹ *Clarendon*, v. 432.

² *L. J.* v. 209, 217.

³ Nicholas to Roe, July 20, *S. P. Dom. Catalogue of moneys subscribed*, Aug. 5 (669, f. 6.).

⁴ *L. J.* v. 224.

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July 15.

justly despised as well as detested, and it was well known in the North that the loss of Court favour had been the motive which had driven him at last into opposition. He lay under the imputation of cowardice, as well as of vanity and greed. "I am in such a great rage with the Parliament as nothing will pacify me," wrote a lady in the North, on a false rumour that Holland had been appointed General of the Parliamentary forces, "for they promised as all should be well if my Lord Strafford's head were off, and since then there is nothing better. We hear strange news from London, which is that many have offered to keep horses for the Parliament to fight against their King, and that my Lord of Holland is general, which puts me in the most comfort that we shall have peace, for he hath had good fortune not to fight hitherto. I hope he will prove lucky still." The longing for peace was great indeed in every part of England. "Oh, that the sweet Parliament," the same lady had written in May, "would come with the olive branch in its mouth, it would refresh and glad all our hearts here in the North. We are like so many frightened people. For my part if I hear but a door creak, I take it to be a drum, and am ready to run out of that little valour I have." In the South the desire for peace was no less, though the blame was thrown elsewhere. "The Queen," wrote Lady Sussex from Gorhambury, "is pleased if she have so many favourites with her. I doubt we shall all fare the worse for it. So many heads together will be busy in their plots against us. God's power is above all, who I hope in mercy will yet keep us from the miseries we may expect."¹ Charles, who under no

¹ Margaret Eure to Sir R. Verney, June 20 [P]. Lady Sussex to Sir R. Verney, July 3 [P], *Verney MSS.*

circumstances would have been likely to return a soft answer to the message, was perhaps provoked by the sight of the messenger to impart a sterner tone to his reply. The terms which he demanded were the dismissal of the Parliamentary troops, the surrender of Hull and the fleet, the disavowal of any power to make laws without his consent, and the adjournment of Parliament to some place outside London. When all this had been done he would discharge his own troops, and discuss all differences in a Parliamentary way.¹

The time for such manifestoes was rapidly drawing to a close. Already, on the 15th, the first blood of the English Civil War had been shed at Manchester. As the townsmen were engaged in carrying the Militia Ordinance into effect, Lord Strange, the heir of the Earl of Derby, a man of sustained loyalty and high courage, rode in amongst them at the head of a band of armed troopers. The townsmen were too weak to stand against his charge, and Richard Perceval, one of a number who were wounded in the struggle, died a few days afterwards of the injuries that he had received.²

Once more Charles tried the effect of his presence before Hull. The garrison sallied out, and his men retreated before their assailants, not without loss. He then returned to Leicester, where he arrived on the 22nd. Town and county alike refused to assist him, and his demand for the surrender of the county

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July 19.
The King's
answer to
the petition
for an ac-
commoda-
tion.July 15.
The first
blood shed
at Man-
chester.July 17.
Charles's
movements

July 22.

¹ *L. J.* v. 235.² D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 293 b. (E. 108). *A very true . . . relation of the . . . passages at Manchester*, *Rushw.* iv. 680. This last is a very different account from that given by D'Ewes. In it all the blame is thrown on the townsmen. It is sometimes said that men were killed at Hull before this, but as the sally from Hull is mentioned in Salvetti's letter of ^{July 26} ~~Aug. 2~~ it, no doubt, took place later.

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July 24.

magazine was made in vain. He was forced to a compromise, by which the arms were dispersed amongst the inhabitants of the county, who were not likely to use them in his favour. Yet he was not without some gleams of hope. Though the freeholders were against him, some of the gentry took his side. Much to his delight, too, he secured the person of Bastwick, now a captain of the Leicester Trained Bands, and sent him off a prisoner to York.¹

Preparations for war.

July 30.

Aug. 2.
Parliamentary reasons for taking up arms.

Answer to the charge that Parliament is setting up an arbitrary government.

The actual number of troops at Charles's disposal was not great. Yet it was evident that in the North and West the bulk of the country gentlemen were disposed to rally to his cause, and the Parliamentary leaders felt that the time was come to provide against imminent danger. Already plate and money were being brought in large quantities. On July 30, Parliament resolved to borrow 100,000*l.*, which had been set aside for the Irish war.² On August 2, the Houses issued a declaration of their reasons for taking up arms. The strength of their case lay in their retrospect of Charles's past government, and of his plots and intrigues since Parliament had met. Its weakness lay in their answer to the charge that they were themselves setting up an arbitrary government, and were interpreting the law at their pleasure. Instead of replying that the necessity which had thrown on them the burden of government was none of their creating, they met the accusation with a direct denial. No rational man, they urged, would believe 'it to be true,' 'it being impossible so many several persons as the two Houses of Parliament consist of—and, either

¹ Nichols, *Hist. of Leicestershire*, iii. app. 28. *Truths from Leicester and Nottingham* (669, f. 6). Nicholas to Roe, July 27, *S. P. Dom. L. J. v.* 283. Forster to Ohavigny, Aug. $\frac{4}{17}$, *Arch. des Aff. Etr.* xlix. fol. 141.

² *Rushc.* iv. 778.

House of equal power—should all of them, or at least the major part, agree in acts of will and tyranny which make up an arbitrary government, and most improbable that the nobility and gentry of this kingdom should conspire to take away the law, by which they enjoy their estates, are protected from any act of violence and power, and differenced from the meaner sort of people, with whom otherwise they would be but fellow-servants.’¹

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It was a most inadequate defence. No unprejudiced person can go through the records of the Long Parliament without noticing countless occasions on which the temper and prejudices of the Commons were cast into the balance of justice. A Puritan clergyman and Laudian clergyman received very different measure at their hands. Arguments which would never have been listened to, if adduced against their own supporters, were accepted as unanswerable against a Royalist. It was not that the Long Parliament was especially arbitrary or tyrannical. It acted but as every large body of men is certain to act, when it is called upon to fulfil judicial functions in political cases. Yet, after all, the Long Parliament, objectionable as many of its proceedings were, had fallen far short of the tyranny of the Star Chamber. It had deprived many clergymen of their benefices who were fitted to hold them, and had committed to prison many persons who had done no more than their duty according to their understanding. But it cut off no ears, and it inflicted no scourgings. Its imprisonments were usually short. Bristol and the Attorney-General and the impeached bishops had been set at large again, after a few days, or at most weeks of confinement. The remedy for the evil lay

How far
was it suc-
cessful?¹ *L. J.* v. 258.

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not in the substitution of an irresponsible King for an irresponsible Parliament, but partly in the establishment of that responsible ministry which Pym had sketched out ; partly, too, in securing that responsibility of Parliament to the nation, through perfect freedom of speech and writing, which Pym did not think of proposing, and which amidst the clash of opposing forces he could hardly, even if he had thought of it, have ventured to propose.

Goring
seizes
Portsmouth
for the
King.

In the beginning of August bad news poured in from all sides to Westminster. Goring had discovered that he had no place in Puritan society, and sought reconciliation with the King, whom he had betrayed in 1641, by betraying Parliament in 1642. He now held the important fortress of Portsmouth for the King. In Warwickshire the Earl of Northampton was strong enough to stop some guns sent by Parliament to Brooke for the defence of Warwick Castle. Hertford, appointed by the King to command in the West, had put himself at the head of a force raised by some of the gentry of Somersetshire. The Royalists were in high spirits. They reported that the Parliamentary army was weaker than it appeared, and that when it came to fighting many of the newly levied soldiers would desert rather than stand up against the King.¹

Northamp-
ton in
Warwick-
shire.

Aug. 3.
Hertford in
Somerset-
shire.

Better news reached Westminster ere long. In Shrewsbury the Parliamentary party had gained the upper hand. In Somersetshire the yeomen and manufacturers bore no good-will towards the gentry. Under the guidance of the Puritan gentlemen of the

¹ *I. J. v. 278. D'Ewes's Diary, Harl. MSS. clxiv. fol. 159. Clarendon, vi. 3. Giustinian to the Doge, July 30, Aug. 6, 15. A broadside gives the numbers of the men who appeared against Hertford as 15,000. A. Prowse to —, Aug. 8 (669, f. 6).*

county, they mustered in such numbers as to make Hertford's position at Wells hopeless, though he was allowed to withdraw unmolested to Sherborne, where he took up his quarters with about 900 men.

On August 9 the King proclaimed Essex and his officers traitors, though he offered a free pardon to all who should within six days throw down their arms. The Commons retaliated by calling on every one of their members to swear that they would live and die with Essex. On the 12th the Lords pronounced sentence on Gurney, directing him to be imprisoned during the pleasure of the House, and depriving him of the mayoralty which had enabled him to do good service for the King. The Royalist Recorder, Sir Thomas Gardiner, had been already impeached.

Civil war was thus virtually begun. One unlucky member asked for a little time to consider his answer. He was told that it must be given at once. Plucking up courage, he refused to give the promise, but he was so soundly rated by the Speaker, that he offered in his fright to answer with an Aye. He was told that his Aye would not be accepted now. Warned by the example, the few Royalist members who were still left in the House gave the promise required.¹ On the 18th a declaration was issued by the House denouncing as traitors all who gave assistance to the King.²

Every effort was made on the part of the Parliamentary leaders to carry on the war with energy. Directions had already been given to lay siege to Goring in Portsmouth, and to Hertford in Sherborne. Brooke had occupied Warwick Castle, and had beaten off Lord Northampton. Hampden caught Lord Berk-

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Aug. 9.The Com-
mons swear
to live and
die with
Essex.Aug. 18.
Those who
assist the
King de-
clared
traitors.Action
of the
Parliamen-
tarians.

¹ *Rushw.* iv. 780. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 261 b.

² *L. J.* v. 303.

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1642.
Aug. 18.

shire as he was preparing to execute the Commission of Array in Oxfordshire. Berkshire protested his innocence, and assured Hampden that he had done nothing. Hampden replied that he had been sent to prevent him doing anything, and despatched him as a prisoner to London. Cromwell did even better service by seizing the college plate as it was being sent away from Cambridge to enrich the royal army-chest.¹

Aug. 12.
The Royal
Standard to
be set up.

That the King must take the field had been for some time resolved at York. The Royal Standard must be set up as the sign that all loyal subjects were to rally round their King in his march against the traitors; and Charles's means were scanty, and as yet his troops were few. There was much discussion what place should be chosen for the display. Lord Strange begged the King to take refuge in Lancashire. In that county, he said, his tenants and allies would soon enable him to support his master with a force of 10,000 men.² Others suggested York. The King's sanguine temperament gave the preference to Nottingham, though he had received but a cold reception in that town on two previous visits. He wished to open the campaign as near to London as possible, and he still hoped to hear that Hertford had made himself master of the western counties, and had been able to hold out a helping hand to Goring. On the 12th he issued a proclamation inviting his loyal subjects to rally round the Standard, which was to be set up on the 22nd at Nottingham.³

Aug. 20.
Charles
summons
Coventry.

Charles was still unable to divest himself of the

¹ Mountfort to Potts, Aug. . Crane to Potts, Aug. 19 (incorrectly catalogued as Aug. 9). *Tanner MSS.* lxiii. fol. 116, 125. *L. J.* v. 307.

² *Memoirs of the House of Stanley*, 72.

³ *Clarendon*, v. 444. Proclamation Aug. 12. *Bailey's Annals of Nottinghamshire*, App. vii

belief that his mere presence would turn all hearts towards him. On the 20th he appeared before the walls of Coventry and demanded admission. He was told that he might come in alone if he chose, but that he must not bring his soldiers with him. In his attempting to force an entrance a sally from the town drove off his men, and some of his followers were killed.¹ On the morning of the 22nd, leaving his troops behind him, he rode off for Nottingham. When he reached Nottingham in the afternoon, the Standard was borne out from the Castle. It had been entrusted to the charge of the Knight-Marshal, Sir Edmund Verney.² With the King were the Prince of Wales, the Duke of York, and the fiery Rupert, who, with his brother, had lately landed in England, to devote himself heart and soul to his uncle's service.

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Aug. 20.

Aug. 22.

Even at this solemn moment Charles gave signs of that infirmity of purpose which weighed so heavily

¹ Giustinian to the Doge, Aug. 26, *Venice MSS.*

² "The King," writes Verney's niece on the 23rd of her uncle, "hath given him the Standard." Dorothy Leeke to Sir R. Verney, Aug. 23, *Verney MSS.* This, and the letter from a gentleman printed by *Bailey*, 663, settled the question of the date of the erection of the Standard. *Bailey*, whose copy contains a serious misprint of "I came on Wednesday night last to Nottingham," instead of "I came on Wednesday night last from the Court at Nottingham," as it stands in the original (669, fol. 6), with some reason conjectures the author to have been John Hutchinson. At all events he was an eye-witness. *Rushworth's* description is copied from a pamphlet of the time, *A true and exact relation of the manner of His Majesty's setting up of the Standard at Nottingham, on Wednesday, the 22nd of August.* So at least it stands in *Bailey's* reprint (665). Wednesday is no doubt a misprint, as the pamphlet itself states Monday, the 22nd, to have been the day. The curious thing is that the description of the Standard is entirely different in the pamphlet and in the letter. The only way of reconciling the two accounts is to suppose that the narrative in the pamphlet was made up in London from various sources of local information. The Standard which Verney carried at Edgehill must have been a different one from that which required twenty supporters, and the informant of the author of the pamphlet perhaps described this smaller banner.

CHAP.
XVII.
1642.
Aug. 22.
The King
corrects
his procla-
mation.

upon him. The Standard had been fixed in the ground, and the herald at arms was about to read a proclamation denouncing Essex as a traitor. A flourish of trumpets was to prelude this announcement. Before a note was sounded, Charles was struck with a suspicion that the wording of the proclamation might be in some respects defective. Calling for the paper, he corrected its phraseology.¹ The herald to whom it was returned had some difficulty in picking out the words so hastily inserted. When he had struggled hesitatingly to the end, those who stood around threw their hats into the air, shouting loudly, "God save King Charles and hang up the Roundheads," in a tempest of loyal emotion. The Civil War, which had been practically begun when Hotham shut the gates of Hull against the King, was now openly avowed. England was about to learn through suffering that wisdom which was to be found in neither of the opposing ranks.

¹ Readers of the despatches amongst the Foreign State Papers will be familiar with his numerous verbal corrections, showing his sensitiveness in point of style.

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