







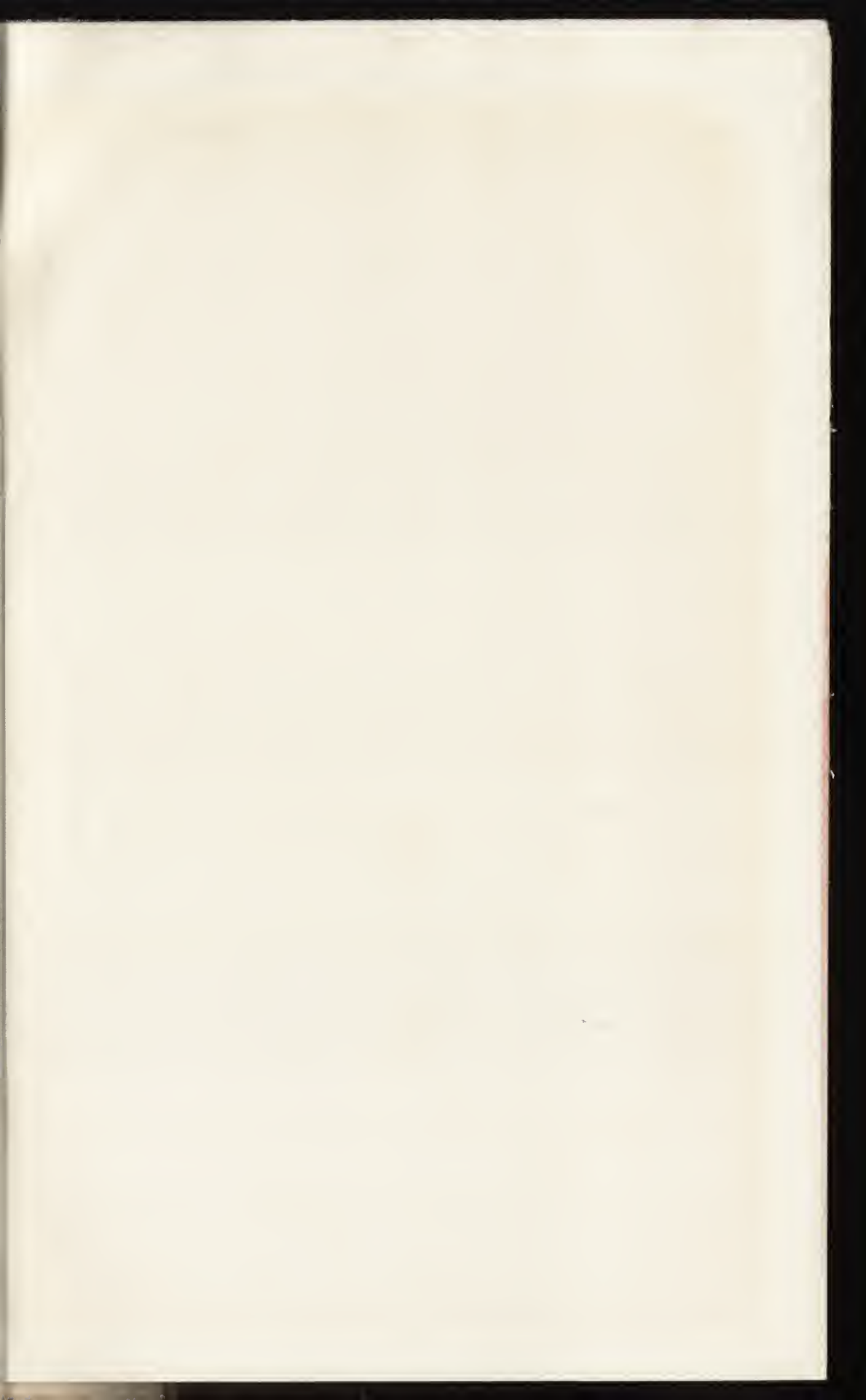






THE LIFE OF SIR HENRY VANE

THE UNIVERSITY OF CHICAGO





Sir Henry Vane
the Younger.

SIR HENRY VANE, THE YOUNGER.

By Lely.

[Frontispiece.]





THE LIFE OF
SIR HENRY VANE
THE YOUNGER

WITH A HISTORY OF THE EVENTS OF HIS TIME

BY WILLIAM W. IRELAND

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In composing this biography I soon saw that it was necessary to give an account of the great events in which the life of the statesman was merged, many of which have been discoloured or shown in false proportions, through the prejudices and petulance of some writers, and the indolent acquiescence of others.

It is not to the credit of England that she has done so little honour to Sir Henry Vane compared with the appreciation of the historians of the United States. The people of the Great Republic have not forgotten the help Vane gave in the foundation of the colonies of New England. Yet the claims of justice have increasing strength in the present age, and the memory of Sir Henry Vane has claims which will yet be more fully recognised.

WILLIAM W. IRELAND.

2nd October 1905.

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LIFE OF SIR HENRY VANE

CHAPTER I

The growth of Freedom in England. Rise of the Towns. Decay of the Nobility. Great power of the Crown under the Tudors. James. Charles I. His Character. He dissolves his First Parliament. First attempts at Arbitrary Rule. State of the English Navy. The Expedition to Cadiz. Charles's Second Parliament. Impeachment of Buckingham. Third Parliament. Petition of Rights. Murder of Buckingham. Charles's inglorious Foreign Policy. Second session of Third Parliament. The King dissolves it, and governs without a Parliament.

It would be too long to trace the slow growth of freedom in England after the Norman Conquest,—how the barons helped the people to loosen the yoke of the kings, and how the kings helped them to get rid of the feudal powers of the barons. Let us but take note that the large towns in the hard times succeeding the Conquest gave a refuge to the oppressed villeins, and, continually growing in population, freed themselves from the authority of the barons, till at last, governed by their own laws and the laws of the Empire, they gained for England those free institutions of which she is so justly proud, and which she has communicated to Scotland and Ireland, and taught to the whole of Europe. It was the habit of self-government gained within

the walls of these towns which enabled the country to escape both from aristocratic and regal oppression. From the earliest times we trace this broad distinction between the town and the country. The towns are free from or struggling against, the country is subjected to, the tyranny of great landed proprietors. It is perfectly true that the rise of a free peasantry and the bold and manly spirit of the yeomanry were of much avail in the battle for freedom: still, without the towns the struggle would have been carried on and ended in a different manner.

As the baron expected his serfs and tenants to assist him in battle, he was naturally anxious that they should be well fed, robust, well armed, and attached to his person; and though the English peasantry undoubtedly suffered cruel wrongs from their arrogant and haughty masters, and were more than once goaded into rebellion, it is clear that the powers of the feudal lords were not often pushed to their extreme length, and that they let slip privileges which the more commercial tyranny of modern landlords would have vigilantly insisted upon. There is no doubt that a very large portion of the English peasantry passed from villeinage, in which condition they were incapable of holding any property (or at least could be deprived of it at the pleasure of their lord), and that they so passed without any express manumission or decree of liberation. A great number of these serfs had become tenants or free labourers before the middle of the fourteenth century, and at the close of the sixteenth century there were scarcely any left in England.

Mr Rogers questions the correctness of the in-

ference of Hallam, who was disposed to believe that the gradual emancipation of the villeins was due to the scorn which the nobility might have felt in insisting upon all the paltry cesses due by their dependents. "There is certainly," he remarks, "no warranty for such a view. A very cursory examination into such accounts as have contributed the material for these pages is conclusive to the contrary, and shows that no source of income, however small, was neglected or unappropriated by the feudal superior."¹ But though the registers and accounts which he has consulted of course record the rights to petty taxes on which the feudal lords insisted, they do not explain how those rights were through time allowed to slip, and there is the undeniable fact that they were allowed to slip. Mr Rogers traces the liberation of the villeins and the growth and prosperity of a free tenantry to such great economical causes as the black death, which created a keen demand for free labour, and rendered the villeins ready to flee away and difficult to be held to their lands under the old hard conditions. This rendered the cultivation of estates by bailiffs difficult and unremunerative, and made it the interest of the feudal lords to be indulgent to the cultivators. The feudal lands were at the same time gradually alienated in small parcels, and passed into the hands of small proprietors. The towns still kept increasing in importance. The influence of the citizens of London, though perhaps not so great as Froissart represents, was no doubt felt in a marked manner in the dethronement of

¹ *History of Agriculture and Prices in England*, by James E. T. Rogers, London, 1866, vol. i., p. 64.

Richard II., and liberty gained ground under the first two princes of the House of Lancaster. Towards the close of the feeble reign of Henry VI. great efforts were made to control the votes of the yeomanry, for the authority of parliament, so often called to judge on highly important matters, was getting stronger. It has been often pointed out that there was a great slaughter of the Norman barons during the Wars of the Roses. This assisted a natural process, for it has been observed since the dawn of history that families reared in luxury and having all the means of self-indulgence, decay, diminish in number, and pass away. The English nobility were thus continually getting exhausted. Under the firm rule of the House of Tudor the kingly authority superseded the feudal powers of the barons, and the statute of alienation or of fines, originally enacted in the reign of Richard II., enabled them to sell their land, while another law of Henry VII. caused their numerous retainers to be dispersed. Instead of taking their revenue in kind, and spending the best part of it in feeding their retainers and in indiscriminate hospitality, they began to take their rents in money, which they spent upon themselves, dealing principally with merchants and artificers, who were in no way dependent upon the goodwill of one however wealthy.

Thus, while the power of the nobility decayed, that of the crown increased. The same process took place all over Europe from the need of a central authority, which a more complex civilisation both required and facilitated.

In poring through these centuries of tyranny and

misrule it is hardly a consolation to discern the slow dawning of a better light. How many generations came and went with the sense of wrong and oppression or with outbursts of futile rage recoiling upon themselves!

Under the yoke of Henry VIII. the spirit of freedom seemed extinct as a practical force. That monarch had no difficulty in making the old safeguards of liberty the instruments of a tyranny and misrule as coarse as it was cruel. He did such violence to the possessions, the consciences, and the religious convictions of his subjects as no contemporary monarch could have dared to do; England in his reign had less freedom than any of the great kingdoms of Europe. "Ho! man, will they not suffer my bill to pass?" said the obese tyrant, setting his hand on the head of an influential member of the Lower House. "Get my bill passed, or else by to-morrow this head of yours will be off;" and so a subsidy was granted, larger than ever had been levied in England before. Obedient judges and juries sent the best men of England to the scaffold. Insurrections were raised but to dwindle away without crossing swords with the troops sent against them. He plucked down the pope, the idol of a thousand years, and put his own bloated image in his place.

Henry let loose and held back at his will the rising Reformation, and rode rough-shod over the Catholics and Reformers alike. The peers, who had often combined to check the powers of the Plantagenets, were eager for the notice of their dread sovereign, and scrambled to share in the spoils of the monasteries and religious houses. During the short reign of his

son the forces of Protestantism triumphed, but the power of the crown was so great that the accession of a Catholic princess was sufficient to turn back the tide of the Reformation. England passed from Protestantism to Catholicism under Mary, and back under Elizabeth. This politic princess used the reforming movement to support her claim to the throne, yet held it within bounds, and organised a church which has ever since occupied a middle position between the old faith and the new. Elizabeth had sense enough to steer with the drift of events, which made her popular, but she possessed the love of rule, and kept her prerogative high. The great gathering of the north called the "Pilgrimage of Grace," in 1569 gave way under the mere prestige and terror of royalty without any fighting.

The queen treated the House of Commons with much haughtiness, resented any advice about her government, and raised money by illegal monopolies which, however, towards the close of her reign she was constrained to give up. Any opposition to the royal demands was done with servile protestations of loyal devotion and with real trembling. The crown had so many ways of crushing opponents, and they had so few of defence, that those who made themselves obnoxious only injured themselves. The people might applaud those who resisted an illegal tax or denounced a vexatious monopoly, but they could not protect them. The right to impose or refuse taxation was the only one the parliament really possessed, and this was often evaded by the crown selling the monopoly of particular articles to private traders, who charged high prices for bad wares. The foreign policy was beyond their reach.

When involved in a war they might indeed refuse subsidies ; but they were constrained to defend the national honour and the national safety. It is difficult for the most powerful intellect to rise above the ideas of his age. The people of England had little reason to be grateful to their kings, who had extracted from them as much of their substance as they could, and bled them in many wars sought out for their own greed of power. But the church had for ages taught the people that it was the will of God that they should submit to those in the seat of power, and her lessons were re-echoed by the voices of self-interest. Thus the many were deeply imbued with the belief that their kings were born heirs to their obedience and had a right to exact sacrifices from them. They were pleased to raise a man to a high place and bow down before him. In their poverty they would make him rich ; in their helplessness they would make him strong. In their ignorance they trusted their destinies to his guidance. They were proud of the greatness which weighed upon their own necks. In their abasement they were eager not only to surrender their liberty, but to force others to do the same. Thus, while they delighted to crawl, they hated to see any one walk upright. Nevertheless, during the reign of Elizabeth there was one of those mighty increases of mental power which bore along both the people and their rulers in its irresistible momentum. Causes were at work, some of them apparent, others beyond human ken, sapping the divine right of kings as well as of popes, and producing effects which in their turn became causes. It was impossible that the intellectual strength of a nation should grow as it did in the days

of the Tudor queen, without a heightened feeling of the dignity of man ; and towards the end of her reign there was a spirit of resistance in the House of Commons which made her modify her measures, if it did not get her to abate the haughtiness of her language. The same process of exhaustion which had thinned the ranks of the higher nobility also affected the royal family of England. In default of male heirs, two females reigned one after the other ; and on the death of Queen Elizabeth the line of English sovereigns became extinct. Self-interest might prompt the courtiers round the new king to profess the highest loyalty ; but the English people could hardly forget that the new king was the descendant of those Scottish princes who for three hundred years had sustained war on their northern frontier and been the allies of France. On the other hand, James might have counted on his Scottish subjects to support him on the English throne.

It was a misfortune for England that no arrangement was made on the accession of the Scottish prince so far to define and modify the royal prerogative as to satisfy those popular demands which Elizabeth had such difficulty in resisting, and to secure which the nation had to go through a bloody civil war and two revolutions. James wanted the faculty of dignified self-assertion. Both bodily and mentally there was an awkwardness about him. Though selfish and sensual, he was not cruel, nor does it appear that his love of peace proceeded from timidity alone. His ostentatious claims to absolute power were made in long speeches, not in hard words or deeds. Some of his sayings show much shrewdness, and he would

never have made the mistakes of his son. Nevertheless he made enough of his own.

During the twenty-four years of James's English reign there was no revolt, though the spirit of independence gained ground. He weakened his own power by his inglorious foreign policy, his persecutions of the Puritans, his unworthy favouritism, and the shameless devices by which he sought money to squander away. He lowered the estimation of the nobility by selling titles and peerages, and diminished his own influence by selling the household estates of the crown. By his English subjects he was little respected, and not lamented on his death.

The accession of the new king brought hope to many who had a longing for better things. Unlike his father, Charles was decorous in his manners, and pure in his private life. Delicate and backward in childhood, late in learning to walk and to speak, he gained sufficient docility of mind to take in and retain what he was taught. As he grew up his health became more robust. He was a good rider and fond of the chase. He showed a fine taste for the arts, and though not learned like his father, he was fond of literature and poetry. His portraits have come down to us from great masters in the arts of painting and of writing, who did not fail to make the most of the picturesque in his appearance. Slow of speech, of a cold and self-satisfied disposition, with a solemn air, Charles sustained a majestic carriage which imposed on the many who judge by appearances, and inspired a devotion little justified by his real character. To those around him, he was sometimes hard and ungracious, though he rarely offended good taste on public

occasions. His understanding, though clear, was narrow in its scope. He was attached to the Church of England, the ceremonial parts of which gratified his finical sense of propriety, and he thoroughly believed it his duty to God to uphold the bishops, the guardians and soothers of his conscience. The crafty lessons of his father had imbued him with a fixed belief in the divine right of kings.¹ Nothing was more certain than that God had destined him, Charles Stuart, to rule over everyone else in the three kingdoms. He was convinced that a share in the government of their own affairs was a thing nothing pertaining to the people. The rights of Englishmen of which the parliament made so much talk were but indulgences granted in moods of impolitic acquiescence, or forced from his predecessors by undutiful subjects taking advantage of the exigences of their princes, concessions which might be resumed at the will of the sovereign. It was his majesty's duty, as well as his pleasure, to uphold his prerogative, to define its extent,

¹ Angelo Correr, Venetian Ambassador to England from January 1634 to November 1637, tracing with a few graphic touches the character of Charles I., observes: "He is extreme in nothing except that he persists in what he inclines to; and one whom he has once hated is sure of never gaining his favour. He is erudite in letters without pedantry, and does not fail in what is becoming to a king. From his father he has inherited two things—a love of the chase and a hatred of the people, which is well-known to be the pole star of his movements, the cause which keeps him pacific, and the touchstone which decides if he do well or ill. Having left off governing through parliament as his predecessors did, it now remains to be seen, if he will so continue, and if he will be able to do with the royal authority what former kings did with the authority of the kingdom, a difficult business, and all the more dangerous if it be true that states are discontented by two great causes, religion and curtailment of the liberty of the people, for he has disturbed both, so that it will be very fortunate if the state fall not into great disorders."—*Relazioni dei Stati europei letti al Senato degli Ambasciatori Veneziani nel Secolo decimosettimo racc-da Barozzi e Berchet*. Venice, 1856-1878, vol. Inghilterra, p. 323.

and to hand it down undiminished to his successors. These early lessons in kingcraft petrified his whole nature, and fostered a selfishness which prevented his affections passing beyond the circle of his family and princely relations.

In the means which he pursued towards absolute power he was vacillating and uncertain, petulant rather than politic; but in the belief of his own kingly rights he had a persistence which resembled instinct. He broke promise after promise; but he probably thought that it was worse keeping such promises than breaking them. If the opponents of the prerogative or of the church had to be imprisoned, tortured, or ruined, it was the retribution which they had brought upon themselves. He was unfeeling rather than cruel; if his friends suffered in his cause, it was their duty to sacrifice themselves for their king, nor was he unwilling to grant them a modicum of gratitude, and some little regret.

At Charles's accession a parliament was at once convoked, and assembled on the 18th of June 1625. The Commons soon showed that they were resolved not to grant the expected supplies till grievances were redressed. They complained of the failure of the royal navy to protect commerce on the seas, and they pointed out that the king's chaplain had preached in favour of Romish doctrines and passive obedience, and urged that the penal laws against the Catholics should be rigidly enforced. In the meantime they would only accord a small subsidy and the tonnage and poundage for one year. As these customs had heretofore been granted for the king's whole reign, the Lords refused their consent. Charles, angry at

the distrust of the Lower House, which, however, was based on past experiences, abruptly dissolved the parliament after it had only sat eight weeks. Yet he needed money sadly, for he had now entered on a war with Spain. Before doing so he should have known something about the condition of his ships and seamen.

It was in the reign of Henry VIII. that the English navy became powerful. The improvement in the size and armament of the ships was owing to the impulse of a stirring age, encouraged by the personal interest of the monarch. Though this was relaxed during the short reigns of Edward and Mary Tudor, at her accession Queen Elizabeth had a fleet of thirty-two vessels of various kinds; twenty-nine were added during her reign. The times were favourable for England gaining the supremacy of the sea. France was distracted by the religious wars, and the Hollanders were eager for help in their life and death struggle with Spain. Much of the glory of Elizabeth's reign was derived from naval victories. The spirit of adventure, which in former times had led men to the heart of France, was now directed to explore the vast shores of the new world and to snatch from the Spaniard his ill-gotten gains. With Elizabeth, war on the sea should be something which yielded up a rich return for her private purse. In consideration of sharing in the plunder, the Tudor queen condoned with naval enterprises which the despoiled Spaniards denounced as piracy, and whoever gained, she took care that her share should be the largest. Fitted out for longer voyages, the ships were now of larger build; the distinction between

the merchantmen and the man-of-war was not clearly drawn. Half trader, half privateer, these ships could be readily turned into a fighting fleet. In the Armada which Philip of Spain sent against England, only twenty-five ships belonged to the crown; the rest were merchantmen seized or hired for the expedition. On the other side was a fleet mainly furnished by the spontaneous impulse of a sea-faring nation to meet a great danger. During the fighting in the Channel there were thirty-four queen's ships, and 163 armed merchantmen. The change of the weather, the help of the Dutch fleet, the skill of the sea-captains, and the brave spirit of the crews, gained a victory for which Elizabeth herself deserved little credit. Her vacillating policy, and worst of all, her parsimony, kept the depots in such a state of exhaustion that ammunition and supplies well-nigh failed, and had the contest gone on for a day or two longer, the English fleet would have been obliged to fall back for lack of powder and shot. After the victory the queen gave solemn thanks to God, struck a medal, and left her sailors to starve.¹

Under the first Stuart king the old abuses became worse and new ones sprang up. There was much jobbery and embezzlement. Places in the dockyards, and the commands of warships, were sold or bestowed on unworthy favourites. King James took some interest in the navy, and could discern abuses better than he could check them: his speech was like the wind; the culprits had but to bend their

¹ *A History of the Administration of the Royal Navy*, by M. Oppenheim, London, 1896, vol. i., p. 143.

heads and raise them again. After the peace with Spain privateering was no longer a school for seamanship, and piracy passed over to the Dunkirkers and Algerine rovers, while the Dutch bore off much of the fishing and carrying trade.

In default of the subsidies expected from parliament, Charles tried to raise money by forced loans never intended to be repaid. What he could raise was spent upon fitting out an expedition against Cadiz, in the hopes of the spoils of the shipping in the harbour. Though a whole summer had been passed in preparations, it was October before they were ready to sail, and never did a fleet leave an English port in a sorrier condition. Leaky vessels, old sails, rotten cordage newly tarred over, sailors impressed, unpaid, ready to desert, "fed on food that a dog would not eat," the men dying daily, the survivors mutinous. The officers, most of whom had gained their places through bribes or court favour, found the ships rolled too much for their comfort in rough weather and knew not how to handle their vessels in any sea. The fleet sailed with no orderly plan, the ships colliding with one another, or chasing one another in mistake for Spaniards. In such state the armament managed to get to Cadiz after twenty-one days, where, owing to the unprepared state of the enemy, they might have taken the town and shipping had the incapacity of the officers on land not been as deplorable as those on the sea. The wretched fleet straggled ignominiously back in mid-winter to the western ports of England and Ireland, a danger to the country which sent them forth, for infection went and came with the crews.

“It almost seemed,” writes Oppenheim,¹ “as though the naval service was disintegrating, and that such organisation as it had attained was to be broken up, since the shipwrights and labourers at the dock-yards were also unpaid, although they did not find it so difficult to obtain credit. Pennington was now almost despairing, and said that, having kept the men together by promises as long as he could, only immediate payment would prevent them deserting *en masse*, and it would grieve any man’s heart to hear their lamentations, to see their wants and nakedness, and not to be able to help them.”

“There is a curious resemblance between these words and those used nearly forty years before by Nottingham in describing the condition of the men who had saved England from the Armada, and who were likewise left to starve and die, their work being done. But any comparison is, within certain limits, in favour of Charles and Buckingham. Elizabeth had money, but all through her life held that men were cheaper than gold.”

The English people at first threw the blame of this failure upon the Duke of Buckingham, who engrossed most of the high offices of the realm. A new parliament had to be summoned (February 1626). The same members were returned, who at once impeached the favourite, although the king was threatening in his behalf.

Charles now offended the House of Lords, from whom he might have hoped for farther support by refusing a writ to the Earl of Bristol, the adversary of Buckingham, who took his seat in defiance of the

¹ *Op. cit.*, p. 225.

prohibition, and by imprisoning the Earl of Arundel for a private offence, without a trial.

He also imprisoned Sir John Eliot for some free speeches which the popular leader had made when on a committee to confer with the peers about the impeachment of the favourite. The Commons demanded the release of Eliot, and the Lords that of Arundel, and the king had to yield.

Hearing that the Commons were preparing a remonstrance against the illegalities of his reign, Charles abruptly dissolved his second parliament. He then tried by threats and compulsion to extract the subsidies which the Commons had promised, but not granted. War was declared against France, and a fleet and army were sent to relieve Rochelle, the last stronghold of the French Protestants. Had this been accomplished it would have gone far to gain the favour of the people; but entrusted to Buckingham, it ended in a disgraceful defeat.

The increasing resistance of the people to the forced loans and monopolies constrained the king to call a third parliament. Notwithstanding the full influence of the court unscrupulously exerted, all these men imprisoned for refusing the loan who presented themselves for election were returned; few royal candidates got in save from pocket boroughs.

On the 17th of March 1628 a parliament assembled more determined than ever in its opposition to the unconstitutional methods of the Stuart king. Charles on his side thought he would help the matter by threatening that he would use other means if they would not do their duty in contributing what the state needed. The Commons, though retaining the usual

subservient language, were determined not to yield subsidies without an express admission from the king of the liberties which they claimed and which he had denied. The king declared that they ought to be content with his royal word given in his own terms, to which he might attach his own interpretation. He was willing to confirm the Magna Charta and the old statutes. Pym said that they had his coronation oath, which was surely as good as his word. The Commons drew up the famous Petition of Rights, which in unmistakable terms defined the liberties of parliament and condemned recent infringements. The peers tried to help the king by proposing an amendment, that the bill should be adopted with due regard to leave entire the sovereign power wherewith his majesty was entrusted for the protection, safety, and happiness of the people. The Commons would not hear of this. Alford asked what sovereign power was? Bodin had said that it was a power free from any conditions. Were they to acknowledge a regal as well as a legal power? For his own part he was for giving the king what the law gave him, and no more.

Pym followed: "All our petition is for the laws of England, and this power seems to be another power distinct from the power of the law. I know how to add sovereign to the king's person, but not to his power, for he was never possessed of it." "If we admit of this addition," said Sir Thomas Wentworth, "we shall leave the subject worse than we found him, and we shall have little thanks for our labour when we reach our homes. Let us leave all power to his majesty to punish malefactors. These laws are not acquainted with sovereign power. We desire no new

thing. We do not offer to trench on his majesty's prerogative. From this our petition, we may not recede, either in part or in whole."

Selden gave the authority of his learning to the debate: in all the great statutes which he had pored over he found none which had yielded liberties to the subject and saved their operation.

A few days after, Wentworth was gained over by the court and supported the amendment which he had opposed, introduced in another form, a device which was promptly exposed by Sir John Eliot.

On the 28th May the bill was presented to the king. After five days he returned an unmeaning answer. The Commons, justly suspicious, prepared a general remonstrance, refusing in the meantime to grant any subsidies. The Duke of Buckingham was inveighed against as the evil counsellor of his majesty by those who still shrank from blaming the king directly. After sharp messages and conferences Charles yielded and gave his consent to the Petition of Rights, which the Commons hailed as a solemn acknowledgment of the liberties of the people of England, and it was resolved that the Petition should be printed with the king's formal consent and circulated all over the kingdom. The news of the king's concession was received with joy; but the Commons, not content with getting it defined what the law was, went on to exercise their privileges; they remonstrated against Buckingham, and refused to sanction Charles's claim to the tonnage and poundage which the king regarded as an unalienable right. Finding that his insincere concessions did not improve his position,

Charles hurriedly prorogued the parliament (June 26th).

Incapable of learning through experience, the king now got a new armament prepared to relieve Rochelle under the same command. Before it could sail the duke was stabbed to death by Felton, a moody and discontented lieutenant whose mind had been inflamed by reading a manuscript copy of the parliament's remonstrance, and who traced all the miseries of the kingdom to Buckingham. The people openly expressed their joy at the death of the favourite, and gave their pity to the assassin. The expedition sailed under the command of the Earl of Lindsay, but failed to relieve Rochelle. Both in arms and in policy Charles had made himself contemptible on the continent. The removal of Buckingham did not affect any change in the king's courses. The friends of arbitrary power, condemned by name in the parliament, were promoted to higher dignities. The Petition of Rights was violated in all directions. Illegal taxes were vigorously levied. The Star Chamber continued to disregard the law, fine, imprison, and mutilate offenders, and to overawe the judges.

The king called together the parliament again in the hopes of gaining farther subsidies. They met on 20th of January 1629. Their first proceeding was to inquire about the publication of the Petition of Rights. The king's printers, being called, acknowledged that the day before prorogation they had struck off 1500 copies with the king's consent in the terms which he had finally used. The day after the session was ended the king had sent peremptory

orders to destroy these copies, and to print the Petition with the evasive answer which had not been accepted by the Commons, and the speech which he had made in proroguing parliament. The Commons shrunk from making a declaration, which, however worded, was as good as saying that the king was not an honourable man, so the fraud was passed over in silence.

Charles used threats, persuasions, and promises to gain the grant of the tonnage and poundage. He was willing to acknowledge that they could not be levied without the consent of parliament, if they would only grant them for the rest of his reign. The Commons were inflexible, and went on denouncing the old abuses and illegalities. Sir John Eliot (March 2nd) prepared a declaration which the Speaker, Finch, who had got private orders from the king, refused to have read. As the House persisted, he wished to leave the chair; but was held down by Denzil Holles and Benjamin Valentyne. The friends of the court were pushed back; remonstrances, reproaches, and threats were employed to make him keep his seat. The king's messenger knocked in vain at the doors, which were kept locked. The voice of Eliot rose above the tumult as he rapidly went over a declaration, pronouncing that no tax whatever should be raised without the consent of parliament, that whosoever should advise or aid in levying of the subsidies of tonnage and poundage, not being granted by parliament, should be reputed a capital enemy to the kingdom and commonwealth, and that anyone who should voluntarily pay the said subsidies should be reputed a betrayer of the

liberty of England. The king, who was in the House of Lords, was greatly enraged. He desired the captain of the guard to break open the doors; but before this could be done the Commons had finished their proceedings and the assembly rushed out. Through these stormy scenes the Commons showed the extreme respect which the English have ever kept for forms. The proceedings were regular as long as the Speaker could be held down in the chair, and the mace was lying on the table. While they carried resolutions known to be most displeasing to the king, it was their love and trust in his majesty, for his preservation and his honour, that they voted. Those who desired to gratify the king's wishes were traitors and enemies to his majesty. Charles did not take this view. He at once suspended the sittings of the assembly, and on the 10th March went to the House of Lords, and formally dissolved the parliament. "The disobedient carriage of the Lower House," he said, "had alone caused this dissolution." He did not lay the fault equally upon all, it was "only some vipers amongst them that have cast this mist of difference before their eyes." "Those evil affected persons must look for their reward, so you that are here of the Higher House, may justly claim from me that protection and favour that a good king oweth to his loyal and faithful nobility."

Immediately after the dissolution he issued a proclamation setting forth: "That whereas, for several ill ends, the calling again of a parliament is divulged, howsoever his majesty hath showed by his frequent meeting with his people his love to the

use of parliaments ; yet the late abuse having, for the present, driven his majesty unwillingly out of that course, it will be considered presumption for any one to prescribe to him any time for the calling of that assembly."

And for the next eleven years there was no parliament.

Once dissolved, the individual members were helpless against the king, who possessed the means of overawing or dismissing the judges and the power of breaking through the laws. The leaders of the Commons, Eliot, Holles, Selden, Hobart, Valentyne, Coryton, Hayman, Long, and Strode, were brought before the privy council. Questions were privately addressed to the judges, whether these members could be held to have committed any offence against the law. The judges gave doubtful and temporising answers, which encouraged the court to proceed. Eliot refused to make any answer to what he had done in a public capacity. The others pleaded the privilege of parliament with more or less firmness. Charles himself directed the proceedings against Eliot. He was fined a sum which he was quite unable to pay, and remained in prison for well-nigh four years, refusing to the last to acknowledge that he had done wrong. He died on the 27th November 1632. The king refused the petition of Sir John Eliot's son to allow the body of his victim to be laid in the sepulchre of his ancestors. He was buried in the Tower, where he died.

Holles, refusing to make submission or to pay a fine, was imprisoned for about a year, when he made his

escape. He lived a banished man for seven years and was glad at last to pay his fine.¹ The other offenders were visited with penalties, more or less severe in proportion to their steadfastness or submission. Charles was now seriously committed to the undertaking of over-riding the law and raising a revenue by unconstitutional methods. By making peace with France and Spain he got rid of an inglorious war and of an army and navy which, though ill provided for and wretchedly paid, still cost money. Had he fallen in with popular tastes, or had he even possessed the skill and vigour to maintain an equable and economical administration, his way would have been easier. Charles was attentive to details, but incapable of grand designs, or of giving a proper direction to the whole machinery of government. He never knew the relative importance of things. He would spend his time correcting the style of a public document without having brought to maturity within his mind its scope and purpose. He used to say that he found it better to be a cobbler than a shoemaker. He was induced to do imprudent things to please his wife, Henrietta Maria, a lively and beautiful but frivolous woman, who expected him to keep up a splendid court and to have his will carried out in everything, like her brother the King of France, and who offended the public sentiment by harbouring Jesuits and sheltering priests.

¹ See *Studies and Illustrations of the Great Rebellion*, by J. L. Sanford. London, 1858, p. 159.

CHAPTER II

Condition of England. The Puritans and the Cavaliers. Insecurity of Commerce. The British Coast infested by Pirates. The Dutch attack a Spanish Fleet in the Downs.

IN seeking to gather all the nation into one church, the Tudor rulers were influenced both by religious and political considerations. They saw that if Protestant dissent split into a number of rival sects, it would be difficult to make head against the united front of Romanism. The division of ranks in the episcopal hierarchy was agreeable to their own notions of political inequality. From the beginning the more energetic amongst the Protestants wished to push on the work of the Reformation; the more conservative wished to hold back and preserve much of the old ritual and church government. The Reformers proclaimed that the bible was the religion of Protestants. They circulated translations of the scriptures, which they declared to be infallibly inspired, and thus put it in the power of every thinking man to form his own creed. Naturally, some thought for the rest, and framed creeds which they presented as true, absolute and final, with as much assurance as the pope and councils had done. King James, escaping from the austere control of the Scottish Presbyterian clergy, was pleased to find the bishops willing to admit his pre-

tensions to unlimited power. He took a zest in prompting the people to disregard the sabbatical observation of the Sunday, and offended many serious people by ordering the ministers to read his proclamation of the book of sports, in which it was declared that people might lawfully amuse themselves after service on Sunday afternoons. The opposition was strong enough to deter James; but his son, less cautious and more wilful, pushed through the order in 1634. In opposition, the keeping of the Lord's day with a strictness approaching to the Jewish Sabbath became distinctive of the English Puritan and Scottish Presbyterian. The Puritan affected a solemn deportment, and regarded life as too serious for frivolous amusements. The most extreme kept their hair short, dressed plainly, and spoke with a nasal twang. The courtiers and Cavaliers were distinguished by their long hair and jaunty air, swearing, drinking, and fighting. In the present age men have a less dismal faith, take their pleasures, but take them more quietly. They no longer affect the sanctimoniousness of the Puritan, or the coarseness of the Cavalier. They keep their hair short, and dress with uniform plainness; swearing and drinking are no longer used by those who affect gentility, and duelling is a mere tradition.

Historians on the Cavalier side have asserted that the condition of England during the reign of Charles I. was one of great prosperity and commercial wealth, which was destroyed by the civil wars. No doubt the long peace following the union of England and Scotland under King James was favourable to the greater accumulation of wealth. To one who had witnessed the desolation of Germany during the

Thirty Years' War and the exhaustion of Spain, England in the midst of her cornfields and meadows must have appeared a happy land; yet there were many evils which a good government might have prevented or alleviated. Following upon the increase of the population there was a movement towards the towns, which the government vainly tried to check by turning the people back. Manufactures were started in the midland counties; the commercial towns kept on increasing, and old sanitary arrangements were insufficient. New ones were not attempted: disease became rife, plague and fevers were common. Even the wealthy lived in London at great danger to their health.

What prosperity was in the country came through circumstances which Charles did his best to hinder. The country suffered from both the king's action and from his inaction, and many people were aware of it. Abroad, Charles was looked upon as a weak and untrustworthy prince. At home, his sole aim was not to give justice to his people or to defend their interests, but to satisfy his taste for arbitrary power and petty regulations. All his efforts tended to repress the spirit of the people, to stem the tide of the Reformation, and to stifle every noble aspiration. The rapid rise and falls in the money value of the cereals and other necessary articles must have caused the people swiftly to pass from plenty to famine. Within a few years the price of wheat and other grains had risen threefold.¹ The price

¹ Sir Simonds D'Ewes (*Life*, vol. i., p. 180), notes that in 1621 the best wheat was sold for 2s. 8d. and 2s. 6d. the bushel, the ordinary sort at 2s., barley and rye at 1s. 4d. and 1s. 3d. the bushel, and the worser of

of corn differed much in various markets, so that in a season of plenty farmers did not reap the gain, nor could the scarcity in one county be readily relieved by supplies from another, where there was a better harvest. This was owing to the difficulty from bad roads and imperfect means of conveying goods from one market to another, a hindrance which has in our own days been the cause of dreadful famines in various parts of India.

In Sussex the poorer classes bought chiefly barley. In some places the reduction of that grain into malt was forbidden. In Lincolnshire and the West Riding oatmeal was principally eaten. In some markets grain was sold to the poor at under prices; fines taken as penalties for small offences went for this purpose. The sea transit was so insecure that commerce was carried on with enormous risks, which prevented supplies from other countries where corn was cheaper, and much enhanced the price of all foreign commodities. The numerous monopolies granted by the king to greedy con-

those grains at a meaner rate, and malt also after that proportion. Nor were horse-corns, as oats and peas, at any higher price. All farmers of land generally murmured at this plenty and cheapness, and the poorer sorts that would have been glad but a few years before of the coarse ryebread, did now usually traverse the markets to find out the finer wheats, as if nothing else would serve their use, or please their palates. Which unthankfulness and daintiness was soon after punished by the high prices and dearness of all sorts of grain everywhere, which never since much abated of that rate, though at some times it were cheaper than at others, so as in the year 1630, wheat was above 8s. the bushel, rye at 4s. 6d., and malt and barley about that rate; and this present year (1637) malt and barley are now sold at 5s. the bushel, though wheat be under that price, and rye at 4s. the bushel. There are many notes of the prices of grain in various counties in the documents preserved in the Public Record Office. Corn was sometimes dearer than in our own days. Many other commodities cost more while wages were much lower.

tractors, who purchased the exclusive right of supplying articles of common use, brought much loss to the people with small gain to the crown. As the commodities supplied were always dear and generally bad in quality, the monopolies brought irritation into every household, whether Episcopalian, Puritan, or Catholic; families who kept their minds easy about Laud's vestments and posturings fretted against his holiness's monopoly of bad soap. Culpepper, addressing the Long Parliament in 1641, called the monopolies "a swarm of vermin which have overcrot the law. Like the frogs of Egypt, they have gotten possession in our dwellings; they dip in our cup; they dip in our dish; they sit on our fire; we find them in our dye-fat, wash-bowl, and powdering-tub; they share with the butler in his box; they have marked and sealed us from head to foot; we may not buy our cloth without their brokerages."¹

Other methods of extorting money were used, irritating and oppressive. Tonnage and poundage were raised against the course of law, and large sums were exacted for default of knighthood under the shadow of an obsolete statute. The ingenuity of lawyers was stretched to revive obsolete claims and lapsed exactions or to invent new ones. Servile courts were called to sustain them. To awe the judges who might be unwilling to comply with the

¹ Guizot gives the following as a list, though not warranted complete, of the wares made monopolies of: salt, soap, coals, iron, wine, leather, starch, feathers, cardsand, dice, beaver, lace, tobacco, barrels, beer, distilled liquors, the weighing of hay and straw in London and Westminster, red herrings, butter, potash, linen, cloth, paper, rags, hops, buttons, catgut, spectacles, combs, saltpetre, gunpowder, etc.—*History of the English Revolution*, translation, London, 1845, p. 46.

king's pleasure, the clause *quamdiu se bene gesserint* was left out of their patents, and a new clause *durante bene placito* was inserted.¹ Should any difficulties remain, the Star Chamber and the council of the north could always be counted upon to uphold the iniquities of the crown. In 1634 courts began to be held to revive old claims about the royal forests. The bounds of the forest of Rockingham were enlarged from six to sixty miles in circuit, and alleged encroachments of the neighbouring proprietors upon the woodlands were punished by enormous fines. In 1637 the Earl of Salisbury was called upon to pay £20,000; the Earl of Westmorland, £19,000; Sir Christopher Hatton, £12,000; Sir Lewis Watson, £4000; Lord Newport, £3000, fines too large to be paid in whole.

The king's courts were ever on the alert by levying fines for made-up offences to raise a revenue for the crown. Richard Chambers, a Puritan merchant, was haled before the Star Chamber for refusing to pay tonnage and poundage. In the course of his hearing he said that merchants in England were worse off than in Turkey. On which account he was fined £2000. The judges refused his habeas corpus, and he died in want after lying in prison for twelve years.

Edward Hyde related in parliament² the story of a citizen who refused to pay an excessive fare to a waterman. The man showed his badge, which was a swan, the crest of an earl. The citizen told the fellow

¹ *The History of the Parliament of England which began November 3, 1640*, by Thomas May, Oxford, 1854, p. 17.

² *The Life of the Earl of Clarendon*, Dublin, 1760, vol. i., p. 72.

to begone with his goose. For thus dishonouring a nobleman's crest the citizen was haled before the marshal's court, an illegal creation, fined and imprisoned till he was ruined.

A tailor getting into a gentleman's chamber importuned him for a debt which he was owing for clothes. The gentleman pushed him out with scornful words, on which the tailor said that he was as good a man as the other, for which blasphemy he was compelled to release the debt in lieu of damages.

Sometimes fines by the Star Chamber were passed on to a needy courtier to get cashed like a cheque made payable to bearer.

After Buckingham's death no successor was appointed to the command of the navy till April 1638, when the Earl of Northumberland was made Lord High Admiral.

Throughout the reign of Charles the seas around Britain were infested by pirates. One wonders how commerce was carried on at all. Not content with taking prizes in the narrow seas, the Algerine rovers landed on the coast. They even reached the remote shores of Iceland, and bore away captives from the descendants of the once piratical Northmen. Subscriptions were raised both in England and Scotland to ransom our countrymen from slavery in Barbary.

In 1637 a squadron was sent under William Rainsborow, who for five months kept up a pretty effective blockade of the port of Sallee till the Sultan of Morocco, embroiled by a rising of his own people, gave up 271 captives. For a whole summer the seas were free from these pirates. This was the solitary success of Charles's reign. They soon found their way

back ; in 1640, just before the fleet passed into the vigorous hands of the Long Parliament, the mayor of Exeter wrote¹ that sixty sail of Turks were cruising on the coasts, and that they had landed near Penzance and carried away men, women, and children into captivity.

The Dutch took serious measures to deal with the Dunkirkers, who preyed on the merchant ships of England and Holland alike. The Stuart king, who claimed monopoly of the sale of gunpowder, sent his fleet, raised upon the ship-money, to convoy two vessels laden with powder through the Dutch fleet blockading Dunkirk. Rather than call a parliament who would question his right to misgovern and oppress, Charles would flounder on with what sums he could raise by illegal taxation and arbitrary fines.

In the autumn of 1639 a Spanish fleet conveying troops to Flanders was intercepted by the Dutch in the Channel. The Spaniards took refuge in the Downs, when a diplomatic contest was carried on at London between the ambassadors of Spain, France, and the United Provinces. The greedy Charles was willing to give the Spaniards an opportunity for escape, if they would pay his price (£150,000) or to leave them to the Netherlanders, if Richelieu would get the king's nephew, Charles Lewis, made commander of the allied army in Alsace to succeed the great Duke Bernhard of Weimar ; so little did he understand the situation. In the meantime the King of England took advantage of the situation to sell 500 barrels of gunpowder at exorbitant prices to the Spaniards. Ere the powder was out of the boats, Tromp, the Dutch admiral, set upon

¹ Oppenheim, p. 278. State Papers, Charles I. (Dom.) CCCCLIX., 8, 60.

the Spanish fleet, sunk some, took others, and drove twenty ships ashore, so that but a few of them got into Dunkirk. Northumberland, perplexed by contradictory orders, anxious to uphold the honour of the English flag, but favourable to the Hollanders, ordered some shots to be fired at them during the action, which did them no harm, and to which Tromp did not reply.



Right Honourable
Sir Henry Vane,



SIR HENRY VANE, THE ELDER.

By Vandyck.

[To face page 33.]

CHAPTER III

The Vane Family. Sir Henry Vane the elder. Education of young Henry Vane. He awakes to a religious life. His travels in Germany and the Netherlands. Returns to England. Desires to serve the Crown. Consorts with the Puritans.

SIR HENRY VANE came of an old family of country gentlemen ; his descent could be traced back for sixteen generations to Howell ap Vane in Monmouthshire, whose son, Griffith ap Howell Vane, married the daughter of Blodwin ap Kenwyn, Lord of Powis. One of his ancestors was knighted on the field for gallantry at the battle of Poitiers ; some of them spelt the name Vane ; others Fane ; a descendant of the latter branch founded the noble family of Westmorland. John Vane, grandfather of Sir Henry Vane the elder, was involved in Wyatt's insurrection, but pardoned on account of his youth. He sat in two of Elizabeth's parliaments.

Henry Vane, the elder, was born in 1589. He began life with the estates of Hadlow and Shipburne in Kent, worth no more than £460 a year. He was knighted by James I., an honour which could be had by purchase, and which is still a source of profit to officials about court. He married Frances, daughter of Thomas Darcy of Tollhurst-Darcy in Essex, and with the help of his wife's portion he bought, or gained

by favour, one place after another about court. James made him cofferer to Prince Charles, which post Sir Henry retained after he became king. Sir Philip Warwick tells us that he was "the first of any great officer who was admitted to have his wife within the inner circle of the court, having a good diet as comptroller of the household and a tenuity of fortune." It is likely that Lady Vane was useful in keeping up his credit with Queen Henrietta, who favoured the comptroller and disliked Wentworth. Clarendon, who bore Vane no good will, acknowledges that he well discharged the duties of the royal household, though he was not fit to be Secretary of State, being of very ordinary parts by nature which he had not cultivated by art, for he was illiterate, meaning probably that he displayed little knowledge of Greek and Latin. Vane was, however, well acquainted with modern languages, having travelled three years on the continent. Clarendon adds that he was very industrious, stirring, bold, and boisterous; the last quality is difficult to reconcile with his success as a courtier and diplomatist. As a member of the privy council, Vane's signature appears in many oppressive sentences of the Star Chamber. During the Thirty Years' War he was sent upon embassies to Christian, King of Denmark, and to Gustavus and some of the Protestant princes of Germany, to further Charles's shifty overtures to get back the Palatinate for the elector. The mind of the Stuart king was scarcely large enough to care for the Protestant cause in Germany; but for his brother's sake he would have turned against the United Provinces, had Austria or Spain been willing to restore the Palatinate. Vane's mission to Gustavus gained nothing

for the dispossessed elector ; but Charles seemed pleased with the conduct of his ambassador. Sir Henry Vane sat in the parliaments of 1614-1620 and 1625, for Carlisle. He was afterwards elected for Hertford and Wilton, and for the county of Kent, remaining a member of parliament till his death. Towards the close of his career Wentworth showed a great scorn and hatred for Vane, though the official letters which passed between them are full of professions of regard. Vane's are shorter than Wentworth's, and relate much to foreign affairs. Altogether, the elder Vane was a man well fitted to make his way in the world, though he had neither the unswerving rectitude nor the great abilities of his gifted son.

With the money which he gained from his offices at court and the sale of Hadlow, Sir Henry Vane made some advantageous purchases : Fairlawn in Kent from the city of London for £4000, the seignories of Raby and Barnard Castle for £18,000, and Long Newton in the county of Durham. These he estimated (8th January 1649) as bringing in a rental of £3000 a year, but on the expiry of leases to rise to near £5000. His eldest son, Sir Henry Vane, was born at Hadlow, in Kent, in 1612. He had six other sons and four daughters. His second son, Sir George Vane, was knighted in 1640, and seated himself in retirement in Long Melton, in the county of Durham, while Charles distinguished himself as a diplomatist under the Commonwealth, when envoy to Lisbon. One of his daughters married Sir Thomas Moneywood of Essex, a man of learning and a good soldier ; another, Sir Francis Vincent of

Surrey; a third married Sir Thomas Liddel of Ravensworth; while the eldest became the wife of Sir Thomas Pelham, the ancestor of those families who are now represented by the Duke of Newcastle and Lord Yarborough. Here we may repeat the weighty words of his friend and biographer George Sikes:¹—

“His life was not like other men, or his ministry. His wages were of another fashion, as the reason therefore have I write his life after another fashion than men’s lives used to be written, treating mostly of principles and course of his hidden life amongst the sons of God, that the sons of men may the better know and consider what manner of man it was they have betrayed, persecuted, and slain.”

Henry Vane was educated at Westminster School. Amongst his fellows were Arthur Hesilrige and Thomas Scot, both destined to play leading parts in the great game of war and politics. In a review of his life Vane said, “I was born a gentleman, had the education, temper, and spirit, of a gentleman as well as others, being in my youthful days inclined to the vanities of this world, and to that which they call good fellowship, judging it to be the only way of accomplishing a gentleman; but about the fourteenth or fifteenth year of my age, which was about

¹ *Life and Death of Sir Henry Vane, Knight*, or a Short Narration of his Pilgrimage, to which is added his last Exhortation to his Children the day before his Death. Printed in the year 1662. The author of this singular biography was George Sikes, a Bachelor in Divinity and Fellow of Magdalen College, Oxford, an enthusiastic admirer of Henry Vane. He was so deeply inlaid with Vane’s mystical style, that it is difficult always to distinguish their writings. Unfortunately, Sikes occupies most of his pages with an account of Vane’s theological doctrines, giving only rare glimpses of his political career.

thirty-four or five years since, God was gracious to lay the foundation or ground-work of a repentance for me in the bringing of me home to Himself, by His wonderful rich and free grace, revealing His Son in me, that by the knowledge of the only true God, and Jesus Christ whom He has sent, I might, even while here in the body, be made partaker of eternal life in the first fruits of it."

His friend and biographer says of him: "He was a chosen vessel of Christ, separated (as Paul) from his mother's womb, though not actually called till fourteen or fifteen years' standing in the world ('twas longer ere Paul was called), during which time such was the complexion and constitution of his spirit, through ignorance of God and his ways as to recommend him acceptable company to those they call good fellows (yet at his worst, restrained from that lewdness intemperance sometimes leads into, which he has oft been heard to thank God for), and so long he found tolerable quarter amongst men. Then God did by some signal expressions and an awakening dispensation startle him into the danger of his condition. On this he and his former jolly company came presently to a parting blow."

This kind of retrospective depreciation was in those times common with men of a deeply religious tone, and it is clear from the qualifications made by his friend and biographer that Vane's youthful indiscretions were of no serious character.

There was in him an early maturity of intellect and sedateness of deportment that rendered distasteful the usual follies of youth, and led him to deeper thoughts and serious occupations.

This change of views, with its open profession, was very displeasing to his father, then bent upon rising in the court of Charles I. At about sixteen years of age, says Anthony Wood, "Vane became a gentleman commoner of Magdalen Hall, Oxford, as his great creature Henry Stubbe hath several times informed me: but when he was to be matriculated as a member of the university, and so consequently take the oath of allegiance and supremacy, he quitted his Athenæ gown, put on a cloak, and studied notwithstanding in the same hall."¹

After this young Vane visited the continent, where he must have passed some time when he learned to be fluent in the French language. In a memorandum still extant his father wrote: "I have bred my eldest son and six others beyond seas, which has been very chargeable to me."² A letter-writer of this time said that Vane studied at Leyden; Clarendon that he spent some time in France and more in Geneva.³ If he visited Geneva, he could scarcely have stayed long there.

¹ *Athenæ Oxonienses*, vol. ii., p. 291, London, 1721.

² Printed in the *History of the Wrays of Glentworth*, 1523-1852, including memoirs of the principal families with which they were connected, by Charles Dalton, in two volumes, London, 1880. The second volume was printed privately at Aberdeen in 1881. See vol. ii., p. 112.

³ Clarendon says that "after his return into England young Vane contracted a full prejudice and bitterness against the church, both against the form of the government and the Liturgy, which was generally in great reverence, even with many of those who were not friends to the other."

In the page before, writing of Nathaniel Fiennes, the same historian tells us that, after some years in Oxford, "he spent his time abroad in Geneva, and amongst the cantons of Switzerland, where he improved his disinclination to the church with which milk he had been nursed." Clarendon was evidently disposed to attribute Vane's dislike to the

Clarendon tells us in his graphic style that "Sir Harry Vane was a man of great natural parts and of very profound dissimulation, of a quick conception, and very ready, sharp, and weighty expression. He had an unusual aspect, which though it might naturally proceed both from his father and mother, neither of which were beautiful persons, yet made men think there was something in him of extraordinary, and his whole life made good that imagination."¹

Any way, we know that Harry Vane was at Vienna in the summer of 1631, for some letters of his are still

Stuart government and to the Episcopal church to what he had learned in the republican and Calvinistic city. It is, however, clear that this dislike existed before he left England, and I know of no evidence beyond the statement of Clarendon that the younger Vane was ever in Geneva at all. He did not study there, for M. Dufour-Vernes, the archivist of Geneva, has had the kindness to go over the rolls of the students of that time, and the name of Vane is not amongst them. A learned correspondent, Dr Naegeli Åkerblom of Geneva, has sought through the whole archives of Geneva, but can find no mention of Henry Vane.

¹ In the dining-hall of Hutton-in-the-Forest, the seat of Sir Henry R. Vane, there are three pictures which enable us to judge of the observations of the royalist historian: a life-like portrait of Sir Henry Vane, the elder, by Vandyck, one of Lady Vane by a Dutch artist, and a likeness of their illustrious son by Sir Peter Lely. We at once recognise that the younger Vane bears little resemblance either to his father or to his mother. Secretary Vane is a good-looking man, handsomely dressed, holding a wand in his hand. He has the smiling debonnaire carriage of a courtier. In another apartment there is a portrait of him by Mireweldt, reproducing the same features and air. Lady Vane is a dark-haired comely woman about forty, with a kindly and sensible expression.

Young Vane is in a sitting posture; the view is from the left side. A loose cloak is wrapped round the shoulders, the dress is plain. Masses of thick brown hair descend to the shoulders, and cover the ears. The eyebrows are darker; no appearance of beard save a slight imperial. The expression is deep and earnest, that of a man occupied with high thoughts, a face which would attract regard amongst thousands and which one could never forget. The pose and half-bent fingers show a temperament nervous and energetic.

preserved at the Public Record Office.¹ They are in French and partly in cipher. That a youth of nineteen should have been entrusted with important State secrets showed the confidence in which he was held, not only by his father, but also by Sir Robert Anstruther, who was then the ambassador at Vienna. The first of these letters is dated Vienna, 23rd July (new style) 1631; it is addressed "à Hon Monsieur Vane à la court." Much of it is in cipher with notes above the words by some one who had read it (apparently the handwriting of the elder Vane). From these frequent explanations the key to the cipher may be had, with some application. These passages refer to overtures and traffickings between Charles and the courts of Austria and Spain for the restoration of the Palatinate which ended in nothing. Vane is of opinion the Emperor Ferdinand wished to gain time, thinking that he had still the advantage in the war. Indeed he might, for with the Catholics it was a time of hope and exaltation, and for every true Protestant a time of despondency and dread. Never since the battle of Muhlberg (1547) had the Protestant cause appeared in such distress and danger.

Ignatius Loyola had founded a new order in whose members devotion, enthusiasm, and discipline were blended with worldly craft—eager to check the tide of Protestantism and to spread the Catholic faith to the countries of the East and West, while the reformers were divided by doctrinal disputes and political jealousies. The beginnings of dissent from the superstitions of Rome had been stamped out in Spain and Italy; the French Protestants had lost their last

¹ S.p. Germany (Empire), 1631-1632, No. 8.

stronghold at Rochelle, and were in the power of a cardinal of the church ; the reformers had been chased out of Bohemia ; Frederick had lost the Palatinate, and the priest-ridden emperor, Ferdinand, terrorised Northern Germany with a large and well-trained army commanded by a victorious general. The Danish king, Christian, had enough of the struggle ; Spain was ready to renew her attack upon Holland, and in England the bishops through ceremonials and disguises were seeking to lead men back to the Romish Church, while those who were zealous to carry on the work of the Reformation met with discouragement, rebuke, and persecution.

Ten weeks before this letter of Vane's, Tilly had filled all Germany with horror by the pitiless sack and massacre of Magdeburg. He was then ravaging Saxony and issuing insolent commands to the Protestant princes of Northern Germany.

All eyes were now turned to the King of Sweden who had already checked the overweening Wallenstein at Stralsund. Volunteers from Scotland and England too were speeding to aid him in the great struggle. In a letter to Sir Henry, dated Vienna 20/10/1631, the young man expresses deep regret that he cannot gratify his father's wishes in some matter not explained.¹ Here follows protestations of affection and the misery he felt at not being able to follow his father's counsels given for his good.

It was a year since the expected deliverer had

¹ Je pouray vous declarer comment je me trouve incliné à present et les raisons pourquoi je suis si empechant or si peu penchant au fait de la guerre, et espere que vous ne trouveres point mauvais que je puis pas disposer mon naturel et affections a une affaire que vous sembles tant approuver.

landed on the German shore of the Baltic. He had to make his ground sure in Pomerania and to arrange a basis of action with the Protestant princes of Northern Germany. At last Sir Robert Anstruther could add in his own handwriting a postscript to a dispatch: "Tyllie is fallen into Saxonie, brunt, spoyld and kept divers plaices, the King of Sweden, Saxonie, and Brandenburg are joyned *et jam agitur de religione et libertate Germaniæ—nec non de monarchia . . . jam tua res agitur, sed hic me jubet plus tacere,*" and soon came to the imperial city the awe-striking news that on the 7th of September, in a bloody battle fought near Leipsic, the Lutheran army had routed the Imperialists, and that Tilly was flying with a few hundreds before Gustavus, leaving thousands of the cut-throats of Madgeburg dead on the plain of Breitenfeld. The tidings of this great victory gave joy to every Protestant breast. It was not even displeasing to the Stuart king. No use now to instruct his envoys to wait upon Viennese courtiers and Spanish priests to coax the obstinate Ferdinand to give back the Palatinate to the husband of Charles's sister. The victorious Swede is marching on the Rhine, and might soon have the Palatinate in his grasp, so Comptroller Vane is at once sent to seek the hero in his camp, and arrange the affair by the help of promises which the fortune of war had now turned to the Protestant side. Young Vane has word that he should leave Vienna to meet his father. In a letter dated 8/18 September he writes that he is preparing to leave Vienna, and he seems to have been detained by illness. In a letter from Nuremberg dated 17/27 November 1631, sent by Coles and received by his father at Würz-

burg three days after, the young diplomatist mentions that he was taking medicine for a malady which had already lasted three weeks. In the journey to Nuremberg his coach had been overturned in the middle of a water, his clothes spoiled, books and papers damaged. Coles had the dispatches safe. He gives a brief account of the thousand dollars which he had received. On leaving Vienna he had but 350 left and he spent 220 on the journey to Nuremberg, so he had but 130 dollars left. He needs a new coat, but will not buy one till he learns "*votre volonté.*" He promises to be careful, but distinguished people call upon him. Amongst others, two days after his arrival, there came Dr Kemnitius, the commissioner of the King of Sweden, also Dr Fetzer, the ambassador of Nuremberg to Vienna, whom he had met there. The Count of Solmes had sent his equerry with compliments to the young gentleman, who returned the call.

The ambassador of the English king had even a scanty supply of promises to take with him. Charles would give a subsidy of £10,000 a month, if Gustavus would engage to reinstate the dispossessed Frederick in the Palatinate and put him in possession of what towns he could lay his hands upon. Gustavus saw the narrow selfishness of the Stuart king. There were many English and Scottish volunteers in his army who could tell him that Charles was a cold friend to the Protestant faith, that like a broker he carried his solicitations and promises from Madrid, Brussels, and Vienna to the Lutheran camp, and that it was doubtful if the king could raise even one month's subsidy, unless he called a parliament, which he would not do.

The Swedish king demanded that Charles should ally himself out and out with the Protestant cause in Germany, should send him a contingent of 10,000 soldiers, and promise the support of the English navy should Sweden be attacked by Spain or France. Charles, weak, cold, and vacillating, would not consent to these proposals which his council advised him to adopt, and which would have been warmly received in both his kingdoms. Vane followed Gustavus from Würzburg to Nuremberg; but though hard pressed by Wallenstein, the Swedish king did not think the alliance of Charles worth having, and so Vane returned to England, and Sir Robert Anstruther was recalled from Vienna, neither of them having effected the one object which the English court had at heart, to get back the hereditary Electorate for the brother-in-law of his most gracious majesty.

Charles was gracious enough to attach no blame to his envoy for the failure of his overtures, though he showed his spleen by transmitting a broad hint to the Marquis of Hamilton to quit the service of Gustavus.¹

It is to be supposed that young Henry joined his father soon after writing the letter quoted above. He was sent to England about two months after

¹ In the Manuscripts of Pelham R. Papillon there is a holograph letter from Charles dated 1632, September 24 (old style), to the elder Vane, beginning "Harrie" "it was nether the falte of my instructions nor of your negotiating that broke it" . . . "this being only to approve your proceedings in all this treatie, and to assure you that I am so far from laing anie falte to your charge that I esteme you more for this then if ye had concluded a treatie with little difficulty." Charles adds in a postscript: "Deliver this to Hamilton, and tell him that he has beene long anufe at scoole under a curst scoolemaister" (*i.e.*, Gustavus).—*Historical Manuscripts in Various Collections*, vol. iii., London, 1904, p. 257.



Lady Anne, wife of
Sir Henry Anne, the elder



LADY FRANCES VANE.

By a Dutch Artist.

[To face page 45.]

bearing messages and dispatches. He left Rotterdam in the beginning of February 1632. "Lady Lewistone," he writes to his father, "was pleased notwithstanding the small size of the pink to let me pass over with her. Our passage was both tedious and extremely perilous. The former was caused by the inconstancy of the weather; the latter by the ignorance of the pilot, both which together kept us from discovering land for three days and nights. Monday at six o'clock of night we landed at Margate, and Tuesday morning presently after ten I rendered myself safe (thanks to God) at my mother's lodgings, from whence I went immediately to my Lord Dorchester and delivered him the packet, who after his perusal of it wished me to get in readiness what I had to discharge myself of with the speediest. I did accordingly, and the next morning I had couched in writing the two dispatches and carried them along with me by my Lord Dorchester's command, to present them to the king that his majesty might peruse them himself, or command me to read them to his majesty, and this latter I did. His majesty was pleased to give a gracious and attentive audience, and when I had discharged your Lordship's whole commission, told me that I had acquitted myself well, and so left me."

Vane then went back to the Lord Treasurer, who was displeased that he was not furnished with a copy; his words were: "Mr Vane, I used to have a copy first." Young Vane sent the day after a copy of the articles of the peace betwixt the French and the Swedish king. He had an interview with the Lord Treasurer Weston and his son Wake,

from whom he (Vane) got none of the plausible entertainment. "Being much interested how the treaty affected the King of Bavaria, and therefore they long to hear what operation Coles and Gifford's last dispatch could make in the troublesome conjunctures with the King of Sweden. I carried my business so that I did discharge myself both to my Lord Treasurer and Dorchester almost at a time and have found this last's acceptance of me more externally gracious than the former." Dorchester died suddenly a few days after this interview. In another letter, dated Whitehall, 27th February 1632, Vane expressed his uneasiness that Coles had not yet brought his dispatches. He was willing to return to Germany, "knowing that some observation of mine will not be unfit for your notice." The Lord Treasurer had ordered some money to be paid to Heburne, a courier, but Lake his secretary only said "he would do Mr Comptroller what service he can, and this is not unusual to me, for in your lordship's absence I find very few of those your lordship is pleased to put confidence in to be in better humour." In a prior letter he had written: "Divers great men have been inquiring of Mr Priwood of all your lordship's actions and spare you little in their censures."

Young Vane, at his father's command, applied himself to Mr Murray, and found him very noble and courteous. Vane writes: "He told me there was a place two or three voyd at the privy chamber, and that he would speak to the king that I might come in one of them that I might be somewhat neare his majesty's person.

"I desired him likewise to let me understand

as a friend what he could hear that I had misbehaved myself in that this first time of my being employed might at least be so advantageous to me as to serve for a lesson how to govern myself another time; he promised me he would very faithfully, but neither at court nor at his own lodgings could I find for this four or five days any convenience to speak to him."

Vane further wrote: "Mr Murray came to-night to my mother and told her that at Newmarket the king would revise all of the privy chamber, and that he would make me one of the ordinary." He advised them to go to Newmarket to be at hand, which they accordingly did.

About this time Sir Tobie Mathews wrote to Sir Henry Vane, still on the continent: "London, 25th March 1632. Your lordship's family is in very good health, except the indisposition of your son. I find him extremely improved and very worthy of his father. His French is excellently good, and his discourse discreet and his fashion comely and fair, and I dare venture to foretell that he will grow a very fit man for any such honour as his father's merits shall bespeak and the king's goodness impart to him."

It is common enough for fathers to wish to make their sons like themselves, especially when they have been successful; but to make young Henry Vane a courtier, and to Charles I.! For such a career he needed a sportive temperament, a mind occupied by small things, or a disposition to be subservient to those above that he might be domineering to those below him. Though of higher ability than any of

them, Henry Vane could not have played the parts of Buckingham, Laud, or Wentworth.

At this time the third parliament of Charles I. had been dissolved for three years. The foes of liberty were jubilant ; the friends of liberty discouraged, proscribed, and pursued : Sir John Eliot was languishing in the Tower in the last stage of consumption, denied the privilege of breathing the fresh air. The elder Vane, now a great man at court, was naturally anxious that his gifted son should follow the same path to fortune as himself, and the desire of entering the service of the government was a great temptation. But when he had a little time to watch what was going on in England, young Henry Vane sought the ministrations of the persecuted Puritans with whose religious views he was already in sympathy, and gave his heart to the popular cause.

CHAPTER IV

Interview of young Vane with Bishop Laud. Character and Aims of Laud. Vane resolves to leave his country for the New World. His Letter to his Father.

ALTHOUGH young Vane was not without caution and powers of reserve, his views were too decided and his piety too deep to escape the inquisition of the high church party, and there were rival courtiers ready to point out that the comptroller's eldest son was grown into a dislike of the discipline and ceremonies of the church, and that his favourite associates belonged to the popular party. According to Clarendon, his father still appeared highly conformable and exceedingly sharp against those who were not. There is a story that the elder Vane, thinking that his son could not resist the personal influence of the king, arranged to leave him in the royal presence-chamber. Hearing the king approach, the young man, wishing to escape, hid himself behind the tapestry. Charles, noticing a motion in the hangings, poked at the place with his stick when Vane came out in confusion.

At any rate it was arranged that Laud, then Bishop of London, should see the young man and try to persuade him to abandon the Puritan notions with

which he had so inopportunately become infected ; and thus met these two men, each destined to play a conspicuous, though very different part, in the great struggle between royal prerogative and parliamentary government.

William Laud, the son of a clothier at Reading, was educated in St John's College, Oxford. He was ordained in 1601. Being docile, with a good memory and attentive to details, he gained honours, as such men do at Universities, was made Proctor, Doctor, and at last President (1611), a little sour-looking, red-faced man with pinched features and peering eyes, sharp of speech, bitter against non-conformists and picking quarrels with the lecturers and public readers. St John's College was then poorly endowed, and he lived on a narrow income for twenty years till his use as a tool for arbitrary power was recognised. Naturally subservient, to differ from the king and the bishops, especially when they were agreed, seemed to Dr Laud a wicked presumption which he longed to have the pleasure of chastising. His highest desire was to enforce conformity to the pattern of church discipline, the gowns, tippetts, hoods, and postures approved by the dressy Elizabeth, with a longing, backward glance upon the abandoned ceremonies of the Romish Church and the discipline and drill of its hierarchy. He was favourable to the celibacy of the clergy, and upheld the views of Arminius against those of Calvin. His mind was kept dwelling on omens, presages, and coincidences. He was learned in the lore which makes men no wiser, read the Fathers and the theologians, and recorded his promotions and his dreams, the misfortunes of his opponents,

and the tortures¹ inflicted on his victims in good Latin: ambition, malice, and superstition were the three leading features of his character. He was fond of collecting books and manuscripts, and knew enough of history to make far-fetched references. He was given to preach unity in things apparent, for he had no idea of a deeper unity. His religion was a thing of details and ceremonies without the fervent piety of the heart. King James took Laud with him to Scotland in 1617, where the Anglican gave offence by wearing his surplice at a funeral. He was recommended by Bishop Williams, the Lord Keeper, for the see of St David's; but the old king distrusted him. Dr Laud, he said, was "a restless spirit to be kept back from all places of authority, for he cannot see when matters are well, but loves to toss and change and bring things to a reformation floating in his own brain." Laud, he added, had in spite of rebuffs

¹ Besides his *Diary* published by Prynne to bring Laud into contempt, and since edited in a more complete form, we have seven of his sermons, all of them of a political character (see *History of the Troubles and Trials of Archbishop Laud*. Oxford, 1853).

In a court chaplain we might expect to hear a good deal about the king, perhaps not so much about God, and a polished, if not a lofty, style; but the language of these sermons is without elegance and without vigour. Solecisms are not infrequent, and he has many shabby plays upon words; altogether the composition of a man who never got to the pith of anything. The only feature that could have made these productions pleasing to King Charles was the fulsome flattery he uses.

Imagine Charles's third parliament to whom Laud was set up to preach being influenced by such an argument as this: "Well provide for the keeping of unity, and what then? Why then, God bless you with the success of this day. For this day, the 17th of March, Julius Cæsar overthrew Sextus Cneius Pompeyus, and that victory was in Spain, and Spain, which had long been troublesome, settled and came quietly on by that one action, and this very day too, Frederick II. entered Jerusalem and recovered whatsoever Saladin had taken from the Christians. But I must tell you these emperors and their forces were great keepers of unity."

pressed him "with an ill-formed platform to make the stubborn Kirk of Scotland stoop more to the English pattern. He knows not the stomach of that people," which James knew by experience and which Laud was yet to know also. Importuned by Williams, supported by Prince Charles and Buckingham, the old king exclaimed at last: "Take him to you, but on my saul ye'll repent it."

James, who was selfish, cautious, and cunning, favoured the bishops because they were his creatures and preached submission to kings while his son believed it his born right to uphold the Episcopal Church. On Charles's accession Laud was rapidly advanced to the highest posts in church and state for which his zeal rather than his abilities recommended him. He was made Bishop of Bath and Wells, then of London (1628). He was put into the great committee of trade in 1635, and on the death of the Earl of Portland became one of the Commissioners of the Treasury; and on the demise of Abbot, Archbishop of Canterbury, who had often vainly warned the king against him, Laud was promptly installed at Lambeth and became Chancellor of the Universities of Oxford and Dublin.

Hungry for preferment, eager for rank, meanly jealous of his rivals amongst the courtiers, impatient of contradiction even at the council table, persistent in his spites, gloating over the meanest details of cruelty, incapable of thinking that any one who differed from him could be right, persecution was to Laud both a duty and a luxury. He had a host of informers and pursuivants who were kept on the look-out for non-conformists and "finable" delinquents to summon before the Star Chamber or the High Commission

where the archbishop sat ever ready to concur with the severest sentence. Laud was suspected both by Protestants and Catholics of a deep design to restore the doctrines as well as the ritual of the Romish Church, and the Pope offered to make him a cardinal; but he was not disposed to have the Bishop of Rome over him, rather would he be the patriarch of England. What principles Laud had were shallow and narrow, but he stuck stiffly to them. He pursued his schemes for the elevation of the church and the royal prerogative with a singleness of purpose untainted by corruption and venality. He was warm in his friendships with those who agreed with him, who were his only friends, and he had no private vices unusual in a clergyman. Altogether no man in English history ever reaped so much contempt embittered with so much hatred, though he is still admired by some of the high churchmen as the greatest of the Carolean bishops.¹ It has been observed that the ceremonies of the Church of England approved of by Laud are those still practised by the high church party in England. Unfortunately we have no description of the interview

¹ We suppose that Viscount Halifax may be allowed to speak for the ritualists: writing in the *Nineteenth Century*, April 1903, on the "Crisis in the Church," he says: "What Archbishop of Canterbury in later times appeals to the heart and imagination of churchmen like Archbishop Laud? Who has so deep a place in their veneration? What Archbishop has so unmistakably left his mark on the Church of England, on the whole Anglican communion? Did he meet with no opposition? Was there no anticlerical feeling excited in his case? The scaffold and the block on Tower Hill may be left to answer these questions; but though he died, his work lives on. The seed he sowed grows and shows no sign of decay. He may have been mistaken in his political aspirations in his methods of repression by the civil power; but is there one who cares for the Church of England who would have had him less keen to assert the Catholic faith, one who would have had him shrink from the opposition he encountered?"

between Laud and Vane; but we can imagine the conceited little bishop arrayed in his episcopal finery addressing the comptroller's son like some young collegian caught in a frolic, and how his lordship was ruffled at finding that his oracular twaddle had no more effect than a culverin loaded with chaff upon a bird on the wing. Here was a young man intoxicated with an overdose of Protestantism, who could see no beauty of holiness in vestments and posturings and altars decently railed, and who even presumed to answer a bishop of London on Catholic theology.

No doubt each departed as firmly assured of the truth of his opinions as he came. Laud felt that he had met with a form of perversity different from the ordinary sort, and Vane saw that the pretentious old priest and vicious inquisitor was but a poor creature unhappily entrusted by a superstitious king with powers which he could only abuse; so we may well believe that the Bishop of London seemed to handle him gently in the conference, but concluded harshly enough against him in the close.

The Rev. George Garrard, who sent news-letters to Thomas, Viscount Wentworth, once a champion for freedom, now gone over to the court, and Lord Deputy of Ireland, thus writes: "1st September 1635.¹ Mr Comptroller Sir Henry Vane's son had left his father, his mother, his country, and that fortune which his father would have left him here, and is, for conscience' sake, gone into New England, there to lead the rest of his days, being about

¹ *The Earl of Strafforde's Letters and Dispatches, with an Essay towards his Life*, by Sir George Radcliffe, Dublin 1740, vol. i., p. 463.

twenty years of age. He had abstained two years from taking the sacrament in England because he could get nobody to administer it to him standing. He was brought up at Leyden, and I hear that Sir Nathaniel Rich and Mr Prynne have done him much hurt in their persuasions this way, God forgive them for it, if they be guilty." In another letter Garrard writes:¹ "No persuasions of our bishop or of his parents could prevail with him. Let him go. He has more sons, but these also bred up at Leyden." There is still preserved a letter from young Henry Vane written to his father on the eve of his departure from his native land.² It is dated "Charing Crosse, this 7 of July 1635." The letter begins: "May it please you I am but newly come back from speaking with Mr Craddock. The notice being late because the ships look every day to be gone, yet he hopes by the interest to gain me so some dayes to prepare myself, and farther hath offered me such accommodation when I come there as I should desire; so what I cannot now, through the shortness of the time, provide myself with, I may take such order with him that it may come after me." He intreats his father "to dispatch a pass from his majesty and to vouchsafe by this bearer an assurance from yourself that you have really resolved this place for me to go to."

In a handwriting tremulous in some places, as under deep emotion, the young man thus winds up:—

"And, Sir, believe this from one that hath the

¹ This is a letter from the same Rev. gossip to Viscount Conway, dated 18th September, in the Public Record Office, Charles I. Dom., vol. ccxviii.

² Public Record Office, Charles I. Dom., vol. ccxciii.

honour to be your sonne (though as the case stands adjudged a most unworthy one), that howsoever you may be jealous of circumventions and plots that I entertaine and practise, yet that I will never do anything (by God's good grace) which both with honour and a good conscience I may not justify or bee content most willingly to suffer for. And were it not that I am very confident that as surely as there is truth in God so surely shall my innocency and integrity be cleared to you before you dye. I protest to you ingenously that the jealousy you have of mee would breake my heart. But as I submitt all other things to the disposal of my good God, so do I my honesty amongst the rest; and though I must confesse I am compassed about with many infirmitys, and am but too great a blemish to the religion I do professe, yett the bent and intention of my heart I am sure is sincere, and from hence flows the sweete peace I enjoy with my God amidst these many and heavy trialls which now fall upon me and attend me: this is my only support in my losses of all other things: and this I doubt not of but that I have an all-sufficient God able to protect me, and who in His due time will doe it, and that in the eyes of all my friends.—Your most truely humble and obedient sonne,

H. VANE."

CHAPTER V

Vane in New England. Reception at Boston. The Puritan Colonists. Vane chosen Governor of Massachusetts. Difficulties of his Position. War with the Pequot Indians. Ann Hutchinson. Religious Controversy. Vane not re-elected. His Controversy with John Winthrop. Vane returns to England. Fate of Ann Hutchinson. Vane ever a Friend to New England.

IN the same ship which brought Henry Vane there came John Winthrop the younger, the future Governor of Connecticut, and Hugh Peters, the future chaplain of Oliver Cromwell. They held a joint commission from Lord Saye and Sele, and Lord Brook, about claims on the Connecticut founded upon a grant which Lord Saye had gained from the king of 40 miles at the mouth of that river, along the sea coast from the Narrganset river to the south-west. Three townships had already been settled by the Plymouth men on land which might come under the grant. To assert a claim without taking possession seemed a vain formality. The agents, not being willing to disturb the places already taken up, contented themselves with the possession of the mouth of the Connecticut river. Many of the parliamentary party, beginning to lose heart, were casting their eyes upon the Puritan colony across the ocean as a place of refuge should the battle of freedom be lost in the Old World,

Lord Saye and Lord Brook, who had made great disbursements for the colony, were desirous to betake themselves to New England and at the same time anxious to retain their rank as peers. They wrote proposing that a hereditary nobility should be recognised who should form the governing class; but this did not meet with assent amongst the founders of the State from the beginning imbued with republican sentiments.¹ Vane landed at Boston on October 6, 1635.

Let us here cast a backward glance upon the Puritan colony now planted along the shores of Massachusetts Bay. A hundred and fourteen years after the continent of North America had been discovered by Cabot a settlement had been made in Virginia in 1607. After many hardships, sufferings, and dangers owing to the lack of experience of the first settlers and the disorderly behaviour of some of them, the colony in three years had taken root on the banks of the James river.

About the same time some congregations of Non-conformists seeking relief from the persecution enforced by Archbishop Bancroft had left the eastern counties of England to dwell in Holland, where their sober industry procured them the means of subsistence. They were still anxious to retain their nationality, which their descendants would in time lose. How they gained a charter from King James conveying some rights of self-government is not clear; but they did so, and with it they sailed away to seek

¹ *Winthrop*, vol. i., p. 170. *The History of the Colony of Massachusetts Bay*, by Mr Hutchinson, Lieutenant - Governor of the Massachusetts Province, London, 1765, p. 64, and appendix.

on the shore of the Western Ocean a country where they could in peace worship God after a fashion approved of by their conscience. At the close of autumn of 1620 about one hundred of these Puritan emigrants landed in Massachusetts Bay and founded the town of Plymouth. They were mostly men of small means, the infant colony was poorly provided with supplies for tiding over the hard winter, and one half of them died of cold and exposure ere the spring. The coast had been cleared of its native inhabitants by a desolating plague, so they had not to contend against the wild Indians. They peaceably occupied the lands by the shore and built their cabins, cleared their little farms, and extended their fisheries till their settlement gained a firm footing on the shore of the American continent. The sufferings which these settlers had endured did not deter some of the persecuted Non-conformists in England from following them. Word was passed to the harassed congregations and silenced preachers in England that across the wide ocean, so long thought to bound the habitable world, there was a land where they might practise in peace the reformed faith they regarded as the warrant of eternal life, free from the vain posturings of the ritual and the equivocations of the book of common prayer.

England was in those days far from over-peopled, and it was not in the hopes of earning a better livelihood that these pious men had left her shores to seek a plank hut in the strange land of the west on the verge of an unexplored wilderness. The climate was severe for new settlers; the winter was colder, the summer hotter than in England. The

soil of the new plantation was not fertile, and the value of the land when cleared made poor wages for the labour of clearing it; but it was a freehold on which men could live and bring up their children, and there were wood, and pasture, and fishing, and game, and some trade with the Indians for furs. The little settlement of Plymouth had a slow growth; but the scheme of a new colony on a larger scale received much favour amongst the Non-conformists, and the opponents of the arbitrary royal prerogative, many of whom had begun to despair of the liberties of England. A company was formed, consisting of some wealthy friends of the Puritan cause; merchants subscribed sums of money. Charles I. and his High Commission and Star Chamber could not have been aware of what they were doing in granting a charter to this new company to occupy the land from the Atlantic to the Western Ocean from a line running three miles north of the Merrimac river to a line three miles south of the Charles river. Perhaps they thought that they were getting rid of some intractable adversaries who, still recognising the king's authority in the New World, might be followed and coerced when the malcontents at home had been successfully dealt with.

In the middle of April 1629, licence was obtained from the Lord Treasurer for the sailing of three hundred men, eighty women and maids with twenty-six children, provided with victuals, tools, arms, cattle and goats, so that they might gain a firm footing on the new continent. Eleven ships from different ports of England, arrived in Massachusetts before the end of July of the same year; six more

vessels came before the winter, bringing in all about a thousand colonists. Since the day 2440 years before, when the Phoceans of Ionia, fleeing the yoke of the Persian Cyrus, sailed away to found the city of Massilia, now the greatest port of the Mediterranean, no colony ever had a more memorable origin, a more vigorous growth, and a more illustrious history than Massachusetts.

Captain Wiggin, who had visited the English plantations, thus writes of Massachusetts in 1632:¹ "The English, numbering about 2000, and generally most industrious, have done more in three years than others in seven times that space, and at a tenth of the expense. They are loved and respected by the Indians, who repair to the governor for justice. He is a discreet and sober man, wearing plain apparel, assisting in any ordinary labour, and ruling with much mildness." This was John Winthrop, who had been appointed governor in England, and sailed from Yarmouth in 1630. He was a gentleman of good estate in Suffolk, of strict religious principles, naturally calm, self-possessed and persistent, of grave deportment, and well trained in the law. He had now reached the age of forty-two years. He gave his whole mind and fortune to the work of building the new commonwealth.

The founders were careful from the beginning to make bounteous provision of godly ministers. Houses were built for them and salaries assigned. They were all clergymen of thorough Protestant opinions, some of them men of learning and great

¹ Captain Wiggin to Secretary Coke, November 19, 1632, *Calendar of State Papers*, Colonial Series, London, 1860, page 156.

powers of preaching, who had in England suffered much from Laud and the High Commission. As all were of one mind, on landing on the shores of New England they got rid of prelacy and the book of common prayer, and would not suffer public practice of the episcopal forms of worship, partly because they regarded it as a survival of popery, and partly because they feared that such a congregation would stir ill-will at the court and bring bishops from England.

From the outset there was a difference in character between the Puritan States of New England and the State of Virginia, which persisted until the great struggle that well-nigh led to the separation of the north and south of the American confederation.

Between four and five thousand English settlers had built their wooden houses along the winding shores between Cape Ann and Cape Cod for about thirty miles. They were distributed in sixteen little townships, as they had to hold together for protection against the Indians who were beginning to cause alarm. They were raising crops of maize, wheat, and rye, were building corn mills, and were cutting roads through the forests. They had herds of cattle and flocks of sheep and numerous swine, and had begun a trade in beavers' skins, cured fish, and lumber.

The favourable situation on a peninsula with a fine and capacious harbour had already gained for Boston the dignity of the chief town. The slope towards the sea was dotted by some hundred cabins with their little enclosures, and the church with mud walls and thatched roof. On the northern hill stood a

windmill, while on the broad top of the southern eminence a wooden fort guarded the narrow approach to the harbour within the still bay.

The area then available was less than a thousand acres. Connected with the mainland by a narrow neck, it had neither wood nor meadow land around it; but the sea which scattered spray on its shores secured the peninsula from the attacks of the Indians and the prowlings of wild beasts. One of the fairest of the American cities, with a population of 450,000, the lofty buildings of Boston dwarf the hills that once gave their naked outlines to the setting sun, and stately squares and streets now cover the salt marches of the shore.

The governor and his assistants, who had been nominated in England, were men of condition who had contributed largely to the making of the colony. With the assent of the other settlers they filled vacancies in their number, made laws and administered justice. This independent power lasted no longer than three years, for a house of deputies appeared in 1634, who arranged that the governor and his assistants should be elected every year by the freemen, and that by ballot. No one could vote as a freeman who had not been admitted a member of the church. John Winthrop was succeeded by Thomas Dudley. The struggle between the wealthy class who wished to keep power in their own hands and the inferior sort of settlers had already begun. The latter were jealous of the way the lands were being distributed, while Winthrop wished some tracts to be kept for common ground or reserved for new-comers. When Henry Vane arrived in the new community, the early struggles

and hardships that had followed landing on the wild shore had been surmounted. The colonists found many new duties to occupy their attention. They had begun to regard the new country as their home and their heritage, and the word brought by new-comers of the doings in England helped to banish all desire to return.

If their daily life was hard to these Puritans of the West, it was simple and natural, a manly fight with rugged nature. They felt that they had escaped from the petty tyranny of the prelates, and they did not feel the rigid creed which was stiffening around them, because it fitted them at the time. Society of an intellectual though grave and formal caste was not wanting. In these rude cabins there were men who had gained renown for their learning and eloquence in England and in Holland, and who might have been still sitting in honoured places in the old country had their conscience given them quiet. There were gentlemen of good estate who had left a country whose liberties seemed to have gone; there were captains who in the war with the Pequot Indians showed the skill which they had gained in the Thirty Years' War: all united in a deep hatred of the affectations and compromises introduced into the Church of England to turn aside the Reformation. Men like these were not easy to govern: they were jealous of their liberty, and though stubborn in maintaining their own views against persecution, they were little disposed to allow others to dissent from them. And yet a full accordance of opinion was impossible; each man claimed, at least in theory, the right to shape his own opinions and conduct by what he

read in or out of the books of the Old and New Testament.

The extreme seriousness of their lives, the gravity of demeanour, the habitual dwelling upon the life beyond the grave darkened by a gloomy creed, the bareness and poverty of their abodes, the absence or disdain of all the lighter amusements, the very dead level of concord in religious dogmas induced a dismal tone of mind. The letters and sermons of these old Puritans are full of prodigies, strange sights, guns fired in the air, warning voices, and apparitions. The superstitious lore which had followed them from England took vivid and terrible shapes against the dark background of the unknown limitless wilderness: around their clearings was the pathless forest whence during the night came the howlings of wolves and other wild beasts, and sometimes the yells of savage men. These exiles seemed ever on the watch for judgments and tokens of the presence of God or the spiteful tricks of the devil: every calamity, every strange disease which happened to their adversaries, was a sign of the divine wrath: every misfortune to themselves was a trial and a chastening. Winthrop records in his *Diary* that a man who had sold milk on board a ship crossing the Atlantic for twopence a quart became distracted after he landed, which was traced to his selfishly taking advantage of the scarcity of cows on board. The sagacious governor, however, had doubts whether, under the circumstances, twopence was too high a price for the milk. The company of the ship *Charles* having disturbed Mr Peter preaching by hooting or hallooing, in their

return they were set upon by the Turks and divers of them killed.¹

As the magistrates, urged on by the clergy, were disposed to be severe with malefactors and to punish many immoralities and indulgences, it was natural that there should be a call for a written law specifying the offences for which men might be condemned. The charter, however, scarcely allowed them to make laws different from those of England, and in the new colony people were punished for doing things which Laud and the High Commission were anxious to promote and encourage. Winthrop sagaciously observed that they should not try to frame a code, but let customs set into precedents and then harden into law. Though much led by their ministers, the settlers in Massachusetts from the beginning treated marriage as a civil contract to be performed by laymen, probably in opposition to the Catholics, who regarded marriage as a sacrament. In the days of Elizabeth the Brownists had objected to the use of the ring in marriage.

In the administration of justice the magistrates were guided by the Mosaic Code designed for the Israelites three thousand years before. When the Levite copied in the edict, "Thou shalt not suffer a witch to live," he never dreamed that hundreds of thousands of innocent men and women should through this line suffer a death made even crueller than that of the Mosaic Code. Indeed, these stern men did nothing to soften the harshness of the Israelitish law. Fornication was not thought to be treated with sufficient severity by Moses; whipping and loss of franchise were added. Adultery was punished with death both

¹ *History of New England*, vol. ii., pp. 20 and 22.

to the man and the woman.¹ A child who cursed his father and mother, and was stubborn and rebellious, was to suffer death according to Deuteronomy xxi. 20, and Hutchinson records that there have been several trials upon this law. Denial of any of the books of the Old and New Testament to be the written and infallible word of God, was punishable either by banishment or death for the second offence at the discretion of the court, even if the offence were made on the high seas. Winthrop got a law passed prohibiting the drinking of healths, and Endicot, his successor as governor, joining with the other magistrates, formed an association to declare their dislike and detestation against long hair. In a letter Vane is praised for getting his hair shortened; but it appears that he did not always keep his locks short enough. Some of these rules had not yet passed into statute law while Vane was in the colony. The prosecutions for witchcraft began eleven years after he had left.

Henry Vane evidently took kindly to the colony. John Winthrop thus writes of him in his *Diary*:² "There came also Mr Henry Vane, son and heir to Sir Henry Vane, comptroller of the king's house, who, being a young gentleman of excellent parts, and had been employed by his father [when he was ambassador] in foreign affairs; yet being called to the obedience of the gospel, forsook the honours and preferments of court to enjoy the ordinances of Christ in their purity here. His father being very averse to this way [as no way savouring the power

¹ See Hutchinson's *History*, pp. 440-443 and 152.

² *A History of New England from 1630-1648*, by John Winthrop, edited by James Savage, Boston, 1825, p. 170.

of religion], would hardly have consented to his coming hither, but that acquainting the king with his son's disposition and desire, he commanded him to send him hither and gave him licence for three years stay here."¹ It is also recorded in the same diary that, on November 1, Mr Vane was admitted a member of the church of Boston.

An extraordinary proof of the ready confidence gained by young Vane is furnished by the following entry in the Town Records of Boston: "November 30, 1635" [at which time Vane had been in Boston less than two months]. "At a general meeting upon public notice, it is agreed . . . that none of the members of this congregation or inhabitants amongst us shall sue one another at the law before that Mr Henry Vane and the two elders, Mr Thomas Oliver and Thomas Leverett, have had the hearing and deciding of the cause, if they can."

Vane had crossed the ocean to escape from persecution and to enter into a haven of peace. He soon saw that there were factions and jealousies in the promised land, and he fancied that he could allay or arrest them. He had been no longer than three months in the colony when with Hugh Peters he got the principal men together, John Haynes, the governor, Winthrop and Dudley, former governors not unwilling to be governors again, who had each their partisans, and Mr Wilson and Mr Cotton, the two ministers of Boston. Mr Vane desired all present to take up a resolution to deal freely and openly with the parties, and they with each other,

¹ *History of New England*, by John Gorham Palfrey, vol. i., Boston, 1858, p. 439.

that nothing might be left in their breasts which might break to any jar or difference hereafter.¹ "Winthrop desired Mr Vane to acquaint him of what he had observed of the disposition of men's minds, which was very strange to him, professing solemnly that he knew not of any breach between his brother Dudley and himself, since they were reconciled long ago; Dudley was equally conciliatory. There had been formerly some differences and breaches between his brother Winthrop and himself, yet they had been healed, and for his part he was not willing to renew them, and so he left it to others to utter their own complaints." Mr Haynes the governor hoped that Mr Winthrop would take it in good part, if he did deal openly and freely, as his manner always was. Then he spake of one or two passages wherein he conceived that Winthrop had dealt too remissly in point of justice. Winthrop professed that it was his judgment that, in the infancy of the plantation, justice should be administered with more lenity than in a settled state, because then people were more apt to transgress, partly of ignorance of new laws and orders, partly through oppression of business and other straits; but if it were made clear to him that he was in error, he was willing to take a stricter course. It does not appear what these cases were. It is significant that this question in polity was left for the ministers to decide, who gave their judgment for greater severity. Whereupon Winthrop acknowledged that he had failed in overmuch lenity and remissness, and promised to take a stricter course hereafter.¹

¹ Winthrop, vol. i., pp. 177-179.

Henry Vane was elected governor after having been little more than seven months in the colony, and when he was no older than twenty-four years. No doubt it stood much in his favour that he came from an old and wealthy family, and that he was the son of the king's comptroller, who might do them a good service at the royal council. At this time the charter on which they had gone to found a new colony had been declared null and void, and had not Charles and his ministers found enough to contend against within the shores of Great Britain, an armament would have been sent to dispossess the settlers of the land which they had reclaimed with so much toil and through so many hardships and dangers.

There was no lack of men in Massachusetts fit for the office of governor. Haynes left for Connecticut, and Winthrop seems not yet to have recovered his popularity. He was, however, made deputy, and with Dudley elected a councillor for life. Roger Harlakenden, a young gentleman of property who had come in the same ship with Vane, was added to the number of assistants. The ships in the port greeted the accession of the young governor with volleys of shot, and great respect was shown to him everywhere. He took more state upon him than any governor had ever done before. When he went either to court or to church, four servants walked before him with their halberds.¹ Accustomed to the retinue of a wealthy nobleman and not a stranger to the pageants of the

¹ Hutchinson adds in a note : "A small house which he lived in, at the side of the hill above Queen Street, he gave to Mr Cotton, who made an addition to it after Mr Vane went away, and lived and died there." Palfrey, writing in 1858, tells us that the house was still standing thirty years before,

Stuart court, the small wooden house that sheltered him must have appeared humble compared with the lordly towers of Raby Castle, where his father had twice entertained King Charles.

About this time there were fifteen large vessels in Boston harbour, and there was danger of collisions between the wild seamen and the Puritan population on the shore. Inviting the masters of the ships to dinner, he got them to agree that vessels coming in to Boston should anchor below the castle and wait for the governor's pass before coming up to the town, that before discharging their cargoes their invoices should be submitted to the inspection of the magistrates, and that the sailors should not be allowed to stay on shore after sunset except upon necessary business.

As the head of a rising colony small in numbers but great in moral vigour, Vane's situation was a difficult one and his duties wide, minute, and multifarious. The position of affairs called for the abilities of a ruler, a law-giver, and a diplomatist. In the absence of statute law, the magistrates had wide powers for regulating properties and contracts, proving wills, making roads and ferries, voting taxes and imposing fines, and adjudging on the many questions which arose in a new state of affairs. Then their proceedings were jealously looked upon by the freemen, and criticised by the stiffest preachers of the stiffest sect of Protestants.

It was not long before the young governor found the difficulty of dealing with the over-strained scruples of the colonists. John Endicot, a leading magistrate, had in the town of Salem of his own authority blotted out the figure of the red cross from the king's flag,

because it had been assigned to the King of England by the Pope, as an ensign of victory, and so was a superstitious thing and a relic of antichrist. The assistant magistrates met at the governor's to advise about this, a thing they were loth to take up and afraid to let alone, and so the question was deferred. In the meantime all the ensigns were laid aside. At the next meeting of the general court John Haynes had succeeded Thomas Dudley as governor, and Endicot's conduct was again considered. While condemning the zealot for acting inadvisably, the court could not conceal their sympathy with his sentiments. They ordered him to be disabled for one year from bearing any public office, declining any heavier sentence, because they were persuaded he did it out of tenderness of conscience, not of any evil intent. Nevertheless it was too great a strain on the Puritan conscience to restore the red cross. The minister promised to take pains about it and write to England to have the judgment of the most wise and godly there. In the meantime the military commissioner appointed colours for every company of the militia who left out the cross in all of them, though they appointed the king's arms to be shown at the island where they could be seen by the shipping.

Not long after, a vessel belonging to Lord Wentworth, deputy for Ireland, entered the port, when a dispute took place with the master of the ship about striking his flag to the fort. He defended himself by observing that the fort showed no colours. A week had not passed after Vane was appointed governor when the question of the flag again arose. The mate of a ship lying at anchor in Boston harbour calling

attention that the king's colours were not displayed at the fort, in the presence of many of the townsmen then visiting the ship, loudly declared that they were all traitors and rebels. This causing irritation at Boston, the mate after some ado was brought before the governor and induced to make an apology. It was easy to see that the matter might be reported in England so as to cause farther exasperation against the Non-conformist colony.

The governor now called together the masters of the ships in the harbour, and requested them to say freely what they thought. They replied that they might be questioned about the matter when they returned to England, and advised that the king's flag should be displayed at the castle. It seemed an escape to reply that they had none of the king's colours to hoist. The masters of the ships took away this excuse by offering to furnish them with a set of colours of the royal ensigns. And so the question of compliance or refusal came before a court of magistrates. The ministers were also consulted. Winthrop opposed the request of the shipmasters, backed by Endicot, whose period of exclusion had run out. Some of the magistrates would take no part in the matter; others were willing to connive; but a majority were against yielding. Very great stress was laid in those times on saluting and giving homage to the flag, and it was clear that this refusal to hoist the king's colours upon a fort which they admitted to belong to him might be severely called in question in England, and even raise international difficulties, so Vane, supported by Dudley, ordered the royal flag to be displayed. Winthrop, of course, knew that in case

of complaint at court the first blame would fall upon the governor. Vane now transferred the difficulty to his opponents, who would have put themselves in a perilous position by attempting a vote of censure after the king's colours had waved on the fort.

Vane's next proceeding was to make an official visit to the little townships along the bay.

The following passage in a letter to his father, the comptroller, shows the anxieties of the young governor: "The present state of things (in New England) is very tumultuous. The French continually encroach and arm the natives for civil war, who kill and steal when they can. A report that the patent is damned has caused great discouragement to the plantation."¹

The Dutch on the Connecticut river and the French in Acadia were making settlements claiming territory, and disputing the possession of land in the neighbourhood, and the Indian tribes around were beginning to show hostilities to the masterful strangers who were extending their plantation along the sea board, where a few years before they had roamed unhindered in their fishing and hunting expeditions. To meet this danger it was necessary to organise a militia. The men capable of bearing arms were formed into three district regiments under the command of Winthrop, Haynes, and Endicot as colonels, and Dudley, Harlakenden, and the younger Winthrop as lieutenant-colonels. The governor was to be commander-in-chief. The lower officers were chosen by the votes of the men.

¹ Passage in a letter to Mr Comptroller about the estate of New England, endorsed by Laud, October 3, 1636, in *Calendar of State Papers*, Colonial Series, 1634-1660, London, 1860, p. 239.

It was well for the colony that they were now ready for war. The Plymouth men had cast their eyes upon the fruitful lands of the Connecticut river, and in 1631 they established a factory. The growth of this new colony, which now counted eight hundred English, was looked upon with dislike by Sassacus, the chief of the Pequot Indians, whose hunting grounds lay between Plymouth and Massachusetts. Raids became frequent; about thirty of the English settlers were murdered, some with savage cruelty. Sassacus tried to stir the neighbouring tribes to join in a combination against the new-comers. Up to this time we are told that the Indians had no cause of complaint. The colonists of Plymouth and Massachusetts had found the shores upon which they debarked almost denuded of inhabitants; for some of the lands which they had since occupied they had made payment. It is likely that these were transactions which the wild Indians scarcely understood till they saw how things turned out. Their chiefs had affixed their marks to treaties which they could not read, and which, even at the time, they did not think would be binding for all future times. The relations between a spreading agricultural population and wandering tribes of savage hunters are not likely long to remain satisfactory. New England was not yet strong enough to resist a coalition of the native Indians, such as was made thirty-eight years later in the war of King Philip. But the neighbouring tribes were not yet ready to make common cause against the strangers. They hated the Pequots as much as they feared them. Roger Williams, a Non-conformist minister of marvel-

lous energy, went, at the hazard of his life, to the encampments of the Narragansetts. Knowing their language and habits, he succeeded in dissuading them from joining with the Pequots. On October 21, the Sachem of the Narragansetts came to Boston with several other chiefs. They were entertained with great courtesy by the governor, and entered into a treaty of peace and friendship with the English. They were accompanied to the bounds of the town by a file of soldiers, who saluted them on parting with a fire of musketry. Vane sent ninety men in three small vessels to Block Island Sound under Endicot of Salem. He killed and wounded a few of the Pequots, burned their huts, staved their canoes, and cut down their corn. This only embittered their hatred. Massachusetts contributed £6000, and sent a hundred and sixty men to carry on the war. Only twenty of this contingent were in time to take part in Captain Mason's daring blow at the Pequots (May 26, 1636). Descending the Connecticut and landing near the entrance of Narragansetts Bay, he marched under a bright moon to the Indian encampment. The Englishmen, seventy-seven in number, silently approached the stockade, broke in, set the wigwams on fire, and killed all they found. The arrows and hatchets of the Pequots were of little avail against the more deadly weapons of the white men. The Indian allies, Mohegans, Narragansetts, and Nyantics had formed a circuit round the fort trembling for the event of the attack; they slaughtered the fugitive Pequots without mercy. Few escaped; above four hundred were killed,

Sassacus gathered the rest of his tribe and fled towards the Hudson; he was overtaken near New-haven, the latter end of June, by a force from Massachusetts. Sassacus with about seventy men broke through and escaped to the Mohawks. Ninety-nine came out and surrendered; the lives of most of them were spared, though many of the captives were sent to Bermuda and sold for slaves. This was after Vane left. The Pequot nation ceased to exist, and for forty years no Indian tribe dared to attack the settlements of New England.

In the meantime a theological dispute was raging which exercised the minds of most of the colonists more deeply than the Indian peril. About the year before Vane's arrival, Mr William Hutchinson had come to New England from Alford, near Boston in Lincolnshire, where he had a good estate. He was described by Winthrop "as a man of very mild temper and weak parts, and wholly guided by his wife." In the old country this lady had attended the ministrations of the Rev. John Cotton; and Wheelwright, who was her brother-in-law, a silenced minister, followed the Hutchinsons to New England about two years after. During the voyage, Mrs Hutchinson had aroused the hostility of Mr Symmes, who became minister of Charlestown. His account of her vagaries had caused some delay in the lady and her husband being admitted members of the Boston congregation; but by her active charity, especially to women in time of sickness, she soon made herself popular. It was the custom of the men to hold weekly meetings, and Ann Hutchinson began to gather together the matrons of Boston

every Sunday and sometimes twice a week. At these assemblies the sermons preached by the ministers were reviewed with a critical spirit to which these divines had been little accustomed, since their arrival in the New World. Mrs Hutchinson took a leading part, sitting in the chair and giving answers to questions like a doctor of divinity, and showing great knowledge of the scriptures and command of language. During these colloquies she gave expression to some views which appeared novel to the strict congregations which up to this time had been all of one mind since they landed in the new country. At the present time, it is easier for us to understand the lady's character than her theological doctrines.

She maintained that the indwelling of the real spirit of the gospel in a man, even if he should have all the good works and graces expected of one of religious character, could not be inferred with certainty from these outward displays. This could scarcely be denied unless one held that there were no such persons as hypocrites.

It was a mere paraphrase of the language of the Apostle, who plainly intimated that a man may speak with the tongues of angels, and have the gift of prophecy, and understand all mysteries and all knowledge, and have all faith so as to remove mountains, and give his goods to feed the poor, and give his body to be burned, and yet be nothing in a religious and spiritual view. Mrs Hutchinson also held that by the expression Holy Spirit is meant such an actual communication of the spirit of God as made the recipient the abode of all true holiness. This was thought to reduce the Holy

Ghost to a divine influence. These general axioms might have attracted little attention or passed with little demur; but Mrs Hutchinson, with all her attainments in theology, was not exempt from the feminine proclivity of reducing general propositions to personal applications. One would have thought that the thesis that sanctification was no proof of justification would leave a general state of doubt whether any one could be held to be justified or not; but Mrs Hutchinson had some means of knowing who were under a covenant of works and who were under a covenant of grace. Those who disagreed with her were in the first category, and those who supported her were in the second. Mr John Cotton and Mr John Wheelwright were, she said, under the covenant of grace; the other ministers of the colony were under the covenant of works. The latter preachers, conceiving that by this classification they were placed in an inferior category, freely exercised their opportunities of denouncing these unpleasant novel-ties. The whole plantation was aflame with the dispute between the partisans of the covenant of works and those of the covenant of grace. Husband and wife engaged in heated controversy; friends were estranged. When the Rev. Mr Wilson rose to speak Mrs Hutchinson walked out of the church followed by her adherents. The ministers were called by such names as Baal's priests, scribes, Pharisees, and opposers of Christ; "such an officer is an ignorant man and knows not Christ; such a one is under a covenant of works; such a pastor is a proud man." The young governor, who lived in the same house with Mr Cotton, gave his support to Mrs

Hutchinson, and all the members of the Boston church took her side save five. Mr Winthrop was in the opposition, and allied himself with the ministers in the other townships. It was not likely that they would be ready to approve of new religious views preached by a woman when St Paul had forbidden a woman to teach or to usurp authority over the man, but to be in silence, nor could they relish that this eloquent female apostle should lead into new paths her own sex whom hitherto they had found their most docile followers.

Vane's mind was deeply vexed by these bitter controversies; he had crossed the ocean to get quit of Laud and his commissioners, and here were new inquisitors eager to suppress every opinion which did not chime in with their own. They had brought with them the root of all this intolerance, the conviction that men could only be saved from everlasting torments by adopting certain dogmas. The controversy was shifted from ceremonies to shadowy doctrines, the covenant of grace and of works instead of the ritual and the altar. Instead of the Pope being antichrist, it was Ann Hutchinson who deserved that appellation.

After he had held office seven months (December 10) Vane called a court of deputies and announced that he had received letters from his friends in England which necessarily required his presence there. The court trying to dissuade him, he brake forth into tears, and professed that, howsoever the causes propounded for his departure were such as did concern the utter ruin of his outward estate, yet he would rather have hazarded all than have gone from them at this time, if something else had not pressed him more : viz.,

the inevitable danger of God's judgments to come upon us for these differences and dissensions which He saw amongst us, and the scandalous imputations brought upon himself, as if he should be the cause of all, and therefore he thought it best for him to give place for a time.¹

The court represented that it would not be fit to give way to his departure upon those grounds, whereupon Vane said that the reasons concerning his own estate were sufficient to demand his departure; as for the other passage it slipped him out of his passion and not out of his judgment. Upon this the court consented silently to his departure.²

Before the court could reassemble to appoint a successor, divers of the congregation of Boston met together and urged him not to go away, whereupon the governor expressed himself to be an obedient child to the church; and therefore, notwithstanding the licence of the court, yet without the leave of the church he durst not go away, whereupon a great part of the court and country who understood hereof declared their purpose to continue him still in his place.

A meeting of the magistrates and elders was then held to advise about discovering and pacifying the differences of opinion among the churches when Vane expressed his displeasure that the ministers had held a meeting about this matter without his privity. Here,

¹ It may be here noted that in describing these transactions we have to depend mostly upon Winthrop's account. There is no reason to question his truthfulness, but he would naturally seek to favour his own side, and in his *Diary* he recorded his impressions ere the heat of controversy could have passed away.

² Winthrop, vol. i., p. 208.

Hugh Peters showed that bold spirit which at last brought him to his death. He told the governor, with all due reverence, "how it had sadded the ministers' spirits, that he should be jealous of their meetings, or seem to restrain their liberty." Vane excused his speech as having been hasty and upon a mistake. Mr Peters told him that before he came, within less than two years since, the churches were in peace. The governor answered that "the light of the gospel brings a sword, and the children of the bondswoman would persecute those of the freewoman."

In the farther course of the dispute Mr Wilson was called to account before the Boston church for a bitter speech against the danger of these opinions. The governor pressed it keenly against the minister, who was, however, saved by the intercession of his colleague, Mr Cotton.

The time of election of a governor now approached. The great question was not so much whether Vane should be re-elected, or Winthrop governor once more, as whether a majority of the freemen believed that sanctification was an evidence of justification or not. Each party tried to secure advantage for the struggle. The people of Boston were mostly in favour of the governor; the rest of the towns with most of the ministers were in favour of the deputy-governor. The ministers gave as their opinion that in all such heresies or errors of any church members as are manifest and dangerous to the state, the court may proceed without tarrying for the church. It was moved at the session court in March that the election should be held in Newtown (Cambridge) instead of Boston. The governor re-

fused to put the question ; but it was put by Endicot and carried.¹ The court had been offended by a petition from Boston protesting against their treatment of Mr Wheelwright. The governor could not prevent a censure being passed upon Stephen Greensmith, who was fined £40 and ordered to make an apology for saying that all the ministers, save Mr Cotton, Mr Wheelwright, and he, thought Mr Hooker preached a covenant of works.

The meeting of freemen was held at Newtown on May 17 in the open air. Vane, who presided, wished a petition from the people of Boston to be read first, no doubt under the impression that it would influence the election. This was successfully opposed on the plea that the first business of the assembly was to elect the magistrates. Vane still refused to put the question, when Mr Wilson climbed a tree and addressed the assembly in a heated manner. Violent words were used, and some began to lay hands upon one another.

The election was proceeded with, and Vane and all his party were thrown out. John Winthrop was chosen governor, and his friends, deputies and assistants. Next day Boston returned Vane, Codrington, and Heugh as its deputies. The new court refused to admit them on the pretext of some informality ; but the same men were returned forthwith and had to be admitted. It was said against Vane,² that before he was governor he had been used to sit at public worship in the magistrates' seat, a distinction yielded to his high birth. He now left it with Codrington, and repelled the governor's invitation to

¹ Hutchinson's *History*, p. 60.

² Palfrey, p. 482.

return, and declined, because his conscience withheld him, to go to dinner with the young Lord Leigh, the son of the Earl of Marlborough, who had come to see the country. It may be inferred from these trivial reproaches, that Vane's resentment did not go far. The four sergeants who were accustomed to attend Vane refused to do the same honour to Winthrop, laid down their halberds, and went home. The new governor took two of his own servants to attend him; he had to endure other slights from the people of Boston.

Winthrop was not slow to take advantage of his victory. To secure the Boston faction gaining new reinforcements from abroad, he got a regulation passed that no persons should receive in their houses any stranger who came with intent to reside in the colony, or should allow the use of any lot or habitation above three weeks without liberty from one of the standing council or two other assistants. The penalty for transgressing this order was £40, and £20 for every month the breach of it lasted. Any town which gave or sold a lot to such a stranger was subject to a penalty of £100; but any inhabitant who entered his dissent was to be excused his part of the fine. This order was so disliked by the people of Boston, that upon the governor's return from court they all refused to go out to meet him or show him any respect. Winthrop published an elaborate defence of the order of the court, which gave his young antagonist an opportunity for a telling reply.

Winthrop defined a commonwealth as : "The consent of a certain company of people to cohabit

together, under one government for their mutual safety and welfare."

To this definition Vane objects that "at the best it is but a description of a commonwealth at large, and not of such a commonwealth as this (as is said), which is not only Christian, but dependent upon the grant also of our sovereign; for so are the express words of that order of court to which the whole country was required to subscribe."

"Now, if you will define a Christian commonwealth, there must be put in such a consent as is according to Christ. And if you will define a corporation incorporated by virtue of the grant of our sovereign, it must be such a consent as the grant requires and permits, and in that manner and form as it prescribes, or else it will be defective. The commonwealth here described may be a company of Turkish pirates, as well as of Christian professors, unless the consent and government be better limited than it is in this definition; for sure it is, all pagans and infidels, even the Indians here amongst us, may come within the compass. And is this such a body politic as ours, as you say? God forbid. Our commonwealth, we fear, would be twice miserable, if Christ and the king should be shut out so. Reasons taken from the nature of a commonwealth and founded upon Christ, nor by his majesty's charters, must needs fall to the ground, and foil those that rely upon them. Members of a commonwealth may not seek out *all* means that may conduce to the welfare of the body, but all lawful *and due* means, according to the charter they hold by, either from God or the king, or from both. Nor may they keep out

whatsoever may appear to tend to their damage (for many things appear which are not), but such as, upon right and evident grounds, do so appear, and are so in truth."

Winthrop, in his *Defence of the Order of Court*, thus argued: "The churches take liberty (as lawfully they may), to receive or reject at their discretion; yea, particular towns make orders to such effect; why, then, should the commonwealth be denied the like liberty, and the whole more restrained than any part?"

The following was Vane's reply: "Though the question be here concluded, yet it is far from being soundly proved; yea, in truth we much wonder that any member of a church should be ignorant of the falseness of the groundwork upon which the conclusion is built; for, should churches have the power, as you say they have, to receive or reject at *their* discretion, they would quickly grow corrupt enough. *Churches have no liberty to receive or reject, at their discretions, but at the discretion of Christ.* Whatsoever is done in word or deed, in church or commonwealth, must be done in the name of the Lord Jesus (Col. iii. 17). Neither hath church or commonwealth any other than ministerial powers from Christ (Eph. v. 23), who is the Head of the church and the Prince of the kings of the earth (Rev. i. 5). After that Cornelius and his company had received the Holy Ghost, whereby the right which they had to the covenant was evidenced, it is not now left to the discretion of the church, whether they would admit them thereunto or not. But can any man forbid the water? saith Peter. He commanded them to be baptised (Acts x. 47,

48). There is the like reason of admission into churches."

The following passage shows the toleration and charity of the writer: "As for scribes and Pharisees, we will not plead for them; let them do it who walk in their ways, nor for such as are confirmed in any way of error, though all such are not to be denied cohabitation, but are to be pitied and reformed (Jude 22, 23). Ishmael shall dwell in the presence of his brethren (Gen. xvi. 12)."

Finally Vane condemns the magistrates' order:—

"1. Because this law doth leave these weighty matters of the commonwealth of receiving or rejecting such as come over, to the approbation of magistrates, and suspends these things upon the judgment of man, whereas the judgment is God's (Deut. i. 17). This is made a groundwork of gross popery. Priests and magistrates are to judge, but it must be according to the law of God (Deut. xvii. 9, 10, 11). That law which gives that, without limitation, to man, which is proper to God, cannot be just.

"2. Because here is liberty given by this law to expel and reject those which are most eminent Christians, if they suit not with the disposition of the magistrate; whereby it will come to pass that Christ and His members will find much worse entertainment amongst us, than the Israelites did amongst the Egyptians and Babylonians, than Abram and Isaac did amongst the Philistines, yea, even Lot among the Sodomites. *These all gave leave to God's people to sit down amongst them.* Though they could not claim such right as the king's subjects may. Now that law, the execution whereof may make us more cruel and

tyrannical over God's children than pagans, yea than Sodomites, must needs be most wicked and sinful."

Some of the colonists were offended that Vane called in the terms of the charter granted by the king, for they were fearful of the interference of the crown, which once aroused might go much beyond a check upon this abuse of power on the part of a court of magistrates. Charles I. was still recognised as the sovereign of England, as well as of the colony, and to refuse entry to any of his subjects because they held that sanctification was no proof of justification, was usurping a power which the prescribed could reasonably call in question by appealing to Cæsar. Winthrop could only base his oppressive order upon the vote of a majority of some hundred freemen who had elected him and his friends. Palfrey and others have pointed out the danger of dissent and the necessity of unity, using the same arguments which had been used by the Episcopalians against the Brownists in the time of Queen Elizabeth. The Puritans had crossed the ocean to find a land where they could worship God after their own fashion, and they thought that they could not live in peace with those who sought Him by a different way. It has been well observed by Upham¹ that no heresy need be regarded as dangerous to the state when the state does not meddle with it. The ministers had converted Mrs Hutchinson's provoking language into a charge of heresy. To call in question her intemperate methods might have left her with few defenders; but to censure doctrines, and belief

¹ For an account of this whole controversy I am much indebted to the *Life of Sir Henry Vane* by C. W. Upham in Spark's *Library of American Biography*, vol. iv., Boston, 1835.

assumed to be held by her brought to her aid not only those who favoured these doctrines, but also those who thought it too small a matter on which to enter upon religious persecution. At that time men were not satisfied by differing in silence: they must speak out. The Puritan thought he was unjustly persecuted by the High Commission because he considered his religious tenets to be the pure truth which they were seeking to extinguish. This, of course, was wrong; but was it wrong to suppress error? was it even right to tolerate it? The Puritan thought it his duty to use force in putting down erroneous doctrines, and of the erroneousness of these doctrines he considered himself a proper judge. Vane had already arrived at the opinion which he upheld during his career, that in constituting themselves judges to condemn the religious doctrines of others, they were assuming a function which belonged not to erring men. To Christ as the judge of all they were responsible, and to no other. Whenever priests or ministers have sway, to differ from them is held to be the same as differing from God. It is not clear how far Vane sympathised with the peculiar opinions promulgated by Mrs Hutchinson, and it is much to be regretted that he did not succeed in inducing her to assume a less provoking style. Some of the opposite party made severe reflections upon his conduct.

Lord Saye and Sele,¹ in a letter to Mr Cotton after his return, says: "For the young man Mr Vane, whom your love followeth, and it's well it does so, for he may be recovered, I have not been wanting to do my endeavour to show him the danger of his way, and

¹ Hutchinson's *History*, p. 65.

what hath been the sad issue thereof in others ; from whence I think it cometh, and whither Satan's aim is to drive it, as might have appeared to you by my letters, written to him unto New England, when I first did perceive his delusions, if he had shown my letters to you. I shall be glad to do my best to that end still ; but I have not that frequent converse with his family now, as heretofore, whereof these are the most in Holland, and the rest will shortly be there also."

From this it appears that William Fiennes, "Old Sublety" as he was called, the only independent in the House of Lords, took a deep interest in this theological dispute. What he thought of Vane's action as his agent for his lands on the Connecticut is not apparent.

That Vane should now leave Massachusetts to return to his English home was natural, even inevitable. It does not appear that he ever purposed permanently settling in America. He must have felt that his usefulness was gone, at least for the time. His condition placed him above the usual occupations of a new colony. He had no trade to push ; no farm to till. Naught but a high position would suit his rank and give employment to his powerful and comprehensive mind. His voice as a deputy from Boston would be of no avail against a hostile majority victorious at the polls. He had left England to escape persecution, only to meet it in another form across the ocean. He now found that he could not even protect his friends who held views similar to his own. His powerful character and wonderful abilities would have in time brought him back to power ; but youth is impatient, and he felt

the *γλυκὺς ἡμέρος πατρίδος*, and compared the bareness and narrowness of the daily routine of the plantation with the stirring and diversified life of an English nobleman.

And so Henry Vane went away to struggle on a higher field. Had he remained in New England, his enlightened mind and humane spirit would have held the Puritans back from those executions of witches and persecutions of quakers and other heretics which have added a dark chapter to the early history of the States.

Vane sailed from Boston to return to England on August 3, 1637, with the young Lord Leigh. His party accompanied him to the boat and many to the ship. A salute of five pieces of ordnance was fired from the shore and five more on passing the castle. His sails filled; the ship moved off; the farewells of his friends ceased in his ears; the houses and the fort and the hill of Boston faded away; the islands of the bay passed out of sight. No more did he see land against the setting sun. In his sailing ship rocking between the sea and sky, Vane had many weeks to reflect upon the little Puritan community, toiling unweariedly to change the face of nature, to turn the forests and the swamps into corn lands, and make the wide continent fit for the habitation of free and civilised men.

Though everything was yet on a small scale, rough and unfinished, there was nothing mean or insignificant even in those early days. Vane had handled high destinies, been at the founding of a great state, had seen peace and war, had for a second time to deplore the bitterness of zealots, and had read

the face of religious bigotry. Neither in England nor in America was uniformity to be found. God had not framed men's minds so that they could all think alike.

And so young Henry Vane again hailed his native land, saw the old gabled houses, the narrow crowded streets, the green villages and the grey churches with the tombstones around; again he entered the stately halls of his father's castle and moved within the ruling circles of the three kingdoms. Neither had his enemies forgotten him. The Rev. Mr Garrard writes on October 9, to the watchful enemy of England's liberties, the Viscount Wentworth, Lord Deputy of Ireland: "Henry Vane, the comptroller's eldest son, who had been governor in New England this last year, is come home; whether he hath left his former misgrounded opinions, for which he left us, I know not."¹

We have little record of his doings for the next two years. About this time he married Frances, one of the six daughters of Sir Christopher Wray, of Ashby in Lincolnshire.

After Vane left, the victorious party fell upon the friends of Mrs Hutchinson. Mr Wheelwright, who had made himself prominent, was banished. Seventy-six of her supporters were disarmed; two of the sergeants of Boston were disfranchised and fined, and eight others were disfranchised. Eleven others were warned to leave the colony within a given time. A court composed of ministers and magistrates already pledged to the other side was held at Newtown on August 30. Mr Winthrop presided,

¹ Strafford's *Letters and Dispatches*, vol. ii., p. 116.

and, as we are told, he showed wisdom and an excellent spirit, silencing passionate and impertinent speeches, and adjourning the assembly when he saw heat and passion. Mrs Hutchinson was next called before an ecclesiastical court. Exasperated by the hostile character of the proceedings against her, which had lasted two days, she declared that it had been revealed to her that she should come into New England, and there should be persecuted, and that God would ruin her adversaries and their posterity. This was eagerly seized upon to confirm the accusations of heresy, and for traducing the ministers and their ministry in the country she was ordered to be banished. As it was winter she was committed to the charge of a magistrate in Roxbury, the brother of a minister who was one of her principal opponents. Here she was jealously watched. The elders managed to engage her in disputes, out of which further heresies were involved, one of which was that the soul is not naturally immortal, and that the same body does not rise at the resurrection. She was then called before a court of ministers and admonished when she made a retractation of nearly all her errors, but irritated her opponents by declaring that some of the doctrines attributed to her were such as she had never maintained, which was treated as an impudent persistence in untruth. The Rev. Mr Wilson had the satisfaction of excommunicating her, and she was now expelled from the colony. Her husband had been previously removed from the list of magistrates. Many documents upon this controversy still remain. They show a cruel bitterness of feeling. Mrs Hutchinson's friends were accused

of antinomianism, as if they made no distinction between virtue and vice; but it is a common device in controversy for men to deduce from the opinions of their adversaries inferences which the latter neither adopt nor act upon. It was afterwards remarked that those thus accused of tenets leading to immorality proved by their subsequent, as they had done by their previous, conduct, exemplary in their lives and conversations.

On being banished from Massachusetts, the Hutchinsons sold their estate as best they could, and removed to Rhode Island, where she got her husband elected governor. The character of Ann Hutchinson was pursued by calumnies too foul to be repeated; but wherever she went we find proofs of her extraordinary personal influence.¹ On the death of her husband, pursued by the restless malice

¹ Winthrop records in his *Diary* that one, Mr Collins, a teacher in a school at Hartford, though warned to beware of her, was also taken with Mrs Hutchinson's heresies, and in great admiration of her, so as these, and other the like before, when she dwelt at Boston, gave cause of suspicion of witchcraft, for it was certainly known that Hawkins' wife (who continued with her, and was her bosom friend) had much familiarity with the devil in England, when she dwelt at St Ives (vol. ii., p. 9).

Mr Collins espoused Mrs Hutchinson's daughter. In 1641, this victim of the witchery of the mother or the daughter coming to Boston with his brother-in-law, they were charged with writing a letter against the churches and ministers, and punished with a fine assessed the higher "because that family had put the country to so much charge in the synod and other occasions to the value of £500." After being imprisoned for some time they gave their bonds for the fines and were dismissed.—Winthrop's *Diary*, vol. ii., p. 40.

Mr Collins, along with his wife, perished in the massacre of the Hutchinson family. One son could not have been there at the time, as he is recorded to have distinguished himself in King Philip's war, during which he was mortally wounded in an ambush.—Hutchinson's *History*, p. 292.

of her enemies, she took refuge on Long Island in a place which was disputed between the Dutch and the natives. Here she and her whole family, sixteen persons in all, were murdered by the Indians, one daughter only surviving who was carried into captivity. Instead of exciting commiseration, the tragical fate of this gifted woman was hailed as a new evidence of the abhorrence with which the Almighty regarded her heresies.

It is noteworthy that as Henry Vane was the first English statesman to advocate religious toleration, his friend Roger Williams was the first to get it adopted in the constitution of any Christian state.¹ When the general court of Massachusetts in 1657 applied to the government of Rhode Island to extend their persecution against Quakers they replied, "We have no law among us whereby to punish any one for only declaring by words, etc., their minds and understandings concerning the things and ways of God as to salvation and an eternal condition."² Lord Baltimore and his associates in the settlement of Maryland, though they extended toleration only to Christians, passed a law protecting all sects and dissentient persons, and forbidding them to call each other heretics or infidels.³

We should be loth to disturb the veneration with which the memory of John Winthrop is regarded in America. Amongst the strenuous and able men who had a share in the beginning of the great Bay State, none had a better right to be named as its founder. He

¹ These principles Roger Williams defended in 1614, in his celebrated *Dialogue between Youth and Peace*.

² This document is given in the appendix of Hutchinson's *History*, p. 526.

³ Upham's *Life of Vane*, p. 157.

spent all his wealth, all his strength, all his remaining years in fostering its early growth. From the day when the governor shared his last handful of meal with a poor man, only ten years had elapsed till he presided at the foundation of Harvard University, which now adds distinction to the beautiful city of Boston. Pity it is that two such men ever came into collision. In his opposition to Vane and his bitter persecution of the adherents of Mrs Hutchinson, Winthrop showed the least estimable traits of his character. It is, however, to be considered that after his electioneering victory he had to satisfy the vindictive feelings of his clerical allies, who encouraged him by their assurances that his oppressive measures were called for by the interests of true religion. "He was," says Hutchinson, "of a more catholic spirit than some of his brethren before he left England, but afterwards he grew more contracted, and was disposed to lay too great stress upon indifferent matters. Some writers say that on his death-bed, when Mr Dudley pressed him to sign an order of banishment of a heterodox person, he refused, saying: 'He had done too much of that work already.'"

It is pleasing to know that these two noble men in their ardour for a common cause rose above personal rivalries, and that friendly messages and letters were exchanged across the Atlantic.¹ In 1645 when

¹ Hosmer has published a letter in facsimile from the Massachusetts archives, which is in answer to one from John Winthrop, senior, delivered to Sir Henry Vane by his son, who is about to return to New England. It is dated June 10, 1645, a few days before the battle of Naseby. In this letter Vane writes: "The exercise and troubles which God is pleased to lay upon these kingdomes and the inhabitants in them teaches us patience and forbearance one with another in some measure, though there be difference in our opinions which makes me hope that from the experience heere it may also be derived to yourselves. Leastwhiles, the

some New England men got into a difficulty with the Admiralty Courts in London and were required to give bonds to the amount of £400, Winthrop records with admiration the friendly offices of Sir Henry Vane on their behalf, "although he might have taken occasion against us for some dishonour, which he apprehended to have been unjustly put upon him, yet both now, and at other times, he showed himself a true friend to New England, and a man of noble and generous mind."¹

Hutchinson also records that in the previous year "attachment was made of the effects of Alderman Berkly of London at the suit of Lady Latour, and judgment given for £2000 sterling, and no appeal admitted: heavy complaint was made against the government of Massachusetts, and they were threatened with the loss of their privileges. Sir Henry Vane stood their friend, and by his great interest with the parliament appeased their resentment and laid the storm which was gathering and hung over them."²

The name of Henry Vane is remembered as one of the founders of the State of Rhode Island. To use the eloquent words of Roger Williams: "It was not price or money that could have purchased Rhode Island, but it was obtained by love—that love and favour which that honoured gentleman, Sir H. Vane, and myself, had with the great Sachem, Miantonomo, about the league which I procured between the Congregationall way amongst you is in its freeddome and is backed with power; it teaches its oppungers heere to extirpate it and root it out from its owne principles and practice." He ends: "Pray commende me kindly to your wife, Mr Cotton and his wife, and the rest of my friends with you." —*The Life of Young Sir Henry Vane*, by James K. Hosmer, Boston and New York, 1889, p. 79.

¹ Winthrop, vol. ii., p. 248.

² MS. letter quoted by Hutchinson, *History*, p. 66.

Massachusetts English and the Narragansetts in the Pequot War. This I mention, as the truly noble Sir H. Vane had been so good an instrument in the hand of God for procuring this island from the barbarians, as also for procuring and confirming the charter, that it may be recorded with all thankfulness."¹

In 1653 Sir Henry Vane showed his continued interest in the affairs of New England by a letter which he wrote to Roger Williams, exhorting the leaders of Rhode Island not to give way to a contentious and intolerant spirit. An answer was drawn up by Roger Williams and signed by the principal inhabitants of Providence thanking him for his friendly remonstrances, and expressing the hope that "when we are gone and rotten, our posterity and children after us shall read in our town records your pious and favourable letters, and loving-kindness to us."²

¹ Hutchinson's *Historical Collections*, vol. x., p. 20.

² Upham, p. 160; and *Historical Collections*, vol. ix., p. 194, Second Series.

CHAPTER VI

State of England. Hampden's Protest against Ship-Money. Persecution of the Puritans. Leighton, Prynne, Barton, Bastwick, and Lilburne. Rise of new Sects.

WHILE Henry Vane was away across the Atlantic the doings of the court party and of the ritualists in England were getting ever more rapacious and irritating. The king's methods of raising money brought him much reproach with little gain, for a large share of the sums extorted remained in the corrupt hands of his tax-gatherers. On the advice of the Attorney-General Noy, and Chief-Justice Finch, he began to levy a tax known as "Ship-Money," at first upon the maritime towns and then upon the whole country. As Charles had no standing army to enforce swift obedience, the machinery of government had still to be worked through the old laws and customs of the realm, and the unwillingness of magistrates, judges, and juries to comply with his arbitrary commands opposed a retarding effect upon their execution; nor could the king banish from his mind a fear of the forces against which in his wilfulness he was throwing himself. The towns still elected their civic rulers, had their train bands, and managed their own internal affairs. Thus the old forms of the Constitution still remained, and only awaited a new

spirit of freedom to be used against the encroachment of the prerogative. Hence the court wished to make it believed that they were still acting under the old laws.

John Hampden, a wealthy landholder of Buckinghamshire, consulting with Bulstrode Whitelocke and Oliver St John, two able lawyers, determined to bring the legality of ship-money to the test. For this purpose he resisted a levy of 20s. When the question was brought before the full bench of judges, it was argued at great length from November 6 to December 18, 1636. St John gained great reputation for his pleading against the prerogative. It was decided in favour of the court by a majority of eight judges against four. This decision gave great grief to all moderate men, as it practically placed the property of the subjects at the mercy of the crown. Hampden in this contest showed great skill and tact, affording no opportunity for his adversaries to find fault with his conduct.

As if this was not enough to make the king unpopular, Laud went on with his inquisition about the placing of altars and his persecutions about drapery and posturing. As early as 1628, Alexander Leighton, a Scotsman, had framed a petition to parliament for the extirpation of prelacy, to which he obtained five hundred signatures, some of them from members of parliament. He crossed to Holland to get the petition printed; there it was extended into a book entitled *Zion's Plea against Prelacy*, printed for the use of the parliament. In this treatise some provoking language was used against the prelates. Leighton was brought before the Star Chamber in June 1630. The attorney-

general offered him a full pardon if he would reveal the names of those who had signed the petition, which he indignantly refused. The dauntless Puritan refused to take off his hat to the court, and declared that they had no authority to touch him. He was sentenced to be committed to the Fleet during life, to pay a fine of £10,000, his clerical dress to be stripped from his back, to be whipped at Westminster, and afterwards to be set upon the pillory and one of his ears cropped off, and his nose slit and to be branded in the face with a double S.S. The day before that fixed for his appearance in the pillory Leighton escaped; but was in a fortnight captured again. His courage did not fail him. "All the arguments brought against me," he said, "are prison, fines, brands, knife, and whip." "This is Christ's yoke," he cried, as his neck was thrust into the pillory; and as the knife of the executioner cut away his ear he exclaimed, "Blessed be God, if I had a hundred, I would lose them all for the cause." Other cruelties were to be committed on him at Cheapside, but we are told one ear was left uncropped, and the second scourging was not inflicted. He was taken back to the Fleet, where he was confined for ten years until set free by the Long Parliament.¹

William Prynne, a barrister, had made himself obnoxious by writing against Arminianism and the jurisdiction of the bishops, which he followed up by a big quarto entitled *Histro-Matrix*, inveighing against the stage, masques, dancing, and other gaities. Laud

¹ The trial of Leighton is given in Rushworth, vol. ii. Some additional particulars are given in the *Life and Letters of Robert Leighton*, by the Rev. D. Butler, London, 1903, p. 41. Alexander Leighton was the father of Robert Leighton, the Restoration Bishop of Dunblane.

set his creature Dr Heylin to pore through this austere production, who naturally had recourse to the index in which he found an unlucky entry, "women actors, notorious whores." Though this referred to the actresses of antiquity, it was pretended that the author meant to asperse the queen, who had taken part in a pastoral some weeks after the publication of the volume, and so Prynne was haled before the Star Chamber on February 7, 1634, and after a full hearing was sentenced to have his book burned by the hands of the hangmen, to be degraded from his profession, to stand in the pillory at Westminster and Cheapside, to lose both his ears, one in each place, to pay a fine of £5000, and to suffer perpetual imprisonment.¹

This cruel sentence struck men with horror and indignation; mutilation was rare in the English criminal law, and the unshrinking courage and patience of the sufferer excited admiration. Sir Simonds d'Ewes went to Prynne awhile after in the Fleet, and found in him the rare effect of an upright heart and a good conscience by his serenity of spirit and cheerful patience.²

From his prison the unconquered Puritan found means to get published some fresh pamphlets offensive to the archbishop, and so in the spring of 1637, Prynne was again brought before the Star Chamber along with two others—the Rev. Mr Burton, who had preached and published two sermons against the innovations in worship, and Dr Bastwick, a physician of Colchester, who had two years before

¹ Whitlocke's *Memoirs*, p. 18.

² *The Autobiography and Correspondence*, vol. ii., p. 105.

been censured for a Latin book denying the supremacy and the divine right of bishops. He had been fined £1000 and forbidden to practise medicine. Daring to defend his opinions in a second publication, he was now again before this vindictive tribunal. The accused could get no counsel to sign their answers. Indeed, Mr St John of Lincoln's Inn had his study searched for implicating papers on the suspicion that he had assisted Burton in his defence. Their petition that under this default they should put in answers under their own hands was also refused. The council discharged their rancour in bitter abuse of the unflinching Puritans, who boldly defended their opinions and reproached the bishops with allowing popish works to pass while they pursued every attack upon the pretensions to divine right.

Prynne was sentenced to be fined £5000, to be put in the pillory, to have the small remainder of his ears cut off, to be branded on both cheeks, and to be imprisoned for life in Carnarvon Castle. Burton was fined £1000, to stand in the pillory, have his ears cut off, and to be imprisoned in Lancaster Castle, denied all access to his wife, and the use of pen and ink and paper.

Bastwick was to be fined £5000, to stand in the pillory, to lose his ears, and to be imprisoned in Lancelton Castle in Cornwall.

Garrard writes to Wentworth, now gone over to the court and Lord Deputy of Ireland, that sixty of Burton's parishioners signed a petition to the king to pardon their pastor. "Two of them brought it in who were committed for their pains." In a subsequent letter Garrard thus writes: "In the

palace-yard two pillories were erected, and there the sentence of Star Chamber against Burton, Bastwick, and Prynne, was executed. They stood two hours in the pillory, Burton by himself, being degraded in the High Commission Court three days before; the place was full of people, who cried and howled terribly, especially when Burton was cropt. Dr Bastwick was very merry, his wife, Dr Poe's daughter, got a stool, kissed him; his ears being cut off, she called for them, and put them in a clean handkerchief, and carried them away with her." About two months after this the archbishop writes to the Lord Deputy: "But what say you to it, that Prynne and his fellows should be allowed to talk what they pleased while they stood in the pillory, and win acclamations from the people, and have notes taken of what they spake, and those notes spread in written copies about the city?" etc.¹ Later still Garrard writes that "there was not less than one hundred thousand people gathered together to see Burton pass out of London; his wife went along in a coach, having much money thrown to her as she passed along." It was jealously noted that friends came to greet and comfort Prynne by the way to Carnarvon, and some of them were summoned before the York Commission and severely dealt with therefor. Laud did not look in vain to Wentworth for friendly sympathy. "Mr Prynne's case," observes the stately Lord Deputy, "is not the first wherein I have resented the humour of the time to cry up and magnify such as the honour

¹ Strafford's *Letters*, vol. ii., pp. 57, 85, 99, 114, 119, and 136. The petitions of Prynne, Burton, and Bastwick, to the Long Parliament, are to be found in Rushworth's *Historical Collections*, vol. i., part iii.

and justice of the king and state have marked out and adjudged mutinous to the government, and offensive to that belief and reverence the people ought to have in the wisdom and integrity of the magistrates.”¹

In another long epistle to the archbishop his lordship deems it “strange indeed to see the frenzy which possesseth the vulgar nowadays ; and that the just displeasure and chastisement of a state should produce greater estimation, nay reverence to persons of no consideration either for life or learning, than the greatest and highest trusts and employments shall be able to procure for others of unspotted conversation, of most eminent virtues and deepest knowledge.” How grievous that the Lord Deputy should not obtain at once the glory of martyrdom and the wages of apostasy !

He judges that the cure will be effected rather by corrosives than lenitives ; less than Thorough will not overcome it ; there is a cancerous malignity in it which must be cut forth. He thinks that Hampden and that nation of people who oppose all civil and ecclesiastical authority should be whipped home into their right wits. Perhaps it was an exacerbation of the gout which made the *quondam* patriot so vicious. “It is worse,” he writes, “than it has ever been before. I see infirmities with years grow upon me.” Wentworth was then no older than forty-four.

A decree was made in the Star Chamber in July 1637 prohibiting the printing of any work without a

¹ There is still extant an Order of Council, September 10, 1637, to find out who resorted to Prynne and Henry Burton on their way to imprisonment, and who gave them money, courtesy, or encouragement. *State Papers*, Charles I. Dom., vol. ccclxvii, p. 414.

licence from the Archbishop of Canterbury or the Bishop of London. It was noticed that they refused to license any books written against popery and Arminianism, and even refused permission to reprint Foxe's *Book of Martyrs* and Bishop Jewel's works.

John Warton and John Lilburne were brought before the Star Chamber for printing contrary to this decree. Refusing to answer, they were imprisoned and sent to the pillory. Lilburne, then no older than nineteen, especially provoked the court by his bold demeanour, and was whipped at the cart from the Fleet to Westminster. "On the way he uttered many bold speeches against the tyranny of the bishops, and while his head was in the hole of the pillory he took out of his pockets sundry copies of pamphlets and tossed them among the people, whereupon the Court of Star Chamber (then sitting) being informed, immediately ordered Lilburne to be gagged during the residue of the time he was to stand in the pillory; he now stamped with his feet, thereby intimating to the beholders he would still speak were his mouth free."¹ The court immediately decreed that Lilburne should be laid alone with irons on his hands and legs in the wards of the Fleet.

The Non-conformist clergy turned out of their benefices were sustained by the zeal of their flocks. Some were kept as tutors or chaplains in wealthy Puritan families; others wandered about lecturing or preaching. In the end many of them were chased away, silenced, or imprisoned. This did not bring back the people to the prelatie fold: some of the more fervid of the laity

¹ Rushworth, vol. ii., p. 466.

took to preaching and praying within families and larger gatherings. With their constant studies of the bible they evolved new views which soon led to great diversities of opinion and the formation of new sects.

CHAPTER VII

Sir Thomas Wentworth. A Leader of the Country Party. Passes over to the Court. Made Lord Deputy of Ireland. His Scheme of "Thorough." His Administration of Ireland. His wholesale Confiscations. His Treatment of Lord Mountnorris and Lord Loftus.

THOMAS WENTWORTH, born on April 13, 1593, came of an old family in Yorkshire. When he was no older than eighteen he married the Lady Margaret, eldest daughter of the Earl of Cumberland. Three years after, by the death of his father, he came into possession of the estate of Wentworth-Woodhouse, which was worth £6000 a year. His wife died after eleven years wedlock, and eighteen months after, Wentworth married Arabella Holles, younger daughter of the Earl of Clare, and sister of Denzil Holles, a bold opponent of the king in parliament. She was "a lady exceedingly comely and beautiful, and yet much more beautiful in the endowments of her mind." She died in 1631, and the year after, when he became the king's deputy for Ireland, he was privately married to a lady of less exalted rank. Eager for power, Wentworth had sought to ingratiate himself with the Duke of Buckingham, who would not suffer any one to gain favour with the king save through himself. There is still extant a letter from Wentworth to Lord Conway dated January 20,

1625-26,¹ in which he solicits Conway's good offices with the favourite to be made president of the north. Failing in this application, Wentworth now turned against Buckingham. He sat in the parliament of 1625 as knight of the shire for Yorkshire.

Fearing his opposition in the parliament of 1626, the court got him pricked as Sheriff of Yorkshire, so that he might be incapacitated from holding a seat, and he was summarily dismissed from his office of *custos rotulorum* while seated on the bench at York. In May 1627 he was, along with his friend, Sir George Radcliffe, committed a prisoner to the Marshalsea for refusing the royal loan. He was released after six weeks, but was kept under arrest at Dartford till the end of the year, when he again served in the third parliament of Charles I. Wentworth now joined with Eliot, Pym, and other opponents of the arbitrary actions of the king, and his boldness and powers of speaking soon made him formidable.

The assassination of the duke on August 23 of that year removed his adverse influence. After using his powerful eloquence to carry the Petition of Right, Wentworth turned against his party in the last debate.

Men like Wentworth are spirited to resist oppression directed against themselves; but are ready to employ it against others for their own aggrandisement. Charles I. repeatedly showed himself anxious to gain over the ablest of his opponents. He was notably successful with Montrose, Falkland, and Hyde.

¹ This letter was published for the first time in *The Life of Thomas Wentworth, Earl of Strafford*, by Elizabeth Cooper, London, 1874, vol. i., p. 27. It had been already quoted in Forster's *Life of Sir John Eliot*, London, 1864, vol. ii., p. 219.

Wentworth now listened to his overtures, and without any explanation, turned against his political friends. It was certainly not for past services to the crown that he was made Baron, then Viscount Wentworth, privy councillor and president of the north, the post which he had in vain solicited from Buckingham. To Charles Stuart he was willing to use the language of fulsome flattery, for he realised that the king alone could gratify his love of power ; as he put it, he was willing to be the king's creature, but not to go much less as to be the creature of any other man. As an opponent of the crown he could only hope to gain influence without power. Amongst the parliamentary men he had able competitors ; he could scarcely hope to lead, and was not content to follow. Though he had most carefully cultivated his rhetorical talents, he naturally preferred the exercise of direct power to fame as an orator or popularity as a patriot. As president of the northern council, Wentworth entered upon wide power over the country from the Humber to the Scottish frontier, which he extended and abused in defiance of the law. In 1633, as Lord Deputy for Ireland, he found a suitable field for his commanding energy and great administrative capacity. From the outset it was his avowed object to make the king absolute, to raise a revenue which might assist him in doing without a parliament on the other side, and to give him counsels through which he might reduce the remaining liberties of England to an empty form.

There is no proof that Wentworth had any speculative preference for despotic rule over limited monarchy ; but, if Charles Stuart were to be sultan,

Thomas Wentworth should be his Irish satrap and the tyrant of the northern counties. The one was not to go without the other.

Wentworth was a man of tall stature with a forward stoop from the neck; he had dark hair, with a cloudy countenance and habitual frown. His imperious manner, rough speeches, and choleric temper, made him many enemies. Queen Henrietta never was his friend. Some requests made by her to him when Lord Deputy are preserved amongst the correspondence, which were met with polite refusals.¹ His friend, Sir George Radcliffe, tells us that he was very temperate in his habits, yet he was much subject to gout, and though he could be genial with a few friends, smoking and jesting, he maintained at Dublin unwonted sobriety and decorum on public occasions.

Sir Thomas Roe, a veteran diplomatist of those times, in a letter to Elizabeth, the Electrix-Palatine, in 1634, thus traces the character of Wentworth, then commencing his career as Lord Deputy for Ireland: "He is severe abroad and in business, and sweet in private conversation; retired in his friendships but very firm; a terrible judge and a strong enemy; a servant violently zealous in his master's ends and not negligent of his own; one that will have what he will, and though of great reason, he can make his will greater when it may serve him; affecting glory by a seeming contempt; one that cannot stay long in the middle region of fortune, but *entreprenant*."

¹ The Earl of Strafford's *Letters and Dispatches*, with an Essay towards his Life by Sir George Radcliffe, from the originals in the possession of his great grandson Thomas, Earl of Malton, Dublin, 1711.

He will either be the greatest man in England or much less than he is."

The portrait of Wentworth by his rival in parliament, Sir John Eliot, made twelve years before his fall, shows how truly Eliot discerned both the strong and weak points of his character: "There was in that gentleman, a good choice of parts, naturall and acquisit, and not less opinion of them. A strong eloquence he had, and a comprehension of much reason. His arguments were weightie and acute, and his descriptions exquisit." "His abilities were great, both in judgment and persuasion; and as great a reputation did attend them. But those manie and great virtues, as Livy saies of Hanniball, as great vices parallel'd. Or rather, they were in him, as Cicero notes in Catiline, *signa virtutum*, formes of virtue onlie, not the matter; for they seldom were directed to good ends, and when they had that colour some other secret mov'd them. His covetousness and ambition were both violent, as were his waies to serve them." "And those affections raised him to so much pride and choler, as anie opposition did transport him. Which rendered him less powerful to his adversaries, where the advantage was followed and perceaved."¹

One can scarcely believe that a man of Wentworth's mental power could really have had the high esteem he professed for Laud; but at any rate he considered the archbishop's support at the king's council as of the greatest value. From the letters which passed between them we know that both heartily joined in the nefarious scheme of "Thorough," making

¹ Forster's *Life of Sir John Eliot*, vol. i., p. 283.

the king above the law and independent of parliament. It is noteworthy that the politic Lord Deputy never advised the churchman to abate the teasing tyranny which was uniting two kingdoms in a common passion of detestation. They went on in their way of provoking and enslaving their countrymen with no appreciation of the vast momentum of the opposition gathering against the royal prerogative which they fancied they were strengthening. Though provoked by the "censures of the Prynnes, Pims, and Bens, with the rest of that generation of odd names and natures," Wentworth writes to Laud "that to start aside for such panic fears, phantastic apparitions, as a Prynne or an Eliot shall set up, were the meanest folly in the whole world." Yet he knew that he had many enemies; in Ireland he dreaded the dagger of a Felton or a Ravailac; in England his principal fear was losing the king's favour through adverse reports.

Wentworth had suffered imprisonment for refusing a loan in a season of much greater difficulty than that in which Hampden had contested the imposition of ship-money, yet he could write: "In truth I still wish and take it also to be a very charitable one, Mr H[ampden] and others to his likeness were well whipt into their right senses; if that the rod were so used as that it smarts not, I am the more sorry."

Wentworth had more power in Ireland than Charles in England. His impulse was felt in every branch of government. Constantly at work himself, he gave his subordinates little rest, though he liberally rewarded those that pleased him: as he pointedly re-

marked in a letter to the king : " Not one man of very many serve their masters for love, but for their own ends and preferments ; and he is in the rank of the best servants that can be content to serve his master together with himself." Those who dared to cross him soon found reason to regret it.

By well-laid schemes he gained a majority in the Irish parliament, so that they granted him such subsidies as he demanded. He strictly forbade any private conferences of the members, so that they were timid to oppose measures when assembled, not knowing what support they might count on. The only difficulty was whether the Irish people could bear all his taxes, customs, and monopolies, so he took sagacious measures for raising the national wealth, and was ready to defend the poor against powerful oppressors. When he came over, the Irish seas were infested by pirates, Biscayans, Dunkirkers, Algerines, and others who boarded and set on fire ships in sight of Dublin.

The Salee rovers, in their quest of prey, reached the remote shores of Iceland. They plundered villages on the Irish coast, and were actually allowed to march their captives through France from Rochelle to Marseilles. Owing to the success of Rainsborow's expedition to Salee, and to some vessels armed by Wentworth to protect the Irish seas, trade became safer and more active, and the exports increased by a third in value. Seeing that the Irish women were bred to spinning, and the soil good for growing flax, Wentworth procured better seed from Holland, and got workmen to set up looms, and thus fostered an industry which is still flourishing ; though with a selfishness too common in English dealings with Ireland, he

repressed her rising wool manufactures.¹ In truth the Lord Deputy did not profess to have any farther benevolence to Ireland than a farm steward has for the welfare of his master's live stock. The statements repeated by careless writers about the increased prosperity of the island under Strafford's government are principally admissions of what he himself claimed. His adversaries maintained at his trial² that the country was in a flourishing state when he assumed the government, and that it was oppressed and impoverished by him.

It was proved at his trial that the Lord Deputy made arbitrary orders about the reeling of yarn and thread, after a fashion in which the people were

¹ In the old Brehon laws the Irish farmers were ordered to practise the cultivation of flax. Wentworth writes to Sir Christopher Wandesford (*Letters*, vol. ii., p. 19) that "there was little or no manufacture amongst them, but some small beginnings toward clothing trade, which I had and so should still discourage all I could, unless otherwise directed by his majesty and their lordships, in regard it would trench not only upon the clothings of England, being our staple commodity, so as if they should manufacture their own wools, which grew to very great quantities, we should not only lose the profit we made now by indraping their wools, but his majesty lose extremely by his customs ; and in conclusion it might be feared, they would beat us out of the Trade itself by underselling us, which they were well able to do. Besides in Reason of State, so long as they did not indrape their own wools, they must of necessity fetch their clothing from us, and consequently in a sort depend upon us for their livelihood, and thereby become so dependent upon this crown, as they could not depart from us without nakedness to themselves and children." In the same vein Wentworth wrote to the king from Chester (July 16, 1633), "to serve your majesty compleately well in Ireland we must not only endeavour to enrich *them*, but make sure still to hold them dependent upon the crown and not able to subsist without *us*; which will be effected by wholly laying aside the manufacture of wools into cloth or stuff there, and by furnishing them from this kingdom, and then making your majesty sole merchant of all salts on that side : for thus they shall not only have their clothing, the improvement of all their native commodites (which are principally preserved by salt), and their victual itself from hence."

² See *State Trials*, London, 1719, vol. i., p. 327, and *Historical Manuscripts Commission*, Tenth Report, Appendix, part vi., p. 139.

unpractised. He actually issued a warrant that such skeins as were not made up as prescribed should be seized and forfeited. In Ulster many people depended upon the sale of the yarn which they made during the winter to pay their rents. Afraid to expose their produce at the markets they tried to make private sales, when the deputy's pursuivants waylaid the poor people, took away the yarn from the merchants, and even entered private houses, and tore the yarn from the hands of the women. The products thus obtained were confiscated for the Lord Deputy's behoof and taken to the looms which he had set up. This was done on so large a scale as to reduce many families to misery and starvation. Sir John Clotworthy¹ who wished to protect the people and wrote to the Lord Deputy showing how the business was abused, got a letter from his secretary that it was very ill taken that he interposed in anything wherein my lord was concerned. When men are sent to do such work they may be expected to abuse their commissions, so it was not a sufficient excuse for Wentworth to throw blame upon his tools. His agents were also accused of making iniquitous gains upon the customs of commodities such as hides and wool which they valued above the real prices. The claim that under Wentworth's rule the customs were increased four-fold is rather a proof of the exactions of his tax-gatherers than of the prosperity of the country, and the statement that for every ton of shipping which

¹ See *The Tryal of Thomas, Earl of Strafford*, by John Rushfort, London, 1680, p. 418; also, Baillie's *Letters and Journals*, Edinburgh, 1775, vol. i., letter 28, p. 277.

was in the nation when the Lord Deputy came there were now a hundred may be put down as sheer bounce.¹

It would be impossible to give any adequate notion of the overbearing rapacity, brimming-over insolence, and merciless hatreds of this man, without going into farther details than our plan allows. With the one design to increase the king's revenue his venal lawyers were sent through Ireland to find flaws in the possession of estates long enjoyed. Any pretext was good enough, defective titles, neglect to pay old cesses, defaults of rents, failures of penalties for rebellion of ancestors, forgotten or allowed to lapse. He even courted resistance that his forfeitures might be made more sweeping. Wentworth's claims for his unworthy master comprised almost the whole province of Connaught save the county of Leitrim. They were brought before juries studiously packed and tempted by covetousness and fear, who all granted him what he demanded in Roscommon, Sligo, and Mayo; but in Galway the influence of Earl St Albans, a great proprietor, was so far effective that a jury found against the king, mainly on the plea that Connaught had not been conquered by Henry II. (460 years before), but had only submitted to him, and so the king did not acquire the property of the lands with the dominion. But they were quickly taught that juries were intended not to judge what they thought right, but to cover the injustice of the Lord Deputy. The jurors were tried for attempting to defraud the king, and fined £4000 each, to be imprisoned till the fines were paid, and were com-

¹ See Carte's *Life of the Earl of Ormonde*, London, 1736, vol. i., p. 87.

pelled upon their knees to acknowledge in court that they were guilty in not finding the king's title good.

A nephew of Lord St Albans was fined £500 because he pulled a brother jurymen by the sleeve while the Lord Deputy was speaking to him. Wentworth got the fort of Galway repaired, brought a regiment of infantry and a troop of horse into the county, and wrote to the king to confirm his action, and forbid Lord St Albans to leave England, and his son to defend their property in Ireland. The king's title to Connaught by conquest was declared good, and the holders of estates were obliged to submit when they received patents on paying large sums into the exchequer. The king approved of the proceedings of his faithful proconsul. In Ulster large sums were raised by fines upon grants for plantations declared to be illegal or to have been forfeited for some breach or neglect of covenant. The city of London was summoned for non-performance of certain articles in their covenant of the plantation of Londonderry and Coleraine. The case was brought before the Star Chamber; the lands were declared forfeited, and a fine of £70,000 imposed. It was a maxim of Wentworth's policy to oust the Catholics and the native Irish for English proprietors, and the sudden dispossession of so many families from estates which they had held unchallenged through generations, on grounds only understood as mere pretexts, with the other acts of high-handed injustice of the Lord Deputy, provoked a deep sentiment of wrong and hatred which led to a bloody revenge.

Nevertheless the immediate results were pleasant

to his master. He soon paid off the king's debts in Ireland, and as early as December 1634, he was able to write "the king is as absolute here as any prince in the whole world may be, and may be still if it be not spoiled on that side." In six years he was able to transmit to his master a yearly subsidy of about £60,000, and maintained a standing army of 2000 foot and 1000 horse, carefully recruited, well armed, and disciplined, besides ordnance, military stores, and ships of war.

The Lord Deputy was put out of humour by courtiers now and then appearing to realise lavish grants from the king of estates in Ireland, or what was worse, with orders to pay large sums out of the treasury. Then there would come over his haughty head messages conferring appointments on unfit persons, pardoning offenders with whom he wished to deal severely, or remitting fines or awards after they had been paid into the treasury or to the aggrieved persons. Against these inconsiderate derangements of his political machinery Wentworth would indite telling remonstrances. Yet if the excellent king were to be made absolute, why should he not do what he desired? or was his deputy's sense of what was prudent to stand in the way any more than the mere rights of his Irish subjects? Wentworth's knowledge of history might have taught him that it is dangerous to increase a monarch's power without increasing his capacity, and that absolute power includes the right to misgovern. Amidst the strenuous and unremitting attention to all the details of government, the cries of suffering and weariness escape from the overburdened Lord Deputy. He was tormented with

gout, and paroxysms of pain, apparently from renal calculus, which kept him in misery for days and nights at a time.

He complains of an intermitting pulse and night sweats and dimness of sight which scarcely allow him to see what he wrote, and his only consolation was the enjoyment of power and the progress of the work of reducing Ireland to a tame subjection to the Stuart king. His unquiet thoughts gave him no peace. He knew that, save Laud, he had scarcely a friend at court. In his letters and dispatches he keeps busy defending himself against anticipated or real attacks, "those shameless impudent untruths which have ever as so many ghosts haunted me in every place where I have lived." In reply to a prayer for an audience to prevent his master's ear being abused by malicious reports, Charles wrote that he gives little welcome to accusers and a willing ear to his servants. But Wentworth knew the king's character better than he did himself: he knew the inconstancy of his resolutions, the unequal frame of his mind, and justly feared that devoted service might not always be a shield against incessant attacks.

It was a main feature in Wentworth's policy to terrify and humiliate all who opposed him. Arthur Annesley had raised himself from a low rank by time serving arts to become Lord Mountnorris and Vice-Treasurer of Ireland. He was a permanent official who had seen many deputy-lieutenants, and it was said that after each had quitted Ireland he was sedulous to record their mistake and injure their reputation. On April 7, 1635, Wentworth had written to Secretary Coke complaining that Mount-

norris was most impertinent and troublesome in the debate of all businesses, and that he was a man of scandalous life, and a tricky gamester, and proposing that he should be deposed and his office given to Sir Adam Loftus. The obnoxious treasurer had escaped attack; but he was captain of a company of Foot, and Wentworth was both Lord Deputy of Ireland and general of the little standing army of Ireland, so Mountnorris was amenable to martial law, and martial law is much what the general makes it. Wentworth in his letters to Laud expresses his desire to get rid of the common lawyers, for though the lawyer may not be attached to justice he is always attached to forms, and this made injustice slow. Tale-bearers reported a saying of Lord Mountnorris through which he might be brought before a court-martial. A report not extant was transmitted to King Charles, who declared it to be an offence much unbeseeming the gravity of a privy councillor and the duty of a captain to his general, and not to be suffered in any well generalled army. The Lord Deputy now calls a council of war and charges the said Mountnorris with the offence which is thus stated in the report of the court-martial: "That within three or four days, or thereabouts, after the end of the parliament, it being mentioned at the Lord Chancellor's table, that after we the Lord Deputy had dissolved the parliament, being sitting down in the presence chamber, one of our servants, in moving a stool, happened to hurt our foot, then indisposed through an accession of the gout; that one, then present at the Lord Chancellor's table, then said to the Lord Mountnorris, being there likewise, that it was Annesley his Lordship's kinsman,

and one of the Lord Deputy and general's gentlemen ushers, that had done it; Whereupon the Lord Mountnorris then publickly and in scornful, contemptuous manner answered, 'Perhaps it was done in revenge of that publick affront which my Lord Deputy had done him formerly, but he has a brother that would not take such revenge.'

Six months had elapsed between this saying and the Lord Deputy's action upon it. Lord Mountnorris at the council of war protested that he intended no prejudice or hurt to the person of the deputy and general, and that he meant only his "brother would die before he would give the deputy occasion to give him such a rebuke."

It was explained in the report of the trial that the affront spoken of amounted to this, "that his said kinsman, being one of the horse troop commanded by the Lord Deputy, in the time of exercising the said troop was out of order on horseback, to the disturbance of the rest then in exercising; for which we the Lord Deputy, in a mild manner reprovng him, we observe him to laugh and jeer us for our just reproof of him, which we, disliking, returned to him, and laying a small cane which we then carried on his shoulder, yet without any blow or stroke then given him, therewith told him that if he did serve us so any more, we would lay him over the pate." Mountnorris was brought before a court-martial made up of sixteen officers of rank. The Lord Deputy sat watching the proceedings silent all the while, as he anxiously explains. With one voice the council adjudged Lord Mountnorris, for his said high and great offences, "to be imprisoned, to stand from henceforth deprived of all

the places with the entertainment due thereto, which he holds now in the army, to be disarmed, to be banished from the army and disabled for ever bearing office therein hereafter, and lastly to be shot to death, or to lose his head at the pleasure of the general." This was dated December 12, 1635. Hatred is a bad counsellor, and the imperious Lord Deputy found reason to suspect that they in their court-martial had overshot the mark. Three days afterwards he wrote to Mr Secretary Coke asking warrant from his majesty to pardon the death sentence. In another letter, eighteen days later, Wentworth writes that, "Howbeit I hold the sentence most just, yet were it left me in my choice whether he must lose his head or I my hand this should redeem that." In the same letter the merciful Lord Deputy forwarded a copy of the charge against his lordship of sundry corruptions and misdemeanours in the execution of his office as vice-treasurer which set the king on to direct that four privy councillors should be sent to examine the papers. Across the Irish Sea this affair began to be noised about. The king, taking the part of his deputy, hushed open censure at court; but if Mountnorris had few friends, Wentworth had many enemies, and the utter disproportion of the sentence could not fail to strike even the dullest.

The death sentence was soon remitted by the king. There is still extant a touching letter from Lady Mountnorris¹ to Wentworth on behalf of her husband, who had "suffered in honour, health, and imprisonment for a word misinterpreted, and already

¹ State Papers collected by Edward, Earl of Clarendon, Oxford, 1777, vol. ii., p. 415, and vol. iii., p. 216.

unto twenty thousand pounds lost in estate." In answer to her petition his majesty was pleased to grant (July 18, 1636): "That upon such a submission made by the Lord Mountnorris, as the Lord Deputy shall approve of, he shall have his liberty to come into England; whereof the Lord Deputy is to take notice and give order here accordingly.

"FRANK WINDEBANK."

But it did not suit Wentworth that his victim should get out of his grasp. Writing from London a week after this, he thus instructs Sir Christopher Wandesford, who was doing duty for him in Ireland: "Albeit you receive any direction from Secretary Windebank for his lordship's coming over, yet respite it in any case till you have advertised me."

Lord Mountnorris did not get away till the middle of June 1637, eighteen months after the court-martial. The exulting Lord Deputy writes: "At his departure hence, he seemed wondrously humbled, so I told him I never wished ill to his estate, nor person, further than to remove him thence, where he was as well a trouble as an offence unto me; that being done (howbeit through his own fault with more prejudice to him than I intended), I could wish there were no more debate betwixt us, told him that if he desired it, I would spare my prosecution against him in the Star Chamber there. He seemed thankful, but to the intent he might recover my good opinion, he desired to answer the bill, that so by his oath, I might be satisfied how innocent he was of having his hand in any such foul slander against me." This practical Machiavel little dreamed on what future

occasion he should see the man upon whom he had so wantonly trampled.

The Viscount Adam Loftus, Lord Chancellor of Ireland, in his turn became the victim of the imperious Lord Deputy, by refusing to obey a direct order to make a settlement of his land on the occasion of the marriage of his eldest son. He was thrown into prison and forced to give up the great seal which he had held for twenty years. The odium caused by this arbitrary interference with private rights was increased by the knowledge that it was pressed by a petition from the daughter-in-law with whom it was thought Wentworth had an over great intimacy, as was subsequently proved by letters found after the lady's death.¹ Loftus was magnanimous enough not to press his wrongs against Wentworth when in the grasp of his enemies, for which mercy the humbled oppressor was fain to thank him.²

¹ See Clarendon, vol. i., p. 222 ; and *Memoirs of the Reign of Charles I.*, by Sir Philip Warwick, Edinburgh, 1813, p. 126 ; *State Tryals*, London, 1719, vol. i., pp. 336-342 ; also, the *History of Ireland*, by Thomas Leland, D.D., London, 1773, vol. ii., p. 40.

² See his letter dated Tower of London, December 19, 1640, in *Carte's Life of Ormonde*, vol. iii., p. 28.

In the *Memoirs of the Verney Family during the Civil War*, London, 1892, there are letters never intended for publication, which show the wide dislike with which the "sowre deputie" was regarded, see vol. i., pp. 201, 221, 222, 232. In 1636, Ralph Verney writes from England to Lord Dillon, who was then on Wentworth's suite : "If my Lorde Deputies cominge into England may a cause to draw you hither, the sooner hee comes, the welcomer hee shall bee to mee, though I confesse I know but few that are fond of his presence."

When Strafford's rule in Ireland had come to an end, Sir John Leeke, a retired officer living in Ireland, wrote to Sir Edmund Verney in December 1640 : "I writ this purposely to give you to understand of the petition and remonstrances our Lower House of Parliament submitted to the new deputie (Wandesford), and that they might be suffered to go into England, a selected committee to make good the grievances, for we groan insufferedly under them."

CHAPTER VIII

The Reformation in Scotland. Presbyterianism. Laud's Service Book arrives in Edinburgh. The Solemn League and Covenant. Its Successful Resistance. Sir Henry Vane made Treasurer of the Navy, and Member of Parliament for Hull. The Short Parliament. Second War with Scotland. Sympathy of the Puritans with the Scots. Their Success. Meeting of the Long Parliament.

THE Reformation in Scotland had taken a different course from what it did in England. Not imposed upon the people from above it had been accepted by every rank save in some parts of the north. The model of church government brought by John Knox from republican Geneva allowed the laity a participation in the government of the church which naturally made the people take a deeper interest in its affairs. The kirk-sessions, the presbyteries, and the provincial synods were so many courts, each higher and wider, in which ministers and lay elders sat judging of matters of order, discipline, religion, and morals. The supreme court was the General Assembly, of which some of the highest nobility and many of the gentry were members. In those days when religion was so much mixed with politics it constituted a substitute for a parliament. A portion of the large lands and revenues of the old Romish Church had been saved for the sustenance of the Presbyterian ministers, and a share was also reserved for the

erection and up-keep of schools under the wing of the church. The awakened intelligence of the Scottish people was nursed in the study of the bible. From the churches and the schools religious teaching passed into every household. King James had managed cautiously to introduce bishops as overseers into the kirk. At first they were well chosen, and taken from the ranks of the ministers, they were careful of what they did. As they passed away their successors, selected for their obsequiousness to those above them, became more overbearing to those below them, and increased the dislike in which the prelates were ever held.

“David,” said James to Mr Fergusson, the oldest minister in the church, “why may not I have bishops in Scotland as well as they have in England?” “Yea, sire,” replied Fergusson, “ye may have bishops here, but remember ye must make us all bishops, else will ye never content us.”

Within the kirk there was little variation or dissent in doctrines. The theological system of Calvin was branded in by hell-fire. To those whose minds were strained by anxiety whether they were on the list of the elect, the amusements of life had no attraction, and indeed were looked upon as concealing the snares of the devil, who in those days was a real person not a phrase. The members of the church courts watched over the ways of all around. Searchers were employed to enter houses, and those found at home during church service were summoned before the kirk-sessions and fined. Once a day going to church was not enough. Those who did not join in the psalmody were also fined: if they could not sing at the worst

they could bawl. Putting clothes out to dry, or driving a cow out to grass on Sunday, were punishable offences. Culprits were sentenced to stand in linen at the church doors during service.¹ The extreme penalty was excommunication fraught with religious terrors and entailing social ostracism and civil disabilities. Accidents and diseases of all kinds were attributed to witchcraft, and the number of wretched women denounced for this imaginary crime and handed over to the civil courts to be burned was atrociously large. Thus the life of the Scottish people was grave, austere, and gloomy, utterly dominated by a sombre theology.

Eight years after his accession to the English throne, Charles went to the land of his birth to be crowned King of Scotland. There he offended the nobles, who were still very powerful, by his haughty and reserved demeanour; what was worse, he brought Bishop Laud with him. The meddling prelate alarmed the ministers, who spread their fears and dislike over the whole country. In 1637 Laud, now archbishop, thought the time was come for extending his ecclesiastical sway over the northern kingdom. In 1637 a service book, according to his innovating views, was sent with an order that it should be used by every minister in Scotland. The order came before the books. The ministers took short time to examine them, and warned the people of their contents. An attempt to read the liturgy in the High Church of Edinburgh ended in a riot in which the Bishop of

¹ I have verified these details from extracts from the records of the Presbytery of Dalkeith and the Kirk-Session of Lasswade, made by my friend, the late Mr Christopher Aitchison.

Edinburgh was pelted with stones. This tumult roused the whole country, and supplications were sent to the king for the suppression of the service book. When a new proclamation arrived enjoining obedience to the obnoxious canons, a spirited protest was delivered on February 20, 1638, to the privy council in Stirling, and on March 1 the declaration known as the Solemn League and Covenant was signed by thousands of all conditions in the Grayfriars Church of Edinburgh. This document, sent through all Scotland for signature, was at once a bond of union and a means of distinguishing the favourers of prelacy, who found themselves in a most uncomfortable position. The Archbishop of St Andrews exclaimed in despair: "Now all that we have been doing these thirty years past is at once thrown down."

The king, thus baffled, was obliged to resort to temporising measures. He sent the Marquis of Hamilton as his commissioner in Scotland in the hopes of being able to conciliate or cajole the covenanters. The marquis felt constrained to convene a general assembly, which met in Glasgow (Nov. 21, 1638). It consisted of 140 ministers, 98 elders, of whom 17 were noblemen of the highest rank, 9 were knights, 25 landed proprietors, and 47 burgesses. Some of the noblemen and gentlemen brought their armed retainers with them in case the marquis should attempt to overawe the assembly. Hamilton presented them with a proclamation, in which the king gave up the service book and subsequent orders to enforce it; but when they began to censure the prelates he as commissioner declared the assembly

to be dissolved in the king's name. The moderator refused to discontinue the sittings. Supported by Argyll and other powerful noblemen, the assembly then declared null the "six unfree and unlawful assemblies" held by James from 1606. They then condemned the service book and the ecclesiastical canons, unanimously voted the removal of prelacy, and restored the Presbyterian government. They then proceeded to the censure of the prelates. Two archbishops and six bishops were excommunicated, four deposed, and two suspended. These bold proceedings touched the king, both in his pride of prerogative and his conscience, as the defender of episcopacy. Laud blamed the direction and execution of his project, blamed the Scottish bishops, blamed the Lord Traquair, blamed everyone but himself, and got the court jester dismissed for making fun of his discomfiture. Seeing that the king was not ready for a hostile expedition, Wentworth advised him to gain time and to let the Scots begin the war. In the meantime he should drill the levies in the north and raise loans and exact taxes. He himself sent money from Ireland, promised assistance from his little standing army, and gave counsels as to how the struggle should be carried on. It was clear that the Lord Deputy had much mistaken the character and military skill of the northern people, and contemptuously ignored the sympathy between the Scottish and English Non-conformists, many of whom were readier to join the northern rebels than to fight against them. The king, however, seemed to have become awake to the value of his services. Wentworth had often solicited a higher rank and title which would add to

his dignity and usefulness in Ireland; heretofore they had been coldly met; now he was made Earl of Strafford and Raby. The latter title was chosen by him to mortify Sir Henry Vane, who was possessor of Raby Castle, the old stronghold of the Neviles, where Vane had recently entertained the king. About this time the elder Vane was made secretary in room of Sir Edward Coke, who was thought unfit from his great age. Wentworth used to the uttermost his power to get the Earl of Leicester appointed instead of Vane, but the influence of the queen was too great. The Earl of Northumberland, writing (July 16, 1640) to Leicester, whose claims he had supported, gives this testimony to his rival¹:—

“By your letter of the 10th I see you have some jealousy of Sir Henry Vane being consenting to your revocation, wherein I must crave leave to differ, having had long experience, and never had cause to charge him with unfaithfulness or greediness to get by any mean or indecent cause.”

With much difficulty a force was got together to advance to the Scottish border, and the Marquis of Hamilton was sent with a fleet and some land troops to the Firth of Forth. The Scots were ready in their defence. They had an army under the command of General Leslie, a veteran of the Thirty Years' War, on Dunse Law, who repelled an attack, and Hamilton did not dare to land in the face of the forces prepared to defend Leith.

Charles, now aware of his powerlessness, felt

¹ See Third Report of the Historical Manuscripts Commission, pp. 80 and 82.

constrained to treat with the Scots. The king encouraged their envoys to accept ambiguous terms which he never intended to carry out, and they did not rigidly examine what they were anxious to credit. So there were soon disputes about the interpretation of the treaty. The Scots were especially suspicious at the surrender of the fortifications at Edinburgh and Leith to the king's adherents. The difficulty to a pacification felt all along was that Charles only made promises in the hopes of retaining power to break them at a future occasion. The king, having now resolved to subdue the Scots, could see no other way of gaining money to carry on the war, save to call a parliament after eleven years' despotic rule.

In 1639 the younger Vane was appointed joint treasurer in the navy with Sir William Russell, a mere man of accounts who had been in the office for several years. Through the recommendation of the Earl of Northumberland, Lord High Admiral, and from gratitude for a favour shown by Secretary Vane in discharging a suit in exchequer against the town, young Vane was, with full consent, chosen member for Kingston-on-Hull.¹ To this parliament, assembled on April 3, 1640, Charles communicated a letter which some Scottish nobles had prepared asking assistance from the King of France. The Commons

¹ See Letter of William Popple, Mayor of Hull, March 21, 1640, in Public Record Office. Not having seen this letter, Mr Forster has erroneously stated that this election appears to have given great alarm at court both to his father and the king.—*Life of Sir Henry Vane*, p. 48. Clarendon writes that by his father's credit with the Earl of Northumberland young Vane was joined with Sir William Russell in the office of treasurer of the navy. The elder Vane, however, writes: "I did procure for him from the late king the office of treasurer of the navy, he having refused to grant it to him at the suit of the Earl of Northumberland, Lord Admiral."—Dalton, vol. ii., p. 112.

made little of this, and refused the subsidies asked till their grievances were redressed.

The oppressions of the previous years were recorded by Pym and others, though in language studiously sparing the king. The temper of the House was mostly conciliatory, and a motion was going to be voted upon that subsidies would be granted without fixing the amount, which was regarded as too high. The secretary, Sir Henry Vane, here interposed, saying that the king would not accept a vote of supply unless it were in the proportion and manner proposed by him in his message. This was confirmed by Herbert, the solicitor-general, on which the House determined to adjourn. Next morning Charles dissolved the parliament which had only sat three weeks.

Meeting St John, a leader of the popular party, an hour after the dissolution, Hyde observed "that his usually cloudy countenance wore a cheerful look. Hyde said that it troubled him that in such time of confusion so wise a parliament was unseasonably dismissed." St John answered: "All was well, for it must be worse before it could be better. This parliament could never have done what was necessary to be done."

Hyde maliciously accuses the secretary of hurrying the king to this imprudent step in order to gain revenge upon Strafford. He also asserts that Charles thought of recalling the parliament, which was judged too late. The dissolution, however, was quite in keeping with his usual maxims. As he wrote to Strafford: "Parliaments are of the nature of cats; they ever grow curst with age. So that, if you will have good of them, put them off handsomely when

they come to any age, for young ones are ever most tractable." Sir Henry Bellasis and Sir John Hotham were now imprisoned. Mr Carew was sent to the Tower for refusing to give up some petitions which, as chairman of committee, he had received during the session, and the house of Lord Brook was searched for papers. All the old illegal and vexatious methods of raising money were put in use.

It does not appear what part the younger Vane took in the short parliament. His post of treasurer of the navy could scarcely have been a pleasant one. Charles, occupied with his difficulties with the parliament and the war with the Scots, could spare no money to pay or feed the sailors. We have it recorded that "Sir William Russell, the senior treasurer of the navy, had been a long time out of town, and the other, Sir Henry Vane (the younger), seeing there is no money in the office, never comes near us."¹ He was knighted on June 23. About this time we know that he consorted with Pym and other parliamentary leaders, and it was no doubt owing to his father's influence that he had not broken with the court.

The newly-made earl, who had come over from Ireland with large subsidies from his terrorised parliament, urged on the king with promises of an easy victory over the Scots. Strafford's policy was simple: it consisted in the application of force and intimidation. Those who refused the king's requisitions were to be sent for and laid by the heels. Conciliation was an art which he disdained to use. Of the indignation aroused by his overbearing demeanour, by

¹ Oppenheim, p. 240.

the outraged sense of justice, and the hatred always swelling against oppression and misrule, Strafford had a delusively small estimate.

Undeterred by the check to his meddlesomeness in Scotland, and unheeding the hatred of the London mob who broke the windows of his palace, Laud still held on his course like a sleep-walker who pursues one single idea, unconscious of all around. With his majesty's approval, the convocation of the clergy continued to sit after the parliament had been dissolved, and accorded large contributions for "the bishop's war." Seventeen canons were published for the government of the church.¹ Every clergyman was ordered to read in his place of worship, four times a year, that the most high and sacred order of kings is of divine right. Inquisitorial measures were prescribed against papists, socinians, brownists, and other secretaries. Each clergyman was ordered to swear that he would never consent to alter the government of the church. So threatening an opposition did these ordinances stir up that the king, struggling with difficulties at York, was fain to order Secretary Vane to enjoin the reckless priest to desist.

The tenth prince of the unfortunate Scottish line of Stuart now led a southern army northwards against the country which had given him birth, while the friends of liberty in England trembled from the first time at the prospect of a victory of their own countrymen over their hereditary enemies: for they hoped, in the overthrow of the prince, to gain the freedom

¹ These canons are given in Neal's *History of the Puritans*, London, 1794, vol. ii., chap. vi.

of the people. While the English soldiers were unwilling to serve, the Scots were eager, enthusiastic, and well led. They crossed the border. A small engagement at a ford sufficed to make the king's troops fall back. The Scottish army occupied the northern counties. Strafford weakened by illness, his overbearing temper goaded to fury by fits of gout, found all his hopes frustrated, all his predictions belied. But his advocacy of violent measures recommended him to the king. Northumberland falling ill, Strafford was given the command of the army, although he never had any practice in war. Petitions came from the city of London and other places asking the king to treat with the Scots. Lord Wharton and Lord Howard of Escrick, who undertook to deliver some of them, were brought before a council of war. Strafford pressed that these two noblemen should be shot before the whole army. Hamilton asked Strafford if he were sure of the army. He seemed surprised at the question; but it soon appeared likely that a general mutiny would have followed if such an execution had been attempted.¹

The Scots sent commissioners to treat with the king at Ripon. They would not withdraw their army till a full peace was arranged. In the meantime they were invited to London, where they found many friends. They stipulated that their troops should be paid by the king, who had no money to pay the army which he had himself raised. The friends of liberty everywhere lifted their heads, and soon saw how strong they were. The courtiers

¹ Burnet's *History of his own Time*, London, 1818, vol. i., p. 27.

and the tools of oppression trembled at the word of a parliament. But the king saw no other way out of his position : he felt constrained to yield for a time in the hope that a returning tide might again float his stranded vessel.

On November 3, the Long Parliament first met. It was composed of men whose courage and ability had been dearly proved in the hard struggle against the king and his faction, and whose resentment had been inflamed by the arbitrary punishments many of them had suffered, as well as by the outraged rights of the nation whom they represented. Though elected under the stimulus of popular indignation, none of them were returned with the object of overthrowing the monarchy, and few of them at that time were republicans. The younger Vane, still treasurer of the navy, was returned as member for Kingston-on-Hull ; his father for Wilton. His father-in-law, Sir Christopher Wray, was member for Great Grimsby. In opening parliament the king sought to arouse the national pride against the Scots whom he termed rebels ; but the parliament had other aims in view, and regarded the Scots as useful allies. Committees were at once appointed to inquire into grievances, and petitions and complaints came pouring in from all parts. The petitions of Leighton, Prynne, Bastwick, and Burton, narrating the cruelties which they suffered, drew tears from those who listened. The House ordered their release. The Lord-keeper Finch and Windebank, deeply implicated in acts of tyranny, fled beyond seas. A list was made out of the agents of the crown who had been concerned in carrying out the measures condemned. These delin-

quents knew that, at any time, they might be called before the House to answer for what they had done. The bishops called in their pursuivants and informers, and the Non-conformist preachers boldly resumed their ministrations.

CHAPTER IX

Pym impeaches Strafford. His Trial. Evidence of the Vanes against him. His Defence and Condemnation. Abandoned by Charles I. His Execution.

WHILE still in the north, Strafford had represented to his master that his presence at the coming parliament would only excite anger and hatred. The king replied that he had need of his counsels, and that parliament would not touch one hair of his head. On November 6 Pym rose and moved that a committee of the whole house be appointed to inquire into the great oppressions complained of by the king's subjects in Ireland. The earl's friends now earnestly advised him either to remain with the army in the north, or to retire to his government in Ireland, even to go abroad till the approaching storm should spend itself; but confident in the protection of his master, Strafford set out for London prepared to accuse some of the parliamentary leaders of inciting the Scots to invade England. He reached London on November 10 utterly exhausted with his illness and the fatigue of his hurried journey. His enemies were alert, ready to strike the first blow. On the morning of the 11th Pym began the debate

on the grievances of the kingdom, calamities following in the reign of a pious and virtuous king who loved his people, and was a great lover of justice. We must inquire, went on the adroit orator, who had been able to abuse and pervert his majesty's excellent judgment, to abuse his name, and wickedly apply his authority to countenance and support his own corrupt designs. In this there was one more signal than the rest, being a man of great parts and contrivance and of great industry to bring what he designed to pass; a man who, in the memory of many present, had sat in that House an earnest vindicator of the laws, and a most zealous champion for the liberties of the people; but that it was long since he turned apostate, and was become the greatest enemy to the liberties of his country, and the greatest promoter of tyranny that any age had produced. Pym was followed by Sir John Clotworthy, a gentleman of Ireland, and others who gave instances of Strafford's arbitrary actions both in Ireland and the north. Not a single voice was raised in his favour. The parliament ordered the doors to be locked. It was determined that a committee of seven should be appointed to prepare articles of impeachment against the earl, which were soon got ready. Lord Falkland desired the House to digest many of the particulars which had been mentioned, before they sent up to the Lords to accuse him, to which Pym frankly replied: "Such a delay might put it out of their power with the king and court: Strafford would undoubtedly procure that the parliament should be dissolved rather than undergo the justice of it, or he would take some other desperate course to preserve himself, whereas, if they

presently sent up to impeach him of high treason before the House of Peers in the name of all the Commons of England the Lords would be obliged in justice to commit him into safe custody, and so sequester him from resorting to the council or having access to his majesty." To those who doubted whether the particulars alleged would amount to high treason, it was answered that the House of Commons were not judges, but only accusers, and that the Lords were the proper judges, whether such enormous crimes in one person did not amount to the highest offence the law took notice of. So it was voted that they should forthwith send up to the Lords, and accuse the Earl of Strafford of high treason. Mr Pym was chosen to be the spokesman; the doors then were opened, and most of the members accompanied their leader to the Upper House, which had been kept sitting by some peers who knew what was arranged. Most likely some one had warned the earl, resting himself from the fatigues of his journey, that a blow had been struck, for about three o'clock in the afternoon he drove to the House. He calls rudely at the door. The black rod opens, when his lordship, with a proud, gloomy countenance, makes towards his place at the board head.¹ Many voices called on him to withdraw. He was made to retire to an antechamber. After a while he was summoned to appear before the Lords, and at the bar stood John Pym with three hundred of the Commons at his back. Strafford is commanded to kneel, and

¹ Principal Baillie, who was a spectator of this scene, gives a graphic account of Strafford's Trial, *Letters*, vol. i., p. 217, letter 19 *et seq.*, which furnishes details not preserved in Rushworth's folio of the trial.

on his knees to hear the sentence, when he was delivered to the keeper of the black rod till he was cleared of the crimes the House of Commons had charged him with.

In quest of his coach he was led through the crowds, all gazing, no man capping him before whom that morning the greatest of England would have stood discovered. People cried, What is the matter? He said: "A small matter, I warrant you." Some one replied: "Yes, indeed, high treason is a small matter." He was committed to the Tower; at first many of his friends were allowed to come to see him, but soon no one was allowed in, save with the permission of parliament.

Pursuivants were sent to Ireland to open all the ports, and to proclaim that all who had grievances might come over. The parliament of Ireland, lately so subservient, had already sent a remonstrance against the Lord Deputy, before whom they no longer trembled. His right hand man, Sir George Radcliffe, was arrested. Sir Christopher Wandesforde, vice-deputy in Dublin, hearing of the prosecution, swooned away and died soon after. Strafford kept up his courage by the belief that nothing could be urged against him which should put his life in danger; any other hurt time would salve.

Parliament now ordered the release of Leighton, Bastwick, Burton, and Prynne, who were recalled from their distant dungeons, and entered London in triumphal procession, followed by thousands on horseback and foot. It was resolved that their condemnation was illegal, and that they should have reparations for their sufferings and damages. Large

sums were voted for that purpose, though it does not appear that they were ever paid.

A few weeks after Laud was sent to the Tower. The first mouldings of the indictments against both the lieutenant and the archbishop were given to Principal Baillie, deputed from Scotland to arrange a treaty. "Poor Canterbury," Baillie writes, "is so contemptible that all cast him out of their thoughts as a pendicle in the lieutenant's ear." His process, in the meantime, was put in the hands of Prynne, who was not likely to forget the loss of his ears. Against Strafford there was no lack of accusations; complaints and denunciations poured in. The injured Lord Mountnorris and Sir John Clotworthy assisted the prosecutors. Malicious slanders against the private character of the fallen viceroy showed how bitter was the hatred which he had left behind amongst the people whom he had overawed and bullied so long.

On January 30, 1641, Strafford was conducted to the House of Lords to hear the articles of impeachment, twenty-eight in number, which fill fourteen pages of the folio of Rushworth.¹ He asked for a month to prepare his answer. He was told that he must do it on the following Monday, but when it came he was so ill with gout that they had to grant a fortnight's delay.

The gist of the charge against him had been tersely summed up in the vote of the House of Commons, that the Earl of Strafford had "endeavoured to subvert the ancient and fundamental laws of the

¹ *The Tryal of Thomas, Earl of Strafford*, collected by John Rushworth, London, 1680.

realm, and to introduce arbitrary and tyrannical government," and of this we know that he was guilty. But there was no statute against subversion of the law, and Strafford had acted with the approval of the king. The definition of what was high treason had been many times stretched to include a variety of offences by vindictive monarchs who never would have consented to punishment provided for their own excesses. On reading the articles of impeachment Strafford again took comfort by the consideration that, though he could neither push back nor avoid the tide of his misdeeds, it would not reach above his head. In the charge he wrote to his wife: "I conceive there is nothing capital; and for the rest I know, at the worst, his majesty will pardon all without hurting my fortune."

Besides the assumption of undue power and tyrannical actions against individuals, Strafford was accused of giving counsels to the king to subvert the constitution and offering to bring the army in Ireland to England for that purpose. He was also accused of making illegal gains by a monopoly of the sale of tobacco, pipe-staves, and other wares.

While the earl was preparing his answers the Commons went on with the measures thought needful for redressing past wrongs, and securing their new power for the future. Peace was made with the Scots. They were thanked for their friendly services to the national cause, and a sum of £300,000 voted for their expenses in the war. Strafford's answers having been considered by the Commons, a committee of eight was appointed to conduct the impeachment before the peers, namely, Lord

Digby, Pym, Hampden, Oliver St John, Sir Walter Earle, John Maynard, and John Glyn. On March 22 the great trial was begun. Westminster Hall had been arranged for the occasion. At the top of the great chamber was the throne; below, was the woolsack for the Lord High Steward the Earl of Arundel, in front, similar seats were provided for the lord-keeper and the judges of the high courts. Towards the centre on each side were seated the peers of England in their ermine robes, their heads covered with their coronets. Stretching along both sides of the hall were eleven rows of seats, tier above tier, occupied by the Commons, and behind and at the sides, railed off for the spectators who had gained the much-sought-for privilege of admission. Further down the middle of the room was the desk with bar in front for the accused, who had four secretaries, and five or six lawyers who were provided with desks at the foot of the hall. They were allowed to give the earl counsel in questions of law, but not on matters of fact. Principal Baillie, who describes the scene for his friends in Scotland, writes that "we always behoved to be there at five in the morning and the House was full before seven."

At eight the Earl of Strafford appeared. He had been brought from the Tower guarded by 100 soldiers in six barges who were met at Westminster by 200 of the train-bands. He was dressed in black with no ornament save the George, the emblem of a knight of the garter, suspended by a gold chain. Worn with suffering, care, and toil, his tall figure bent with sickness, the fallen minister slowly walked up to the bar, saluted the court, knelt, and then stood to hear the

charge. This was read in a weak voice by the clerk of the House of Commons. The earl's answers to the several articles occupied three hours. They were read by three clerks in succession, as his friends were anxious that they might be fully heard by the assembly. This occupied the first day of the trial. On the morrow Pym sustained the charge in a long speech, powerful in form and weighty in matter, denying all merit to the deputy's Irish government, boldly inveighing against many actions which had the king's prompting and approval. Charles was listening all the while behind the curtain which, after a while, he tore down with his own hands so that the royal family sat in the eyes of all. If he counted that his presence would awe the assembly he was wrong. "In the intervals," writes Baillie, "while Strafford was making ready for answers, the lords got always to their feet, walked and chatted, the Lower House men too loud chatting. After ten, much public eating, not only of confections, but of flesh and bread, bottles of beer and wine going thick from mouth to mouth without cups, and all this in the king's eye." Witnesses were then called, of whom there were plenty. The eight members of committee succeeded one another in their unsparing attack upon his government and character. Every one knew that it was a wrestle between the parliament and the king, not a simple act of justice, but a counter stroke in defence of the liberties of the nation. If they failed Strafford would return to the privy council to prepare their own impeachments, and prompt the king to carry out in England what he had already done in Ireland, for the subversion of the constitution.

Wentworth had played many parts and played them well, for whatever he did he threw himself entirely into it with vigour and tenacity. As a patriotic resister of an illegal exaction, as the eloquent opponent of the royal prerogative in the Commons, as its high-handed promoter when president of the north, as the despotic Lord Deputy in Ireland, he had shown powers, versatile, brilliant, and solid; where he had erred was in a contemptuous estimate of the strength and abilities of his adversaries, and a foolish trust in a shallow prince, little capable of gratitude or fidelity. Now brought to bay by his enemies, he showed a new face. No more of the surly bully who had made the parliament of Ireland tremble before him, and had aroused ill-will amongst the courtiers of Whitehall; he now appeared as the ready and subtle debater, the possessor of a masterly and pathetic eloquence, and a histrionic skill which moved with pity and remorse the hearts of the great audience that crowded to hear his defence, and even drew the unwilling admiration of his unrelenting enemies. But his own misdeeds were heavy on him; when he objected to a witness, Sir David Fowlis, being called that he had a grudge against him, it was shown that he himself had ruled that a witness for the king and commonwealth behoved to be received, notwithstanding any private quarrels, to which he replied: "You are wiser, my lords, than to be ruled by any of my actions as patterns." When the accused observed that there were faction and correspondence and a strong conspiracy against him, Maynard retorted that he should not bring such a charge against the House of Commons, on which Strafford, falling on his knees, craved pardon,

and declared that he meant not to accuse any one of the honourable House, but some other persons in England and Ireland.

Though illegal and arbitrary acts, both in Ireland and in Yorkshire, were proved against the earl, and heightened the general odium against him, some of the accusations were inflated, and others could not be maintained by judicial proof. Strafford strongly insisted that even if the articles were proved, they did not amount to high treason, either separately or collectively; but the Commons wished to have his life, and unless he could be convicted of high treason, this could not be accomplished. For fourteen days Strafford struggled on through pain and sickness; on April 9 he was utterly unable to rise, but he promised to appear next day even if he should need to be carried. The Lords were impatient at the length of the trial, especially as the accusers wished to go back upon the charges to furnish fresh evidence, and the prisoner on his part asked a similar right. The Commons began to be doubtful whether they could secure a conviction; they too were uneasy at the length of the process, and feared a plot to rescue the prisoner and dissolve the House. Taking advantage of a statute of Edward III. that "the parliament only hath the power to express and declare what is treason," they now brought in a Bill of Attainder against the earl which would allow the Lower House to vote for his condemnation. This, though opposed by Pym and Hampden, who wished to go on with the impeachment, was carried by a majority, and at the same time they brought forward some evidence which

had hitherto been kept back in consideration for the younger Vane.¹

His father, wishing to have some title deeds to support the marriage settlement of Sir Harry to the daughter of Sir Christopher Wray, had given his son the key of his private cabinet, instructing him to take out the deeds in question and send them to him in Kent. Young Vane, searching in the cabinet, lighted upon some notes of a meeting of the privy council held shortly after the dissolution of the short parliament. In this it was recorded that Strafford had advised the king to bring over the army in Ireland, forcibly to levy money to conduct an offensive war against Scotland. Troubled in mind about this discovery, Sir Henry sought the advice of Pym, who prevailed upon the young man to let him take a copy of the important document. Pym now read these notes, explained how they were obtained, and called upon the younger Vane to confirm his testimony, which he did in an agitated manner, adding that he knew this discovery would prove little less than his ruin in the good opinion of his father; but having been induced by the tenderness of his conscience towards his common parent his country, to trespass against his natural father, he hoped he should find compassion from that House, though he had little hopes of pardon elsewhere.

The elder Vane, who felt his honour as a secretary hurt by this unexpected disclosure, deplored that an unhappy son of his had brought all this trouble upon

¹ The copy by him was produced in the House, and did much confirm the minds of all Strafford's witnesses; yet for young Sir Harry's cause, a very gracious youth, they resolved to make no use in public of his testimony, except in case of necessity.—Baillie's *Letters*, vol. ii., p. 289.

him. It was observed that for some time after, there was a distance between the father and son. Sir Henry, senior, admitted the correctness of the notes, and explained that the originals had been sent for by the king, and burned by his orders.¹

These notes did not profess to give the exact words used by the members of the privy council but the purport of the advices given. The Earl of Northumberland, the Marquis of Hamilton, Bishop Juxon, Lord Treasurer, and Lord Cottington, could not recall such words used by the Earl of Strafford,² though Northumberland, the Earl of Bristol, and the Earl of Holland confirmed the general tenor of his persuasions that the king might use any means in his power towards prosecuting an offensive war against the Scots, should the parliament refuse subsidies, advice which was too well in keeping with the bent of the Lord Deputy's policy.

The excitement out of doors, during the contest between such great orators, mounted day by day. "On Monday," writes Baillie, "some thousands of citizens and apprentices waited all day at Westminster, cried to every lord as they went out and in, in a loud and hideous voice, for justice against Strafford and all

¹ Whether the wording of these notes should have been taken as evidence against Strafford at the trial is open to doubt. As a matter of history their genuineness and correctness may be accepted. It is to be borne in mind that the king was present at the trial, and presumably looked over the notes in question. From the publication of the letters of Strafford and Laud we are in possession of evidence, not brought before the parliament, which leaves no doubt of their nefarious schemes to subvert the constitution of their country. The fatal words in the notes were: "They refused. You are acquitted towards God and man; you have an army in Ireland you may employ, here to reduce this kingdom. Confident as anything under heaven, Scotland will not hold out five months."

² Rushworth's *Tryal*, pp. 445-559, and Baillie's *Letters*, vol. i., p. 294.

traitors." It was reported in the House of Commons that a plot had been formed by some young noblemen to rescue the earl to which the king was privy,¹ and that the king had ordered a hundred new soldiers to be introduced into the Tower commanded by a former page of the earl's, and the governor, Sir William Balfour, stated that his prisoner had offered him the king's pardon and £22,000, and his daughter in marriage to his son if he would allow him to escape. The Bill of Attainder was rapidly passed through the Lower House.

On April 12, Strafford delivered his final defence in a speech which lasted two hours and a half. He represented that he should not be questioned for his life and honour upon a law supposed to rest upon records that have lain so many ages forgotten or neglected.

"Hard it is, and extreme hard, in my opinion, that a punishment should precede the promulgation of a law; that I should be punished by a law subsequent to the act done." He concluded his address by the following moving words: "My lords, I have now troubled your lordships a great deal longer than I should have done, were it not for the interest of those pledges that a saint in heaven left me. I would be loth, my lords—" Here, overcome by these memories, he was unable to control his tears. Recovering his voice he went on: "What I forfeit for myself it is nothing. But I confess, that my indiscretion should forfeit for them, it wounds me very deeply. You will be pleased to pardon my

¹ *The History of the Parliament of England*, by Thomas May, Oxford, 1854, p. 96.

infirmity, something I should have said, but I see I shall not be able, and therefore I will leave it."

He was followed by Glyn on behalf of the prosecution, and then by Pym, from whom the king was able to hear a very free speech against his idolised prerogative. "Nothing 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, these two hundred and forty years, it was not for want of law, but that all that time hath not bred a man bold enough to commit such crimes as these, which is a subject much aggravating his offence, and making him no whit less liable to punishment, because he is the only man that in so long a time hath ventured upon such a treason as this."

St John followed in a stern denunciation. Two hundred and four members of the Lower House voted for, fifty-nine members voted against, the Bill of Attainder, the latter on the ground that the misdemeanours proved against the earl did not amount to high treason. Amongst them were Lord Digby, who had been a member of the committee of the prosecution, and the learned John Selden, whose attachment to precedents made him reluctant to strain the law to a new departure.

On April 29, the bill was brought up to the Lords by Oliver St John. To avert it the king called the two Houses together and addressed them in a prepared speech: The earl, he said, had been guilty of misdemeanours so grave that "he was not fit to

serve in any place of trust, no, not so much as to be a high constable"; but he could not think him guilty of high treason. His majesty farther protested that his intention "was ever to govern according to law and no otherwise," an assertion which could not add weight to his testimony. Before passing the Bill of Attainder the Lords consulted the bench of judges, who unanimously declared that the offences proved against the earl amounted to high treason, yet the bill only passed by twenty-six peers against nineteen, on May 8. They treated the case judicially, finding the earl guilty on certain articles. Many of the Lords had consulted their own safety by keeping away. The bishops, citing the canon law which excused them being judges in capital offences, had absented themselves from the whole trial.

The friends of the earl might fairly expect that the king would never pass the bill; besides he had written, on April 23, to the earl: "You shall not suffer in life, honour, or fortune. This is but justice, and therefore a very mean reward from a master to so faithful and able a servant as you have showed yourself to be."

Out of the parliament popular clamour was loud and strenuous for Strafford's head. The names of the fifty-nine members who voted against the attainder were placarded in old palace yard as enemies of justice. The House of Commons ordered the speech of Lord Digby, pleading for a milder sentence to be suppressed. A bitter reply to it was published. The Londoners remembered with resentment that, when the city objected to a forced loan, the mayor, sheriffs, and aldermen were brought before the

council, when Strafford said that no good would be done with them till an example was made of them, and they were laid by the heels, and some of the aldermen hanged up. Moreover, the forfeitures which were still hanging over the plantation of Londonderry was a cause of bitterness and loss to the citizens. A petition signed by 20,000 Londoners demanded that justice should be executed on the said earl, and riotous processions surrounded the palace shouting for his head. The very power which Strafford had put forth in his own defence rendered his foes the more eager for his blood: they could not feel safe as long as he lived. To one who interceded for his life the Earl of Essex replied: "Stone dead has no fellow."

The king consulted the Lord Chamberlain and the bishops, all of whom save Juxon advised him to give his consent to the bill. Strafford offered his life as a peace-offering between the king and the parliament, a heroic sacrifice which might well have moved his master to submit to any danger rather than abandon such a servant. After a miserable day's indecision Charles gave his assent to the bill. Every one was astonished; the usher who brought the message to the peers was so bewildered that he forgot his black rod. The king had still the prerogative of mercy, but here again he yielded in a letter which still remains to his disgrace. When the earl heard that his master, for whom he had dared and done and suffered so much, now deserted him, he uttered the memorable words: "Put not your trust in princes, for in them there is no salvation," a lesson which he had learned too late. He was beheaded on May 12,

1641, meeting his end with great courage and composure.

Some writers, whose notions of history are regulated by their sense of the picturesque, have bewailed the injustice of Strafford's fate, but we consider that a people has a right to secure itself against a powerful and dangerous offender for whose transgression there is no punishment provided in the statute book. There are some crimes created by the law. It would be clearly unjust to punish a man for importing goods before they were declared contraband, or killing partridges before they were declared game; but there are acts which outrage the moral law and imperil public safety, and in a dangerous crisis society, which assumes the right to make wrong-doing punishable, has also the right to ensure its own safety by sacrificing the offender. Strafford compared his own case to a man who runs his barge down the Thames and splits upon an anchor where there was no buoy to warn him. But we know, in his own correspondence, he makes it a merit with the king that, through his high-handed actions to enlarge prerogative, he had put his own life in danger. This he assumes would happen if he fell into the power of those he was trying to deprive of their birthright of liberty for his own aggrandisement. Those who now sit secure in the liberties saved by their forefathers may easily forget, if they ever knew, the antecedent circumstances, and blame Pym and those who supported him because Strafford made an eloquent and pathetic defence; but the instinct, one may even say the common-sense of mankind will, in times of extreme danger, impel them to protect themselves after a similar fashion. History

will not blame the imprisonment of Napoleon for six years at St Helena, although there was no law to justify his detention after peace was concluded.

Apart from the advice to bring over the Irish army to England, it appears that the offences specified in the fifteenth article of impeachment¹ of which Strafford was found guilty, fell within the statute of Edward III., viz., imposing great sums of money by his own authority upon some towns and places in Ireland, and quartering troops upon those who resisted with a view by acts of oppression to enforce payment. To those who carefully go over the trial, which occupied fifteen days, it will appear that Strafford failed to make a sufficient reply to the charges so strongly brought against him. Were those who took up the prosecution to acquit a man of whose conspiracy against the liberties of England there was no doubt, because a condemnation would be a disaster for his children? Those who listened to his pathetic reference to his second wife knew that he had espoused a third one within a year of her death. This lady seems to have been a kind mother to the children. The parliament did not carry their resentment against their adversary any farther. They expressly exempted his estate from the usual penalties of forfeiture which followed a conviction for high treason.

¹ See Rushworth's *Trial of the Earl of Strafford*, pp. 426-459. The weighty and eloquent remarks in Hallam's *Constitutional History* on the justice of the impeachment are most worthy of reference.

CHAPTER X

Vigorous Reforms of the Long Parliament. Petitions against Episcopal Government. Speech of Sir Henry Vane on the Bill. Defence of Episcopacy by Lord Falkland. The King goes to Scotland. Begins to Collect his Adherents. Rebellion in Ireland. Dismisses Sir Henry Vane, the elder, from his post of Secretary of State, and the younger Vane from being Joint Treasurer of the Navy. Bill to deprive the Bishops of their Seats in the House of Lords. The King's Attempt to arrest the five Members. His Failure and Flight from London.

DURING Strafford's trial the Commons had gone on pressing measures for the redress of grievances and for securing their own safety. The Star Chamber, the High Commission, the Council of the North, and the Marshal's Court were abolished, and all taxes raised without the consent of parliament declared illegal. A bill was passed prescribing the calling of a parliament every three years, and arranging how it might be called without the consent of the sovereign should he omit to do so. And on May 8, 1641, a bill was passed through both Houses that the existing parliament should not be adjourned, prorogued, or dissolved save with its own consent. Men were amazed when, two days after, this measure received the royal assent, since it not only surrendered a strong position held by the sovereign, but rendered the parliament independent of its own constituents.

There were no daily newspapers nor shorthand

reporters in those days, nor did the parliaments desire that their proceedings should be made public, but reports or *résumés* of the different speeches were printed and widely diffused. Most of these sheets are to be had in one library or another ; but these debates, fluttering with eager interest at the time, deal with grievances no longer felt. The encroachment of the royal prerogative, Star Chamber, corrupt judges, forest laws, arbitrary imprisonments, ship-money, forced loans and monopolies are all unknown. The parliament is now supreme ; the penal laws vex Catholics and Dissenters no more. Every man now can avow what belief he affects ; but the Episcopal Church still remains, shorn of its powers to persecute, but still retaining the vices objected to it in the days of the Stuarts as inherent in its constitution. The episcopal fabric, the creation of the Tudors, still stands much as Laud left it, half way between the Church of Rome, whose ritual it affects, and the Protestant churches on whose ordinances it looks down with unconcealed disdain. The bishops are still in the House of Lords. There are still men within its body who more or less secretly adopt the doctrines of Catholicism. There are still conspirators within its walls anxious to surrender its standards, or to keep an open gate to Rome. Through this gate have gone two kings of England, one of its queens, and hundreds of the nobility and the scholars of the old universities, followed by a train of docile disciples who find it too great a trial to think for themselves, and are willing to starve their intellects to gratify their tastes. Within its walls too there are still men of learning and virtue, who uphold the

tenets of the reformation; and so, when it was proposed in the Long Parliament that episcopacy should be abolished, many of the speeches, both for and against, might still be appropriately delivered in the present House of Commons.

Five years after the assembly of the parliament a petition was presented with 15,000 signatures from the city of London, praying that the whole fabric of episcopacy should be destroyed, root and branch; others of the same tenor followed. On the opposite side many petitions signed by an incredible number of hands were brought in favour of preserving the church.¹

On February 19, 1641, an order was adopted that a committee of thirty should take into consideration the ministers' remonstrance, a proposal of moderate reform, and the petition for the entire abolition of episcopacy. The root and branch men succeeded by a majority of 180 to 145 in getting the younger Vane, Holles, and Nathaniel Fiennes, the second son of Lord Saye, added to the commission. They inquired at great length upon the questions of divine right, of the church, and the conduct of the clergy. The younger Vane had now come to the front as an assailant of the Episcopal Church, while his father was one of its defenders.

In March 1641 it was resolved in the House of Commons that the legislative and judicial power of the bishops is a great hindrance to the discharge of their spiritual functions.

¹ The debates about these proposals are described with sufficient fullness in the *History of the English Church during the Civil Wars, and under the Commonwealth*, by William A. Shaw, London, 1900.

Sir Edward Deering afterwards said that the bill for the abolition of the episcopal order and the sale of the deans' and chapters' lands, first read on May 27, was given to him by Sir Arthur Hesilrige, being brought unto him by Sir Henry Vane and Mr Oliver Cromwell.

While all joined in condemning the conduct of the bishops and the scandalous lives of some of the lower clergy, the church itself found defenders within the parliament. In May and June warm speeches were made on both sides.

We have an outline of Sir H. Vane's speech to the committee for the bill against episcopal government, Mr Hyde in the chair, delivered on June 11, 1641. Vane began by stating that the preamble of the bill carried the day before virtually decided the question that episcopal government hath been found by long experience to be a great impediment to the perfect reformation and growth in religion, and very prejudicial to the civil state.

He argued that the same ground which supported the diocesan or metropolitan bishop supported the pope or universal bishop. "The spirit of this order," he goes on, "is a spirit of pride, exalting itself, in the temple of God, over all that is called God; first, exalting itself above its fellow presbyters, under the form of a bishop, then over its fellow bishops, under the title of archbishops, and the still mounting over those of its own profession, till it come to be pope, and then it sticks not to tread upon the necks of princes, kings, and emperors, and trample them under its feet. As itself came in by the back doore into the church, and was brought in by the spirit of

antichrist, so itselfe hath been the back doore and inlet of all superstition and corruption into the worship and doctrine of the church, and the means of hastening us back againe to Rome. For prooffe of this, I appeal to all our knowledges in late years past, the memory whereof is so fresh, I need enter into no particulars."

"A second fruit of this government in the church hath been the displacing of the most godly and conscientious ministers: the vexing, punishing, and banishing out of the kingdome, the most religious of all sorts and conditions, that would not comply with their superstitious inventions and ceremonies; in one word, the turning the edge and power of their government against the very life and power of godliness; and the favour and protection of it unto all profane, scandalous, and superstitious persons that would uphold their party. Thousands of examples might be given of this, if it were not most notorious. A third fruit has been schism and fractions within, and alienation from all the reformed churches abroad." Vane offered the proviso to assign the power of supervision of the churches, in every diocese, to commissions of clergy and laity to be alike in number. This proposal was referred by the House to a sub-committee.

In an eloquent speech for the church, Lord Falkland deplored the destruction of unity under pretence of uniformity, the strictness of the bishops against those who disliked ceremonies, and their neglect of immoralities. They neither preached themselves, nor employed those that should, nor suffered those that would. They brought in catechis-

ing only to thrust out preaching. "It seemed," went on the orator, "that their work was to try how much of a papist might be brought in without popery, and to destroy as much as they could of the gospel without bringing themselves into danger of being destroyed by the law.

"*Master speaker*, to go yet further, some of them have so industriously laboured to deduce themselves from Rome, that they have given great suspicion, that in gratitude they desire to return thither, or, at least, to meet it half way, some 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 dependance of the people upon the clergy, and of the clergy upon themselves, and have opposed the papacy beyond the sea, that they might settle one within the sea. Nay, 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*, be so absolutely directly and cordially papist, that it is all that fifteen hundred pounds a year can do to keep them from confessing it."

After recalling what bishops had done both for the spread of Christianity and for the Reformation: "Even now," he goes on, "there are yet some who have conduced in nothing to our late innovations, but by their silence; some who, in an unexpected and mighty place and power, have expressed an equal moderation and humility, being neither ambitious before, nor proud after, either of the crosiers, staff, or white staff, some who have been learned opposers of popery, and zealous opposers of *Arminianism*,

between whom and their inferior clergy in frequency of preaching, hath beene no distinction, whose lives are untouched, not only by guilt, but by malice, scarce to be equalled by those of any condition, or to be excelled by those in any calendar; I doubt not, I say, but if we consider this, this consideration will bring forth this conclusion, that bishops may be good men, and let us give but good men good rules, we shall have both good governors and good times. Wherefore, *Mr Speaker*, my humble motion is, that we may punish the present offenders, reduce and preserve the calling for better men hereafter. Let us remember with fresh thankfulness to *God*, those glorious martyr bishops who were burned for our religion, in the times of popery, who, by their learning, zeal, and constancy, upheld and conveyed it down to us.

“We have some good bishops still, who doe preach every Lord’s day, and are therefore worthy of double honour; they have suffered enough already in the disease; I shall be sorry wee should make them suffer more in the remedy.”

Mr Hyde, who had been appointed chairman, afterwards boasted that he had managed to wreck this bill by suggesting new subjects for discussion, and encouraging prolonged talking.

Wearied with playing a humiliating part in London, Charles determined to visit the kingdom of his fathers. The treaty with the Scots had been ratified, and their army withdrawn, having received £300,000 as an indemnity from the English parliament with the thanks of that assembly. The Commons were suspicious of Charles, and sent com-

missioners to watch his movements. The king stayed three months in Scotland, during which he did his utmost to conciliate his northern subjects by yielding to all their demands. Presbyterianism was formally re-established, and those favourable to it were put in power. Charles was successful in gaining over several of the leaders who gave him detailed information about the encouragement which the Scots had got from some of the parliamentary men in their recent invasion. The path of conciliation seemed promising when the tidings of the rebellion in Ireland came to Charles as he was playing at golf on Leith Links. The native Irish had been dispossessed of their lands by force and fraud, and their religion proscribed. They had been treated with insolent disdain by Strafford when they asked for the redress of their grievances promised by the king in the beginning of his reign. Ireland had become affected by the general excitement of the time, and Strafford's standing army had been disbanded. The pent-up hatred of a fiery race broke out. The British settlers were everywhere massacred save in Dublin, the headquarters of government, and in the eastern parts of Ulster, where the Scots were strong enough to make head. The leaders of the insurrection pretended to act under the orders of the king, and published a commission dated from Scotland under his seal. Though this seems to have been a forgery, the report was credited in many quarters, and heightened the unpopularity of the king, who had imprudently shown himself anxious to let off the Catholics while severe against the Puritans.

During Charles's absence in the north the House

of Commons was busy with the grand remonstrance in which all the misrule and oppression of his reign were detailed in powerful language, the whole blame being put upon the king's advisers agreeably to the usual formula. The passage of this declaration was warmly opposed by many members, who thought that the parliament should be satisfied with the king's concessions without recalling exasperating memories. The remonstrance only passed by a majority of eleven; May says nine. It is always easy to wake the conservative feelings of a portion, at least, of the English people; and as concession after concession was extorted from the unwilling prince, a party was gradually formed in his favour, comprising men like Hyde, Falkland, and Culpeper, who had previously taken a decided part against him. The English are fonder of building their laws and institutions upon ancient usage and historical precedent, than upon abstract rights. The popular party was pleased to trace the liberties they possessed to something their ancestors had gained, and the liberties they claimed to something their ancestors had lost.

As Charles I. had persistently struggled to take back the concessions of his predecessors, the Long Parliament not only demanded new privileges, but that these should be fenced by new securities. Those who believe in the divine right of kings, or the expediency of a despotic government, will deplore the concessions of the prince; those in favour of limited monarchy will draw the line according to their fancy here or there, and say that beyond this and that constitutional meridian the Long Parliament overpassed the limits of popular rights, while those

who believe that the people can, at any time, draw back from its rulers the power it has delegated to them will not be disposed to blame any of the demands of the Commons, if they are satisfied that the people were fit to exercise the privileges claimed for them. Could Charles Stuart have been trusted, it is certain that their measures would have been so moderate as not to offend any party really entitled to be called the friends of constitutional liberty; but as it was the Commons were led to demand that the powers of the crown should be curtailed, in order to disarm the faithless occupant of the throne.

Charles, pleased with the success of his diplomacy in Scotland, and the acclamations he received on his journey southward, fancied that the time for reaction had come. He now ventured to visit the Vanes with his displeasure for the part which they had taken at Strafford's trial. Sir Henry, the elder, was successively deprived of his offices of treasurer and then of secretary of state, and the younger Vane dismissed from his post of joint-treasurer of the navy, and a friend of Strafford was put in his place. The old servant of the crown was welcomed into the popular ranks by Pym's adding his name to a select committee on Irish affairs.¹ The Commons resented young Vane's dismissal, and made an order to consider of some means and ways to preserve him in.² Charles must have despaired of gaining over the young politician. A few days before the court had tried to corrupt Pym by promising to

¹ See the *Arrest of the Five Members by Charles the First*, by John Forster, London, 1860, pp. 50 (note), 52-53.

² MS. State Paper Office, Sidney Bere to Pennington, quoted by Foster, p. 53.

make him chancellor of the exchequer; St John accepted the post of solicitor-general, but continued as hostile to the prerogative as before.

In the meantime the Commons went on pressing their reforms. A bill was passed to deprive the bishops of their seats in the Upper House, which made slow progress through the Lords. The bishops were insulted by the mob when they passed through the streets. Some of the disbanded officers drew their swords to protect them, which led to frays and riots. The bishops claimed the protection of parliament which the Commons were slow of according. Assembling in the house of Williams, the newly made Archbishop of York, they hastily drew up a protestation that they dare not sit or vote in the House of Peers till secure from affronts and danger. They protested that all laws and resolutions made in their absence from the December 27 were null and of none effect. This protest was promptly taken by the archbishop to the king, who handed it to the lord-keeper to be read to the Lords. Every one was amazed that, while the fate of their order was trembling in the balance, the bishops should proclaim that important measures done in their absence were not legal or binding. The protestation was sent to the Lower House. The root and branch men at once took advantage of the imprudent action of the bishops: they ordered them to be impeached for high treason, and before the prelates knew that the petition had been given to the king, they found themselves kneeling at the bar of the House of Lords. Archbishop Williams, persecuted by Laud, had been for three and a half years in prison; he had got out of the Tower about

the same time as Laud had been put in. Now he was back to prison with his bishops. A caricature representing Williams, first bishop of Lincoln, in the fen country, acting as a decoy duck to lure eleven prelatie birds into captivity, much amused old Laud, then a fellow-prisoner in the Tower. The bill depriving the bishops of their seats in the House of Peers was now speedily passed. The king gave his assent to it on February 14 by commission, one of the last concessions to the demands of the parliament. After which the bishops were released.

The Commons became anxious when the king, on his return from Scotland, withdrew the guard from the Parliament House. Charles, believing that he had proofs of the correspondence between the Scots and some of the parliamentary leaders, ordered the attorney-general to inform the Lords that he meant to impeach Lord Kimbolton, Pym, Hampden, Holles, and Strode, of high treason. The Commons resented this as a breach of their privileges, and a lawless exertion of the prerogative, for the legal way would have been to get a case against them before a grand jury to be tried by a petty jury. The Commons requested a conference with the Lords to acquaint them that a scandalous paper, meaning the articles of impeachment, had been published, and that the king's guard at Whitehall was a breach of their privileges and an interruption to the freedom of debate. Nathaniel Fiennes, Glyn, the younger Vane, and Hotham, were named managers of this conference.

As the House refused to attend to his summons to deliver up the accused members, Charles made the well-known attempt to arrest them with about 400

armed followers. The members, warned in time by Lady Carlisle, had withdrawn, and took refuge in the city, which rose to protect them. When the king next day visited Guildhall in the hopes of getting the Common Council to give them up, he was greeted with shouts of "privilege of parliament." Bands of yeomanry flocked in from the neighbouring counties to join in the defence of the members. The king's offer to abandon the prosecution and grant a free pardon to the accused only increased his humiliation. His wisest councillors holding aloof, his guards powerless amidst a city in revolt, trembling for his own safety, the king with his wife and children, left London for Hampton Court on January 10. Next day the five members, escorted by the train-bands, entered the House in triumph. The two parties already formed stood opposing one another.

The king soon left Hampton Court for Windsor, where his partisans gathered around him eager to strike the first blow. He made a proposal of redressing any farther grievances in order to gain time, and much against his conscience, agreed to the bill depriving the bishops of their seats, under the reserve that concessions extracted by violence might be taken back on a favourable occasion. The Lords were disposed to welcome the king's proposals; but the Commons, more deeply involved in the struggle, and more clear-sighted, demanded that the command of the royal fortresses and of the militia should be consigned to men who possessed the confidence of the parliament. Charles saw that this was wresting from him the sword which he was prepared to draw. He commenced a journey to York, there to gather his

forces for a resort to arms. There were parleyings on the way, and messages from parliament entreating him to return to his capital with refusals and remonstrances on the king's part, but all in vain.

And now began a struggle such as the world had never seen before. At the outset the parliament had only dreamed of a redress of manifest evils in the church and state; but under the sway of causes dimly discerned, every day made them take up a new position. As May, a close watcher of these events, thoughtfully observed: "Such an unhappy genius ruled those times (for historians have observed a genius of times as well as of climates or men) that no endeavours proved successful; nor did any actions produce the right though probable effects."

CHAPTER XI

Charles attempts to seize Kingston-upon-Hull. Collects his Adherents at York. The Fleet sides with the Parliament. Vane's Work in Organising the Navy. The Strength of the Parliamentary Party. The Cavaliers. England not prepared for War. Essex made Commander of the Forces of the Parliament.

KINGSTON-UPON-HULL was the most important seaport in Yorkshire; its fortifications had been lately repaired, and it contained a large magazine of arms from the discharging of the northern army. The Earl of Strafford had sought to put a royalist governor, Sir Thomas Glemham, in the town,¹ but the mayor and corporation had refused to give up the keys to him, and the parliament had intrusted the defence of the stronghold to Sir John Hotham, a wealthy knight of the East Riding, M.P. for Scarborough, leader of "the obstinate northern men," who had been recently imprisoned for resistance to the king's illegal acts. Riding from York, Charles appeared on April 23 with 300 horsemen and demanded admittance. The mayor would have let in his majesty; but Hotham ordered the gates to be shut, and falling on his knees on the rampart, excused himself to the king that he had taken an oath to hold the place for the parliament.

¹ See *The Hull Letters*, from a collection of original documents found among the Borough Archives in the Town Hall, Hull, edited by T. F. Tindall Wildridge, Hull, 1886, pp. 19, 21, 29, 30.

The courtiers around were furious in their imprecations, and cried out to the officers on the rampart to throw Hotham into the ditch. His majesty retired a little, and then sent a message requesting to be admitted with twenty men. Hotham knew that the king's son, James, with the Prince Palatine and Lord Newport and their suite were in the town, and that it would be beyond his power to put the king out, if he were once in with twenty men. On this second refusal Charles caused the heralds to proclaim Sir John a traitor, and made his way back to York to send an express to the parliament, calling upon them to condemn Sir John for denying him entry into his own town. The parliament hastened to notify their approval of the conduct of their trusty governor. They met the king's message with a firm refusal, rendered almost ironical by the forms of humility and subservience used in addressing his sacred majesty. The fortresses and arsenals, they declared, were not the personal property of the king, like a house or field, but vested in him for the safety of the realm, and that the same object might justify the parliament to assume the charge of them. They farther protested that to denounce Sir John Hotham as a traitor was a high breach of the privilege of parliament, and complained of the king's intercepting one of their messengers, with other recriminations. The argument sustained by written messages between both parties was in reality an appeal to gain or keep supporters, for it was clear that blows, not words, must decide the dispute.

The parliament now fairly assumed the executive power. They ordered the stores in Hull to be con-

vayed to London, sent directions to organise the militia in the counties, and appointed a committee to negotiate a loan in the city.

Thirty-two peers and more than sixty members of the Lower House now departed to York to join the king. The parliament ordered them to return under penalties, and forbade all to obey the king's orders to take arms. At the same time they professed to be acting under the king's name, and were only fighting to rescue his person from those about him. When the Lord-Keeper Littleton fled to join the royalists at York with the great seal, parliament was much perplexed, as many acts of state were issued under this warrant. There were earnest discussions between the Commons and the remaining peers at Westminster whether they should get a new seal engraved, which was only done after the battle of Newbury.¹ On June 2 the parliament sent, under the title of a Humble Petition and Advice, nineteen propositions framed to put all the real power into their own hands, and divest the king of everything but a titular rank. Surrounded by his swelling bands of boisterous Cavaliers at York, sworn to stand by him, Charles presumed that he might obtain as good terms if reduced to the last extremity. The parliament appointed the Earl of Essex commander of their army, and the Earl of Warwick admiral of the fleet. The persuasive address of Sir Henry Vane, again put at the head of the admiralty, was exerted in getting the navy to declare for the popular cause. Throughout the Civil War the fleet was a valuable support to the parliament in intercepting supplies for the king from the continent, in confirming the fidelity

¹ See Campbell's *Lives of the Lord Chancellors*, London, 1845.

of the seaport towns, and in conveying troops and munitions of war from one part of the country to the other.

The sailors had no reason to love any of their kings, whether Tudor or Stuart, who used them as tools when need pressed, and then cast them into the slime. When the Civil War began Charles named Pennington, a well-known sea-officer, lord high admiral; but the whole fleet, save one small vessel, took the side of the parliament. Where there were disputes the crews put royalist officers ashore. The dockyards on the Thames, Woolwich, Deptford, and Chatham, and the principal seaports, supported the cause of the parliament.¹ In July 1642, Warwick succeeded Northumberland as high admiral. The adhesion of the navy much strengthened the popular cause. If Charles had been able to blockade London with the fleet, it had fared badly with his opponents.

For the first time the sailors were treated with kindly consideration. They were now decently fed, paid better wages,² and more regularly, allowed a fixed share of prize money, and cared for when sick or wounded. We no longer read of the dire ravages of disease amongst the crews, and the ships were kept fit and ready for service. Vane became sole treasurer of the navy in August 1642. A parliamentary committee was appointed over the admiralty. The members being often changed, Vane's authority must have been paramount. Under this committee were

¹ Oppenheim, pp. 241-249, shows how unfounded were the statements made by some royalist writers, that the sailors, "actuated by inherent loyalty," generally were for the king.

² The pay of the sailors was raised to 19s. a month.

two boards of navy commissioners, one financial, the other administrative.¹

¹ Mr Oppenheim, in the *History of the Administration of the Royal Navy*, London, 1896, p. 295 (note), censures Professor Hosmer for saying, in his life of Sir Henry Vane, that he had created a fleet out of nothing. Oppenheim observes that the parliament commenced the Civil War infinitely better equipped at sea than on land, and did not find it necessary to begin building again till 1646. "If Mr Hosmer," Oppenheim goes on, "is referring to a later period, the statement is still more questionable, since the number of men at war had been increased, and Vane had ceased to have any special connection except in conjunction with others, with naval affairs. Allowing for his narrow intelligence and vacillating temperament, Charles showed more persistence and continuity of design in the government of the navy than in any other of his regal duties, for though relatively weaker as regards other powers, England, as far as ships and dockyards were concerned, was stronger absolutely in 1642 than in 1625."

Returning to Vane, "Mr Hosmer says in one place (p. 148) that the post of treasurer was worth £30,000, and in another (p. 376) £20,000 a year. What Mr Hosmer's authority (Sikes, *The Life and Death of Sir Henry Vane*) really writes is, 'The bare poundage which in time of peace came to about £3000, would have amounted to about £20,000 by the year during war with Holland.' The poundage in peace years never approached £3000, and as Vane ceased to be treasurer in 1650, and from the date of his resignation, a lower scale of payment was adopted, the second part of the calculation is obviously nothing to the purpose. Whether the reduction in the treasurer's commission was due to Vane, or whether he resigned on account of it, we have no evidence to show. Mr Hosmer quotes Sikes to the effect that Vane returned half his receipts, from the date of his appointment as sole treasurer, at the time of the self-denying ordinance. Unfortunately the accounts previous to 1645 are wanting, and the question must remain open; but if the probability may be judged by general tendency it must be said to be extremely unlikely since he was treasurer from August 8, 1642, till December 31, 1650, and during that time received in poundages and salary for the five and a half years for which the accounts remain, the sum of £19,620, 1s. 10d. There is no sign in the audit office papers, that he returned one penny of his legal dues, and whoever else had to wait, he seems to have paid himself liberally and punctually. Mr Hosmer has only indirectly noticed that parliament, when Vane resigned, settled a retiring pension on him. Sikes says 'some inconsiderable matter without his seeking' was allotted to him by parliament in lieu thereof" (*i.e.*, of his place). The inconsiderable matter was landed estate producing £1200 a year. Seeing that he held his post for only seven and a half years, that during that time he must have received at least £25,000, and that all previous treasurers had

In point of numbers, position, and resources, the parliamentary party were much the strongest. They been, on occasion, dismissed without any suggestion of compensation, his disinterestedness may be questioned. Going on with his strictures upon Hosmer, Mr Oppenheim remarks that Sikes "writes only loosely, and generally making up in enthusiasm what he lacked in exactness; *e.g.*, in the beginning of that expensive war he resigned the treasurership of the navy. Hutchinson succeeded him from January 1, 1650-1, and war with Holland did not occur till June 1652. There is nothing to show that Vane was not an honest administrator, but his party fortunately produced many others equally trustworthy."

Assuredly we are in no way bound to submit to the assumption that the question must remain open because Mr Oppenheim cannot get at the accounts of the navy before 1645, and that money returned by Sir Henry Vane to aid the expenses of the Civil War should go back through the audit office. The statement that Vane returned a moiety of what he had received, has been made not only by Sikes, but also by Ludlow, who, having been a member of the Council of States, had better means of knowing than Mr Oppenheim. We give Ludlow's own words: "Sir Henry Vane had been removed by the late king from being treasurer of the navy for performing his duty in the House of Commons, and being restored to that employment by the parliament, he freely contributed half of the profits, amounting to the sum of £2000 yearly, towards carrying on the war for the liberties of England. When that war was ended he put the receipt for the navy in such a way that, by order of the parliament, the whole expense of the office exceeded not £1000 by year, men being brought by this means to understand that they were not placed in employments to serve themselves but to serve the publick."—*Memoirs of General Ludlow*, third part, p. 11, printed at Vevay, 1699.

It should be borne in mind that Vane was not dismissed by the parliament, but voluntarily resigned a post which had been originally granted by the king, and this he offered to do in 1646. See Whitelocke's *Memorials*, p. 236: "An ordinance passes at Sir Henry Vane's request to enable him to make a surrender of his place of treasurer of the navy." At this time the king was a prisoner in Holmby House. In saying that after his resignation of the treasurership, Sir Henry had no special connection with the navy except in conjunction with others, Mr Oppenheim passes too hastily over his valuable services as chairman of the head committee appointed to manage the admiralty and navy, which are attested by many papers in the Public Record Office.

The profits of the treasurership of the navy varied in different years. Oppenheim (p. 280) tells us that in 1634 the treasurer's fixed fee was raised from £270 to £645; Sir Christopher Wray, in arranging for a jointure for his daughter Frances, who was married to Sir Henry Vane in 1640, estimates his office as worth £600 a year. Vane was at that time joint-treasurer, sharing the profits with Sir William Russell.

held the capital with all the advantages accruing from such a large centre of population; it probably held about half a million inhabitants. The train-bands had a regular organisation and some exercise in arms, and could do more than defend the city. The country around London was mostly in their favour. The south-eastern counties, the old seat of Lollardism, had already shown their discontent against the enclosures of commons and other agrarian and class oppressions by several risings suppressed with cruelties not yet forgotten.¹

From these parts had come the exodus to Holland and New England, and there were so many sympathisers left behind as to give the Puritans decidedly the upper hand. The adherents of the parliament were also strong in the centre of England, especially in the larger towns, and they held most of the principal seaports—Bristol, Hull, Portsmouth, and Plymouth. On their side were some of the best of the old nobility, many of the gentry, and a large proportion of the yeomanry and freeholders. Above

¹ The associated counties, which did so much in the Civil Wars, were Norfolk, Suffolk, Cambridge, Huntingdon, Bedford, Essex, Lincoln, and Oxford. The social and political influences which brought about the revolution are well reviewed in *Die Vorläufer des neueren Socialismus, Abschnitt: Kommunistische und demokratisch-Socialistische Strömungen während der englischen Revolution des 17 Jahrhunderts*, Von Ed. Barnstein, Stuttgart, 1895. Noteworthy are the author's remarks about the Lollards, and Robert Ket's insurrection (1549.) He quotes William Petty's *Essay on Political Arithmetic*, 1687, who estimated the population of London, in the middle of the seventeenth century, at half a million. In those days about three-fourths of the population of England lived in the country.

Gregory King, who wrote about 1688, calculated that there lived in	
London	530,000 inhabitants.
Larger towns and market towns	870,000 „
Villages and Hamlets	4,100,000 „
Total population	5,500,000 „

all, they had that incomparable spirit which sprang from the fresh breath of liberty and hopes not yet blighted, the longing to be rid of the hateful idols of the past, the misrule of the king and priests, with the resolve to enforce the right to think for themselves in the great problems which filled their minds of God, eternity, and the future life: aspirations stirring and tumultuous, difficult to keep within bounds. Through all, there was a deep confidence that God, who had begun this good work, would surely finish it, and this made easy the sacrifice of wealth and health and life. In London many of the citizens contributed large sums, and loans were easily raised. So much silver plate was brought that it was difficult to take it in store; even poor women brought their rings and bodkins; some wealthy men raised troops of horse, one a whole regiment. The pulpits in the city rang with militant harangues; sheets and pamphlets thrown off every day served to keep up the excitement, and to spread it through the country. The Puritan preachers, silenced no longer, Laud being fast in the Tower, returned to their old flocks, and raised their voices high for the cause of reform.

Within these districts where the parliament had the upper hand the English Commonwealth now commenced its troubled existence. As the Celt always takes the losing side, Wales and Cornwall were in favour of the Royalists. The king had many supporters in the northern counties; but even in these quarters the cause of liberty had friends, though over-ruled and outnumbered.

After the king had gathered at York a cohort

of the gentry of the northern counties, noisy in their demonstrations of loyalty, he ventured to call on the freeholders and farmers of Yorkshire, to meet him on June 3, on Heyworth moor, with his whole muster of army followers. More than 40,000 men of all degrees assembled. The king rode through the crowd. He was received with confused murmuring. The Cavaliers soon perceived that a petition was being circulated, begging the king not to go to war with his parliament. This the courtiers did their best to hinder, riding amongst the groups and snatching the copies of the petition, declaring, with violent invectives, that the king would not receive it. Sir Thomas Fairfax had headed a protest of the Yorkshire gentry favourable to the parliament, refusing their consent to forces being raised by the king. The petition was entrusted to him and his cousin, Sir William Fairfax, who followed the king about the moor, rudely obstructed by some of the courtiers. Sir Thomas at last managed to get near the king, and placed the petition on the pommel of his saddle. The ill-starred Stuart pushed his horse against the young gentleman, little dreaming that the day would come when he should fly before him.

A large number of the nobility and gentry of England answered to the king's urgent calls, some from a blind sentiment of traditional loyalty, others from a misgiving that their own rank and dignity were endangered by the levelling tendencies of the Roundheads, or that their fortunes might be bettered by the royal favour. Dislike of change, with a hazy understanding of what the quarrel was about, and an

indolent acquiescence in the church established, led many of every rank to wish well to the royal cause; docile souls who had never felt the lash, as they had quietly submitted to the yoke, they wondered that others should be so restive, and in their lowly content for their meat and their portion they cast admiring eyes upon the glitter and pomp of the king and the church. To such minds liberty and a pure worship of God were abstractions which they failed to reach. The Catholics, with whom escape from persecution was of more importance than political freedom enjoyed by others, gave their support to the king, from the belief that they had more to expect from his forbearance than from the toleration of the Puritans, who had for years made it a burden of their complaint that too much indulgence had been shown to the papists.

The king had so little money that had it not been for the generosity of a Catholic nobleman, the Marquis of Worcester, he had wanted wherewithal to support the expenses of his table at York. Obligated now to depend upon voluntary contributions, he did not gather in as he had done with his forced loans, ship-money, and the rapacious fines of the Star Chamber. The queen had gone to Holland, ostensibly to be present at the marriage of her daughter to the Prince of Orange, but really to sell the crown jewels to raise money for munitions of war. The University of Oxford, the centre of episcopacy and conservatism, sent its plate. Cambridge was preparing to do the like when Oliver Cromwell, M.P. for the town, promptly seized the silver for the parliament. On the whole, contributions came in slowly and scantily.

The recusant members from Westminster, most of them friendly both to the king and to the constitution, themselves uneasy and perplexed, damped the courage of the royalists, while their absence from the parliament gave unity and strength to that assembly. Diffident of success, and obliged to humour even his own partisans by conferences and negotiations with the parliament, now ruling so large a part of England from Westminster, the king was vacillating in his moods and his preparations slow. It was only on August 25 that Charles set up his standard on the hill looking down upon Nottingham, with a proclamation which announced the beginning of the Civil War. "There appeared no conflux of men in obedience to his summons, and a general sadness covered the whole town. The standard was blown down the same night it had been set up by a strong and unruly wind, and could not be fixed again for a day or two" (Clarendon). The Earl of Essex was forming the national army at Northampton, and if he had pushed forward, the king had either been taken or put to flight with his unready levies. The parliament was not anxious to begin the war, and none thought it would last so long and inflict so many miseries on the country.

Neither party could bring forward disciplined soldiers; military training had fallen much into disuse. There were few officers to be got skilled in manœuvres. Men who had served in the Low Countries were much in demand. There were no generals capable of comprehensive strategic plans. There were few fortresses able to resist cannon; but field artillery was of little use. Firearms had not yet attained such

precision of aim and sureness of discharge as to be the decisive weapon in warfare. The foot soldiers wore defensive armour; the musketeers had their cartridges slung round their belts, and carried rests for their matchlocks, which they stuck in the ground. The bayonet was unknown; one half of the infantry bore pikes; when charged at close quarters the musketeers took shelter behind the rows of pikemen who formed ten deep. The dragoons were mounted infantry, wearing steel caps and buff coats, with short guns and swords. The cavalry sabre decided many a fight. In fact, cavalry, not infantry, was then the basis of military action.¹ Fairfax, Cromwell, Rupert, and David Leslie were all cavalry officers.

At the outset there was not enough of weapons to arm all the combatants. The country gentleman took down the old swords and spears in his hall and distributed them to his servants and tenants; some had to make shift with scythes at the end of poles; even the long bow came into use.

The country gentlemen who took the field for the king began the struggle with some advantages. They brought out their keepers, grooms, and hangers-on. Most of them were already good riders and tolerable marksmen, inured to hunting and field sports, and practised in fencing and single stick. Thus squadrons were promptly formed, obedient to command, which presented a brave show. On the other hand, the re-

¹ At the siege of Drogheda, Cromwell refers to the difficulty of acting with infantry alone against the enemy's horse and foot. Even after the parliamentary infantry had passed through the breach, and gained possession of a church, little way was made till the enemy's cavalry was dispersed by a battery of artillery, and Cromwell's horse with much difficulty brought into the town.

cruits of the parliament were mostly yeomen, farmers, and townsmen, neither so well mounted, so firm in their saddles, nor so forward at the new trade of war. On the same side, however, were not a few of the more thoughtful of the gentry and some of the high nobility, who naturally appeared at the front, though as the war went on the more capable and daring soldiers rose to command. The parliamentary infantry, the musketeers and pikemen, from the beginning were able to match the royal troops. Throughout their whole armies there was an enthusiasm much deeper than the fantastic loyalty of the Cavaliers. Their staid and sober demeanour contrasted with the swaggering and licentious ways of the soldiers of Rupert and Goring. Men learn warfare quickly under fire; every month made the Roundheads better soldiers, and strengthened the cohesion of the new regiments.

In many places there was a struggle between the holders of the royal commissions and the ordinances of the parliament. The Cavaliers broke into the houses of the Roundheads and took away their horses and arms, even their money and plate. The parliament men retaliated. It fared ill with the weakest in the locality. Both parties accused one another of pillaging and bloodguiltiness. Discipline was slack. The royalists more easily enlisted the drunkards and persons of licentious lives who affected a noisy roystering tone. Prince Rupert at once began hostilities after the fashion of the Thirty Years' War, and suffered his men to live at free quarters both on foes and friends. His camps were followed by numbers of abandoned women who gained an evil character for

stealing, and stripping the slain. Out of the court the standard of honour and morals was high in England. Many took sides with deep misgivings and regret to have to meet neighbours, friends, and relatives, whose hands they had so often clasped in kindness.

CHAPTER XII

The Battle of Edgehill. The King's Attempt to surprise London. The King retires to Oxford. Waller's Plot. Successes of the Cavaliers in the West. Sir Henry Vane sent as Ambassador to Scotland. Concludes a Treaty with the Scots. The Assembly of Divines in Westminster. The Confession of Faith. The Siege of Gloucester. City relieved by Essex. Death of Pym. The Scottish Army enters England.

THE king's forces had marched from Nottingham to Shrewsbury, where he drew many accessions from Wales and other parts. During the march there were some skirmishes and fights of outposts, and a few places taken. He challenged the town of Coventry to let his troops enter; but the townsmen, having had experience of the robberies and cruelties of the Cavaliers in divers parts of the kingdom, refused to accede to his majesty's desires. Inspired by a successful action in which Holles' regiment overcame Digby's brigade, they made good their defence, and the king had to leave Coventry behind him. The Earl of Essex, whose force was now ready for action, parleying to get the king to return to London to his faithful parliament, allowed him time to form his raw levies. The two armies had been marching for ten days within twenty miles of each other. The royal army now approached the border of Warwickshire, the central county of England. It was determined to besiege Banbury

where the parliament had a garrison. The king was not aware that the Earl of Essex with his army was no more than eight miles off. The people of the country about were well affected for the parliament, being much under the influence of Lord Saye and Lord Brook, two of the most noted leaders of the Puritans. They would not bring provisions to the royal army, who could not even get a smith to shoe their horses. Prince Rupert, riding to reconnoitre, saw about midnight the fires of the parliamentary pickets. He ascertained that the Roundheads had their quarters at Keinton, when it was determined to occupy the ridge of Edgehill. This is a pretty steep acclivity rising from the plain, and running along in an even line for several miles. About the middle of the ridge there is a castle, now ruined, from the topmost tower of which a view of the rich country around may be obtained. The hill is not too steep for horses to ascend; but the ascent is long enough to make it fatiguing. On gaining the ridge one finds he has mounted to another plain, the hill not sinking on the other side. The front of the hill is now planted with trees. At the time of the battle it was covered by bushes. This was obviously a strong position. The royal army could advantageously defend the slope against a front attack, and there was a broken and difficult country on each side.

It was clearly the king's game here to await the assault of Essex's force, which they could neither well avoid attacking nor make attack save under great disadvantage. The royalist army had got between the parliamentary army and London, and Essex had peremptory orders to stop their advance. Nevertheless, it

was determined in a council of war, at which the king presided, to descend the hill and give battle to the opposing force. It was the fate of the Stuarts that they never could learn from the errors of others nor from their own. A hundred and twenty-nine years before one of Charles's ancestors had, for a foolish bravado, quitted a strong position on a hill to fight a more skilful enemy, throwing away his own life and the fortunes of his kingdom. The Earl of Essex drew up his army in front of the little town of Keinton, three miles off, and waited till the Cavaliers should descend to give battle. It was one o'clock before all the king's army had mustered on the ridge, and three o'clock before they had marched down and deployed at the foot of the hill. Few men on either side had seen a stricken field; old soldiers in Holland and Germany were in great repute. The regiments were scarcely formed, even the companies wanted cohesion; discipline was little understood, men new to their weapons, horses which could not stand fire. Both armies, therefore, were unwieldy and difficult to form, or to get to carry out orders. The Earl of Lindsey, a brave and experienced officer, was nominally in command of the royal army; but Prince Rupert refused to take orders from him. Of course, being a prince of the blood, Rupert, a young man of twenty-three, must be privileged to bring his loud incompetence to the council of war.

General Ruthven was employed to form the line of battle, and the brave old Lord Lindsey, vexed to see his authority slighted, declared that he would go to seek death at the head of his regiment. The two armies met on October 23. The king's army, amounting to about 15,000 men, was stronger than

that of the parliament by about 2000 infantry and 16 troops of horse. He was also superior in artillery, for the heavy guns of Essex's army were still toiling behind, guarded by 3000 men under Hampden. The parliament had 10 regiments of foot, 42 troops of horse and 700 dragoons, between 12,000 and 13,000 men ready for fighting.¹ Charles had delivered a spirited address to the higher officers in his tent: "Your king," said he, "is both your cause, your quarrel, and your captain. The foe is in sight. Now show yourselves no malignant parties, but with your swords declare what courage and fidelity is within you. I have written and declared that I intended always to maintain and defend the Protestant religion, the rights and privileges of parliament, and the liberty of the subject, and now I must prove my words by the convincing argument of the sword."

His speech to the soldiers, afterwards printed, contained passages which may have caused some misgivings, for all in his camp were not anxious to support such high pretensions: "He that made us a king will protect us. We have marched so long in hopes to meet no enemy; we know none at whose hands we deserve any opposition. Nor can our sun, shining through the clouds of malignant envy, suffer such an obscurity, but that some influence of my royal authority, derived from God, whose substitute and supreme governor under Christ I am, hath

¹ May estimates the forces of the parliament at twelve regiments of foot and forty troops of horse, in all about 10,000 foot and 4000 horse and dragoons.—*History*, book iii., chapter i.

In writing the description of the battle of Edgehill, I have made much use of the account in the *Memorials of John Hampden*, by Lord Nugent, London, 1860, pp. 305-320.

begotten in you a confidence in my intentions. But matters are now not to be declared by words, but by swords."

The royal army marched down the hill and formed in great pomp. On the ridge one thoughtful observer of those opposing lines, moving towards one another to meet in deadly fight for the lust of power of one man, was Dr William Harvey, immortal as the discoverer of the circulation of the blood. He had accompanied the camp as the king's physician, and the two princes, one twelve, the other ten years of age, afterwards Charles II. and James II., had been committed to his care. Harvey told Aubrey that he withdrew with them under a hedge, and took out of his pocket a book to read; but he had not read very long before a bullet of a great gun grazed on the ground near him, which made him remove his station.¹

In the centre were the king's guard with the royal standard displayed and five other regiments in line. The king, clad in steel armour covered by a black velvet mantle with his star and George shining, rode in the second line with his pensioners. On the right wing, under Prince Rupert, were eight regiments of foot and his troops of cavalry, with Washington's dragoons on the flank. The left wing, commanded by Lord Wilmot, was made up of his horse, two regiments of foot, with Carnarvon's pikemen and musketeers. Some dragoons were used to cover their advance, and Lord Digby's horse were held in reserve. On the right wing Essex had disposed two regiments of musketeers to take advantage of some hedges and

¹ Aubrey's *Lives*, vol. ii.

broken ground with some cavalry and field-guns in the flank. On the left wing there was some infantry and twenty-four troops of horse commanded by Sir James Ramsay, a Scotsman. The Earl of Essex was himself in the centre, with four regiments of foot; behind was a reserve of horse commanded by the Earl of Bedford and Sir William Balfour. Ministers were seen riding about the Puritan army exhorting the men to fight valiantly. The action was begun with an artillery fire from the right wing of the parliamentary force and the king's centre, but little harm was done by the unpractised gunners. On the right wing a charge of the king's horse was repulsed by the dragoons, and his musketeers were forced to take refuge behind the line of pikemen.

At the moment when all hearts were stirred with the excitement of impending battle a troop of horse, intrusted to an Irishman misnamed Sir Faithful Fortescue, firing their pistols on the ground, and plucking of their orange scarfs, wheeled over to desert to the king's side, who, not understanding what they were about, fired at them and laid twenty-five dead. This startling incident and the impetuous charge of the Cavaliers spread dismay amongst the parliamentary horse, who, firing their carbines wildly, took to flight. A regiment of infantry advancing to support them was thrown into disorder and carried away in the rout. Flying across the open fields they were hotly pursued by Prince Rupert, who sabred the fugitives without mercy. The reserve under Sir John Byron, who had not been engaged, rode off to join the chase as if it had been a fox-hunt. They never halted till they came to Keinton, three miles off,

where they set to plundering the enemies' baggage waggons. The whole of the Roundhead right wing did not give way, and some officers and gentlemen who did not fly with their men were rallied by Holles' regiment moving from the centre, which checked the infantry of the royalists.

The Earl of Essex now ordered his centre to advance, and the two opposing ranks of foot met at push of pike. The struggle was kept up till Sir William Balfour charged the royal infantry in rear with a party of horse, and spiked some of their guns. The king's guards were broken, and the standard, borne by Sir Edward Verney, was plucked from his dying hand.¹ The Earl of Lindsey was wounded and taken prisoner, dying ere morning. Holles' regiment had occupied the ground left bare by Prince Rupert's wing and some troops of horse from the parliamentary left wing took them on the other flank. The enemy was scattered, and the survivors fled up the hill; the king remained on the field with about 200 horse. In the meantime Rupert and his Cavaliers were pillaging at Keinton, and amusing themselves shouting and driving away the Earl of Essex's coach. They were disturbed by Hampden coming up from behind with two regiments and five guns, which opened fire upon them and killed some men and horses. Returning in confusion they found the king's centre routed, and the field in the possession of the Roundheads.

¹ This brave gentleman had been sadly perplexed whether it was his duty to follow the king as his standard-bearer. At this very time his eldest son Ralph Verney was at Westminster with the Long Parliament. In the confusion a Cavalier, pretending to be on the other side, got a non-combatant to whom it had been entrusted, to give him the standard, and rode away with it to the king's ranks.

The battle had lasted two hours when darkness came on over the field covered with the dead and dying. There was none to tend the wounded. The main army of the parliament withdrew to the shelter of Keinton, leaving a brigade on the ground which they had won. Among these was Edmund Ludlow, who writes: "No man nor horse got any meat that night, and I had touched none since the Saturday before; neither could I find my servant who had my cloak, so that, having nothing to keep me warm but a suit of iron, I was obliged to walk about all night, which proved very cold by reason of a sharp frost." Both parties magnified the losses which they had inflicted upon their opponents. "The greatest slaughter on our side was," says Ludlow, "of such as ran away, and on the enemy's side of those that stood." The parliament lost more in private soldiers; but the Cavaliers' loss fell upon persons of distinction, and others were taken prisoners. Next morning the army of the parliament drew up on the battlefield; the king's on the ridge. Charles sent a flag of truce with a herald to read a proclamation "from our court at Edgehill," offering pardon to those who should lay down their arms. He had printed copies of this proclamation, which were to be scattered the day before, but had been forgotten in the hurry of preparing for battle. The Earl of Essex sternly checked all attempts at tampering with his soldiers, and replied that he would take the opinion of parliament on his majesty's gracious offer. Both armies had suffered so severely that neither had much spirit for fighting. Essex called a council of war. Hampden, who had brought a reinforcement of about 3000 men with the heavy artillery, strongly

urged that an immediate attack should be made on the heights, and it is admitted even by royalist writers, that had he done so, the king's army would have been in great danger. The king's main body was marching off. Had Essex advanced towards Banbury he would have fallen upon the rear of the royalists. "Instead of pursuing the enemy," says Ludlow, "for what reason I know not, we marched to Warwick ; of which the enemy having notice, sent out a party of horse under Prince Rupert, who on Tuesday night fell into the town of Keinton, where our sick and wounded soldiers lay, and after they had cruelly murdered many of them, returned to their army."

The king, marching to Banbury, summoned the garrison, which surrendered, a part joining his forces. Fugitives from the routed cavalry of the left wing brought tidings to London of a battle lost ; but the parliament were soon reassured by dispatches from Essex. They proclaimed a complete victory for which they had little to show. Some of his council advised the king to march promptly upon London, sending the cavalry and light infantry on before ; but the city would not have yielded to a hasty attack. The train-bands mustered in Finsbury Fields, Hyde Park, and St Pancras, and the Londoners were ready to barricade the streets : resistance would have been prolonged till Essex had taken the royalist army in rear. As it was, the king's forces advanced towards the capital by slow and dilatory marches. Essex had time to reach London, where he was greeted with acclamations, and received the thanks of parliament.

Neither party had yet lost hopes of gaining their

ends by negotiation, and on November 4, overtures were made to treat with the king. On the 10th negotiations were formally opened. Two days afterwards, while his majesty's message proclaiming his willingness to listen to terms was being read to the parliament, his troops, taking advantage of a misty morning, advanced upon the parliamentary pickets, designing to capture their artillery at Hammer-smith. The town of Brentford, about seven miles from London, was occupied by Holles' regiment, who against great odds fought the king's troops till Hampden came to their relief. Towards evening the whole parliamentary army came up and the royalists were driven away. Had they been vigorously pursued next day the whole army might have been encompassed and cut off. Essex, though he showed much bravery when his army was in danger, when successful seemed always anxious to negotiate.

Success had not covered the king's breach of a truce, while the city train-bands could boast how they had saved their homes from his dissolute soldiers. A week before, voices in the city had been raised for making peace with the king upon almost any terms; contributions were coming in slowly, and the soldiers were clamouring for pay. Lord Saye, Lord Brook, and Sir Harry Vane had been sent to address the citizens at Guildhall. Their speeches had been coldly received; now the king's perfidy had united them and rekindled their zeal, while his partisans had nothing to say in his defence.

The king retired to Oxford, where he made his headquarters, gathered his shrunken court, and held a mongrel parliament of those Lords and

Commons who took his side. Some wavering peers came suggesting concessions. They met with too cold a reception to encourage others to follow, and most of them found their way back to Westminster. Above two months of the winter were spent in futile attempts to treat. The debate was, we are told, chiefly managed by Sir Henry Vane, Mr Pierpoint, and Mr Browne, who did it with much clearness and ingenuity as the king himself was pleased to confess.¹

While still in words claiming to act in the king's name, the House of Commons was now exercising the supreme power with increasing firmness. They began to receive with impatience the dissents or remonstrances of the peers who still remained at Westminster. Sent by the country to be a legislative assembly, the parliament had been driven by the course of events to assume executive powers. Affairs requiring dispatch and continuity were managed by departmental committees, a method of government which rarely procures efficiency, but which under the circumstances was the only feasible arrangement.

Step by step the parliament threw off all consideration for anything belonging to the king except his title. Henry Martin detained his horses, saying that as they had taken the king's forts and ships they might as well take his horses. They impeached the queen, seized on the regalia, and sequestered the king's estates. On May 1643, they ordered the Book of Sports which had grieved the Puritans so

¹ *Historical Manuscripts Commission, Tenth Report, Appendix, part vi., p. 150.*

sadly, to be burned by the hangman, and soon after issued an ordinance for removing from the churches all superstitious images, crucifixes, and altars of stone; the communion tables were removed from the east end. Henry Martin was one of the first to let out the republican views which he had taken up from a study of the histories of Greece and Rome. One Saltmarsh had published a book in which he advanced that if the king would not grant a demand they should root him out, and the royal line too. Thereafter Mr Martin said that he saw no reason to condemn Mr Saltmarsh, and that it was better that one family should be destroyed than many. Sir Neville Poole moved that Mr Martin should explain what one family he meant, who boldly answered, "The king and his children." Upon this, many speaking very sharply against him, Henry Martin was committed to the Tower, but a fortnight after was released and readmitted to his seat in parliament.¹

About this time three of the peers at Oxford, the Earls of Holland, Bedford, and Clare, finding the king set against peace, and dissatisfied with the influence gained by the Catholics, returned to take their seats at Westminster. The Earl of Holland secretly leaving, had been arrested at the outpost by some parliamentary troops, and it was thought that an explanation was needed. His brother the Earl of Warwick and the Earl of Essex were anxious to smooth matters, which Sir Henry Vane opposed. The Earl of Essex informed the House of Lords that he had received intelligence that Sir

¹ *Parliamentary History*, vol. xii., pp. 374-376.

Henry Vane, the younger, did keep up a correspondence with the enemy, and that letters had passed between him and the Lord Lovelace.¹ This was true; only Vane had entered upon the correspondence in hopes of gaining some word about a plot, and he had taken the precaution to inform the Speaker and three of the committee what he was doing, showing them the letters. Friends were sent to Sir Henry Vane, and the Solicitor St John offering fair quarters to them, if they would accommodate Holland; they, confident that they had a good excuse, replied that they had no personal grudge at Holland, but desired he might abstain from the House in so suspect a time, and that they required no favour if they themselves were guilty. The accusation against them being pushed, it ended in the confusion of the general and his party, who were soon anxious to drop it. After being under arrest for some time, the lords were allowed to return to their places. It was said in drollery these three earls had much confirmed others to continue with the parliament, for they having tried both parties found, by experience, that this was the best to adhere to.

Though the parliament had the support of the council of London, a species of civic republic, in that great city the king had still many partisans. The royalists in the city were estimated at this time as one to three who were for the parliament. They were watchful in acting on the unsteady multitude who veered with the drift of events; some of them were active in sending messages to Oxford and prompting

¹ *Parliamentary History*, vol. xiii., p. 27; Baillie's *Letters*, vol. i., p. 426.

petitions to the parliament urging them to make peace on almost any terms.

On the last day of May 1643, while the Commons were observing a fast, some of the leaders were called out of church by a startling message that a subtly constructed plot had been detected to seize upon the magazines of arms in the city, arrest the leading members of the Lords and Commons and the Lord Mayor, set free the political prisoners, and to admit a body of the Cavaliers who were to be one march off. A Commission of Array had been brought from the king concealed in her hair by the Countess d'Aubigny, whose husband had been killed at Edgehill. The leaders of the plot were¹ Edmund Waller the poet, who had stayed in London to act as a spy for the king, and had been a commissioner to treat with him at Oxford, Tomkins, Waller's brother-in-law, and Chaloner, two London citizens. They were all arrested. Waller, beside himself through fright, confessed everything, and revealed his associates with exuberant detail. Two noblemen, the Earl of Portland and Viscount Conway, were implicated. Northumberland was also incriminated. The Commission of Array was found in Tomkins' cellar. Lady d'Aubigny, as Ludlow informs us, fled to the house of the French ambassador, "who, refusing to deliver her to Sir Henry Vane and Mr John Lisle, sent by the parliament with a guard to seize her, pretending his privilege, the House, being informed by Sir Francis Knowles that at the time of

¹ Ludlow, vol. i., p. 83; Sanford's *Studies and Illustrations of the Great Rebellion*, p. 562; Cobbett's *Parliamentary History of England*, vol. iii., p. 122; The *Parliamentary or Constitutional History of England*, London, 1762, vol. xii., p. 281; The long account of this transaction in Clarendon's *History* is incorrect in many details.

the bloody massacre at Paris, one of the French king's secretaries, who was of the Reformed religion, flying to the English ambassador's house for protection, and disguising himself amongst the grooms, was forced from thence by the king's command, ordered this lady to be treated in the like manner, which was done accordingly." The lady, who denied all knowledge of the plot, was soon set free.

Brought to the bar of the Commons, Waller made an eloquent speech, mean enough if only prompted by fear but not to his discredit if sincere. After a year's imprisonment he was allowed to leave the country with a fine of £10,000. The poet got back to write flattering elegies to Cromwell and Charles II. Tomkins and Chaloner were hanged opposite their own houses. Portland was imprisoned for a time.

Sir Henry Vane thought Northumberland guilty at least of disloyal secrecy, distinguishing between an inward and an outward protestation, and wished to have his person secured; but Pym managed to get the motion referred to the Lords and the affair was dropped.

The parliament made the most of this plot, which had been entered into by the king about the time he was making offers of peace. Pym was sent to Guildhall, where he in his precise and formal style of eloquence gave an account of this great and mischievous design, tending not only to the ruin and destruction of the city and of the kingdom, but in those ruins likewise to have buried religion and liberty.

A covenant was drawn up professing hatred of the popish and traitorous plot and a promise to continue

to assist the forces in arms for the defence of the true Protestant religion and the liberty of the subject against the forces raised by the king. This was subscribed by the members of both Houses, and those who demurred were dubbed as malignants.

The consent of the peers was gained to the calling of an assembly of divines to draw up a confession of faith.

Active operations began in the spring. The Cavaliers gained several victories in the western counties. Hampden, who showed wonderful energy in keeping up the cause of the parliament and checking the depredations of Prince Rupert, was wounded in a skirmish at Chalgrove and died a week after (June 18). No other leader had combined such skill in parliamentary discussion with wisdom in council and vigour in the field. Had he lived he would likely have superseded Essex, whose irresolute method of pushing his successes caused the zeal of the parliament to dwindle away. Bristol, the second city in the kingdom, fell into the hands of the royalists. In Cornwall, Dorsetshire, and well-nigh the whole of Devonshire, they now had the upper hand. The Fairfaxes were defeated by the Marquis of Newcastle at Atherton Moor, and had to take refuge within the walls of Hull, and Waller was defeated at Devizes by Sir Ralph Hopton.

Time-serving treachery began to take the form of returning loyalty. Sir Hugh Chomeley succeeded in betraying Scarborough into the hands of the royalists. Hull, fortified and open to the sea, was the rallying place of the parliamentary men of Yorkshire and Lincolnshire. The governor, Sir John Hotham, had

shut the gates against the king and his retinue. He made himself odious to the townsmen by his tyrannical actions,¹ and his son had harried the country about with the licence of a freebooter. They were no Puritans, and showed a jealousy of the Fairfaxes, the leaders of the Roundheads in Yorkshire. Sir John was plotting with the Earl of Newcastle to betray Hull, when his designs becoming known, on June 29, the townsmen took prompt action, appointed a committee of defence, and seized on the forts and munitions. Sir John fled, but was soon after arrested, and with his son and some confederates, put on board a ship and sent to London. Lord Ferdinando Fairfax was made governor to the great content of the citizens.

Sir Henry Vane was joint-member for Hull. As his time was filled up by his care of the navy and other high important duties, the parliamentary affairs of the constituency were mostly looked after by his colleague, Sir Peregrine Pelham, who, like Vane, was a zealous Puritan, and seemed always to have acted with his concurrence.

In the Earl of Essex the parliament had a general who, though brave in battle, was too apt to find reasons for not pushing warlike operations. Nevertheless, as he had friends especially amongst the Lords, and was still liked in the army, it was thought dangerous to offend him. On July 9 the diffident earl wrote a strange letter to the Houses, in which, after complaining that he could not move quickly as his army was neither recruited with horses nor with

¹ *The Hull Letters*, printed from a collection of original documents found among the Borough Archives in the Town Hall, 1884, edited by T. Tindall Wildridge, Hull, 1886, pp. 37, 39, 40, 151.

saddles, he went on to propose that, "if it were thought fit, they would send to his majesty to have peace, with the settling of religion, the laws, and the liberties of the subject, and bringing to just trial those chief delinquents who have caused all this mischief to the kingdom; and that, if this do not produce a treaty, his majesty may be desired to absent himself from the scene of contention, and both armies may be drawn up near the one to the other, that if peace be not concluded, it might be ended by the sword." This proposal being considered by the House of Lords, it was resolved that they could not offer any petition to the king till he recalled the proclamation that they were no free parliament. In the Commons Essex's letter having been read, Pym recalled that all their offers of peace had been rejected by his majesty, and their safety had been also endangered by them (referring to the Challoner plot carried on under cover of negotiations with the king), and therefore there could be no good issue expected by going that way, being a way full of hazard.¹

Vane next observed "that seeing we had neglected, upon the several messages of the Lords, to entertain the consideration of sending propositions to his majesty, the lord-general had done well to stir us up to it, although our fatherly care of the kingdom should have preceded his lordship's care. He also observed that the purport of his lordship's letter was, that if we would send propositions of peace to his majesty, and they did not take effect, that then he would do his duty!" Sir Philip Stapylton, Essex's confidant, took

¹ The letter to Essex, drawn up by Pym by order of the House, is printed in Sanford's *Studies of the Great Rebellion*, p. 572.

fire at this sarcasm, which, he said, was a great injury to his lordship, who had hazarded both his life and fortune for the defence of the kingdom. Vane made an apology, which, however, did not satisfy the earl, who sent another letter to the House of Commons in which he said: "I shall advance, God willing, at farthest, on Friday. I have often desired that a committee of both Houses might be sent to be a witness of our integrity to come down; but then both armies being afoot, I thought it dangerous for their passage; and not knowing how the great affairs of the kingdom may dispense with many from the service of the Houses, if it may stand with the convenience of the House of Commons, I shall entreat the favour that Sir Henry Vane the younger may be an eye-witness of our actions, he being an intimate friend of mine, and who, by his constant carriage in the parliament, which hath gotten him a good reputation in all places, may be a true testimony of our actions, it being of huge advantage to keep a good correspondence betwixt the parliament and their servants the army. He is, besides, a man I put so much trust in, as that, if he pleaseth, I shall go hand in hand with him to the walls of Oxford."

D'Ewes tells us that "all men easily saw that this letter to be spoken in a scoffing way." Young Sir H. Vane was not in the House at the time of the reading of this letter; but old Sir Henry, his father, was, and looked very blank, and was the main cause, awhile after, that the further consideration of the letter was laid aside when his son came into the House.¹

¹ Tanner MSS. 62, part i., pp. 166-67; and Harl. MSS. 165, pp. 1231 A B. Quoted by Sanford, p. 574.

Under these trying circumstances it was determined by the parliament to seek the aid of the Scots. This was done with reluctance, for, although that people were resolute in their hatred of prelacy, and recognised that the defeat of the parliament would be most perilous to their own liberties, they had no real sympathy with constitutional government, and their idea of union was the extension of their own system of ecclesiastical government to the southern kingdom. On July 20, 1643, the four commissioners were sent from London to seek the alliance of Scotland. "Sir Harry Vane," to use the words of the royalist Clarendon, "was one of the commissioners, and therefore the others need not be named, since he was all in any business where others were joined with him. He was indeed a man of extraordinary parts, a pleasant wit, a great understanding, which pierced into and discerned the purposes of other men with wonderful sagacity; whilst he had himself *vultum clausum*, that no man could make guess of what he intended. He was of a temper not to be moved, and of rare dissimulation, and would comply when it was not seasonable to contradict, without losing ground by the condescension; and if he were not superior to Mr Hampden, he was inferior to no other man, in all mysterious artifices." Owing to the difficulties of making their way through the north of England, where the Marquis of Newcastle was powerful, the commissioners had to go by sea. They left London on July 20, and so tedious was navigation in those days that they did not reach Leith till August 7. This is about the time the liners take to cross the Pacific from Vancouver to Shanghai.

Besides Sir Harry Vane, the commissioners for the parliament were Sir William Armyn, Mr Hatcher, and Mr Darley; while two ministers, Mr Steven Marshall, a presbyterian, and Mr Philip Nye, an independent, appeared for the assembly of divines. The English commissioners were met by the Scottish Lords at the shore of Leith and driven in state to Edinburgh. The general assembly of the Church of Scotland was then holding its sittings in the aisle of St Giles. The Rev. Alexander Henderson was moderator. A special gallery was allotted to the envoys to witness the proceedings. A committee of ministers was appointed to confer with them, and some lords of the convention were chosen for the same purpose. The English would have been content with a civil league; the Scots ardently desired uniformity in religious doctrines and church government between the two nations. They held that unity in religion was needed to put an end to civil discord, and in the fervour of their hopes they did not despair of such unity. It would make the minister build the house with both hands, whereas now the one hand was holding out for opposition against the other party. It would, they fancied, put an end to the writing and reading of unprofitable controversies.

At this time Scotland was governed by a convention of the great lords; but the clergy had much authority over all classes. Some of them were men of great ability, for theology had an attraction for the most powerful minds; not a few of the ministers were connected with the nobility, by relationship or interest.

About this time it is recorded that thirty witches

had been burned in Fife in a few months ; a committee of ministers was appointed to think on that sin, to search and cure it.¹ The English parliament had gone so far to meet this desire of unity in the faith that they had sent two ministers, a presbyterian and an independent, to confer with the Scottish ministers. Baillie tells us that Sir Henry Vane, "one of the ablest and gravest of that nation, was the drawer of all their writs." In the eyes of the learned principal the only blemish in Sir Henry's character was that, while he disliked prelacy and Romish practices, he was in favour of letting alone the Protestant sects, especially the independents. A statesman as well as a theologian, able to meet the Scottish divines on their own ground, Vane objected to the first draft of the covenant drawn by Henderson, and after long and subtle discussions a form of covenant was agreed to which left open the toleration of the principal Protestant sects. The Scots were not so foolish as to imagine that the English would at once embrace their form, though they believed that it was the most agreeable to the word of God, and to the example of the best reformed churches. Correspondence since published showed that the Scots gained more than they expected.²

¹ Baillie's *Letters*, vol. i., letter 36, p. 379.

² See *Sketches of Scottish Church History* by the Rev. Thomas McCrie, Edinburgh, 1846, p. 284.

We give the first article of the solemn league and covenant, as the terms of that memorable treaty have been often misrepresented by the carelessness and prejudices of writers : " 1. That we shall sincerely, really, and constantly, through the grace of God, endeavour, in our several places and callings, the preservation of the reformed religion in the Church of Scotland, in doctrine, worship, discipline, and government, against our common enemies ; the reformation of religion in the kingdoms of England and Ireland, in doctrine, worship, discipline, and

It was agreed that a general assembly of divines should forthwith be held at Westminster to consider and arrange for a common creed.

The leading part allowed to the general assembly in the preparation of this important document shows how much religious sentiment dominated all other considerations. The assembly sat ten hours a day to frame the agreement, conferring with the English commissioners and with deputies from the Scottish convention. When the completed form was read to the assembly it was hailed as a new and hopeful event in the work of the Reformation. Old ministers who had prayed for the church's deliverance through years of prelatie rule shed tears as they subscribed the covenant. It was speedily ratified by the convention of estates, and borne to London by a select committee. Both Houses of Parliament with the assembly of divines met on September 25, in St Margaret's Church in Westminster, where the solemn league was read from a parchment roll, the whole assembly swearing to it with uplifted hands. The covenant was returned with the sanction of parliament, and on October 13, it was sworn and subscribed by the lords of convention, the members of the assembly, and the English com-

government, *according to the word of God, and the example of the best reformed churches;* and shall endeavour to bring the churches of God in the three kingdoms, to the nearest conjunction and uniformity in religion, confession of aith, form of church government, directory for worship and catechising, that we, and our posterity after us, may as brethren live in faith and love, and the Lord may delight to dwell in the midst of us." It is believed that the words in italics were introduced at the instance of Vane, though it does not appear that they contained anything to which the Scottish Presbyterians could reasonably object.

Other articles in this memorable league provide for the extirpation of prelacy and popery and the defence of the civil liberties of the two kingdoms.

missioners, in the midst of a joyous concourse in the High Church of Edinburgh.

It was stipulated that as soon as the harvest was over, an army of 18,000 foot and 3000 horse with artillery, commanded by Scottish officers, should be sent to aid the parliamentary forces. The auxiliaries were to be paid at the rate of £30,000 a month. It was agreed that the Scottish troops should be employed for no other purpose, and that during their absence the English fleet should defend the Scottish coasts.

The king's partisans in Scotland, after vainly trying to avert the covenant, now tried to avoid signing it; but it was vigilantly pressed. The Marquis of Montrose and Lord Ogilvy sought the king at Oxford; there also came the Duke of Hamilton and his brother Lord Lanark. On the suspicion that Hamilton had connived with the covenanters and designed to seize the crown of Scotland, he and his brother were arrested. Lanark escaped; but the duke was detained a prisoner at Pendennis and St Michael's Mount till the castle was taken by the parliamentary forces in April 1646.

Unhappily, while the general assembly was so anxious to secure religious liberty to themselves, they were ready to prevent it being enjoyed by others. They passed an act for all ministers on the coast to search for books tending to separation, and if found, to bring them before the presbyteries, and to ask the civil courts to help in preventing their dissemination. While Vane, to the end of his life, looked with pleasure upon this memorable covenant, he always disapproved of any attempt to abuse it to other

ends than itself warranted. As he afterwards said at his trial: "Nor will I deny but that as to the manner of the prosecution of the covenant to other ends than itself warrants, and with a rigid oppressive spirit (to bring all dissenting minds and tender consciences under one uniformity of church discipline and government), it was *utterly against my judgment*. For I always esteemed it more agreeable to the word of God, that the ends and work declared in the covenant should be promoted in a spirit of love and forbearance to differing judgments and consciences, that thereby we might be approving ourselves in doing that to others which we desire they would do to us; and so, though upon different principles, be found joint and faithful advancers of the reformation contained in the covenant, both public and personal."

Although many of the Puritans had adopted the leading theological doctrines of Calvinism, and were ready to do away with the bishops and the liturgy, they were not ready to accept the whole machinery of Presbyterian church government; and when it began to be understood that the scots wished to have it declared that their scheme was founded on divine right, and while jealously rejecting all state interference in church affairs, that they were ready to make use of the secular arm to get Presbyterianism established over England, suspicion and opposition were aroused. The moderate Episcopalians, like Archbishop Usher, of course opposed it, as did the Erastians like Selden, Whitelocke, and St John, who wished to keep the church subordinated to the civil power. There also appeared various sects, Congrega-

tionalists, Anabaptists, Seekers, Arians, Behmists, and other products of the religious ferment of the times, who, ardent in faith though weak in numbers, claimed toleration, a word which the Presbyterians heard with dislike.

The covenant was signed by the members of the House of Commons and by the Lords at Westminster. Some members showed much reluctance; the elder Vane was one of them.¹ Copies were sent for signature to all garrisons of places in the power of the parliament and to the ministers with directions to tender it to their congregations. Some politicians accepted it on the consideration that the help of the Scots was not to be obtained on any other terms, yet it had been skilfully framed to express the sentiments of most of the parliamentary party, and, on the whole, it was cheerfully and indeed often enthusiastically signed throughout England. In Scotland and the north of Ireland there are remains of a sect who maintain that the covenant is still a national obligation to these kingdoms which has descended to their children.

Four ministers, and three noblemen as elders, sailed to London to take part in the discussions of the assembly of divines at Westminster. They were welcomed by the prolocutor, Dr Twiss, who complimented them on having undertaken so tedious and hazardous a voyage.

This memorable assembly had been convened by the parliament in July 1643. The 150 divines called were mostly clergymen of the Church of England

¹ *Memoirs of the Verney Families during the Civil War*, London, 1892, vol. ii., p. 166.

with 30 lay assessors, 10 of whom were peers and 20 commoners. Some of the clergymen attached to prelacy retired from the assembly when they saw how things would be carried. The assembly met in the Jerusalem chamber of Westminster Abbey, and through the civil wars discussed for five years all the points of Calvinistic theology and church government, in the hopes of forming a creed which would unite all true Protestants in Britain in a common faith. As the result of their labours they left the Confession of Faith, and the longer and the shorter catechisms which are still held to be the creed of the Presbyterian churches of Scotland. They also framed a directory for public worship. The shorter catechism is still taught to the children in the Board Schools throughout Scotland. It is a terse epitome of Presbyterian doctrines, hard, dry, sharply defined, like a basaltic column, now dark and cold, though once glowing with the inner heat of the earth. And so these old confessions and creeds once really signified the belief of people who shrunk with terror from losing faith in them: round these creeds a whole nation arranged their lives and met suffering and death with sublime patience and exultant hope. Nowadays the catechism is mechanically repeated by children and forgotten by grown-up people. Creeds are insensibly changed by the lapse of time, in despite of all efforts to preserve them. The awful doctrines of predestination, the creation of millions of human beings foredoomed from all eternity to everlasting torments, have been boldly repudiated by the leaders in the General Assembly of the Church of Scotland, while in the same year the musty records of the assembly of divines have been scrutinised by the

law lords of the House of Peers on a momentous appeal case. Property held by the United Free Church of Scotland, valued as above four millions of pounds, has been assigned to a remnant of Highland congregations with twenty-five ministers, who claimed to be true to the old confessions from which the majority had wandered. At this there was such an outcry that a bill was easily passed through parliament restoring much of the property to the larger church.

While the horrors of the Irish massacre were still fresh in men's minds, the king was foolish enough to direct the Earl of Ormonde to make a truce with the rebels under the expectation that he would have their aid to put down the parliament. If the Scottish army in Ulster, about 8000, was overwhelmed, there seemed a danger that the whole force of Catholic Ireland would be turned upon England.

It is recorded in the Council Records of the city of Edinburgh,¹ that "on October 14, 1643, Sir Henry Vane, younger, and Mr Steven Marshall, divyne, two of the English commissioners, were feasted with ane desseart efternoone and were made Burgesses and Gildbrather in the presence of the Provost, Ballies, Dean of Guild, and part of the Guild Council. The thresaurer to pay the charges. Several of the attendants of the commissioners were made Burgesses allendarlie [only]."

Sir Henry left Edinburgh for London towards the end of October, promising to advise the parlia-

¹ I am indebted to Mr Thomas Hunter, W.S., Town Clerk of Edinburgh, for excerpts recording these proceedings. Their speeches were printed in Edinburgh. Two speeches spoken at a Common Hall, October 1643, by Sir Henry Vane, two by Master Marshall, wherein is showed the readinesse of the Scots to assist the kingdome and parliament of England to the utmost of their power, Edinburgh, 1643.

ment to send supplies to the Scottish troops in Ulster. Shortly after his arrival Vane and Marshall gave a public address in Guildhall, announcing that the covenant had been universally taken by the whole Scottish nation. "They did enjoin it," he told the London citizens, "in such a manner as that the greatest and powerfulest enemies of it amongst them durst not show their heads to oppose it; those that should not take it or should defer it should be esteemed enemies to religion, to his majesty's honour, and to the good of the two kingdoms, that they should have all their rents and profits confiscated, and should not enjoy any office or benefit in that kingdom, and that they should be cited to the next parliament to answer for not taking it. Mr Marshall said that, in addition to the civil penalties mentioned by Sir Henry Vane, the General Assembly had ordained that particular account should be taken by the several presbyteries of all who should refuse or shift to swear and subscribe, and that they should be proceeded against with the censures of the church."

It was shown that the Scottish nation had already borne heavy expenses in raising their army, which was now ready, and an appeal was made to the citizens to assist towards a subsidy of £20,000 as ordained by the parliament.

The English commissioners, in their tedious voyage to Leith, must have had anxious fears whether the parliament would be able to maintain themselves in London. The Cavaliers had gained many successes. Essex's army was losing heart; it was difficult to raise money to pay the soldiers. The king had still

many partisans in London, and crowds of people beset the doors of the Assembly House shouting to them to make peace. It was said, both at the time and after, that if the king had marched upon the capital, he might have driven the parliament to flight. Nevertheless there were difficulties in the way. Even in the west of England, where the king's party was strongest, there were strenuous upholders of the popular cause who had gathered in some fortified places from which they would have issued had the royalist bands been withdrawn to march upon London. The Welsh were unwilling to leave the strong city of Gloucester between them and their own country. Exeter was not yet reduced, and Plymouth, secure on the sea, dominated the country around. Blake held Lyme, and had begun to show himself a formidable antagonist; Newcastle would not march south as long as Hull was in the hands of the Fairfaxes. The king knew by experience, that if he approached London, his own army would be weakened by defections and desertions, while the opposing force would be strengthened by the London train-bands who, although not willing to march far away, were ready to do battle to save their homes from the rapine of the king's dissolute soldiers, and so the Cavalier army marched to Gloucester. Instead of a speedy surrender the trumpeter who bore the royal summons brought back two citizens from the town with pale lean visages, who in a pert, shrill, undismayed accent said that they had brought an answer from the godly city of Gloucester to the king. This was in writing, and ran as follows:—

“August 10, 1643.

“We, the inhabitants of, magistrates, officers, and soldiers, within this garrison of Gloucester, unto his majesty’s gracious message, return this humble answer : That we do keep this city, according to our oaths and allegiance, to and for the use of his majesty, and his royal posterity ; and do accordingly conceive ourselves wholly bound to obey the commands of his majesty, signified by both houses of parliament ; and are resolved, by God’s help, to keep the city accordingly.”

Having delivered their letter, the two envoys turned their backs upon his majesty and departed amidst the derisive laughter of the courtiers. As soon as they got back to Gloucester the garrison set the houses beyond the fortifications on fire.

The bare walls stared down on the blackened ruins, and were defended so stoutly that the royalists were forced to change the assault into a blockade.

The courage of Gloucester touched the heart of London. Six regiments of the train-bands marched out amidst the cheers and prayers of the people to relieve the beleaguered city on the Severn. Essex, convinced by the persuasions of Pym that the work was to be done in earnest, set out with a well-equipped army of 15,000 men. Vainly did Rupert’s cavalry try to stop their onward march ; vainly did Charles send a trumpeter to propose peace : Essex replied that the parliament gave him no commission to treat, but to relieve Gloucester. “No propositions, no propositions,” shouted the soldiers. The siege had lasted twenty-six days, during which the whole strength of the garrison remained on the works day and night,

except a reserve of 120 men, and only three barrels of gunpowder were left¹ when the army of the parliament appeared on Presbury Hill and the townsmen saw the enemy's quarters on fire and their troops retreating from the wasted country. On the 6th of September Essex's soldiers were hailed as deliverers by the Puritan city.

Marching back to London, the parliamentary army found their way barred by the king's troops, which had occupied a strong position near Newbury. This Essex at once attacked in full force. A bloody struggle raged the whole day. The parliamentary troops had gained some ground and were ready to renew the attack next morning, when they found that the king's host had retreated under cover of night. Not only had the Roundhead infantry again proved their superiority over those of the king, but they had on open ground repelled the furious charges of the royalist cavalry. Many of the bravest of the Cavalier gentlemen had met their deaths on the pikes of the London train-bands. Amongst them were the Lords Carnarvon and Sunderland, and most mourned of all Lord Falkland, who at the first meetings of the Long Parliament had taken part against the court: still the friend of constitutional liberty in the royalist camp, the proposer of impracticable compromises, not satisfied with either party, bewailing the miseries and cruelties of a fratricidal war, he sought the peace of death on the field of battle.

As men in times of great peril instinctively follow those most worthy to lead, John Pym,² a gentleman of

¹ May's *History of the Parliament*, p. 389.

² See Life of John Pym in Foster's *Lives of Eminent British Statesmen*, Lardner's *Encyclopædia*, London, 1837, pp. 293-30.

no great estate, had from the beginning of the war swayed the parliament by the authority of pre-eminent ability, known courage, devotion to the cause of liberty, and unwearied diligence in public duty. Through all the losses and failures in the course of the war, the friends of liberty had gathered courage from his high faith and lofty eloquence. His influence was a force which permeated all and acted through all, so that his individuality seemed lost in the great events of that wonderful time. With a consummate knowledge of parliamentary feelings and procedures, Pym had been able to direct a deliberative assembly to assume executive functions, to sustain a government, and to carry on military operations with a sagacity and resource which triumphed over all difficulties and mischances. In his manners Pym had none of the rigid austerity of the Puritans: with an ardent love for liberty and zeal for the Protestant cause, he had no narrow preference for any form of church government. Between him and Vane there was a warm friendship; no doubt, from his greater age and experience, Pym had much to do in forming the political opinions of the younger statesman, and now, when success was in view, the great parliamentary leader was called away. Exhausted by incessant work and anxiety, to the last he gave his failing strength to the popular cause. He died on December 8, 1643. His illness was eagerly watched by the royalists; horses were kept waiting in London to convey the tidings of his death, and bonfires were kindled at Oxford in their coarse joy that their dreaded enemy had passed away, and stories that Pym had died of a loathsome disease were circulated and believed by the blind credulity of hatred. What

remained of the great patriot was borne to Westminster Abbey on the shoulders of ten of the chief men of the House of Commons, among whom were Denzil Holles, Sir Arthur Hesilrige, Oliver St John, and Sir Henry Vane the younger, followed by both houses of parliament all in mourning, and by the assembly of divines and many others. An eloquent sermon was preached by Doctor Marshall, which ended with the memorable words: "I beseech you let not any of you have one sad thought touching him, nor apprehension as the enemies have, and for which they rejoice, as if our cause were not good, or we should lose it for want of hands and heads to carry it on. No, no, beloved, this cause must prosper; and although we were all dead, our armies overthrown, and even our parliaments dissolved, this cause must prevail."

As it was found by inquiry of a parliamentary committee that the deceased statesman had in his care of the public liberties neglected his private estate, £10,000 were voted to pay his debts, and a pension was accorded to his son, Charles Pym.

Two great parliamentary leaders had already given their lives in actual combat for the popular cause—John Hampden and Lord Brook. The Cavaliers now hoped that the parliament would not hold together after the death of King Pym, as they derisively styled him. But in that wonderful assembly there were not wanting men to take their places. Young Vane now appeared as the leading statesman in the House, while as the fulfilment of his dexterous diplomacy, a Scottish army of 18,000 foot and 2500 horse crossed the Tweed about the middle of January 1644.

The Marquis of Newcastle, the king's lieutenant in the north, saw that the Scottish sword would turn the scale against him. The Fairfaxes, no longer shut up in Hull, had driven the royalists out of the East and West Ridings, and were advancing on the North Riding. The Scots were overrunning Northumberland. Newcastle wrote to the king imploring reinforcements: "If your majesty beat the Scots, your game is absolutely won"; but even in the west his majesty's partisans had much to do to hold their own.

CHAPTER XIII

Thomas Fairfax and Oliver Cromwell. The Battle of Marston Moor.

THE first heroes of the parliament were the Earl of Essex, "the darling of the swordsmen," Sir William Waller, the champion of the Presbyterians, and stout old Skippon, who drilled the train-bands. Then amidst the shock of arms other names were heard ever oftener and louder. Thomas Fairfax, born the same year as Henry Vane, came of an old Yorkshire family, which had given birth to many warriors. His grandfather was the companion in arms of Lord Vere; his granduncle made the first and still the best translation of Tasso. Two of his uncles had met their death in the Thirty Years' War. When a youth of eighteen Thomas Fairfax had seen war along with Turenne at the siege of Bois-le-Duc in the Low Countries, where he suffered from ague, which weakened his health for years after. He married Anne, the daughter of Lord Vere. He had attracted notice by presenting a petition to the king at York, which his majesty had disdainfully rejected. In this family there were none of the distressing divisions of kinsmen which frequently attended the Civil War. All the Fairfaxes took the side of the parliament. With his father, Lord Ferdinando Fairfax, Sir

Thomas was active in rallying the Yorkshire Ridings against the Cavaliers, who were at the beginning better appointed, and under the Marquis of Newcastle drew many hardy recruits from Northumberland.

The Fairfaxes were followed by their tenants and many of the yeomanry, and the rising manufacturing towns of the country. Sir Thomas was a tall man with brown hair, fair complexion, and somewhat high cheek-bones. Accomplished in all military exercises, courteous and generous as he was brave, his skill in war and power of organisation soon marked him as a great leader. Commanding the navigation of the Humber, Hull was of signal value both to the south of Yorkshire and to Lincolnshire, where the forces of the parliament were greater. In the south-eastern counties the Earl of Manchester was entrusted with command by the parliament. A man not born to control, he soon yielded to the ascendancy of Oliver Cromwell.

Originally from Glamorganshire and bearing the name of Williams, the Cromwells had been settled for three generations in Huntingdonshire, where they had received grants of church lands in the days of Henry VIII. Robert Cromwell, or Williams, the father of Oliver, was the second son of Sir Henry Cromwell, one of whose daughters was the mother of John Hampden. When seventeen years old Oliver was sent to Cambridge University. It is reported that in his youth he was rough and quarrelsome, and more addicted to field sports than to study, which accounts for his skill shown later in life as a rider, and in the use of weapons.¹

¹ Without giving credit to the malicious statements of royalist writers,

Going to London to study civil law, Oliver married when twenty-one, the daughter of a city merchant, after which he led a decorous life and consorted with the zealous Puritans. With him religious emotion was too vivid for the haberdashery and posturings of the episcopal church. Sir Philip Warwick has preserved a note of his mental condition when still a private gentleman which is worthy of quotation in full :—

“After the rendition of Oxford, I, living some time with Lady Beadle (my wife’s sister) near Huntingdon, had occasion to converse with Mr Cromwell’s physician, Dr Simcott, who assured me that for many years his patient was a most splenetic man, and had fancies about the cross in that town, and that he had been called up to him at midnight, and such unseasonable hours, very many times, which made him believe he

the assertion that Oliver Cromwell was wild in his youth seems to rest upon some evidence. Sanford (in his *Studies and Illustrations of the Great Rebellion*, London, 1858, p. 221), quotes a letter written by him to his cousin, the wife of the celebrated Oliver St John : “You know what my manner of life hath been. Oh, I lived in and loved darkness, and hated light ; I was a chief, the chief of sinners. This is true ; I hated godliness, yet God had mercy upon me.” It needs some straining to get rid of such direct testimony, even though allowance be made for the wont of religious persons to deplore the depravities of their unconverted state. Sir Philip Warwick lived some time in Huntingdon, and conversed with Sir Oliver, the protector’s uncle, and with his physician, Dr Simcott. Warwick tells us that “the first years of his manhood were spent in a dissolute course of life, in good fellowship and gaming, which afterwards he seemed very sensible of and sorrowful for, and as if it had been a good spirit that had guided him therein, he used a good method upon his conversion, for he declared that he was ready to make restitution unto any man who would accuse him, or whom he could accuse himself to have wronged.”—*Memoirs of the Reign of Charles I.*, p. 276.

Richard Baxter, whom Cromwell invited to be chaplain in his own regiment, writes that Cromwell had been “a prodigal in his youth, and afterwards changed to a zealous religiousness.”—See *Reliquiæ Baxterianæ*, London, 1696, lib. i., p. 98.

was then dyeing, and there went a story of him that in the daytime, lying melancholy in his bed, he believed that a spirit appealed to him and told him that he should be the greatest man (not mentioning the word king) in this kingdom, which his uncle, Sir Thomas Steward, who left him all the little estate Cromwell had, told him was traitorous to relate."

It thus appears that Cromwell had a nervous system, susceptible of depression and exaltation beyond normal limits, and that his views of objective realities were liable to be coloured by his mental conceptions. His temper was said by his body servant to be exceedingly fiery, but restrained by his strong religious feelings, and a heart easily excited to pity distress. He first made himself prominent as an opponent of a scheme of the Earl of Bedford for the drainage of the fens because the interests of the dwellers around were not respected. He was elected member for Huntingdon in the parliament of 1628. The same Sir Philip, a gay young courtier, entering the House in the early days of the Long Parliament, was struck by the appearance of a man "in a plain cloth suit which seemed to have been made by an ill country tailor, his hat without a hat-band, his sword stuck close by his side, his voice sharp and untuneable, his eloquence full of fervour," on behalf of a servant of Prynne's, imprisoned for dispersing libels against the queen for her dancing. This uncourtly person was Oliver Cromwell. Sir Philip confesses that he was very much hearkened to. About this time Mr E. Hyde was chairman of a committee to inquire into the enclosure of common wastes by the Earl of Manchester without the consent of the tenants around. Mr O.

Cromwell, a member of the committee, accused Hyde of partialities and discountenancing the witnesses. He angrily replied to the earl's son and his carriage was so tempestuous that the chairman threatened to adjourn the committee and complain next day to the House. Apparently this did not prevent the Earl of Manchester acting along with Cromwell in the common cause, though Cromwell never forgave Hyde, as he assures us.¹

As an orator or debater in the Long Parliament, Cromwell could not hope for distinction. Some discourses which he made when protector have come down to us. They are tedious, badly arranged, for the most part poorly expressed, rambling, often almost unintelligible; but by a singular contradiction, no man ever saw more clearly the drift of the events in which he bore a part, nor knew better how to use the hopes, the fears, the passions, and the prejudices of men to his own advantage, or understood more nicely how to lead his adversaries into false positions.

With the Civil War his time had come. He raised a troop of horse from the Puritan yeomanry of the fen country, which soon grew to a regiment. He would only enlist men of good physique, and took care that they should be well mounted and carefully exercised in the use of their weapons and fired with the same religious zeal. Of a powerful and manly figure, with a stern and commanding air, strong and bold in battle, loud and fervid in prayer, Cromwell soon gained a wonderful control over the minds of the troopers who entered his regiment. Such a mixture of Celtic fervour and Saxon steadfastness, such daring and

¹ *The Life of Edward, Earl of Clarendon*, Dublin, 1760, vol. i., p. 79.

such conduct, such enthusiasm, and such presence of mind! a character at once austere and emotional, with a deep insight into human nature, and a profound faith in the divine guidance which was strengthened by one success following upon another; but which never led him to neglect a single worldly precaution. At this time, to all appearance, Oliver Cromwell was imbued with a pure zeal for liberty both civil and religious.

York, the capital of Roman Britain, had remained the chief city of England, north of the Humber. A walled town in a central position with a bridge over the Ouse, a navigable river which divides the city, it was a gathering place for the royalist gentry of the country around. Here Charles had mustered his army to march southwards, and the house where his first manifestoes were printed is still to be seen. He had left behind the Marquis of Newcastle, invested with high powers, a magnificent nobleman fond of music and poetry, a great judge of horses, skilful in riding and fencing, brave in battle, but disliking the hardships of war. Newcastle brought to York a regiment of hardy Northumbrians. Superior in number and resources, after much gallant fighting he had driven the Fairfaxes to seek shelter within the fortifications of Hull, when the Scottish army, commanded by Alexander Leslie, Earl of Leven, made their way through the northern counties. They were joined by Sir Thomas Fairfax, who had just given the Cavaliers a signal defeat at Selby.

The conjoined army sat down before York on April 19, 1644. The investment was completed by the Earl of Manchester's forces from the associated

counties of the south-east. Throwing a bridge of boats over the Ouse above and below, they shut York completely in, and tried to breach the walls by batteries and mines.

The parliament now sent Sir Henry Vane to the leaguer to confer with the generals on some weighty matters, whether Manchester's or Fairfax's force could not be detached to protect those friendly to the cause from pillage and massacre in Lancashire, about the process against the Hothams and other affairs of Yorkshire. Gardiner has given some evidence from the letters of the Venetian and French envoys that Vane had private instructions to induce the generals before York to consent to proclaim the deposition of the king, so that the parliament might get rid of the awkwardness of making war against Charles, while they still recognised him as king.

Behind the scenes it had been discussed to dethrone Charles I., and to crown the prince and make him king. Old Vane, who knew how intractable his late master was, seems to have favoured this idea.¹ In a full House he declared his conviction that "the present flame would devour all" unless great care and wisdom were used for stopping it, and wished that to that end they might lay a new foundation. Some talked of placing the prince palatine, Charles, on the throne, who was thought to be not unwilling. Whatever the younger Vane's proposals were, it seems that the three generals before York, Manchester, Lord Fairfax, and Leslie, would not listen to them.²

¹ See Forster's *Arrest of the Five Members*, p. 243.

² *History of the Great Civil War*, by Samuel R. Gardiner, London, 1897, vol. i., p. 368.

Henry Vane had made his way to the camp through bad weather, which made the roads deep, with change of horses difficult to be got. The committee of estates was eager to have him back, and he was able again to be present by the end of June. He reported that it would not be wise to withdraw any of the besieging force, and that York was likely soon to fall either by assault or treaty. He received thanks for his great pains and his faithful discharge of his mission to the north.

In the meantime Prince Rupert was gathering an army for the relief of York, marching through Lancashire and Yorkshire, ravaging the country on his way, dreaded by foes and friends. The city, though bravely defended, was in great straits when tidings came to the besiegers, at the end of June, that Prince Rupert, with 20,000 men, was coming near York. Avoiding the allied army, he succeeded in joining hands with Newcastle, on which the besiegers abandoned their lines and could be seen from the towers of the Minster to be marching westward. Not content with raising the siege, pretending a peremptory order from the king to join battle with the enemy, the impetuous Rupert urged that the Puritan army should be pursued. Newcastle advised delay, as they were scarcely equal in number with the allied army, and a reinforcement of 3000 men from the north was expected within two days. The stately marquis was ruffled at being overruled by the prince, who "was rough and passionate, and loved not debate." It required more persuasion to get some of the soldiers of the York garrison to march out without their pay.

On July 2, 1644, the infantry of the allied army were as far as Tadcaster, nine miles off, when the Cavaliers appeared in their rear. The whole army, some 15,000 foot and 9000 horse, then wheeled round, and about two o'clock formed in front of the villages of Longmarston and Tockwith. The scene of the battle is now open moor, well adapted for the movements of cavalry. Marston is still a long village made up of cottages, gardens, and parks, within hail of one another, and some of the old roads and lanes can still be made out. The allied army was formed in order of battle by the Earl of Leven, a veteran of the Thirty Years' War, who had compelled Wallenstein to raise the siege of Stralsund, and had been much esteemed by Gustavus. The centre was held by four regiments of Scottish infantry, with three in the rear as a reserve. The baggage was placed on the hill behind. On the right wing was an infantry brigade commanded by Major-General Lawrence Crawford, a daring leader, but over-confident and quarrelsome. Farther to the right were Cromwell's and David Leslie's regiments of horse, with some Scottish dragoons on the extreme flank. Lord Fairfax's Yorkshire men formed the right centre and right wing with three Scottish cavalry regiments in reserve, the horse, as usual in those days, being on the extreme wing. The battle line extending for a mile and a half, being formed amongst the waving cornfields, each brigade had to care for itself, little communication being kept up between the three army corps. Between the two armies was a deep and broad ditch which the royalists had occupied with some infantry, and a few pieces of artillery. Their

main army was formed on the moor. Prince Rupert had assured the marquis that he would make no attack upon the Roundheads till next morning, when that nobleman, having shaken off responsibility, went to sleep in his coach.

But General Leslie did not mean to put off the battle. The sun was now casting its shadows eastward. There had been some exchange of cannon shot. The Puritan soldiers filled the time of waiting by singing psalms, and about seven o'clock their masses of musketeers and pikemen, their troops of horse in hauberks and helmets, advanced to the attack. The royalists' centre was under Lord Eythin, the only capable general with their army. He had a brigade of Newcastle's northern levies. On the right wing rode Prince Rupert with his own guard and other regiments. The left was led by Lord Goring, who, as Clarendon tell us, had wit and understanding and ambition, uncontrolled by any fear either of God or man, and could not keep from drinking, even in presence of the enemy. He was ably supported by Sir William Urry, a soldier of fortune, who had done good service to the parliamentary cause at Edgehill, had deserted to the king, and was fated to change sides twice more, till his career was ended in the last adventure of Montrose. Though thus unconstant, Urry was an able officer, and fought bravely for those who paid him at the time. He adopted Gustavus's tactics of placing companies of musketeers between his troops of horse.

Fifty thousand men were now arranged against one another. Not for a hundred and eighty-two

years had so many troops been arrayed on English ground to meet in fight. The battlefield of Touton was a few miles off, where 37,000 men had lost their lives, to contend whether the people should have the profligate Edward of York or the weak-minded Henry of Lancaster for their ruler. Now the battle was for the rights of the people against the tyranny of the crown.

Frizell's dragoons having taken a commanding position on the flank of the ditch, it was crossed along the whole line, some of the enemy's drakes being taken. Cromwell drove away Lord Byron's horse from the ground by the ditch, till they came to form on the moor. Here Cromwell received a wound which took away his strength for a while,¹

¹ Many loose and inaccurate descriptions of this famous battle have been published. I have compared the accounts of eye-witnesses, Ash, Watson, Stuart, Slingsby, and twice visited the battlefield. I do not know what command Lord Leven took, or whether he had any aide-de-camps, and he was carried off the field ere the fight was over. The three separate divisions fought as they best might. The morning after the royalists could not be called an army. From the first there were conflicting versions of the battle, which are not yet settled. The Scottish auxiliaries bitterly complained that the part which they sustained was purposely misrepresented. Clarendon, with his chronic spite against the Scots, shapes his story to discredit them. The best collected description of the battle which I have read is in the *Life of the Great Lord Fairfax*, by Clements R. Markham, London, 1870. There is also a good account in the *Life and Campaigns of Alexander Leslie, Earl of Leven*, by C. S. Terry, London, 1899. On the third day after the battle, Cromwell wrote to his brother-in-law, Colonel Valentine Walton, whose son was mortally wounded at Marston Moor: "It had all the evidence of an absolute victory obtained by the Lord's blessing upon the godly party principally. We never charged, but we routed the enemy. The left wing, which I commanded, being our own horse, saving a few Scots in our rear, beat all the prince's horse. God made them as stubble to our swords." Cromwell winds up: "Give glory, all the glory to God." With so much piety he might have spared a little credit to the few Scots in his rear who were about half the wing, 24 troops and 400 dragoons, about 1920 men out of 4200. That they

and the advance of his Ironsides was checked by Rupert's Life Guards and Grandison's horse. Here

were not in the rear, every other eye-witness who mentions them testifies. In this letter, however, it cannot be fairly denied that Cromwell claimed more than his due. What part Cromwell really took in this battle it is now scarcely possible to estimate. Denzil Holles says (*Memoirs from the Year 1641-1648*, London, 1699, para. 16, p. 15): "Those who did the principal service that day were Major-General Lesly, who commanded the Scots horse, Major-General Crawford, who was Major-General to the Earl of Manchester's brigade, and Sir Thomas Fairfax, who, under his father, commanded the northern brigade. But my friend Cromwell had neither part nor lot in the business. For I have several times heard it from Crawford's own mouth, and I think I shall not be mistaken, if I say *Cromwell* himself has heard it from him, for he once said it aloud in *Westminster Hall* when Cromwell past by him with a design he might hear him, that when the whole army at Marston Moor was in a fair possibility to be utterly routed, and a great part of it running, he saw the body of horse of that brigade standing still, and to his seeming doubtful which way to charge, backwards or forwards, when he came up to them in a great passion, reviling them with the name of poltroons and cowards, and asked them if they would stand still and see the day lost. Thereupon Cromwell showed himself, and in a pitiful voice said, 'Major-General, what shall I do?' He (begging pardon for what he said, not knowing he was there, toward whom he knew his distance, as to his superior officer), told him, 'Sir, if you charge not, all is lost.' Cromwell answered he was wounded, and was not able to charge (his great wound being a little burn in the neck by the accidental going off behind him of one of his soldiers' pistols). Then Crawford desired him to go off the field, and sending one away with him (who very readily followed wholesome advice), led them on himself." Clarendon says that the wound was above the shoulder. Principal Baillie wrote from London, August 10, 1644: "They (the independents) ascribe to him (Cromwell) the victory of York; but most unjustly, for Hymbie assures us that Prince Rupert's first charge falling upon him, did humble him so, that if David Lesly had not supported them he had fled. Keldon Crawford, who had a regiment of dragoons in that wing, upon his oath assured me, that at the beginning of the fight, Cromwell got a little wound on the neck which made him retire, so that he was not so much as present at the service; but his troopers were led on by David Lesly."—*Letters and Journals of Robert Baillie, Principal of the University of Glasgow*, Edinburgh, 1775, vol. ii., p. 49. It is clear that the wound incapacitated him for the time, but not long. A bullet wound impairs the function or destroys the vitality of the tissues around. It seems to me that a wound affecting the cervical vertebrae or the muscles near the spinal cord might readily cause a shock which

Algernon Sydney, then a young captain in Manchester's horse, was dangerously wounded, and but rescued by one who rode to his help. The Scottish horse under Leslie charged Rupert's horse, and Crawford routed the infantry opposed to them. The Ironsides recovered their ground. Hurling their smoking pistols at one another they closed at the sword point, and a stern cavalry fight was kept up for nearly an hour, when the royalist cavalry gave way and galloped over their own reserves of foot, killing those of their own party who tried to stop their flight. They were pursued with great havoc for three miles. My Lord of Newcastle was awakened by a loud noise and thunder of shooting, whereupon he put on

would render a man faint. While I was serving as a military surgeon at the siege of Delhi, in the action of July 14, I saw a young officer turn round on his saddle to look backward when a bullet struck along his back. I felt the wound with my finger, through the hole in his clothes, and ascertained that it was a graze which slightly furrowed the skin over the back ; but the shock made the officer feel so ill that, though a very keen and brave soldier, he had to go out of action, which at that time was nearly over.

Holles, no doubt, injures his case by his absurd charge of cowardice against Cromwell ; but none of the statements he makes seem to me positively unfounded, though exaggerated and distorted.

In another letter, No. 71, dated London, July 16, Baillie wrote : " We were both grieved and angry that your independents there should have sent up Major Harrison to trumpet over all the city their own praises, to our prejudice, making all believe that Cromwell alone, with his unspeakably valorous regiments, had done all that service, that the most of us fled ; and who staid, fought so and so, as it might be. We were much vexed with these reports, against which you were not pleased, any of you, to instruct us with any answer, till Lindsay's letters came at last, and Captain Stewart and his colours. Then we sent abroad our printed relations, and could lift up our face."

At the end of his letter the Principal writes : " See by this enclosed, if the whole victory, both in the right and left wing, be not ascribed to Cromwell, and not a word of David Lesly, who in all places that day was his leader" (vol. ii., p. 41).

his arms and got on horseback,¹ when he beheld the dismal sight of the flying horse of his majesty's right wing. After vainly trying to stop them, the marquis sought his own regiment of whitecoats and charged with them. On the right wing Sir Thomas Fairfax led his troops along the moor lane exposed to a cross fire. At the end of the road they came upon some broken ground difficult for horse to form, where they were opposed by Urry's alternate horse and foot, and Lucas's Cavaliers. Fairfax himself got a sabre cut in the cheek, and was thrown off his horse, but was rescued, and mounted again. His own regiment drove all before it; but the rest of the right wing under his father, Lord Fairfax, gave way. The Scottish reserve was carried away by the fugitives, save Eglinton's regiment of Lancers, who fought bravely. A part of the right centre was involved in the flight bearing along the veteran General Leslie, who vainly tried to stop them. Some of the royalist cavalry now took to plundering the baggage in the rear; but Urry and Lucas's horse, with the Newcastle regiment, fell on the right flank of the Scottish centre, already hotly engaged with the royal regiments in front. The fate of the battle now depended upon the steadiness of the four Scottish regiments who, though very hard pressed, maintained the fight till the victorious left wing came to their relief. Sir Thomas Fairfax, taking the white handkerchief, the badge of his party, from his hat, had ridden across Marston Moor to the victorious left wing, who now turned back from their pursuit to meet such of the royalist left as could gather in time. They

¹ See *The Lives of William Cavendish, Duke of Newcastle*, etc., by Margaret, Duchess of Newcastle. London, 1872, p. 61.

were soon driven off the field. The royalist cavalry were routed by the reserves of Manchester's horse; and David Leslie's riders, with the Scottish dragoons, broke through the royalist infantry. The brave borderers, Newcastle's whitecoats, retreated into a piece of ground enclosed by a hedge where, surrounded on all sides and charged by pikemen and horse, they fought till they were all killed save about thirty. In the pursuit, which was pushed to within a mile of York, Sir Thomas Fairfax exhorted his soldiers to spare their misguided countrymen. A throng of fugitive Cavaliers pressed through the Micklegate. They had left behind them their wounded, their artillery, and a hundred standards; 1500 soldiers and about 100 officers were made prisoners; 4150 bodies were said to have been buried in the Syke's close; of these, 3000 were thought to be of the royalist army. Amongst those who fell on the parliament side was the younger brother of Sir T. Fairfax. His father, Lord Fairfax, returned from Tadcaster in time to write an account of the victory to the parliament. Next morning the Marquis of Newcastle called on Prince Rupert to inform him that, having now done his best, he purposed leaving England. So, escorted to Scarborough by a troop of horse (his coach and six left on Marston Moor with papers compromising Sir John Hotham), his lordship with Eythin and other friends and hangers-on set sail for Hamburg. Rupert made his way back to Lancashire with such as chose to follow him. A small garrison was left in York, who surrendered the place to the allied army in a fortnight.

The three allied generals went to the cathedral, where a service was held by Lord Leven's chaplain,

It was owing to the exertions of Sir Thomas Fairfax that this noble building had been saved from damage through the besieger's cannon. The Marquis of Newcastle was not mistaken in believing that it was useless to prolong the struggle north of the Humber. The Scottish army marched away to besiege Newcastle; Manchester's forces went south to reinforce Essex, reducing Sheffield and Tichill Castle on the way. A contingent, which had arrived from Cheshire too late for the battle, returned to take part in the varied fortunes of the war in the west, and the Fairfaxes remained to reduce some castles still held by the Cavaliers in Yorkshire. At the siege of Helmsley, Sir Thomas Fairfax was dangerously wounded by a ball through the shoulder, and another which broke his arm, and for weeks alarm was felt for his life. In the meantime Helmsley and Knaresborough surrendered, and on Christmas day Sir Thomas Fairfax appeared before the strong castle of Pomfret. He had hastened back too soon to the hardships of war, for his strength failing, he was constrained to return to York. The siege of Pomfret was converted into a blockade; but it did not surrender till June 21, 1645.

CHAPTER XIV

Defeat of Essex's Army in Cornwall. Gallant Diversion of Blake. The Second Battle of Newbury. Cromwell's Complaint against Manchester. The Presbyterians and the Independents. Vane favours Toleration for all Religions. State of the War. The Treaty of Uxbridge. Successes of Montrose. The Trial and Execution of Laud. The Self-denying Ordinance. The new Model Army. Fairfax Commander-in-Chief.

WHILE the forces of the parliament were victorious in the north, affairs did not go so well with them in the south. Sir William Waller had been defeated at Copley; the citizen soldiers were weary of the toils of war, and the regiments were dwindling. Essex led his army westward to relieve the besieged garrisons of Plymouth and Lyme, recover Exeter, and rally the country around to the cause. The king, gathering superior forces, came on behind. Instead of offering battle Essex retreated westward, sending word of his peril to the parliament, who ordered Sir William Waller to pursue and retard the enemy. Unready and unprepared, not unwilling that Essex should get a foil, Waller gave no effectual help. Instead of taking refuge in Plymouth, Essex's army was pushed back to the extremity of the Cornish peninsula. The earl showed little skill in manœuvring, losing position after position; even his access to the sea was made difficult,

Cooped up in a narrow corner with too little room for forage for his horses, he resolved to send his cavalry to break through. Although word of this design came to the royalists, they kept such poor watch, that, at night, after the setting of the moon, Sir William Balfour, with the Roundhead horse, rode through between two detachments of the enemy, within pistol shot of one of their pickets, and got clear off. Essex, with several of his officers, escaped in a ship, leaving Major-General Skippon with the infantry to settle as he best might. The king was in no condition to make hard terms, and so the infantry of the parliamentary army were allowed to march off, leaving their arms behind them. From Plymouth, Essex wrote a report of the disaster, which the parliament received with the same magnanimity as the Roman senate showed when the Consul Terentius announced from Canusium the rout of Cannæ. They let him know that though they apprehended the misfortune, their good affections to his lordship, and their opinion of his fidelity and merit in the public service, were not at all lessened. Sir William Waller was ordered to march speedily upon Dorchester with all his horse and foot; and 6000 foot arms, 500 pairs of pistols, and 6000 suits of clothes were sent to refit the discomfited, who were eager to have a new occasion for retrieving their disgrace.

The king had lost some weeks in futile efforts to reduce Plymouth and Taunton. Occupying a central position in the west of Somerset, Blake gave no rest to the royalists around. All attempts to attack the place were driven back. Both at Lyme and Taunton the Cavaliers lost so many men that these two

garrisons were as good as an army in the west to the cause of the parliament.

October was well-nigh over before the king marched upon London. The Earl of Manchester covered the capital with Waller's force, augmented by the London Militia. A fierce battle again took place at Newbury. Essex's soldiers rushed upon the cannon, which they had lost in Cornwall, and retook them. The royalist army retreated during the night. Essex, still treated as the Lord-General, had remained in London; the military leaders, Waller, Balfour, and Cromwell, complained that they were poorly supported by Manchester. When the parliament learned that the king had reappeared and removed his artillery from Donnington Castle, not far from Newbury, the House of Commons ordered an inquiry. Cromwell, who was both a general and a member of parliament, spoke out freely: "It is to the Earl of Manchester," he said, that "all the blame is to be imputed; ever since the battle of Marston Moor, he is afraid to conquer, afraid of a decisive success; but now, when the king was last at Newbury, nothing would have been more easy than to destroy his army; I went to the general, I showed him evidently how this could be done; I desired his leave to make the attack with my own brigade, and the earl with the rest of his army might look on; other officers urged this with me, but he obstinately refused, giving no other reason but that if we were entirely to overthrow the king's army, the king would still be king, and always have another army to keep up the war, while we, if the army he commanded should be overthrown, should no longer be anything but rebels and traitors, executed and forfeited by the

law." Manchester, defending himself in the Upper House, recriminated upon Cromwell, and told some of his bold sayings, how he talked with scant reverence of the peers, even of the Commons; how he said that if the Scots were bent upon getting their Presbyterianism established in England, he would as soon draw his sword against them as against the king, and how he was gathering the Independents into the army of the eastern counties.

Though the record of the words which fell from Cromwell was likely coloured by the reflection of his later career, we have contemporary evidence to show that he was now regarded as a man of deep designs, and a fierce enemy of a hollow peace with the king. Since the battle of Marston Moor, there had been bitterness between Cromwell and the Scots. The Presbyterian party got Lawrence Crawford made major-general, and Cromwell got the officers of the army of the Eastern Association to demand Crawford's dismissal. The Scot was not slack at retaliating. The leaders of the Presbyterian party, Holles, Stapleton, and others, met the Scottish commissioners at Essex's house to consider how they might get rid of Cromwell. Lord Loudon, the Scottish chancellor, denounced the lieutenant-general as one who, "since the advance of our army into England, hath used all underhand and cunning means to take off our honour and merit in this kingdom. By our law in Scotland, we call him an incendiary who kindleth coals of contention and causeth differences in the state, to the public damage." He wanted to know whether they could proceed against him as an incendiary. Whitelocke and Maynard, two eminent lawyers, being

asked their opinion, said that the word incendiary was little used in English law; whether Lieutenant-General Cromwell was such could only be known by proofs of his particular words or actions, which could not be easily made out and brought to the effect intended. Whitelocke observed: "I take Lieutenant-General Cromwell to be a gentleman of quick and subtle parts, and who hath, especially of late, gained no small interest in the House of Commons, nor is he wanting of friends in the House of Peers, nor of abilities in himself to manage his own part or defence to the best advantage." "Some false brother" informed Cromwell of what had passed at the meeting. Nothing came of it; nor did the Independents succeed in getting Crawford cashiered.

It was characteristic of the age that through the tumult of war, and while the parliament had sore ado to provide for its armies, religious questions still deeply stirred men's minds. The assembly of divines were holding their sittings at Westminster, disputing point by point, and pushing through by large majorities article after article of the Calvinistic creed and church government. Most of the ministers in London were Presbyterians; the Scottish commissioners would not let the matter rest; when it was announced to parliament that the Scottish army had stormed Newcastle they represented that the solemn league and covenant should be enforced, Presbyterian churches should be established in every parish in England, and the arm of the law should be used to crush dissent. The politicians like Selden viewed with dislike the prospect of an organised church, based on popular representation, yet claiming to be independent

of the civil power. The Independents were coming more to the front; they considered that Presbyterianism fitted upon Scotland eighty years before was too strait for the English people; they held that each congregation should manage its own affairs without the interference of bishops, synods, or general assemblies, and that any godly person acquainted with the scriptures and gifted with speech had a right to preach publicly in the churches. Under the name of Independents, there were many sects differing in doctrine, but united for common safety. Principal Baillie, writing to a friend in Paris, exposes the "singularities" of the Independents: "They do not censure, in their churches, the denial of pædobaptism, though they profess their dislike of that error. Many of them preach, and some print, a liberty of conscience, at least the great equity of a toleration of all religion; that every man should be permitted, without any fear so much as of discountenance from the magistrate, to profess publicly his conscience, were he never so erroneous and also live according thereunto, if he trouble not the publick peace by any seditious or wicked practice. . . . They profess to regard nothing at all, what all the reformed or all the world say, if their saying be not backed with convincing scriptures or reason." The learned principal concludes his letter with the observation: "The sooner all the Reformed declare against them the better." Milton, who was a unitarian, trembled at the denial of toleration. "Presbyter was but priest writ large." The leaders of the Independent party in the Commons were the younger Vane and Oliver St John; in the Lords, Saye and Sele and Wharton. The Inde-

pendents made subtle attempts to get stolen through the committee of Lords, Commons, and Divines, an admission how far tender consciences might be borne with. "This order," wrote the principal,¹ "presently gave us the alarm: we saw it was for the toleration of the Independents by act of parliament before the presbytery or any common rule were established. Our most trusty friend the solicitor (St John) had throughed it the House before we heard of it. Mr Marshall had evidently in the prosecution of it slighted us. Sir Henry Vane, whom we trusted most, had given us many signs of his alteration; twice at our table prolixly, earnestly, and passionately, had reasoned for a full liberty to all religions without any exceptions; had publicly in the House opposed the clause in the ordination that required ministers to subscribe the covenant, and that which did intimate their being over their flocks in the Lord; had moved the mustering of our army, as being far less than we were paid for."

The Independents, finding they had a majority upon this committee, were anxious to obtain a declaration of toleration of the sectaries sent to the parliament without trying to pass it through the assembly of divines. This the Presbyterians opposed, insisting that the common rule of church government should be agreed on before any of forbearance of those who dissented should be resolved on. It was well understood that they were not likely ever to favour any such forbearance. Baillie celebrates the champion orators who argued upon the Presbyterian side and claims a victory for them, "yet Henry Vane

¹ *Letters and Journals*, vol. ii., letter 83, p. 66.

went on violently." About the end of October 1644, the Presbyterians in the House of Commons carried the dissolution of the dangerous committee which had vexed the souls of the divines for five weeks ; then they went on arguing and voting about marriages, burial and funeral services, getting their catechisms and directory ready, and hoping that the Independents would take up their reasons. "If this be," the principal writes, "it were better than a new victory over the king's army. Who knows what reward the Lord may give us for our great patience, and love to these, however very good, yet very dangerous and unhappy men, who have been the great and mighty instruments to keep all things here loose, both in church and state, these two years bygone, for the increasing of their party to so great a strength, that they might, by fear and threats, obtain their desires."

The war had now lasted over two years ; much blood had been shed, yet neither party had been able to overwhelm the other. The king had made a better fight than most people had expected : but on the whole the advantage was with the parliament. The Cavaliers held all Wales save Pembrokehire, and most of the south-west of England save Gloucestershire. Marston Moor had given the north to the parliament. The Scots had taken Newcastle, and were besieging Carlisle. Baronial castles here and there were still held for the king over the middle of England. From these strongholds they raided the country around, levied contributions, took rents, and destroyed the property of the Roundheads. The elder Vane afterwards wrote that Raby Castle had been visited four times during

the war by the Cavaliers,¹ "so that in my losses, plunderings of rents, and destruction of timber in my woods, I have been damnified to the amount of £16,000 at the least." Many other country gentlemen had the same story to tell. The parliamentarians were not slow at retaliating. Thus a desultory and wasteful war went on over all England; even the eastern counties did not wholly escape. On this account men able to bear arms were unwilling to serve for a long term far from their homes. Waller had forcibly pointed out that his recruits served for a month or two and then left the colours. Armies called out on a stirring occasion dwindled away when it came to hard marching and exposure to rough weather. The whole of eastern England and the country around London was in the power of the parliament. All the great seaports save Bristol were in their hands. It was much easier for them to raise money, and as their soldiers were better paid and under a more austere discipline, they were much less given to plundering than the royalists. The drunken swaggering ways of the Cavaliers did much harm to the king's cause.

Ambassadors from the States of the Netherlands and from France had repeatedly offered their media-

¹ One of these occasions is mentioned by Whitelocke: "The king's forces from Bolton Castle surprised Raby Castle belonging to Sir Henry Vane (June 29, 1645); but were again close blocked up by forces raised by Sir George Vane."—*Memorials*, p. 151.

Sir George was the second son. He is the ancestor of Sir Henry R. Vane of Hutton-in-the-Forest, who has two portraits of him. On the renewal of the civil war in 1648, Raby Castle was again besieged by the royalists. Our information about this affray is derived from the Staindrup parish register. It is recorded that many soldiers were killed and buried in the park. This is mentioned in the *Handbook for Raby Castle*, written by the late Duchess of Cleveland.

tion, and so weary were most people of the war that neither party could refuse to appear willing to make concessions; but neither the king nor the leaders of the parliament designed to make peace save on their own terms. Those who had ventured their lives and estates could not trust Charles with the control of the executive power, for they knew that whatever concessions he might be constrained to make, he intended to revoke them whenever a favourable opportunity should occur. He endured with vexation the entreaties of the gentlemen who guarded him at Oxford, that he should abate something of his pretensions in order that peace might be made with the parliament. He was ready to grant toleration to the Catholics, who were his steadiest supporters, and who in their own faith were as zealous as the Puritans. This did him harm with the Protestant gentlemen, who still followed him, and when it leaked out that he was secretly treating with the Irish rebels in hopes of gaining their assistance, some men of rank left him, submitted to the parliament, and compounded for their estates which they were only allowed to do on signing the covenant. About the middle of November 1644 the Earl of Denbigh, Holles, Whitelocke, and William Pierpoint were sent by the parliament with overtures of peace. They were accompanied by the Scottish commissioners, Lord Maitland and two others.

The king, though he received the envoys in a friendly manner, presented to them for reply a sealed letter with no address, as he would not recognise the parliament even in name. He, however, offered to begin negotiations. Commissioners from the parliament, so many from the Scots, and so many

from the king with their suites, 216 persons in all, met at Uxbridge, a little town between London and Oxford.

The parliament could hardly have believed that their proposals would be accepted. One of them was that Charles should subscribe to the solemn league and covenant, and agree to abolish episcopacy; another that the militia and navy of the two kingdoms should be controlled by English and Scottish commissioners in a fixed proportion. Henry Vane, though one of the commissioners, was too well informed of the king's character to cherish any hopes of the conference leading to a pacific result. After two months' parleyings it came to an end on February 22, 1645. The Scots, who had hoped something from the treaty, were now convinced that the dispute must be decided by the sword.

The king was encouraged by news from the north. James Graham, Earl of Montrose, had been one of the first to sign the solemn league and covenant, and had led the van of the Scottish army that crossed the Tweed in August 1640 to the discomfiture of Strafford. Later on, Montrose had been gained over by Charles, had been suspected, and imprisoned for several months by the ruling party in Scotland, had joined the king at Oxford, and received a commission as lieutenant-general to raise the northern kingdom against the covenanters. In disguise with two attendants, he entered Scotland and made his way to Atholl to take command of 1500 Irish soldiers sent by the Earl of Antrim, like Montrose, an enemy of Argyll. The Macdonalds, and other clans at feud with the Campbells, soon

gathered to his standard. Daring and skilful in arms, ready to adapt himself to every kind of warfare, Montrose, with his fiery Highlanders and Irish, was too much for the Lowland militia, led by the old formal officers of the Thirty Years' War. On September 1, 1644, he defeated a covenanting army near Perth with great slaughter. On the 13th he forced his way into Aberdeen. Not five years before Montrose had dealt severely with the people of that city because they were unwilling to sign the Covenant. Now they had to suffer pillage and massacre because they had not shifted with him. Making his way through the Highland passes in the dead of winter into the country of the Campbells, Montrose inflicted a bloody defeat upon the army of his rival at Inverlochy on February 2, and sent a message to Charles at Oxford, that he was in the fairest hopes of reducing Scotland to his majesty's obedience; and, as he doubted not, before the end of summer to come to his assistance with a brave army. Rumours of the pitiless havoc this ruthless soldier with his Gaelic army was making in the north disquieted the minds of the Scottish army campaigning in England, and gave anxiety to the parliament at London.

It must have exasperated the king, that while the conference at Uxbridge was still sitting, the parliament was pushing on the impeachment of the Archbishop of Canterbury. Laud had lain three years in the Tower, old, feeble, and indigent. Prynne, his former victim, now his prosecutor, would not allow the process to sleep. The House of Commons determined to carry out the impeachment for high

treason by a vote of attainder. Even those who resorted to this irregular judgment admitted that it should only be resorted to in extreme danger to the state. Strafford was a dangerous man, but certainly not Laud. They could not get the judges to say that his oppressive actions amounted to high treason, and though he deserved punishment, it seemed yielding to hatred rather than to justice now to seek his life. The prosecution gave Laud an opportunity of regaining credit by an abler defence than was expected, and arousing the emotions of those who forget the offence in their compassion for the offender. The ordinance was pushed through the House of Peers, no more than twenty of whom could have taken part in the trial, and few of them sat throughout. In vain did Laud produce a pardon from the king. He was beheaded on January 10, 1645, dying with the placid faith that his ritualism was agreeable to the Most High. True to his last hours in externals, he was distressed at the idea of his blood falling on some of the people around the scaffold.

On December 22, Sir A. Carew was beheaded for an attempt to betray Plymouth to the royalists; on January 2, Captain Hotham, and on the day after his father, Sir John, suffered the same fate for their proposed treachery at Hull; and on February 20, Lord Macguire for his part in the Irish rebellion.

The king, who favoured men who showed a noisy zeal, became estranged from those who, while willing to defend his prerogative so far, were anxious for him to make concessions to the parliament. Though the Cavaliers showed the gallant spirit of English

gentlemen, no skilful general appeared amongst them, with the exception of Montrose. Rupert was general-in-chief, and the highest commands in the west were given to Goring and Sir Richard Greenvil, men debauched and rapacious, who made themselves odious to the people whom they plundered on their own account.

In the meantime the parliament, willing to learn from experience, was considering how they could get rid of generals like Essex and Manchester, who, though brave to resist attack, were slack at pushing their successes, as if they were afraid to strike the king too hard. As early as December 1643 the Lords had passed a resolution that no member of either House should be admitted into any office excepting such places of great trust to be executed by persons of eminence and known integrity, and are necessary for the safety of the kingdom; but this guarded recommendation failed to pass into an ordinance. It was natural, indeed scarcely avoidable, that at the outset of the civil war the parliament should entrust members of their own body, whose sentiments were well pronounced, with the administration of affairs, and high commands in the army; but while the deliberative power of the assembly was weakened by the withdrawal of above one-fourth of its ablest¹ members, it

¹ The 22nd of January 1644 being the day appointed for the Anti-parliament to meet at Oxford, the parliament at Westminster called the House, and there appeared 280 of their members, beside 100 more in the service of the parliament in the several counties, and now they expelled by vote 40 members who had deserted the parliament.—*Whitelocke's Memorials*, London, 1682, p. 76. Mr Sanford supports Whitelocke's statement, *Studies and Illustrations*, p. 498.

Out of a house of 100 there were about 29 Peers for attendance of Westminster. There were about a dozen waverers who came and went, and some neutrals. About 20 might be present to carry on their deliberations, often there were fewer. The royalist seceders from

was found that good statesmen might make indifferent colonels of regiments, and that orators who could think upon their legs on the floor of the House of Commons could not think so clearly when seated upon a hussar saddle, with bullets hissing in their ears.

Nathaniel Fiennes, a son of Lord Saye and Sele, had been tried by court-martial for weakly surrendering Bristol, and had been condemned to death. He was pardoned by Lord Essex, and after a time had returned to the House of Commons, of which he was a useful member. Harry Marten, one of the cleverest and boldest speakers in the House, had given up warfare after his retreat from Reading.

On December 9, the House resolved itself into a grand committee to consider the sad condition of the kingdom by the continuance of the war. As Rushworth¹ tells us : " There was a general silence for a good space of time ; many looking one upon another to see who would break the ice, and speak first in so tender and sharp a point. Amongst whom Oliver Cromwell stood up, and spake briefly to this effect :—

" ' That it was now a time to speak, or for ever to hold the tongue ; the important occasion being no less than to save a nation out of a bleeding, nay, almost dying condition, which the long continuance of the war had already brought it into, so that, without a more speedy, vigorous, and effectual prosecution of the war casting off all lingering proceedings, like soldiers of fortune, beyond sea, to spin out a war, we shall make the kingdom weary of us ; and hate the name of a parliament. For what do the enemy say ? Nay, what the Lower House might be at first about 100, afterwards swollen by fresh defections during the disastrous year 1643.

¹ *Collections*, vol. vi., p. 4 ; *Parliamentary History*, vol. xiii., p. 375.

do many say that were friendly at the beginning of the parliament. Even this, that the members of both Houses have got great places and commands, and the sword into their hands; and what by interest in parliament, and what by power in the army, will perpetually continue themselves in grandeur, and not permit the war speedily to end, lest their own power should determine with it. This I speak here to our own faces, it is but what others do utter abroad behind our backs.

“ ‘I am far from relecting on any; I know the worth of those commanders, members of both Houses, who are yet in power; but, if I may speak my conscience, without relection upon any, I do conceive, if the army be not put into another method, and the war more vigorously prosecuted, the people can bear the war no longer, and will enforce you to a dishonourable peace. But this I would recommend to your prudence, not to insist upon any complaint or oversight of any occasion whatsoever; for as I must acknowledge myself guilty of oversights, so I know they can rarely be avoided in military affairs, therefore wavering a strict inquiry into the causes of these things, let us apply ourselves to the remedy which is most necessary; and I hope we have such true English hearts and zealous affections towards the weal of our mother country, as no members of either House will scruple to deny themselves and their own private interests for the public good, nor account it to be a dishonour done to them, whatever the parliament shall resolve upon in this weighty matter.’ ”

After further debate it was moved by Nahum Tate, and seconded by Henry Vane: “That no

member of either House of Parliament should, during this war, enjoy or execute any office or command civil or military, and that an ordinance should be brought in accordingly."

A public fast was held on December 18. Preachers were chosen to address both Houses in Lincoln's Inn Chapel. These pulpit orators used all their eloquence in favour of the ordinance. When the Commons met the next day after these devout exhortations, Sir Henry Vane told them: "If ever God had appeared to them, it was in the exercise of yesterday, and that it appeared it proceeded from God, because, as he was credibly informed by many who had been auditors in other congregations, the same lamentations and discourses had been made in all other churches, as the godly preachers had made before them; which, therefore, could proceed only from the immediate spirit of God. He repeated some things which had been said, upon which he was best prepared to enlarge, and besought them to remember their obligations to God and to their country; and that they would free themselves from those just reproaches, which they could do no otherwise than by divesting themselves of all offices and charges that might bring in the least advantage and profit to themselves; by which only they could make it appear that they were public-hearted men, and as they paid all taxes and impositions with the rest of the nation, so they gave up all their time to their country's service without any reward or gratuity."

He told them "that the reflections of yesterday, none of which had ever entered upon his spirit before, had raised another reflection in than had been

mentioned, which was, that it had been often taken notice of, and objected by the king himself, that the numbers of the parliament, who sat in either House, were too few to give reputation to acts of so great moment as were transacted in their councils; which, though it was no fault of theirs, who kept their proper stations, but of those who had deserted their places and their trusts, by being absent from the parliaments; yet that, in truth, there were too many absent, though in the service of the House, and by their appointment; and if all the members were obliged to attend the service of the parliament in the parliament, it would bring great reputation to their numbers, and the people would pay more reverence, and yield a fuller obedience to their commands," and then concluded: "That he was ready to accuse himself for one of those who gained by an office he had; and though he was possessed of it before the beginning of the troubles, and owed it not to the favour of the parliament (for he had been joined with Sir William Russell in the treasurership of the navy by the king's grant), yet he was ready to lay it down to be disposed of by the parliament; and wished that the profits thereof might be applied towards the support of the war."

Oliver Cromwell, whose success in the war had gained the attention of the House, told them that "God had so blessed their army, that there had grown up with it, and under it, very excellent officers, who were fitter for much greater charges than they were now possessed of; and desired them not to be terrified with an imagination, that if the highest offices were vacant, they should not be able to put as

fit men into them; for, besides, that it was not good to put so much trust in an arm of flesh, as to think such a cause as this depended upon any one man, he did take upon him to assure them, that they had officers in their army, who were fit to be generals in any enterprise in Christendom." In conclusion he said plainly, "That till the whole army were new modelled, and governed under a stricter discipline, they must not expect any notable success in any thing they went about."

Though Whitelocke spoke against the self-denying ordinance, it passed through the Commons with little difficulty. The Lords complained that they were by this measure deprived of all military commands; they reminded the Commons that the barons in the old times had been active at the hazard of their lives and estates in maintaining and regaining the fundamental laws of the realm. After several conferences with the Commons they rejected the ordinance. The debates and remonstrances about this measure made a beginning of the differences between the Commons and the peers who remained at Westminster. The ordinance was brought in again modified in form, providing that all and every one of the members of either House should be discharged at the end of forty days from the passing of the act from every office or command, military or civil, granted by the said Houses of Parliament. This second edition of the self-denying ordinance which was passed by the Lords on April 3, 1645, did not prevent the discharged officers from being reappointed.

As a political expedient, this was a master-stroke. With an air of magnanimity the parliament got rid

of commanders to whom they could not refuse gratitude, and whom it was dangerous to offend. Essex the lord-general, Warwick the high admiral, Sir William Waller, Holles, Hesilrige, and others, resigned their commissions and returned with honour to the assembly at Westminster.

In the meantime the Independents in the House were getting through another measure to remodel the army and to fill up the vacancies in the higher commands. An army of 14,400 foot, 6600 horse, and 1000 dragoons was to be organised under one commander-in-chief. Sir Thomas Fairfax was chosen for this great post, and the higher officers were appointed from a list furnished by him. This was not effected without opposition from the peers, the Scottish commissioners, and from the Presbyterian party in the Commons. They got into the new model ordinance that officers and men who had not taken the covenant should be incapable of serving in the army; but the Independents succeeded in getting this clause modified.¹ After the arrival of the Marquis of Argyll in London, the opposition of the Scottish commissioners to the self-denying ordinance and the new model was much lessened. This was attributed to the influence of Sir Henry Vane, who had formed a fast friendship with Argyll during his visit to Scotland.²

The colonels and lieutenant-colonels were selected from men who had proved their capacity during the war. A few of them had risen from the ranks. John Okey had been a chandler; Pride a drayman; Hewson a cobbler; Harrison a butcher. This made

¹ Rushworth, vol. vii., p. 6.

² Clarendon.

a great outcry amongst the discontented Presbyterians. Holles says in his *Memoirs* that most of the colonels are tradesmen, brewers, tailors, goldsmiths, shoemakers, and the like : but Mr Markham¹ has shown that out of thirty-seven generals and colonels twenty-one were commoners of good families, nine were members of noble families, and only seven were not gentlemen by birth. As the war went on the proportion of the officers risen from the ranks went on increasing. Most of Fairfax's old soldiers were still in the north, and so the new force was mainly formed out of the armies of Essex and Manchester, reduced into fresh regiments. The excitement of the times filled the ranks with men who possessed in no common measure the independent spirit and religious zeal of the English people. The Independents and other sectaries were numerous in the new model army. Their study of the bible had led to opinions new both to prelate and to presbyter discussed in garrison, camp, and bivouac. The more enthusiastic of these armed devotees indulged in wild militant harangues in the intervals of parade and battle. In point of personal subordination and outward respect to their officers we have drawn the articles of war more strictly ; but we are obliged to condone with practices which would have excited the horror of Fairfax's Puritan pikemen and troopers.² When we read of some of the soldiers of the Commonwealth being hanged for plundering and for desertion, tied neck and heels together and exposed to public gaze for stealing,

¹ *Life of Fairfax*, p. 199.

² See Whitelocke's *Memorials*, pp. 271, 406, 423, 430, 443, 452, 453, 487, for examples of the stern discipline enforced upon the soldiers of the Commonwealth.

being whipped for fornication, and having their tongues bored for blaspheming, punishments which could only have been inflicted, under the circumstances with the approval of the rest, and which no commanding officer could enforce at Aldershot. Wellington had the lowest opinion of the morals of the British soldiers, whom he regarded as a fighting machine only to be kept within bounds by rigid discipline. In our own day, though capable of praiseworthy devotion to duty in war, Tommy Atkins is much less correct in his morals than Tribulation Wholesome: but his kindly and human feelings are more readily awakened as he lives in a less coarse age. In no time is the homicidal excitement of the combatant who is pushed forward to kill or be killed favourable to the saintly life. In the Old Testament the Puritan soldier found encouragements to deal sternly with the malignants. After resistance was over he might give quarter to his own countrymen who asked it; but to the Irish brought across the sea, or to the Catholic priests, no more mercy should be given than to the people of Ai, or to the priests of Baal. His rougher nature rejected the verbiage that they were fighting for the king and not against him. The soldiers applauded the bold speech of Cromwell, who openly said that if he met the king in battle he would fire his pistol against him as at any other man. The parliament provided that sufficient pay should be given to the soldiers that year;¹ they were enjoined to pay at given rates for what they took, and they were sternly prohibited from plundering. The king's troops, who were scarcely

¹ The pay allowed was eightpence a day for a trooper; sevenpence a day for a dragoon; and sixpence for a foot-soldier.

paid at all, lived at free quarters and wasted the country. The example of reckless and dissolute conduct was given them by their own commanders. In the west, the country most favourable to the royalist cause, the peasants collected in bands under the name of club men, to save their belongings from the soldiers of Rupert and Goring. They had on their banners :—

“If you offer to plunder our cattle
Be assured we will give you battle.”

During the whole of April the young general went on working with Major-General Skippon to reorganise the army.

It has been repeated by prejudiced or ignorant writers that Fairfax was a mere tool who acted under the suggestions of Cromwell, and it has been even stated in shallow little histories that Sir Thomas Fairfax,¹ save in military matters, was a man of small intellect. This last assertion shows an ignorance of human character and military affairs which entitles those who make it to a certificate of total incapacity to write history. To get through all the multifarious

¹ Mr Clements R. Markham, in his *Life of the Great Lord Fairfax*, easily sustains the credit of the Commander-in-chief of the army of the parliament. “Cromwell,” he observes, “advocated the self-denying ordinance because he saw that, unless the war was carried on with more energy, the end would inevitably be disastrous. But he had nothing whatever to do with the organisation of the new army; he was quite ready to resign his appointment as a member of the House, and fully expected to have been called upon to do so, and his subsequent continuance in the army was solely due to the application of the general for his services. Sir Thomas Fairfax held no divided responsibility. He was in all respects the Commander-in-chief of the new army; he selected the officers, organised the regiments, and conducted the operations in the field. Cromwell was subsequently his very efficient lieutenant-general of horse, but was of no use to him in preparing for the field, nor in making the important arrangements at Windsor, where Major-General Skippon, and not Cromwell, was Sir Thomas’s right hand” (pp. 194-195).

duties of the commander of a large army against a capable enemy requires the exercise of so many faculties both intellectual and moral that no one who successfully discharges them can be less than a man of great mental ability. A man may be a good general and no poet, and a man may write good verses and be no general; but a man who like Fairfax could do both, must possess varied mental power of a high order. The truth is that Cromwell seems to have been only once at Windsor during the new organisation of the army, and even in the campaign which followed he was mostly engaged in military operations apart from the army of the general.

But we have no mind to chase the Cromwellian legend up and down, satisfied to be able to state the events as they really happened. Three skulls are shown in different places as all belonging to Cromwell, and those who look at history backwards give him credit for three times more than he ever did.

By the end of April 1645, Fairfax was ready to take the field with his new model army, much decried by the Presbyterians and ridiculed by the Cavaliers.

In the meantime the forces of the parliament had taken the important town of Shrewsbury and recovered Weymouth.

At this time the executive power had been entrusted by the parliament to the committee of both kingdoms made up of twenty-one English and four Scottish members, who met in Derby House. Northumberland, Essex, Manchester, Warwick, Saye, and Wharton were amongst the peers; Lord Loudon and Johnston of Wariston were the most prominent Scottish commissioners. The two Vanes, elder and younger, and

Sir Arthur Hesilrige, were amongst the Commoners. The younger Vane was ready for every business where skill, tact, and diligence were needed. His name often strikes the eye in the reports of the proceedings of the committee, as well as of the parliament where he was now the recognised leader of the independent party.

CHAPTER XV

The New Model Army takes the Field. Cromwell's Exploits. The Battle of Naseby. The King's Cabinet of Letters. New Elections. Farther Victories of Fairfax. The Glamorgan Treaty. Overtures to Vane. Leslie defeats Montrose. Charles surrenders to the Scots. The Marquess of Argyll.

By the end of April the new model army was ready to take the field. The design of the parliament was to call the Scottish army to march southward to engage the king's army. Fairfax should go to relieve Taunton, where the unconquerable Blake was still holding at bay a large force of Western royalists behind a barrier of palisades.

The young general, solicitous to keep Cromwell's services as long as he could, had sent him to attack the enemy's posts about Oxford. He was not long in reporting successes after his characteristic style, how at Islip "a body of the king's troops were put into confusion, so that we had the chace of them three or four miles : wherein we killed many, and took near to 200 prisoners, and about 400 horse. Many of them escaped towards Oxford and Woodstock ; divers were drowned ; and others got into a strong house in Bletchinton." Colonel Windebank was terrified into a surrender. "This was the mercy of God," wrote the Puritan leader, "though I have had greater mercies, yet none clearer ; because, in the first, God brought them to our hands when we looked not for them ; and delivered them out of our hands, when we laid a reasonable design to surprise them, and which

we carefully endeavoured." Colonel Windebank, the son of the exiled secretary, had no mercy from Charles who got him before a court-martial and condemned to be shot for surrendering the castle with so little resistance. Cromwell finished his letter thus: "I hope you will pardon me, if I say God is not enough owned; we look too much to men and visible helps; this has much hindered our success." Such words might imply a reckless fatalism: not so with Cromwell. While he used every visible help he nourished a conviction that an unseen arm was sustaining him, and in every new success he read a new proof that he was a chosen instrument of God's will.

On the 10th of May the parliament ordered that General Cromwell should continue in his command for forty days longer. At the pressing requests of Fairfax, supported by seventeen of the chief officers of the army, Cromwell's attendance at parliament was dispensed with, and he was given the command of the whole cavalry force, a post which had been probably left open for him. It was not without difficulty that Cromwell was excepted from the Self-Denying Ordinance. Some treated it as the result of crafty management on his part; yet everything goes to show that, in supporting the ordinance in parliament, Cromwell assumed that he would have to resign his military commission along with the rest, and that he was prepared to do so. But in the stress of a still doubtful war it was felt that the army should not lose the services of so great a leader. Fairfax, acting upon new instructions, marched with his main army to besiege Oxford, sending a column to relieve Taunton. In the meantime Charles advancing northwards took

Leicester by storm and raised the siege of Chester. These successes were used to increase distrust of the new model army. Cromwell was sent to provide for the defence of the associated counties, and Fairfax was set free to act as he wanted. When leaving Oxford he marched to seek the king's army.

The royalists were so poorly supplied with intelligence that Fairfax got within five miles of them before they knew of his approach. The king was advised to delay fighting till reinforcements should reach him from the west; but Fairfax was swift and watchful. He had called in all his power. On the 13th, Cromwell had reached headquarters with his famous regiment of horse. Rossiter was on the way. Harrison was sent to harass the enemy. The outposts of the Cavaliers were surprised at the village of Naseby. Here, in an open undulating country on June 14, the two hosts encountered. The army of the parliament had some advantage of numbers¹ and of position on a slope. The king's troops made a brave fight. Rupert bore down the Roundhead horse on the left wing, Ireton, their commander, being wounded

¹ Many historians have stated the strength of the opposing armies as about equal. This is affirmed by Sprigge, who witnessed the battle. Baillie writes: "That Fairfax had 11,000 or 12,000 horse and foot; the king was much weaker in foot." May writes: "Nor was the number of the armies very unequal; the royalists only were strongest in horse" (*Breviary of the History of the Parliament*). Gardiner writes (*Civil War*, vol ii., p. 247) "that Fairfax's army was little short of 14,000 men, about twice as many as the 7500 who fought for Charles." This latter figure is apparently taken from Clarendon, who only allows 3300 foot to the royalist army. We have no statement of the king's force after the taking of Leicester, and it did not exist as an army the day after the battle; but we know that 4500 were taken, as reported by Colonel Fiennes who had charge of the prisoners. About 1000 royalists were slain, 700 in the battle and 300 in the pursuit. Moreover, Gardiner tells us that there were 4000 infantry in the king's centre. He says in one place that

and taken, but the Cavaliers were stopped by the infantry left to guard the baggage train.

The general of the parliament had charged on the right wing with Cromwell's horse, and then turned to bring up the reserves of the centre before the front lines had been brought back under the furious onset of the king's infantry. Taken in flank by Cromwell, who had turned half his squadrons from the pursuit of the royalist horse, whom he had routed, and taken on the other flank by Okey's dragoons who had formed after Rupert's Cavaliers had swept past, the deserted infantry after a brave struggle threw down their pikes and muskets, and surrendered to the victorious Puritans. They were mostly Welshmen drawn from their mountains to fight in a cause which they little understood.

Rupert, who had lost time in gathering and reforming his ill-disciplined horse, only got back to the field in time to join the king's squadron in a headlong flight. As Clarendon has remarked: "That difference was observed all along in the discipline of the king's troops, and of those which march'd under the command of Fairfax, and Cromwell (for it was only under them, and had never been

5000 prisoners of both armies were taken ; in another that the prisoners were 4000, and that the king's cavalry, though defeated, were almost intact. From this we may judge that Clarendon has misled Gardiner in underestimating the strength of the royal army. Gardiner also says that Cromwell on the right wing had 3600 sabres against 2000 of the Cavaliers. Gardiner's observation (p. 248) that the baggage train was really in the power of Rupert, "for musket shots were no permanent defence against cavalry," shows a slight acquaintance with warfare. Rupert had learned something since Edgehill, and knew too well how to handle cavalry to engage without any support of infantry in an attack upon a resolute force of musketeers drawn up behind the baggage waggon, while the fugitive cavalry might be rallying behind.

remarkable under Essex or Waller) that, though the king's troops prevailed in the charge, and routed those they charged, they seldom rallied themselves again in order, nor could be brought to make a second charge again the same day; which was the reason, that they had not an entire victory at Edgehill: whereas the other troops, if they prevail'd, or though they were beaten, and routed, presently rallied again, and stood in good order, till they received new orders."

The whole camp, tents, guns, ammunition, provisions fell into the hands of the victors. Fairfax, who had sustained the part of a skilful general and had fought like a paladin to break the last royalist square, sent to the parliament the welcome tidings in simple terms. Cromwell, a politician as well as a soldier, addressed a letter to the House of Commons, which concluded with these words: "The general served you with all faithfulness and honour; and the best commendations I can give him is, that I dare say he attributes all to God, and would rather perish than assume to himself, which is an honest and a thriving way; and yet as much for bravery may be given him in this action as to a man, 'Honest men served you faithfully in this action, sir, they are trusty; I beseech you, in the name of God, not to discourage them.' I wish this action may beget thankfulness and humility in all that are concerned in it. He that ventures his life for the liberty of his country, I wish he trusts God for the liberty of his conscience, and you for the liberty he fights for."

The parliament sent a jewel worth £500, as a token of their gratitude to the victorious general. The captured infantry were led in triumph through

the streets of London with the standards taken at Naseby. The king's cabinet had fallen into the hands of Fairfax, who hesitated to open the papers. The parliament were not so scrupulous. Copies of the queen's letters and Charles's replies were read in the Guildhall to a crowd of members of parliament and citizens. It was made evident that the king never regarded his concessions as binding; that his promises were made with the design of being revoked upon opportunities. He excused himself to the queen that, in consenting to call the assembly at Westminster a parliament, he had got it privately entered on the journal of the council that this did not mean he had acknowledged them to be so, and that if he could have found two of his "mongrel" parliament at Oxford of his mind he would never have made this illusory concession. It was farther proved that, while Charles had said that he abhorred the thought of bringing foreign soldiers into the realm, he had solicited armed help from the Duke of Lorraine, the King of France, the King of Denmark, and even from the Irish rebels. To the last he had promised toleration for their religion, which was not the least of his demerits in the eyes of the Protestants, who recalled the zeal he had professed for the rooting out of popery. The king's letters were publicly exhibited, and leave given to those who knew his hand-writing to examine them. A selection of these papers was afterwards published. This revelation of Charles's untruthfulness silenced for the time the advocates of peace, and gave an excuse to those ready to turn to the winning side, while the most fervent royalists were at a loss for excuses on his behalf.

The parliament now proceeded to fill up vacancies in the House from death or desertion, by the election of new members, which had been delayed owing to the disturbed state of the country. During the last four months of 1645, 146 new members were elected. Edmund Ludlow took his seat along with Robert Blake; Fairfax, Skippon, Algernon Sydney, Massey, and Hutchinson were added to this illustrious assembly. Eighty-nine new elections were made in the course of the succeeding year. These on the whole added to the strength of the independent party in the House.

To those who paused to think resistance was hopeless after Naseby, but the people of Celtic blood, the Cornishmen, the Welsh, the Gael, fought on for a year, though they were undermost in the struggle. Fairfax gave them no breathing time. Three days after the battle he recovered Leicester, and a fortnight after, while Goring was lazily blockading Taunton, he was sobered by the tidings that Fairfax's army was within a few miles of him. His disorderly troops were scattered at Langport. The clubmen, who had at first interfered with foraging parties, soon found that the Puritan army was not given to pillaging, and that they could not be safely meddled with. Bridgewater and Dartmouth and other strongholds of the Cavaliers were taken by storm. Rupert, despairing of the cause, gave up Bristol after a weak defence, much to the displeasure of his royal uncle, who had no manner of doubt that it was the bounden duty of all his subjects to expend their wealth and shed their blood that his power over them should not be made less. Charles fled here and there seeking to kindle a courage in men fated

to destruction. He sent Lord Glamorgan, the son of the Catholic Earl of Worcester, to gain the aid of the Irish rebels, covertly promising them terms which he publicly denied. A copy of the treaty was found on the body of the Archbishop of Tuam, slain at the siege of Sligo, and sent to the parliament, who published it for the king's farther discredit. Charles protested that Glamorgan had gone much beyond his instructions. The Earl of Ormonde, Lord Deputy of Ireland, who saw the affair was fraught with mischief, imprisoned the Catholic lord in Dublin. He produced a secret warrant from Charles granting him unlimited powers to treat.¹ A copy was sent to the king, who could not remember having given the commission. Glamorgan could keep his mind easy: there was no fear of his being brought to trial. He was soon liberated on bail. Charles would have kept the wide promises of toleration to the Catholics, or broken them, as it suited him. One fact stood out that he was willing to bring over men soiled with English blood to help in prolonging a desolating and now hopeless struggle.

The hunted king fled northwards in the hope of gaining the camp of Montrose, who had now reached the border with his army of Irish and Highlanders. Montrose had routed the raw militia of the covenant in six battles, inflicting terrible havoc and devastation on the country. In his last engagement at Kilsyth he had put to flight an army of 6000 men, and few had escaped the pitiless pursuit of the swift-footed

¹ There is a copy of this warrant in Carte's *Life of Ormonde*, vol. i., p. 554. Carte treats this document as fictitious. In that case it must have been a forgery of Glamorgan's. It would be easy to answer the arguments of the royalist historian,

Highlanders. Edinburgh opened its gates and set free the political prisoners; and the leaders of the covenanting party fled southwards to Berwick or Newcastle. All the while the trained Scottish army was besieging towns still held by the royalists in the northern parts of England. Little credit did they get from their English allies, who complained that Leven was slack in his operations. Perhaps evil tidings from their own country rendered the Scots unwilling to move far south.

A Highland host was easy to gather in the hopes of plunder or revenge; after a victory they returned to their valleys with their booty. Huntly, the chief of the Gordons, would not follow Montrose, and Alexander Macdonald, often called Colkitto, the Achilles of his host, broke away with the Macdonalds and a band of Irish to harry the lands of their old enemies, the Campbells.

After the tidings of the battle of Kilsyth, David Leslie quitted the leaguer of Hereford with the Scottish cavalry and a few infantry, and hurried north. About the middle of September, Montrose, who never kept good watch, was lying with his shrunken army at Philiphaugh, near Selkirk, when in the morning mist Leslie's well-trained horsemen burst through his reeling ranks. After a brief struggle Montrose rode away, leaving his Irish banditti to the swords of the covenanters or the dungeons of the Border castles, never again to see the light of day till led out to be shot, a fate their cruelties had provoked.

Charles, in his desperate shifts to save himself, fancied that he might gain over the Independents by proposing an alliance with the Cavaliers to root out the Presbyterian government, only stipulating that

when the work was finished he "should not have his conscience disturbed, theirs being free." Two letters to Henry Vane, the younger, conveying this proposal, remain amongst Clarendon's collection of *State Papers*.¹ Such overtures amounted to an insult both to Vane's honour and to his understanding. He replied that the Independents would never forget the public good, and the interests of the parliament, from whom they hoped to obtain relief to their consciences when affairs were finally adjusted.² The king wished to have a safe conduct very fully made out by the two Houses of Parliament, and others allowing him to come to London for forty days to treat, not without hope, as he wrote to Lord Digby, "that I shall be able so to draw either the Presbyterians or the Independents to side with me for extirpating one the other, that I shall be really king again."

The overthrow of Montrose quenched the last hopes of the royalists. Those who kept on resisting were beaten down everywhere; their towns and castles were taken. Trusting to vague promises to which each party assigned a different meaning, Charles sought

¹ Vol. ii., pp. 226-27.

² Gardiner tells us (*Civil War*, vol. iii., p. 71) that "no evidence exists that Vane even replied to this offer," which shows that the following passage in M. Montreuil's letter has escaped his research: "Ce quelle accorde dans la religion aux Independans fait dire a jeune Vane que c'estoit une adresse de Votre Majesté pour les attirer a son parti, cependant que, quelque quelle fit, ils ne se separeroient jamais du bien publique, et des interets du parlement, duquel seuls ils desireroient obtenir, quand les affaires seroient achevees ce soulagement pour consciences que V.M. leur offroit presentement."—Letter dated London, February 5, 1646. Clarendon's *State Papers*, vol. ii., p. 215.

In the two letters written by the king's command in the beginning of March 1646, he confesses the pitiable condition of his affairs, and refers to some gentleman quartered with Vane.

refuge with the Scottish army, who were besieging Newark. The Scottish commanders, while they gave him the title of king, treated him as a prisoner. The Scottish army was in the service of the parliament, yet the King of England was also King of Scotland. The northern kingdom had never known what constitutional government was. The people were ruled by the nobility and clergy, whose aims and aspirations were different from those of the English. They were willing to restore the king to his prerogatives, though not without restrictions and guarantees, which, however, were not the same as those the English desired. One condition was indispensable, the king must sign the Solemn League and Covenant. This to Charles meant turning his back upon all who had fought for him, and apostatising from a church to which he was sincerely attached.

Willing to play upon their hopes, he promised to listen to their ministers, and tried to gain the chiefs of the army by lavish promises. The Scots got him to order Newark to surrender, to order Montrose to quit his Highland fastnesses, and to leave Scotland. Argyll, who had seen his enemy put to flight at Philiphaugh, was soon able to wreak his vengeance upon the followers of Alexander Macdonald, who had refused to obey the king's order to desist from their predatory warfare. The Scots marched with their prisoner to Newcastle. The situation was embarrassing for the Scots and alarming for the English parliament. What if Charles should gain over the leaders of the Scottish army and take the covenant when the English Presbyterians and the Cavaliers might unite to bring the king back to London upon terms which

he would soon elude or break through? In the House the split between the Presbyterians and Independents got wider as they no longer had to fear an armed enemy. The Presbyterians were bent upon fitting their confession of faith upon the English people. They proclaimed it as not only an arrangement for church government but as a divine institution which should be maintained by the state yet kept independent of it, and few priesthoods gained a greater ascendancy over the people than in Scotland. Though Presbyterianism allows a share of government to the laity, at the church courts the clergy always took the lead. In Scotland there was no dissent.

Archibald Campbell, the eighth Earl of Argyll, was the most powerful supporter of the covenanting party. His family had been zealous for the Reformation, though his father had late in life gone over to the old faith. The son, brought up under the care of guardians, had been carefully educated in the prevailing Presbyterian theology. Subtle, circumspect, far-sighted, tenacious, he extended the influence of the Campbells over the Highlands and Islands, and through his steady support of the covenant became the most powerful man in Scotland. But the address and persuasive gifts which gave him so much authority in the council and the senate did not help him in warfare, nor did he ever show a taste for the clash of arms. Indeed he was accused of timidity, a suspicion easy to arouse and difficult to refute. The same accusation was made against Vane, who never coveted renown as a soldier. With Argyll it was different. As the chief of a great Highland clan which had many foes, he was obliged to command in military operations in

which he appeared to great disadvantage compared with his brilliant rival, the Marquess of Montrose. Twice the chief of the Campbells had to fly before the head of the Grahams, though at Philiphaugh he saw his enemy routed.¹ Deeply religious, he formed a great friendship with the young English statesman, which lasted to the end, when both these eminent men showed that in a good cause they could firmly look on death. Charles tried to gain over the powerful earl. Neither of them trusted the other. The king wrote that he found him very civil and cunning. Argyll, however, was willing to go to London with a secret commission to arrange terms with some of the royalist noblemen, and on June 25, 1646, he delivered a speech to the committee of both Houses of Parliament in the Painted Chamber at Westminster. The fair-haired Scottish lord with "misplaced eyes" soon gained upon his audience. While pleading for the Presbyterian form of government he disowned the intolerant claims which had already made it distasteful to the English. "Upon one part," he said, "we would take heed not to settle lawless liberty in religion, whereby, instead of uniformity, we should set up a thousand heresies and schisms, which is directly contrary and destructive to our covenant. Upon the other part, we are to look that we persecute not piety and peaceable men, who cannot, through scruple of conscience, come up in all things to the common rule."

¹ See *The Life and Times of Archibald, Marquess of Montrose* (1607-1661), by John Willcock, B.D., Edinburgh, 1903. Mr Willcock is in many passages successful in clearing the memory of the Marquess from the calumnies and inventions of royalist romancists, historiographers, and ballad-mongers. He explains that at Inverlochy, Argyll was suffering from a dislocation of the arm, which he was unable to use for weeks, and persuaded by his friends to retire to his galley before the onset (p. 173).

Had the same moderation been shown by other advocates of the Presbyterian form of church government it had been received with less opposition. Presbyterianism, which granted so much voice to the laity, was well-fitted for a commonwealth. At this time it was popular with the citizens of London.

The Scots were sincerely anxious to promote a reconciliation between the king and the parliament, but although the commissioners entreated Charles on their knees to accept the conditions without which they could do nothing in his cause, he would not give way. He credited enough of the ceremonious speeches of his captors to think that his person was safe, and that by playing on their rivalries he would yet be in a position to gain back all he had lost, crush his enemies, and reward his friends. His last message to the peers made even those best affected to him to hang their heads, and they sent it down to the Commons without a word (Burnet). The Scots fully recognised that the disposing of Charles's person belonged jointly to the two kingdoms. The Scottish army was in the employment of the English parliament, who had thus a right to demand him to be delivered up as a prisoner taken in war. It is easy to repeat the senseless statement that the Scots gave up their king for a sum of money. Those who make it apparently believe that the Scottish army should have marched off to Scotland without their pay, which had remained in arrears for several months, taking the king with them. This meant to rekindle the Civil War in the northern as well as the southern kingdom, or that they should have changed sides and attempted to restore him with all his claims of prerogative and church government

which they had come so far to fight against. The payments so grudgingly made to the Scots were simply what was due to them for their military services and promised by the treaty; the matter was arranged five months before the king was delivered to the English commissioners, on January 30, 1647.¹ The Scottish auxiliaries then gave up the fortresses of Newcastle, Berwick, and Carlisle, and marched back to their own country. Before giving up the king it was stipulated that "he should be conducted to Holdenby House, there to remain till he gave satisfaction to both kingdoms in the propositions of peace, and that in the meantime there shall be no harm, prejudice, injury, or violence done to his royal person—that there shall be no change of government other than that has been for three years preceding—and that his posterity shall in no wise be prejudiced in their lawful succession to the throne and government of these kingdoms."

To the representations of the Scottish commissioners the parliament had retorted: "Let not your expressions obliquely infer that the parliament of England will not do what becometh them to the king, since all the world doth know that this kingdom hath in all times showed as great affection to their kings as any other nation." How could the Scots have foreseen that within three years a victorious faction would have brought the king to the block?

¹ David Lesley, in reply to complaints against the Scottish soldiers of plundering, states that sometimes for the space of seven or eight months together they had received no pay.—Letter dated Kelham, February 22, 1645, *Parliamentary History*, vol. xiv., p. 270. Holles, who was teller in almost every division about the settlement with the Scots, observes that "the question was how the soldiers would be disposed to march out who had not been paid for so many months."—*Memoirs*, pp. 63-69.

CHAPTER XVI

Discord between the Presbyterians and the Independents. Growth of Republican Ideas. Vane on a Change of Government. Charles's Intrigues. Discontent in the Army. The King removed by Joyce. Views of Fairfax, Ireton, and Cromwell. The King escapes from Hampton Court. The New Civil War. Risings in England. Mutiny in the Fleet. Hamilton's Invasion of England. Cromwell's visit to Edinburgh. The Treaty of the Isle of Wight. Great Debate between the Monarchists and Republicans. Vane's Speech. The Vote. Pride's Purge. The King's Trial.

IN the debates and negotiations about the king, the parliament was divided into two parties. The peers and most of the Presbyterians in the Lower House, with the Scottish commissioners, were so anxious to have the king back that they were willing to accept guarantees and to make concessions, which the other party looked upon as an unworthy surrender to the vanquished. Having lost all faith in the honour of the Stuart, and seeing none to put in his place, it began to dawn upon the minds of some bold thinkers that a monarch might be dispensed with. Mr Hyde has recorded with abhorrence that in the early days of the Long Parliament, conversing with Henry Marten, he pressed him to say what he desired. To which that heathen roundly answered: "I do not think one man wise enough to govern us all." Henry

Marten, as already noticed, was imprisoned for some days for an outspoken remark about royalty in parliament. He had none of the austerity of the Puritans; his private life caused scandal; but he was honest and kind-hearted, and gifted with a genial wit which sometimes served to soften the harshness of the zealous religionists with whom he took part. His republican sentiments were fostered by a study of the great historians and orators of antiquity. In England men had been so nursed in the traditional sentiment of loyalty, so wedded to inveterate precedent and custom, that they could scarcely conceive of a nation without a king. Æschylus, describing the triumph of the Athenians over the hosts of Asia, makes the Persian queen to ask:¹ "What leader is over them and commands their army?" to which the chorus replies: "They are not called the slaves or the subjects of any man." "How then," asks Atossa, "could they withstand the invasion of enemies?" a question which an Asiatic might well put, and a European could alone answer.

Even during the Dark Ages the tradition of liberty did not die out. Wherever feudal or monarchical tyranny was loosened, men revived the ideas of self-government; municipalities passed into republics in Italy and in the Hanse town. The United Provinces of the Netherlands, after vainly seeking a monarch in England and France, had flourished under a commonwealth, which in illustrious deeds already rivalled the republic of Venice, the oldest state in Europe, and Switzerland, whose valour had been admired for three hundred years.

¹ Persai, l. 241.

The renewed study of the classics at the Renaissance nourished ideas of liberty hostile to the traditions of feudal supremacy. Hobbes, a framer of arguments for despotism, assigns such influence to the teaching of Aristotle and Cicero "of controlling the actions of sovereigns, and again of controlling these controllers, that there was never anything so dearly bought as these western parts have bought the learning of the Greek and Latin tongues." We may use the observation of the sophist of Malmesbury, leaving his arguments to the oblivion of failures.

Henry Vane had not started with a theory of republican government to be fitted upon England. Nevertheless the force of events had led him to recognise, that under the existing conditions, republican institutions were the surest means to gain for his country an equitable government, the freedom of thought, freedom of the press, and immunity from interference in matters of faith and conscience, which he so heartily desired. It is recorded that Ulfilas, in translating the scriptures, missed out the books of Samuel and Kings for fear that they might prove stimulants to the turbulent independence of the Goths; and while men like Harry Marten, Algernon Sydney, and John Milton, could light the republican fires at the ancient altars of liberty, men of lesser education read in the Old Testament the retribution which fell upon wicked kings. The religious fervour of the times stirred the lower ranks of the people who had not before thought of political questions.

The misery of those four years' war feebly disturbs us; indeed, some may feel a pleasurable emotion in

the record of battles bravely fought and won ; but to those who felt, not fancied, the myriad miseries of the struggle, resentments were aroused hard to quell when thinking of friends changed into enemies, houses burned or sacked, homesteads and towns plundered, women outraged, families ruined. Not less than 40,000 men had lost their lives, who, but for the lust of power of one man, might have been rejoicing in their youth and strength.

It was not to be expected that those who took sides against the king should look upon the monarchy as when the war began. The tone of the victorious party was harsher. They could now save taxing their friends by levying heavy fines and compositions on their vanquished antagonists.

Vane was the leader of the Independents, the most powerful man in the parliament ; Cromwell, now back to the House with a halo of glory from the fights he had gained, and the castles he had stormed, had the support of the sectaries in the army. Both were anxious to get rid of the absurd position of using the king's name to levy war against him. The parliament had proclaimed that they were making war to remove the king's wicked counsellors ; but the counsellors were now removed, and the king was undeniably more perverse than any of them. Vane's views about a radical change of government are thus stated by himself, in his *Essay upon Government* : " Ancient foundations, when once they become destructive to those very ends for which they were first ordained, and prove hindrances to the good and enjoyment of human societies, to the true worship of God, and the safety of the people, are for their sakes, and upon the

same reasons, to be altered for which they were first laid. In the way of God's justice they may be shaken and removed, in order to accomplish the counsels of His will upon such a state, nation, or kingdom, in order to His introducing a righteous government of His own framing."

In another place he argues: "If one race of kings be lawfully deposed, they are not wronged by change of government, and who else can be? It is so natural and fundamental a right in people to have and to use such a liberty, that we may do well to consider whether they have any right to give it out of their hands, unless it be lawful to contradict the law of nature, the true end of all government in human societies, turn their own reason out-of-doors, and so turn beasts for their governors to ride on. That the Jews, Greeks, and Romans, the wisest states in the world, have over and over used this liberty of changing their government, as they saw occasion, and that often with very good success, is undeniable. Were it unlawful for a state in any case to depose and remove kings, what titles have any monarchs now upon oath to their crowns, that are descended of those who were elected into the room of such as the people deposed?"

Charles, in the meantime, though held as a prisoner, was still served with the ceremonial due to a king. His mind was busy with schemes to profit by the divisions of his captors. "Let them never flatter themselves," he wrote to the French ambassador, "with their good successes, without pretending to prophesy 'I will foretell their ruin except they agree with me.'" With little address, but with wonderful hope-

fulness, he sought to set the Independents against the Presbyterians, and the Presbyterians against the Independents. He was full of projects—Irish Catholics to be landed, succours from France, Denmark, Holland; he even wrote to the Pope. He promised toleration to all whom he tried to cajole. Nothing did him more harm than his futile efforts to gain foreign aid.

Having got rid of the Scottish army, the parliament now set their minds to reduce the large bodies of troops in their pay which were no longer needed. The brigade of Massey in the west, and that of Pointz in the north, were disbanded, not without murmurings, especially as their arrears of pay were not given. It was carried by a majority, that with the exception of Fairfax there should be no officer above a colonel, and that all should conform to the established, the Presbyterian church. This last proposal, carried by a majority of 28, would have got rid of Ireton, Ludlow, Blake, and Algernon Sydney. It was resolved that eleven regiments should be sent to Ireland, about 7000 horse and dragoons kept for service, and the rest disbanded. Fairfax's army was largely composed of Independents, who were jealous that the cause for which they had fought should be betrayed by unwise concessions to the king or to the Presbyterians, and when they understood that it was proposed to allow only seven weeks' pay of their arrears, which went a year back, the rest to be settled after they were disbanded, all the soldiers were united in a common grievance. At this time they were stationed about Newmarket. Having no enemy to oppose they had full leisure for political and theological discussions. They

sent a petition to the general in which they prayed for a full indemnity of actions not warrantable in time of peace, but enforced upon them by the exigencies of war, and desired that auditors should be specially appointed to arrange their account, and that pensions should be given to such as had lost their limbs in the war, and to the widows and children of those slain in the same.

On March 30 the two Houses ordered a declaration to be published of their high dislike of this petition, which tended to put the army into a distemper and mutiny, and to put conditions upon the parliament, and obstruct the relief of Ireland. To this the officers replied that they hoped by being soldiers they had not lost the capacity of citizens, and that, in winning the freedom of their brethren they had not lost their own. A heated debate took place in the House upon this vindication. Ludlow tells us that menacing expressions falling from some of them, Lieutenant-General Cromwell took the occasion to whisper me in the ear, saying: "These men will never leave till the army pull them out by the ears." Some of his opponents had a design to arrest Cromwell, and send him to the Tower on a charge of instigating the troops to mutiny; but that sagacious leader secured himself by withdrawal to the army. Late in the night, as the House became thin, Holles, a bold and hot-tempered politician, wrote out on his knee a motion which was passed, denouncing the petition as seditious. The army, herewith enraged, chose two deputies out of every troop and company, who were called adjutators, to discuss their grievances. This assembly being found too large, the deputies elected two representatives

for each regiment. It was said that this council was contrived by Commissary-General Ireton, son-in-law to Cromwell, who, as Hobbes tell us, "was as good at contriving as himself, and at speaking and writing better."

Thus the imprudent motion of a small majority in the parliament led to the formation of a military council, who assumed the right of controlling the parliament and who had the power of carrying out their resolutions by main force. Nor were they long in acting. Recognising that the king's person was the centre of intrigue, about midnight, on June 3, 1647, a gathering of 500 troopers surrounded Holdenby House. The gates were thrown open by their comrades on guard, and the spokesman, Cornet Joyce, forced his way with a loaded pistol into the king's chamber, and insisted that he should come with them. In despite of the commissioners of the parliament, Charles went away with the best grace he could, and was conducted to a house near Newmarket. Sir Thomas Fairfax, a stranger to this audacious seizure, sent Colonel Whalley with two regiments to rescue the king: but he refused to return to his old place of confinement. The men had treated him civilly on the way, and he began to entertain hopes of gaining them over to his side. Cornet Joyce, brought before the general, maintained that his action was done with the approval of the army, and when Fairfax called a council of war to get him punished, the officers, who knew the temper of the men, made his endeavour ineffectual. A few days after, when the general personally urged the king to return to Holdenby with the parliamentary commissioners,

Charles positively refused, adding: "Sir, I have as good interest in the army as you." "By which," says Fairfax, "I plainly saw the broken reed he leaned on."

Between his sense of the injustice put upon his soldiers, of maintaining his authority as general-in-chief, and of discharging his duty to the parliament, Fairfax had an uneasy position. "I entreat you," he wrote to the Speaker, "that there may be ways in love and composure thought upon, I shall do my endeavours, though I am forced to yield out of order to keep the army from disorder."

Cromwell and Ireton encouraged the soldiers in their demands, while striving to keep in with the parliament. Cromwell showed matchless address in fomenting discontent in the army, while he kept it from falling into gross insubordination. Sent by Fairfax to restore order in Lilburne's and Harrison's regiments, Cromwell effected his object with great address and courage. The parliament was so far awed by the attitude of the army that the Independents again had the majority. Votes were passed for the auditing of the accounts and the payment of the arrears, and for erasing the obnoxious declarations from the journals of the House. A new commission was sent to the army, of which Vane was a member. On June 10 the army was drawn up upon Triplow Heath, and the votes of the parliament were read to them. The soldiers were not so easily satisfied; they asked that their representatives should have time to consider. Soon a demand came that eleven prominent members of the House should be impeached. In spite of the prohibitions of the

parliament, the army advanced towards London. The eleven accused members agreed to absent themselves. Some of them soon returned, and the Presbyterians in the city taking their part, a riotous mob surrounded the Houses of Parliament; the apprentices crowded the passages, and some of them forced their way into the House of Commons. The assembly yielded so far to violence that a majority was agreed to pass a vote that the control of the London militia should be in the hands of the Presbyterians. Considering that they were no longer safe in Westminster, the Earl of Manchester, who presided in the House of Lords, and Lenthal, the Speaker, with 14 peers and about 100 Commons, took refuge at Fairfax's headquarters. Amongst these were Sir Henry Vane, St John, Ludlow, and Hesilrige. Preparations were made to resist the army with some of the officers and old soldiers of Essex and Waller¹ and the London militia, and defences were thrown up. But half-hearted and irresolute, they abandoned their schemes for resistance; the army entered the city in triumph, and were received as friends by the mayor and council since they could not resist them as enemies. Of the leaders of the counter-movement in parliament some fled, and two lawyers, Glynn and Maynard, were arrested. The Independents returned to Westminster. Manchester and Lenthal again presided, and Vane gave in the report of the commissioners with the army.

The king had derived fresh hopes during these discords. Cromwell, Ireton, and other high officers

¹ See *The English Works of Thomas Hobbes*, London, 1840, vol. vi., Behemoth, p. 338; *Holles' Memoirs*, p. 184.

in the army had offered to restore him under conditions more favourable than had been offered to him since his captivity. They did not insist that episcopacy should be abolished or the militia taken from the crown. Charles debated the conditions a whole night with Ireton. They could not agree touching the banishment of seven persons and the admission of the king's party to parliament. Ireton told him that there must be a distinction between the conquerors and those who had been beaten, and that he himself should be afraid of a parliament when the king's party had the major vote.¹ Ludlow tells us that Cromwell was more anxious than his son-in-law to arrange an accommodation with the king. Cromwell soon found that he was getting into suspicion with the agitators in the army from his frequent communication with Charles.² His friends advised that prince that a crown lost was never recovered so easily as this would. To the surprise of all he rejected the proposals in sharp and bitter language, repeating the like words: "You cannot be without me. You will fall to ruin if I do not sustain you." These speeches closed his chance of being reconciled to the army. Ready to do his duty in open day, Fairfax kept aloof from these intrigues. To one so proud, his position must have been a most uneasy one, yet he could not quit it while so many dangers threatened the safety of the country and the cause of liberty. The military chiefs of the Independents had more influence in the army than

¹ Ludlow, vol. i., p. 201.

² Letter of Paul de Bellièvre, *Montreuil Correspondence*, Edinburgh, 1899, vol. ii., p. 305.

the general, and it is said that orders and messages were issued, signed with his name, to which he had given an unwilling assent, or none at all. The soldiers, who now occupied their minds with politics, were impatient that some issue should follow the dispute. Why these unceasing bargainings with the king whom they had conquered and whom they held as a prisoner? It has been asserted that Cromwell was instrumental in frightening the king to make an attempt to escape. Afraid for his life, Charles fled from Hampton Court on November 11, only to fall into the hands of Colonel Robert Hammond, governor of the Isle of Wight. Now a prisoner of the parliament instead of the army, he was detained in Carisbrooke Castle. The ill-starred prince went on treating with the Scottish commissioners in the hope that they would get an army to march into England to rouse an insurrection in his favour, and so it turned out.

In the spring of the next year the royalists took up arms in Wales, Herefordshire, Surrey, Kent, and Essex, and a portion of the fleet mutinied, as will be hereafter related. In despite of the efforts of Vane,¹ who told the Earl of Lauderdale that the Independents were ready to promise all that the Scots could demand if they would give up the king's cause, the royalists gained a majority in the Scottish parliament, though stiffly opposed by the covenanting party and banned by the general assembly. In July 1648 a hastily gathered body of above 10,000 men, under the Duke of Hamilton, entered England by the west. The parliament promptly met these

¹ *Montreuil Correspondence*, vol. ii., p. 272.

formidable uprisings; Fairfax soon defeated the insurgents in Kent, drove them into Colchester, which was forced to surrender after a siege of seventy-five days. Two of the leaders, Sir Charles Lucas and Sir George Lisle, who had broken their parole, were shot. Fairfax had sent Cromwell to suppress the insurgents in Wales, which he did in time to meet the Scottish army with their English confederates at Preston. Hamilton's army, ill-equipped, ill-disciplined, and ill-handled, was easily defeated. Most of them were taken prisoners, few escaped to Scotland. The parliament now, as the *de facto* ruling power, punished revolt as treason. Several of the leaders of the insurrection were tried, and Goring and Lord Capel were condemned to death. The latter was beheaded. The Duke of Hamilton, who had been imprisoned in Pendennis Castle on suspicion of plotting to make himself king in Scotland, and set free by the forces of the parliament, was now tried as an English peer and beheaded. The defeat and capture of Hamilton's army left the covenanting party to gain the upper-hand in Scotland. Cromwell advanced to the Border, where he was met by the Marquis of Argyll, who was now the ruler of Scotland. The fortresses Berwick and Carlisle were given up to the parliament, and these two subtle politicians agreed upon a plan of action. Cromwell, to support the well-affected party, brought six regiments of horse and one of dragoons within an easy march of Edinburgh. On October 4, 1648, Lieutenant-General Cromwell and Major-General Lambert, were received with much honour, and entertained at Moray House, still a conspicuous mansion in the Canongate. Many outward compli-

ments and salutations passed between the Scottish covenanting lords and the English Puritan generals. Each hoped for the aid of the other to gain and hold power; otherwise their aims were divergent as soon appeared. A correspondent writes: "Cromwell hath the honour, but Lambert's discreet, humble, ingenious, sweet and civil deportment gains him interest from the general department." The lieutenant-general and his officers were entertained by old Leslie at a banquet in Edinburgh Castle. "It is noticed," writes Thomas Margetts¹ to the clerk of the parliament, "that David Leslie showed himself very little to the lieutenant-general, for he only paid him a visit of necessary civility on the morning after his entry, giving him a bare salute, and presently took his leave and never saw him more." The lieutenant-general presented a paper to the Committee of Estates, the substance of which was that the chief places of the kingdom should be entrusted to persons well affected to the public good. To this he received a very full and satisfactory answer. The Committee of Estates, for their own safety, asked that some of the horse should be left in Scotland.

Amongst those who called upon the lieutenant-general at Moray House were three Presbyterian ministers with whom Cromwell carried on a long conversation, emphasising his protestations or sincerity with tears and appeals to God. In answer to direct questions from Mr Blair,² a very able man who had been deputed to go to the parliament of England, Cromwell declared that he was in favour of mon-

¹ *Lord Braye's Manuscripts*. Historical Manuscripts Commission, London, 1887, p. 72.

² *Life of Robert Blair*, Wodrow Society, p. 210.

archical government in the person of the king and his posterity. He declared himself against religious toleration, but when pressed to give his views about the government of the church he replied: "Ah now, Mr Blair, you article me too severely: you must pardon me that I give no present answer to that question." On retiring, one of the ministers said: "I am glad to hear this man speak no worse"; to which Blair replied: "If you knew him as well as I do, you would not believe one word he says. He is an egregious dissembler." Assuming that Cromwell gave such answers, it is clear he was already dissembling.

The English soldiers did not gain too friendly a reception from the Scottish people, which they attributed to the malice of the defeated malignants. "In truth," writes our correspondent, "all the while we were in Edinburgh we were almost afraid to walk the streets or to lie in our beds for fear of mischief. An English soldier can scarce be above a furlong from company, but he is set upon and robbed and dismounted."

During his detention in the Isle of Wight negotiations had been going on between the captive king and his advisers, and the commissioners appointed by the parliament. Vane, who was one of them, is said to have been much impressed with the ability which Charles showed in discussing terms. Vane said that he had believed him to be a very weak person, but he had found him to be a man of great parts and abilities. Charles was indeed a man who showed best in adversity.

All this verbal acuteness was little to his advan-

tage, and indeed Vane was accused of prolonging the negotiations till the successes of Fairfax in the east, and of Cromwell in the west, and the return of some of the mutinous ships had brought the parliamentary affairs into a better condition. Vane, Ireton, St John, and Cromwell, had now arrived at the conviction that it would be foolish to set Charles again on the throne, which would merely mean putting him in a position to recall his promises. The Presbyterian party in the House, less deeply involved and eager to carry their own ends, took a more hopeful view of the outcome of the wearisome bargainings which lasted from September 18 to November 27, 1648.

On December 1, the commissioners from the Isle of Wight reported Charles's answers to parliament. The king had given way about the control of the militia, but held his stand upon the divine institution of the bishops and indemnity of his friends. Holles had in vain implored him on his knees to give in on those points, though they amounted to no more than what the House had already rejected. Through the artifices of the Independents, the debate was adjourned. In the meantime the officers of the army, fearful that an accommodation should be made with the king, got him forcibly removed to Hurst Castle, on the opposite shore of the Isle of Wight.

Thus, while the parliament still continued the discussion on the fate of the king, he had again fallen into the power of the military chiefs. The speech made by Vane on this momentous question is only left to us in the pages of the royalist historian. "Young Sir Harry Vane," says Clarendon, "had

begun the debate with the highest insolence and provocation : telling them ' that they should that day know and discover who were their friends, and who were their foes ; or that he might speak more plainly who were the king's party in the House, and who were for the people ' ; and so proceeded with his usual grave bitterness against the person of the king and the government that had been too long settled ; put them in mind that they had been diverted from their old settled resolution and declaration that they would make no more addresses to the king, after which the kingdom had been governed in great peace, and began to taste the sweet of that republican government which they had intended and begun to establish, when, by a combination between the city of London and an ill-affected party in Scotland, with some small contemptible insurrections in England, all which were fomented by the city, the Houses had, by clamour and noise, been induced and compelled to reverse their former votes and resolution, and enter into a personal treaty with the king, with whom they had not been able to prevail, notwithstanding the low condition he was in, to give them any security ; but he had still reserved a power in himself, or at least to his posterity, to exercise as tyrannical a government as he had done ; that all the insurrections which had so terrified them were now totally subdued ; and the principal authors and abettors of them in custody, and ready to be brought to justice, if they pleased to direct and appoint it ; that their enemies in Scotland were reduced, and that kingdom entirely devoted to a firm and good correspondence with their brethren, the parliament

of England; so that there was nothing wanting but their own consent and resolution, to make themselves the happiest nation and people in the world; and to that purpose desired that they might, without any more loss of time, return to their former resolution of making no more addresses to the king, but proceed to the settling of the government without him, and to the severe punishment of those who had disturbed their peace and quiet in such an exemplary manner, as might terrify all other men for the future from making the like bold attempts; which he told them, they might see would be most grateful to their army, which had merited so much from them by the remonstrance they had so lately published." "This discourse," Clarendon tells us, "appeared to be exceedingly disliked, by that kind of murmur which usually shows how the House stands inclined, and by which men make their judgment there of the success that is like to be." The bold orator, however, found supporters. The debate was a great struggle between the republicans and the advocates of monarchy. It was resumed next day with heightened vehemence. Prynne, glorious as a martyr, and now for three weeks a member, delivered a very long speech in the affirmative, which was carried by a majority of 140 to 104 that the king's concessions were grounds for a future settlement. This was received with loud protestations by the minority, who had resolved never again to be under the rule of Charles Stuart, nor to be subjected to any king whatever. They were convinced that, having perilled their lives and fortunes and gained in the struggle, it was not just that the cause should be compromised by an in-

considerable vote of the majority of the parliament. Having force on their side, they proceeded to use it in the simplest manner. It was agreed by three of the members of the House, and three of the officers of the army, amongst whom were Ireton and Ludlow, that none should be permitted to enter the House save such as had continued faithful to the public interest. Guards were placed around Westminster Hall, and Colonel Pride attended at the parliament doors with a list of those members who were to be excluded. This was carried out on December 6, and by the exclusion of 143 members, the minority were put in power. Ludlow tells us that Ireton went to Sir Thomas Fairfax and acquainted him with the necessity of this extraordinary way of proceeding. Apparently this was not done till after the expulsion was accomplished.¹

Cromwell, who had been away in Scotland, arrived in London the night after. He declared that he had not been acquainted with the design; yet, since it was done, he was glad of it and would endeavour to maintain it. Ireton drove this on as well as the next move: as Burnet says: "Ireton had the principles and temper of a Cassius in him; he stuck at nothing that might have turned England to a commonwealth; and he found out Cook and Bradshaw, two bold lawyers, as proper instruments for managing it. Fairfax was much distracted in his mind, and changed purposes often every day." The bitterness of the assembly against the king was intensified by the removing of opposing elements. Petitions were received praying that Charles should be held guilty of the blood shed

¹ Ludlow, vol. i., pp. 270-73.

during the civil wars. On January 2, 1649, the Commons voted that he had been guilty of treason in making war against the parliament, and instituted a high court to try him. One hundred and fifty judges were nominated, composed of the principal men in the army and the Commons.¹ Vane and St John formally declared that they disapproved of bringing the king to trial, and it met with opposition from the remaining peers. Unchecked by these refusals, the Commons voted (Jan. 6) that they, as representing the people, possessed the sovereign power, and ordered the court of justice to meet without delay. This tribunal had been reduced to 135 members by withdrawals. Fairfax only attended once, and Algernon Sydney was present at a few meetings in the Painted Chamber, in which he warmly opposed the king's trial, though he was willing that he should be deposed. Sydney dreaded that his execution would create an aversion for the republic, which he ardently desired, or that there might be a sudden rising to save the king. "No one will stir," cried Cromwell; "I tell you, we will cut his head off with the crown upon it." "Do what you please," answered Sydney, "I cannot hinder you; but I certainly will have nothing to do with this affair."

"One thing," writes Mrs Hutchinson,² "was remarked in him by many in the court, that when the blood spilt in many of the battles where he was in his own person, and had caused it to be shed by his own command, was layed to his charge, he heard it with disdainful smiles, and looks and gestures, which

¹ Markham's *Life of Fairfax*, p. 343.

² *Memoir of the Life of Colonel Hutchinson*, vol. ii., p. 157.

rather expressed sorrow that all the opposite party to him was not cut off, than that any were; and he stuck not to declare in words that no man's blood spilt in the quarrel troubled him, but only one, meaning the Earl of Strafford. The gentlemen that were appointed his judges, and divers others, saw in him a disposition so bent on the ruin of all that opposed him, and of all the righteous and just things they had contended for, that it was upon the consciences of many of them that, if they did not execute justice upon him, God would require at their hands all the blood and desolation which should ensue by their suffering him to escape, when God had brought him into their hands."

CHAPTER XVII

Vane disapproves of the Execution of Charles. The new Commonwealth. Sensation throughout Europe. Milton and Salmasius. The Foundation altered as well as the Superstructure. Abolition of Episcopacy. Varieties of Religious Sects. Serious Tone of the Nation.

THE trial and execution of Charles I. are too well known to relate here. A good deal can be said against the irregularity of the process, and the choice of his judges. But it ought not to be forgotten that, if there was no statute law to provide for the punishment of a king who violated his promises and broke his coronation oath, neither was there any to provide for his subjects rising in arms against him. The statute book had nothing of the parliament making war on the king, or the king raising taxes to make war on the parliament. John Bradshaw, the president of the court of justice, in the address he delivered, laid down that "there is something that is superior to law, the parent or author of the law, and that is the people of England." Whether, meted by the standard of his deserts, Charles merited the punishment he got, is a question to which widely different answers have been given; but there is no question that as politicians those who brought the

king to the scaffold committed a most serious error. Both during the war and his captivity Charles had shown some qualities not noticed in the days of his prosperity.

His dignified demeanour at the trial, and his protest against the breach of old legal forms, aroused sympathy amongst the onlookers. With most men it is more important to excite their emotions than to satisfy their reason. When retribution is exacted men have pity on the worst offenders; nor were the offences of the Stuart king of that atrocious character which remain long in the popular memory. The spectacle of a king laying his head upon the block at Whitehall, aroused with many a deeper pathos than the slaughter of thousands sacrificed to his love of rule. From the day of his execution there was a reaction in his favour which much helped the cause of his son, who now succeeded to his claims. Nevertheless, it appears that the commission which sat as judges upon the king acted under motives of austere justice. Henry Vane so much disapproved of the violent expulsion of the opposite party that he forbore to come to the parliament or to meddle in any public transaction for ten weeks, from December 3, 1648, till towards the middle of February. During this time the trial and execution of the king was effected, and the resolutions were passed which changed the kingdom of England into a republic. On February 6, by a majority of 44 over 29, the House of Lords was abolished as useless and injurious. The next day a decree was adopted that the office of king was unnecessary, useless, and dangerous, and a new seal was engraved with the

arms of England and Ireland, and on the reverse the inscription suggested by Henry Marten: "The first year of liberty restored by the blessing of God, 1648." A proposed constitution for the commonwealth, mostly drawn up by Ireton, was presented to the parliament in the name of Lord Fairfax and the general council of officers of the army on January 15, 1649, under the title of an "Agreement of the People." A scheme of equal distribution of seats was given in detail. The electors were to be all men above twenty-one, who were independent householders. Those who had taken arms or given public support for the king were excluded from voting for seven years, and from being elected for fourteen years. The whole powers of the state were to be vested in a representative chamber of 400 members. An attendance of 150 was needed for a binding enactment. General elections were to be held every two years. The assembly was to appoint an executive council of state acting with the parliament and in the intervals between parliaments.

The parliament might endow any church not popish or prelatie. All other forms of Christian worship were to be protected. The proposed scheme should be tendered to the people in all parts, to be subscribed by those that were willing, and as those who had taken sides with the king were excluded, it is likely that an appearance of assent would have been obtained. The parliament was to be dissolved on the last day of April 1649.

The only part of this scheme which was accepted at the time by the parliament was the election of a council of state of 41 members. The number of

members in the House was about 122 (Bisset), and as the average attendance was no greater than 50, the council could generally command a majority. In this council Cromwell, Bradshaw, Marten, and other regicides were active members. For the discharge of business in various departments, they were divided into smaller committees.

A regard for the safety of the state in those times of imminent danger, both within and without, induced Vane to return to his post at Westminster. When required by the parliament to take an oath to give his approbation *ex post facto* to what had been done, he utterly refused, and would not accept of sitting in the council of state upon these terms, but occasioned a new oath to be drawn wherein this pledge was omitted. On which terms many of the council of state sat who would not take the oath.¹

These wonderful events produced a mighty commotion all over Europe. There had been nothing like it since Luther had burnt the papal bulls in the market-place at Wittemberg. That a people should send forth opposing armies to slaughter one another, solely to prove that they were the movable property of this or that prince by inheritance or election—that a sovereign should be hunted away by his barons, or murdered by his own relations, within his palace walls—these were things for which men's minds were already prepared; but when the news came "how a most potent king, after he had trampled upon the laws of the nation, and given a shock to its religion, and begun to rule at his own will and pleasure, was at last

¹ See *The Tryal of Sir Henry Vane*, 1662, p. 47.

subdued in the field by his own subjects, who had undergone a long slavery under him; how afterwards he was cast into prison, and when he gave no ground, either by words or actions, to hope better things of him, he was finally, by the supreme council of the kingdom, condemned to die, and beheaded before the very gates of the royal palace." This was something so unheard of, something so different from universal sentiment, and the tradition of ages of feudal servitude, that even in republican states like Holland, the execution of the king was loudly condemned. One of the best known of those who gave expression to the feeling of indignation against the leaders of the English Revolution was Salmasius, a man whose principal qualification was skill in Latin composition.

To the secretary for foreign tongues of the council of state the parliament committed the task of justifying the republican cause. This was John Milton, already known through several vigorous pamphlets and books in which he had proclaimed the right of the people to rise against and judge kings and rulers, and had treated time-honoured beliefs, moral and theological, with unwonted freedom. In the *Eikonoclastes* he had exposed the *Eikon Basilike*, a concoction of Dr Gauden's, reputed to be written by the late king, which had gained a large circulation amongst the sympathisers of the royal martyr.

The student of Milton's prose works must see with regret that, in exposing the ignorance and pulling to pieces the loosely spun inventions of the pedant, he descends to declamation and scurrility much beneath the dignity of the sublime poet of *Paradise*

Lost; yet personal abuse in controversy suited the mood of the age. Like his other prose works, the *Defensio pro Populo Anglicano* breathes throughout that fervent love of freedom which was not content with merely guarding the person and property from injustice, but aspired to have the right to inquire into all questions, and to proclaim what the inquirer had found to be true. The eloquence and boldness of the work at once attracted attention throughout Europe. Salmasius had been held in great esteem by Queen Christina of Sweden, but after hearing the work of Milton read to her, there was such a change in her demeanour that the unfortunate advocate of royal rights left the kingdom.¹

Men like Vane, Harrington, and Milton, who had travelled widely and were versed in history and politics, could find many things to nourish their love of republic institutions; but to most men in England these ideas flashed with the dazzling strength of novelty, and in the confusion of their old political traditions many sought the guidance of the only book of which they knew anything, or at least the book which they regarded as containing more than the wisdom of all the others. In the histories of the Twelve Tribes, in the imprecations of the prophets against the idolatrous kings of Israel and Judah, and in the social equality of the New Testament, they saw the justification of the deeds of the Long Parliament, while, from the prophecies of the Apocalypse, they judged the time was at hand for the millennium and the reign of the saints. With all the wildness of religious and political fanaticism combined, men of a

¹ Toland's *Life of Milton*, London, 1761, p. 89.

fervid imagination presented their theories as an infallible remedy for the healing of the nations. Their fancies were rendered still more startling by the grotesque adaptation of Oriental imagery which they drew from the Old Testament. But the very purity of their motives rendered them so headstrong, and so little apt to agree with one another, that there was little danger of any change being carried out really detrimental to the fabric of society. Many impracticable enthusiasts of divers opinions were no doubt included under the nickname of the Levellers, who have been accused of socialistic views, though it appears that they did not claim any more than the permission to cultivate the wastes and commons for their support.¹ But while the greater part of men of all parties maintained, with undoubting fervour, the infallible authority of the scriptures, there were deists, like Marten, Challoner, Harrington, Sidney, Wildman, and Nevil, whose desire for a better state of things was unblended with any tinge of the popular theology.

Though the struggle had commenced as a war between the king and the parliament, before it was over it had become in a great measure a war of classes. Fully two-thirds of the peers, and the greater part of the inferior nobility, had joined the royal standard, and brought their retainers to fight against the trained bands of the towns and the yeomanry of the country. Many of the nobles had been killed; many had exhausted all their resources in raising men and money for the king; and many of them had forfeited their estates. The crown-lands as well as

¹ *Memoirs of Hutchinson*, vol. ii., p. 129; Whitelocke's *Memorials*.

those of the church, had been sold, and, as Ludlow tells us, had fetched a good price; such was the confidence then reposed in the parliament.

In short, a process which had been slowly going on for generations had been violently hastened by the civil wars. A great shifting of power had taken place; but this was accomplished by a great change in men's opinions, and a great change in the distribution of property. The throne was overturned along with the king. The feudal nobility had taken part with him, and the remains of feudalism had perished in the struggle. The English commonwealth was, therefore, not a merely superficial change of government, brought about by artifice or by violence, but a great revolution, in which the foundation was altered as well as the superstructure, to use the words of Harrington, the greatest political writer of the republicans of England.

The overturn in the church was even more far-reaching, as it affected the daily life of each parish. During the civil war neither of the combatant parties would suffer opposing preachers in their domains. As the Puritans gained in the struggle, they proceeded to pull down the whole fabric of episcopacy. The Confession of Faith and the Directory were presented in place of the Book of Common Prayer and the Thirty-nine Articles. The lands of the bishops, deans, and chapters were sold, and the cathedrals cleansed of all decorations which might recall the Catholic liturgy. The ministers and lecturers chased away by Laud were recalled or put into parishes from which the royalist parsons had fled. Hundreds of ministers, who would not conform to the new rule,

were ejected from their livings. These changes were made under the direction of committees of the Lords and Commons who examined complaints against scandalous priests, and exercised the rights of expulsion and presentation. In these committees the name of Sir Henry Vane sometimes appears. Provision was generally made to save the sequestered ministers from destitution—sometimes half or a quarter of the living; in time it settled into an allowance of one-fifth.¹ To other parishes lecturers were sent who could claim no more than the use of the church for their ministrations.

In many country parishes the Presbyterian government took a feeble growth from the indifference of the laity to take up the function of elders.

In this general exaltation, this fermentation of thought, no question remained untouched: all the varieties of religious belief, all the sects, all the virtual divisions of opinion which engage men's minds to-day, had already taken form in the days of the commonwealth, though it was not yet safe to proclaim opinions too wide from the received faith. Thomas Webb, delivering deistical opinions in a private house, was arrested for blasphemy; and John Biddle, who denied the divinity of Christ, was imprisoned under the Long Parliament. Milton's unitarian treatise on Christian doctrine remained unpublished till the nineteenth century, when it had ceased to be anything save a literary curiosity. Very few people thought of granting toleration to the Catholics, and this for reasons political as well as religious. In their over-

¹ Shaw's *History of the English Church during the Civil Wars*, etc., vol. ii., p. 192.

powering sense of an all-seeing God, watchful to take a severe account, the amusements of life seemed an idle, if not a sinful, waste of the time to be used to gain salvation. The Puritan come into power had no taste for social freedom, which he thought no better than the right to do wrong. The Book of Sports, which King James had framed to make the Sundays less wearisome, and which Charles had forced the clergy to read in their pulpits, was burned by the order of the parliament. Christmas and other holidays of the old church were abolished as having been superstitiously observed, and the second Tuesday in every month was assigned for reasonable recreation for working people. In 1647 the parliament passed a severe ordinance against stage plays "condemned by ancient heathens and much less to be tolerated amongst professors of the Christian religion; the magistrates of London were to pull down the galleries and boxes of the theatrical buildings, stage players were to be punished as rogues, and even spectators of a play were liable to be fined five shillings to go to the poor of the parish.¹ It is noteworthy that at this time actors in France were denied Christian burial, yet the gaiety and light raillery of the French were not dimmed even by the wars of the Fronde. In England the mirth and the wit of the Elizabethan days had vanished: every one was in such grim earnest. The political songs and ballads of the Cavaliers are coarse and dull lampoons, not to be compared with the brilliant Jacobite literature after the exile of the Stuarts. England had well-nigh forgotten her great dramatic poet. The second folio

¹ Cobbett's *Parliamentary History*, vol. iii., p. 846.

edition of Shakespeare's works of 1630 sufficed for the readers of the next thirty-two years. Many people, who scarcely knew who reigned at Whitehall or debated at Westminster, or cared whether the eucharist should be taken from a table or from an altar, felt the loss of their maypoles and their dances, were weary of long preachings, and chilled by the sanctimonious spirit which frowned at the appearance of gaiety, under the notion that, by making themselves happy in this world, people were in danger of losing happiness in the next.

Many perils begirt the new commonwealth; the royalists, though held under, were ready to rise: Ireland was still in rebel hands: Scotland turned against the parliament by the execution of the king: the most powerful states in Europe regarded the new republic with unconcealed dislike. No way appalled, those bold men who had taken command of the state made ready to attack their enemies.

CHAPTER XVIII

Cromwell's Campaign in Ireland. Affairs in Scotland. Charles Stuart takes the Covenant. English Invasion of Scotland. Leslie's Generalship. Battle of Dunbar. Battle of Worcester. Vane's Visit to Paris. Goes as Commissioner to Scotland. Negotiations for the Union.

NEARLY eight years had passed away since the first tidings of the cruelties of the Irish rebellion had aroused a fury in the hearts of the Protestants, like that following the massacres of Meerut, Delhi, and Cawnpore in the Indian Mutiny. The parliament judged that the time for vengeance had now come. The Earl of Ormonde, Lord Deputy, one of the ablest of the Cavaliers, in the collapse of the royal power in England, found nothing better than to unite in a loose confederacy his own party with the Irish rebels. Owen Roe O'Neill, the general of the old Irish party, had offered to submit to the parliament, if security to their lives, estates, and religion were accorded; but this was refused. Ormonde's army advanced to besiege Dublin, which was held for the parliament by Colonel Michael Jones. By a well-timed sally the parliamentary leader put the besiegers to rout with great loss. Such was the situation when Cromwell, with a well-trained army of 12,000 men, landed at Dublin in August 1649. "We are come"—such were the ominous words of the Puritan general—

“to ask an account of the innocent blood that hath been shed, and to endeavour to bring to an account all who, by appearing in arms, shall justify the same.”

At the head of sixteen or seventeen thousand men, Cromwell advanced upon Drogheda, which had been recently taken by the enemy, the parliamentary garrison being allowed to march to Dublin, or to return to their homes. A breach was made and stormed after a strenuous resistance, Cromwell leading on his men for the second time to the assault.

“I believe,” writes Cromwell, “we put to the sword the whole number of the defendants; I do not think thirty of the whole number escaped with their lives. Those that did are in safe custody for the Barbadoes. This,” he adds, “hath been a marvellous great mercy.” According to Ludlow, the garrison consisted of about 3000 men, mostly of English birth, who therefore could not be accounted guilty of the massacres of Ulster. In a much less civilised age, Froissart, a favourite guest at the English court, ventures to condemn the massacre of the inhabitants of Limoges by the Black Prince; and Cromwell must appeal for an example to the butcheries of Alexander of Parma, Des Adrets, and Count Tilly. The course of history scarcely justifies the assumption that to refuse to take prisoners at a siege or a battle really relaxes the resistance of a spirited people, and a merciless use of victory often leaves a deadly legacy of hate to the victors. Though Trim and Dundalk were abandoned, the massacre of Drogheda had to be repeated at Wexford, and Waterford resisted so vigorously that Cromwell was forced to raise the siege. On receiving this grim

dispatch announcing the taking of Drogheda, the parliament ordered a thanksgiving day to be held throughout the kingdom: indeed, no one on their side seems to have thought that the Irish were worthy of mercy. The parliament had already decreed that no quarter should be given to the Irish soldiers brought across to fight on the king's side during the civil war, and after the battle of Naseby some hundreds of Irish prostitutes in the Cavalier camp had been killed by the victorious Puritans; after the battle of Philiphaugh, 300 Irish women and some children had been put to death.

Cromwell returned to England after an absence of nine months, with the glory of having revenged the papist massacres, and led the troops of England to victory against a detested enemy. The subjugation of Ireland was completed by Ireton and Ludlow. The death of Ireton at the siege of Limerick was bewailed by the republican party, of which he was one of the ablest and most uncompromising leaders. Those who knew them both by personal intercourse, expressed their belief that, had he lived, his personal influence might have restrained the ambition of Cromwell and saved the cause for which they had both so bravely fought.

Since his appearance in the pillory, John Lilburne had fought his way to be lieutenant-colonel. Falling into the hands of the royalists at Oxford, he had saved his life by managing to send letters to the Speaker, and to Sir Henry Vane, the younger, who threatened to retaliate on prisoners in their hands. Always ready to attack the abuses of those in power, Lilburne had issued pamphlets inveighing against

some of the proceedings of the parliament, blaming Hesilrige as too eager to get sequestrated the estates of his political opponents, and warning his countrymen against the aspiring designs of St Oliver as he styled Cromwell. The council of state resented these criticisms by putting Lilburne on his trial for high treason, October 1649. Their legal officers pushed for a conviction. Denied the aid of counsel, the undaunted Lilburne defended himself with signal ability, and the jury showed a spirit quite new in government prosecutions by acquitting the accused. This was greeted by the audience with acclamations loud and long, which were taken up by the crowd outside, a salutary lesson to the parliament to be more tolerant of free writing.

Some of Lilburne's criticisms were not without reason. Enthusiasts like him and idealists like Milton are pretty sure to be disappointed in the realisation of the reforms they have longed for, and there are few reforms which do not bring evils as well as benefits with them. The success of the parliamentary cause brought with it a swarm of time-servers, who sought to enrich themselves through the troubles of the times and the sequestrations of the defeated royalists. Ireton showed a noble example in refusing a grant of £2000 a year offered him as the reward of his services. The exaltation of Puritanism attracted a brood of worldly men, who assumed the forms of piety while seeking "to translate the gospel into pence and plate." Those who are attracted by a cause because it is successful, are ready to betray or abandon it, as was seen too soon. As for Lilburne, about two years after, he got a

man to join with him in a petition against some of Hesilrige's doings in the north, which the parliament declared to be false and scandalous. He was fined and banished from the British Islands on pain of death. After the expulsion of the Long Parliament the indomitable John returned, was again tried, and again acquitted. He was imprisoned by Cromwell, and finally set free to die of consumption at the age of thirty-nine, one of those honest but turbulent men who are sure to appear in seasons of public excitement. His brother, Colonel Robert Lilburne, distinguished himself in the war with Scotland, and was commander-in-chief for above a year (1653).

The lords and clergy who ruled Scotland had no wish for a republic, and the people no conception of it. When news of the execution of Charles reached Edinburgh on February 4, 1649, it was received with horror and indignation, and the very day after, his son was proclaimed King of Scotland, of England, and of Ireland. The proclamation was guarded by the proviso that before being admitted to the exercise of royal power, Charles II. should subscribe to the national league and covenant. Commissioners were sent to treat with the prince, who was then at the Hague. As he refused to listen to these terms the commissioners returned without effecting their object; but the negotiations were renewed the next year when he was more yielding. To the republican party in England the outlook was alarming. A king north of the Tweed affording a rallying-point to the English royalists, who though depressed were still a powerful party, and with all the Scottish ports open to succours from abroad, meant a new civil war.

The young claimant to the throne might have preferred to throw himself amongst Ormonde's Irish confederates; but the successes of Cromwell induced him to look to Scotland. With his commission Montrose, in the spring of 1650, made an attempt to rally the Highland clans. He was soon defeated, and falling into the hands of the ruling party was executed at Edinburgh with vindictive ignominy.¹

Charles had the meanness to repudiate Montrose's expedition after reports of its failure had reached him at Breda. He now consented to take the covenant. Both the parties knew it was a solemn farce, and the returning commissioners felt that they were taking the plague of God to Scotland. Before he was allowed to set his foot on shore (July 1650), he had to sign both the national covenant and the solemn league and covenant. His dissolute company was turned away. The demeanour and conduct of the pleasure-loving prince was jealously watched; he was lectured to on bended knees, and forced to listen to sermons of unmerciful length in which the backslidings of his father and the idolatry of his mother were freely commented on.

Cromwell's aspiring character was now so well known that the parliament was not anxious that he should gain any farther distinction. Fairfax, who still held the office of commander-in-chief, was ordered to take the head of the army to be sent against Scotland. But Fairfax's wife had so successfully wrought on the misgivings of a highly conscientious mind, that the general would not accept this commission. He considered that the Scots had

¹ See Willcock's *Life of the Marquess of Argyll*, p. 235.

a right to choose what king they pleased ; but declared his readiness to take up arms should they invade England. A committee consisting of Cromwell, Lambert, Harrison, St John, and Whitelocke, was sent to induce him to change his mind, but without avail. Fairfax, who seemed destined, from his military skill and his unselfish love of his country, to be the guardian of its liberties, in an evil hour retired into private life. To use the words of Mrs Hutchinson, he "now died to all his former glory, and became the monument of his own name, which every day wore out." Cromwell was now first in the race for power. In his invasion of Scotland he had to meet, for the first time, a general of real ability and established reputation.

David Leslie, now commander of the opposing army, had, as we have seen, greatly distinguished himself at Marston Moor, and at Philiphaugh had defeated Montrose, the greatest of all the Cavalier generals, and at one blow put an end to the hopes of Charles I. in Scotland. In the summer of 1647 David Leslie had crushed Colkitto's band which had so long been the scourge of Argyllshire.

Leslie, who well knew his adversaries, did not consider the organisation, training, and discipline of his new army to be at all equal to that of the commonwealth, though he had the advantage of numbers. A large proportion of his host was raw and undisciplined, and officered either by the unruly nobility of Scotland or "by minister's sons, clerks, and such other sanctified creatures." Never before nor after was Scotland so much under the rule of the clergy, who were not ashamed to interfere with conscientious stiffness in

the military councils, while they injured the discipline of the soldiers by their unruly preachings. Four thousand Cavaliers, numbering among them many stout soldiers, were ignominiously expelled from the ranks as unworthy to fight in the sanctified host of the covenant. Cromwell, on the other hand, had officered his army with men of proved courage and skill. He had 16,000 veteran soldiers, whose religious zeal, as deep as that of the covenanters, was increased by a political enthusiasm, approaching to that of the armies of the first French republic. Hard experience in war had convinced these stern warriors of the need of the restraints of discipline, and filled their minds with an unshaken confidence in the skill and fortune of their general.

Leslie's plan was a modification of one which had often baffled the whole strength of England. He withdrew all the people with their cattle and movable effects, from the districts exposed to invasion to remote places, natural fastnesses, or entrenched positions. With a considerable army he held the capital which he connected with Leith, its seaport town, by strong lines of entrenchments. Cromwell, who advanced from Berwick-upon-Tweed, found the country deserted, and had to draw provisions from the fleet. He approached Edinburgh without opposition, and encamped first on one side of it, and then on the other. Leslie drew up his men on Arthur's Seat and then on Corstorphine Hill; but Cromwell judged those positions too strong to be attacked, and not daring to force Leslie's entrenchments, and his own army suffering much from disease and exposure, he returned to Dunbar, pursued and harassed by his

wary adversary, who always took care to encamp in strong positions, where he could fight to great advantage.

Up to this point all the generalship had been in favour of David Leslie. Cromwell had invaded Scotland with a force which he judged not strong enough to attack the enemy as long as they thought it proper to remain in a strong position. He had totally failed to entice Leslie upon more equal ground, and now he was in full retreat for the English frontier, with his forces much diminished by sickness and exposure; and what was worse, he had allowed his line of retreat to be cut off; for Leslie had seized the narrow path at Cockburn's Path, between Dunbar and Berwick; whereas Cromwell himself wrote, "ten men to hinder are better than forty to make their way." Cromwell's intention was to send back his artillery by sea, and try to make his way with the cavalry and infantry to Berwick. Had the Scottish general persisted in his strategy for a week longer, it is possible that he might have cut off Cromwell's army, or at any rate they would have made their way to England in a sorry condition, with numbers much reduced, and with the reputation of their general much damaged. Cromwell wrote to Sir Arthur Hesilrige, governor of Berwick, to gather together what forces he could and to send for more. "Let Sir H. Vane," he adds, "know what I write. I would not make it public, lest danger should accrue thereby."¹

In following the invaders to Dunbar, the Scottish army passed the battlefield of Pinkie, where a

¹ Letter dated Dunbar, September 2, 1650.

hundred years before a Scottish host had quitted a strong position to join battle with Hertford's disciplined army already in full retreat, and as the consequence of their rashness and want of skill the Scots had suffered a terrible defeat. The same error was to be repeated. The skilful general, who seemed to hold victory in his hand, was overruled by the committee of the estates and kirk,¹ and much against his own opinion was prevailed upon to allow the army to leave their strong position on the hill above Dunbar.

By holding back his troops from battle, as Leslie did for so long, he showed that he distrusted their fighting power. This is apt to injure the morale of the soldiers ; no wonder, then, that he was unwilling to march them

¹ Mr Carlyle, who never hesitates to discredit any authority that cannot be twisted his own way, writes : "A vague story due to Bishop Burnet, the watery source of many such, still circulates about the world, that it was the kirk committee who forced Lesley down against his will : that Oliver at sight of it exclaimed, 'The Lord hath delivered,' etc., which nobody is in the least bound to believe." And why not? because Bishop Burnet drew the vague story (how vague?) from his uncle, Sir Archibald Johnston of Warriston, a leading member of the committee, who of course did not know so well as Thomas Carlyle writing from inspiration. Knowing that Burnet is not the only original writer who gives this story, he artfully represents that it appears from other quarters "that Leslie was advised or sanctioned in this attempt, but that he was by no means hard to advise." The story is to be found in Cromwell's own letter—"Dunbar, September 4, 1650.—I hear when the enemy marched last up to us the ministers pressed their army to interfere between us and home, the chief officers desiring rather that we might have way made, though it were by a golden bridge. But the clergy's council prevailed to their no great comfort through the goodness of God." Compare Whitelocke's *Memorials*, p. 255. "The ministers carried it to fight." Baillie in his *Letters*, Edinburgh, 1775, vol. ii., p. 35, says the matter was investigated at Stirling, but no fault was found with Leslie "save the removal of the army from the hill the night before the rout, which yet was in consequence of the committee's orders, contrary to his mind."

These authors wrote from sources quite independent of Burnet, whose testimony in the case scarcely needs corroboration.

down to attack desperate men when victory was to be had by less perilous means. On seeing the enemy descending from the heights, Cromwell gladly advanced to attack them, when the bulk of the Scottish army was seized with one of those panics which occasionally strike ill-disciplined troops on meeting a more steady adversary. They ran, as the Netherlanders did at Jemmingen, as the Federals did at Bull's Run, as the English themselves had done at Newburn. Though Cromwell, who, like all dispatch writers, was willing to make the most of a victory, called it "a hot dispute for about an hour," and says that "the enemy made a gallant resistance," he lets out details which show that it was a very different affair either from Flodden or Bannockburn. Writing of his cavalry: he says, "After their first repulse the enemy were made as stubble to their swords. I do not believe we have lost twenty men." He mentions thirty in two other letters; Whitelocke forty. The Scots lost 8000 killed, and 10,000 prisoners, with thirty pieces of artillery. Few but mounted men escaped. "Surely," writes Cromwell, with that clear sagacity of the state of things with which he was gifted, "it is probable the kirk has done their doe. I believe the king will be set upon his own score now, wherein he will find many friends."

In fact Charles, as Clarendon tells us, rejoiced at the "loss of so strong a body of his enemies, and the royalist factions gained power."

It may be observed that as a general rule during the long wars with England, large Scottish armies wanted unity and cohesion. Their leaders were disputatious and turbulent, and did not well support

one another. Most of the great battles were gained by the English, who lost what they had gained in smaller combats. Scotland had met with even greater losses in battles with the English, and had yet been able to recover herself and drive out the invader; and such might have happened again, notwithstanding the vigour and farther successes of Cromwell, who, well knowing the great difficulties of his undertaking, was anxious to conciliate and gain over the covenanting party, had not Charles succeeded in persuading the Scots to trust their remaining forces, about 18,000 men, in a precipitate march into the heart of England, in the hopes that the royalists would join them to seat him on the English throne. This they were not ready to do in any number. The Scottish army stopped in front, and overtaken behind, was surrounded and cut off at Worcester, as the Duke of Hamilton's army had been cut off at Preston about two years before. Many of the prisoners were sent as slaves to the American plantations. The drain of strength suffered by Scotland since the commencement of the civil war, through the carnage of Montrose's force and the loss of three armies, could not have been less than 70,000 men. The country, too, had suffered from plague and famine. The old Earl of Leven and some of the committee of estates and some other noblemen and gentlemen holding a rendezvous to relieve Dundee were surprised and taken prisoners by Colonel Alured. Dundee was stormed by Monk and many of the garrison massacred, and the town given up to plunder.¹ Argyll was fain to make terms and capitulate.

¹ *Memorials of the Great Civil War*, edited by H. Carey, London,

Cromwell remained in England with the reputation of having reduced two kingdoms to dependence upon the English commonwealth. The English fleet had played its part in supporting the invasion of Scotland, and was again used in reducing the Channel Islands. The American colonies and Barbadoes now acknowledged the new republic.

In November 1651, Charles Stuart, fleeing from Worcester, had escaped to France, and reached Paris in a sorry plight. The queen, his mother, herself penniless, could not help him. Lord Jermyn, her lover, gave him a clean shirt. Paul de Gondi, Cardinal de Retz, the most active intriguer and demagogue of the Fronde, tells us that he borrowed 1500 pistoles, which he sent to the fugitive prince through Lord Taffe. De Retz boasts that the next day he could have reimbursed himself in English money. Vane, a great parliamentary man, asked for an interview and showed him a letter of credence from Cromwell. The message was to the effect that the spirit which he (De Retz) had shown in the defence of public liberty had induced them to seek his friendship. This was supported with lavish compliments, offers, and promises. De Retz thus concluded: "I answered with respect, but I said and did nothing unworthy of a true Catholic, and a good Frenchman. Vane appeared to me of surprising capacity."¹ One

vol. ii., p. 351, and *Scotland and the Commonwealth*, edited by C. H. Firth, Edinburgh, 1895, p. 12.

¹ See *Memoirs du Cardinal de Retz*, Amsterdam, 1731, vol. ii., p. 108. Some writers have so told this story as to represent that Vane was sent by Cromwell. At this time Cromwell was no more than a general of the parliament, and member of the council, nor was Vane, though a close friend, ever a tool of Cromwell's. De Retz wrote this after Cromwell

of the objects of Vane's visit to Paris probably was to gain protection for the Protestants in the south, Bordeaux having risen against Mazarin's government.¹

Sir Henry Vane's visit to Paris must have been between November 19, when he was elected a member of council, and the 10th of the next month, when he was appointed one of the commissioners to be sent to Scotland along with St John, Lambert, Monk, Deane, Fenwick, Salway, and Tichborne, to settle the government of that country.

The commissioners arrived in Scotland in the middle of January 1652. They had been instructed to treat for the union of Scotland with England, a favourite project of James I., which had been resisted by the House of Commons. They hoped that the northern nation would be grateful for being received into the English commonwealth, and through their representatives admitted to a share in the government of the country. They hoped to gain the middle and poorer classes by delivering them from the meddlesome inquisition of the Presbyterian clergy, and the tyranny of the nobility. On March 16, Vane reported to the parliament that the greater part of the shires

had become great. Vane's name is printed as Vaire, and the date of the battle of Worcester is incorrectly stated.

¹ See *Cromwell and Mazarin* in 1652, by S. R. Gardiner, in *English Historical Review* for July 1896.

In the *Memoirs de Guy Joli*, Geneva, 1751, vol. ii., p. 286, we are told that the prince, on learning of the death of Cromwell, sent the Earl of Ormonde to the Cardinal de Retz, begging him to obtain money from the Pope and promising to take the Catholics under his protection if re-established.

Guizot's *History of Cromwell and the Commonwealth*, translated by Scoble, London, 1854, vol. i., p. 262.

and boroughs of Scotland had, through their deputies, assented to the tender of the union.¹

The declaration of the parliament for the union, and the election of twenty-one deputies to negotiate, and the abolition of kingly power, was read at the market crosses of Edinburgh and Dundee. The English soldiers shouted; but the people listened without any sign. The national pride was too deeply hurt by the defeat of their armies in the effort to maintain the Stuart line; the ministers feared the loss of the privileges of their church courts and the entrance of toleration for all forms of dissent, and they kept up an obstinate opposition to the new government. The commissioners did their best to form a party favourable to their project. They rescued the country from the confusion following the collapse of the former government, and from military rule. They established judicatories, and appointed sheriffs and magistrates and honest clerks. It was soon noticed by the commonality that the even-handed justice of these judges "exceidit the Scottis in mony things."

The negotiations for the union were long and complicated. The conferences were continued till the expulsion of the parliament, and the union was accomplished at the end of the year 1653, when it was arranged that Scotland should have 30 members in the English parliament.

¹ *Scotland and the Commonwealth*, Introduction, p. xxiv. and pp. 31-269.

CHAPTER XIX

Mutiny in the Fleet. The Exploits of Blake. Vane's Administration of the Navy. The War with Holland. Vane presses a Bill for a new Election. Cromwell dissolves the Long Parliament. His Accusations against the Parliament.

THE fleet was more inclined to sympathise with the Presbyterians than with the Independents. In 1649 the sailors were much discontented with the supersession of William Batten for Colonel Thomas Rainsborow, an Independent who had commanded a man-of-war in 1643, and had gained honours as a soldier. The crews made no complaint about their pay or food, but towards the end of May they put the obnoxious admiral ashore. After a month's lingering, nine of the ships' crews were enticed by Batten to sail to Holland to offer their services to the Prince of Wales. Many of the sailors deserted. By November five ships had returned. The remaining four, recruited with royalist refugees under the command of Prince Rupert and his brother Maurice, sailed out to prey upon the merchantmen they fell in with. This made the parliament pay immediate attention to the state of the navy.

At the end of December, Colonel Robert Blake was made admiral, with a full commission to hunt down the revolted ships. Blake, the son of a wealthy

merchant, and a man of good education, had gained signal distinction in the civil wars by his valiant defences of Lyme and Taunton. He was now fifty years of age, a broad-built man of middle stature, with dark curled hair, blunt and straightforward, who openly said monarchy was a kind of government the world was weary of. Nevertheless, he disapproved of the king's execution. Prince Rupert's squadron, increased by some captured merchant ships, took refuge in the harbour of Kinsale, then held by the Irish rebels, where he was shut in by Blake; but, as the English fleet could not keep the sea in stormy weather, he managed to slip out. Blake followed the fugitive ships to Portugal, where they were allowed to enter the Tagus, sell their prizes, and lie under the guns of Belem. As John, King of Portugal, refused to allow him to attack them, Blake cruised by the mouth of the Tagus till reinforced by eight ships sent from England. He then seized nine outgoing merchantmen. The Portuguese fleet, thirteen men-of-war, with Rupert's privateers, did not dare to sail out to fight Blake's squadron, who now fell upon the returning Brazil fleet, sunk the admiral's flagship and three others, and took eleven large ships with their rich cargoes.

The knowledge which the elder Vane had of foreign politics proved very useful to the Long Parliament,¹ and his other son, Sir Charles Vane, was the envoy for the commonwealth at Lisbon. Letters

¹ M. de Bellièvre, the French ambassador in London, writes, May 27, 1647, that Sir Henry Vane is the only member of the House of Commons who has any knowledge of foreign affairs.—*Diplomatic Correspondence of the French Ambassadors in England and Scotland*, Edinburgh, 1899, vol. ii., p. 143.

of the younger Vane to Colonel Edward Popham show how anxiously he watched over the affairs of the navy while Blake was in pursuit of Rupert's squadron at Kinsale and Lisbon. He writes to Popham: "If there be like to be any difference between the King of Portugal and you, take care of my brother's safety, for which purpose you will receive instructions from the council of state." The following shows a kindly heart. Writing to Popham, April 27, 1650, he adds: "I fear I was the occasion of making known to your wife your going southward; however, it was innocently done, as presuming you had told her, and all I can offer in recompence is to do what service lies in my power in your absence, if she will please to command me."¹

The King of Portugal sent an ambassador to London to sue for peace which, after much delay, was granted on the Portuguese paying for the damage to English shipping. Rupert, being informed that the Portuguese could no longer shelter him, slipped out of the Tagus while Blake was pursuing the Brazil ships, and sailed into the Mediterranean, pillaging and burning the English merchant ships he met with, pressing sailors and treating those who resisted with brutal cruelty. The avenger was behind, the English fleet now pursued the pirates along the Spanish coast. They were scattered by a storm; but all save three took refuge in Carthagen. Without heeding the Spaniards who refused to acknowledge the commonwealth, Blake entered the port, boarded one ship and destroyed or ran on shore the others. The remaining

¹ *Historical Manuscripts Commission: Report of the Manuscripts of F. W. Leyborne-Popham*, Norwich, 1899, p. 72.

three found temporary shelter in Toulon, whence they fled to the Azores and then to the West Indies, continuing to plunder merchant vessels. In the end their ships were wrecked and Maurice drowned, though Rupert escaped with nine others in a pinnace. The governor of Toulon had allowed the cargo of a prize ship to be sold in that port, and had given succour and countenance to the corsairs.¹ Treating this as an act of war, Blake took four French vessels, one of them a frigate of forty guns. His next expedition was to the Scilly Islands, where the Cavaliers of the west had gathered in considerable force. From this base they made depredations upon the English shipping, not sparing the Dutch, who sent a fleet to watch and protect their merchantmen. The Prince Charles had offered to sell the islands to the Hollanders. Landing a force at St Mary's, Blake soon compelled the garrison to surrender.

About this time a Spanish army, led by the great Condé, was besieging Dunkirk. This port had long been a nest of privateers, which preyed on the English commerce. In 1651 the council of state had made overtures to get the place delivered up to them; but at this time Mazarin would not accede to the proposal. Hence the council sent directions to their admiral to prevent a French fleet sailing to the relief of the beleaguered town. Blake gained an easy victory (September 1652), and Dunkirk fell into the hands of the Spaniards.

England was again formidable on the sea, and once more appeared as a foreign power, which she had ceased to be under the two Stuart kings. The

¹ Dixon's *Life of Blake*, London, 1852, p. 163.

parliament now saw how much the navy contributed to the safety of the state, especially as the hopes of the royalists were dependent upon foreign aid. The commissioners of the navy were now busy in getting new ships built and fitting out others. The fleet of the commonwealth had successfully coped with the naval powers of Portugal, Spain, and France, when the current of events unhappily drove them into a contest with a neighbouring republic and a once friendly Protestant state. During the civil wars the States of Holland had observed a prudent neutrality between Oxford and London, though they seemed to favour the king's cause, and had sent munitions of war (always for money received) to his armies. They had interceded for the life of Charles ; popular indignation in Holland was loud against his execution, and the States had recognised his son as the lawful king, influenced by the Prince of Orange, who had married his sister, the Princess Mary. Dr Dorislaus, the ambassador of the parliament, who had taken a part in the king's trial, was murdered at the Hague in 1649 by some Cavaliers, who were allowed to escape. The death of the Stadtholder, William, and the triumph of the republican party, seemed to favour an alliance, and in 1651 the Lord Chief Justice, St John, was sent as ambassador to Holland with a guard of forty gentlemen to propose a close treaty between the two republics. The States, though fearful of offending their powerful neighbour, were naturally anxious to escape a coalition by which they were likely to be merged in the larger commonwealth. The haughty St John abruptly quitted the Hague ; in taking leave of the Dutch commissioners, he said : " My Lords,

you have an eye upon the events of Scotland, and therefore do refuse the friendship we have offered. In a short time you will see that business ended, and then you will come to us and seek what we have freely offered, when it shall perplex you that you have refused our proffer."

While maintaining a hard struggle to hold their own low marshes against the Spaniards, the Dutch, from their shallow coasts, found an outlet for their marvellous spirit and enterprise. In every part of the world, in the herring fisheries of the north, on the Connecticut river, and the Hudson, in the East and West Indies, the English merchantmen met the competing Hollander. From the Cape of Good Hope, to the far islands of Japan, they ousted the Portuguese swooning under the rule of Spain. The claim to the lordship of the narrow seas was handed down from the time when the kings of England ruled both sides of the Channel, by making foreign ships strike their flags, and lower their top sails on English war vessels, was a perpetual source of irritation. During the early struggle of the United Provinces they were in no mood to resist; during the civil wars the English had other things to attend to. But these claims, sometimes relaxed, were always revived, and the Hollanders were the chief victims. Possessing most of the shipping of northern Europe, and proud of their victories over the fleets of Spain, the Dutch endured, with increasing impatience, this exaction of a derogating ceremony often enforced in a high-handed manner. St John, on his return from his unsuccessful embassy, got the parliament to pass the navigation law, which prohibited the importation of goods from

Asia, Africa, and America, save in English bottoms, or of European goods, not the produce of the nation that brought them. This was keenly felt by the Dutch who were the great sea-carriers of those days, and were the first to proclaim the maxim that the flag covers the cargo. Their merchants were accused of supplying stores to the Spaniard, while they were carrying on hostile operations against Holland. In those days it was prudent that England should keep up her seafaring population, hence the navigation laws were called for, by political exigencies, even if not in accordance with economical theories. During the informal maritime war between France and England, from 1649 to 1653, the Dutch ships were frequently stopped by privateers under the English flag, ostensibly to search for French goods. On several occasions the crews were roughly and even cruelly treated. In a letter on February 14/24, 1652, De Witt,¹ the Pensionary of the States, said that he thought Holland had expected more friendly feeling at the hands of the republic. He hoped, however, that the English government will not be so blinded as to seek our mutual ruin, and that this not too pleasant beginning will be crowned by a good and firm alliance.

The excitement became greater, when about three weeks after the news came to Westminster that the States had resolved to increase their war fleet by 150 sail, which in those times could be done by arming merchant ships. The English fleet was promptly put on a war footing, and Blake was sent to cruise in the Channel. At the same time Tromp, with a large fleet, was sent to protect the merchant ships of the Nether-

¹ Geddes: *The Administration of John de Witt*, vol. i., p. 197.

lands from search. With the overbearing vein of the English and the stubborn temper of the Dutch, war was but a question of time. The two fleets met each other off Dover on May 16/29, 1652. As both Blake and Tromp denied firing the first broadside, this may be taken as a proof that neither of these brave admirals sought a combat.¹

At any rate, the English Admiral fired on Tromp because he did not at once strike his flag, and the two fleets were soon engaged in a cannonade, which lasted for four hours. The Lord-General Cromwell was promptly sent to Dover to inquire into the affair. Blake's account was confirmed by one of the captains of the two Dutch ships that were taken.

At this time, from May 17 to June 14, Vane was president of the council of state. Sikes tells us that he heartily laboured to avoid a war with Holland; but the sons of Zeruah, the military party, were too many for him on that point."²

Though the Dutch ambassadors still sought to avoid a rupture, nothing save submissions, which they would not make, could now appease the parliament. War was declared within a month after the affray.

About this time Sikes tells us that Vane received, from a learned gentleman, on July 3, the sonnet in which, in immortal verse, John Milton gives his appreciation of the great statesman:—

“ Vane, young in years, but sage in counsel old,
 Than whom a better senator ne'er held
 The helm of Rome, when gowns not arms repelled
 The fierce Epirot and the African bold,

¹ These questions are discussed at length in *Letters and Papers relating to the First Dutch War, 1652 and 1654*, edited by Samuel Rawson Gardiner, printed for the Navy Records Societies, 1899.

² *Life of Sir Henry Vane*, p. 63.

Whether to settle peace, or to unfold
The drift of hollow states hard to be spell'd,
Then to advise how War may best upheld,
Move by her two main nerves, iron and gold,
In all her equipage : besides to know
Both spiritual power and civil, what each means,
What severs each, thou hast learn'd, which few have done :
The bounds of either sword to thee we owe :
Therefore on thy firm hand Religion leans
In peace, and reckons thee her eldest son."

The reputation of the Netherlands, as a naval power, rested upon unvarying successes, while, since the defeat of the Armada (done too by the aid of the Dutch), the reputation of the English had sunk through the failure of several naval expeditions. The five separate admiralty boards, which managed the navy of the Netherlands, stood much in the way of unity of action. Since 1650 the States general had removed many good sea officers attached to the House of Orange, and had filled their places with men of less experience.¹

On the other side never had the English fleet been in such working order. The navy commissioners, with Vane at their head, showed unexampled zeal, knowledge, and capacity. Work went on strenuously at the dockyards now cleared of courtier officers, embezzling clerks, and knavish

¹ Captain Richard Gibson reports a conversation, which he had with a Dutch skipper, how the English came to beat the Dutch at sea. Thus, says the skipper, we came to fight the English with gentlemen commanders at sea, and you us seamen commanders of your ships, and by this means you came to beat the Dutch. But if ever hereafter we should fight with the English, for the mastery of the sea with seamen commanders, and you us with gentlemen commanders, we should beat you. This was actually fulfilled fifteen years after, when under Charles II., the conditions desired by the Dutch skipper were partially realised.

contractors. The magazines were kept fully supplied. The fleet was well manned, well officered, and well purveyed, and the crews could be readily recruited from men who had shown on shore the stern valour of the Puritan.

Owing to the fines for delinquents, compositions, monthly assessments, sale of lands and excise, the government was well off for money, and Vane's influence with the parliament and council of state was valuable in gaining prompt supplies for the navy. Besides her greater natural resources, England had the advantage in her position covering the whole coast of the Netherlands. The Dutch merchantmen had to run along the Channel, or to take a long voyage around the hostile shores of Ireland and Scotland to gain their own ports. The winds, being mostly from the west, made all the Cape lands and bays good roads for the English vessels to ride at anchor. Thus it was enormously difficult for the Dutch to defend their large shipping on which the subsistence of the people depended. Nothing could save them from the attacks of a naval power in such a central position but the complete command of the seas.

Blake sailed to capture the herring busses and their convoys in the northern seas. He was followed by Tromp. The fleets were kept from encountering by stormy weather. On his return the veteran admiral found the people discontented with his want of success. De Witt and De Ruyter were sent out to defend their shipping, and on August 16/26, an engagement took place between the English fleet, under Sir George Ayscue, now returned from the

West Indies, and the Dutch, in which the latter had the advantage, the English fleet retiring to Plymouth.¹

On September 28, the Dutch Admirals De Witt and De Ruyter, encountered an English fleet, commanded by Blake, about the Downs, when another stubborn fight took place. The Dutch lost five ships, three sunk, and two taken and sought refuge in their own ports. De Witt threw the blame of this defeat upon some of his captains, who were faint in seconding him. He also said that the English ships were better sailers than his, and that their guns were managed as well or better. It appears from further reports that his crews were not so well supplied with provisions as the English fleet, and that the men were weakened with scurvy. The Dutch now turned against De Witt, and Tromp was again put in command.

In those sea fights there was more room for headstrong courage than combined generalship. Each tried to get to the windward and drive down upon the opposing ship to sink or board her. The Dutch aimed more at the masts and rigging; the English at the hulls of their adversaries.

At this time there was no declaration of war between France and England, but the trade had much suffered from the privateers of Dunkirk, against whom there were issued letters of marque by way of reprisals.

Dunkirk was now besieged by the Spaniards. The French, under the Duke of Vendome, had already defeated a Spanish fleet, and were collecting their

¹ See *Account of the Proceedings of the Fleet with Admiral de Witt, and other documents, in Letters and Papers relating to the First Dutch War*, vol. ii.

transports off Calais to sail to the relief of the beleaguered town. Knowing that the council of state wished that this nest of pirates should pass into other hands, and seeing that no time was to be lost, Blake took the responsibility of interfering. Vendome was not strong enough to resist, and Blake bore away eight ships of war, took some of the transports and scattered others (September 4/14, 1652). Dunkirk immediately surrendered. That this vigorous action did not bring a declaration of war from France is a proof that they felt unable to cope with the commonwealth at sea. The English fleet had been weakened by sending twenty ships to the Mediterranean, and on November 29, Blake with thirty-seven ships encountered Tromp again afloat with a fleet of more than double the English, and boldly accepted his challenge. After a fight of five hours night enabled the English fleet to escape into harbour with a loss of two ships and others much shattered. Blake himself was wounded.

Those who recall the gloom and anxiety when a British army was shut up in Ladysmith, and the relieving force repulsed at Colenso, may realise the feelings of a proud nation elated with recent victories on land, when the news spread that the Dutch admiral was cruising triumphantly in the Channel with a broom at his masthead, as if he had swept the English from the seas. The government was loudly blamed and attacked in numerous pamphlets.¹ Blake

¹ Hyde writes from Paris to Nicholas in Holland: "We are in great hope that this notable fight at sea, in which the Hollanders have so thoroughly banged, the rebels will make a great alteration in the counsels with you and here. It is the first signal overthrow these devilish rebels had sustained whether at sea or land." The prince,

offered to resign his command. It had been urged that he should not have risked a battle against such odds. The council of state, by return of courier, sent their thanks for his gallant conduct, and assured him that his recommendations for the betterment of the fleet would be adopted. Vane and five others were appointed by the parliament to attend to this emergency. He reported the navy estimates to the House when £40,000 a month were voted for the charges of the war, and it was resolved to raise the effective marine force to 30,000 men. Soldiers were drafted into the fleet. At the same time Vane brought in and pushed through a bill for the sale of the royal parks, the price of which was to go to the navy. There was great activity in the dockyards. The shattered ships were refitted and new ones armed. The sailors were now better fed, and better paid than they had ever been. Prize money was more equally distributed. The wounded were attended, and the widows and children of those killed in action got relief. Hence desertions were infrequent, and little recourse was had to impressment.

In two months, Blake was able to take the sea with a fleet of eighty ships. On February 18, he fell in with Tromp off Portland with a fleet of about the same strength, convoying 300 merchantmen. A dreadful battle raged for three days between these two gallant adversaries, which ended in the victory of the English fleet who took or sunk eleven ships of war, and thirty merchantmen, killed 2000 men, and took 1500 prisoners. Though the number Charles Stuart, had offered to go with the Dutch fleet and endeavour to lead away English sailors from their duty. This was declined by the States.

of the slain was nearly as great on the English side, they only lost one ship, which was sunk, the crew being taken off.

The report announcing this victory was signalled by Blake, Deane, and Monk. The last-named had been brought from Scotland at the recommendation of Cromwell.

When a victory is gained most of the honour redounds to the commander, and but little to the war or admiralty office that supplied him with the materials of success; yet the unwearied exertions of Vane and the naval commissions did not fail to gain some praise at least from their friends. The Dutch themselves wondered at the success of their opponents in obtaining intelligence through which their most secret designs were made known to the council of state in London, while that body kept dark their own. To justify their claim to the supremacy of the seas the parliament got Nedham to translate into English the learned work of Selden, *Mare Clausum seu de Dominio Maris*, in answer to the treatise of Grotius, *Mare Liberum*. The Dutch now saw that they could not hold the sea against the fleet of the English commonwealth. Their trade through the Channel was well-nigh destroyed, and their trade in the North Sea seriously crippled, although the King of Denmark had favoured them and seized upon such English ships as were in his ports. The States now sent ambassadors to London to sue for peace.

Mr Bisset, the historian of the commonwealth, was provoked by the ingenuous conceit of a reviewer, who announced that the collection and juxtaposition of Cromwell's letters formed a crucial test of his sincerity.

In truth, Cromwell was not simple enough to write letters likely to tell against himself, and he must be judged by his deeds rather than by his words. To understand his character is a task difficult to attempt and difficult to avoid; but as he was watched by some men of great penetration, we are not entirely left without light.

Though it was observed of Oliver Cromwell that, even while in an obscure station, he never loved more than his equals, there is no proof that, from the first of his wonderful career, he dreamed of rising so high; but from the day he put his foot in the stirrup in command of a troop of horse to his crowning victory at Worcester, he had gone through much to nourish his ambition and to harden his character. During these nine years he had learned to be impatient of parliamentary control; he had become accustomed to military command, and mercilessly to sweep all obstacles from his way. Every stroke of good fortune, every toward chance, he regarded as a token of the divine aid. This belief was not a mere phrase; it entered into his soul, sustained him in the perils of war and the strife of factions; and so convinced was he of its truth that he often used his wonderful good fortune as an argument that others should yield to him. This conviction, swayed by his love of rule, though it lulled his conscience, did not obscure his intellect. With infinite tact he tried to make all parties serve his aspiring schemes. In a passion of tears he assured the parliament of his fidelity, while he was inciting the army against them. In a pamphlet published in 1649, in defence of the mutinous party of the army at Triploe Heath, we have the following striking passages:

“O Cromwell, whither art thou aspiring? The word is already given out amongst their officers that this nation must have one prime minister, magistrate, or ruler over them, and that the general hath power to make a law to bind all the Commons of England. This was most daringly and desperately avowed at Whitehall, and to this temper these court officers are now a-moulding; he that runs may read and foresee the intent, a new regality. Was there ever a generation of men so apostate, so false, and so perjured, as these? Did ever men pretend an higher degree of holiness, religion, and zeal to God and their country than these? These preach, these fast, these pray, these have nothing more frequent than the sentences of sacred Scripture, the name of God and of Christ in their mouthes. You shall scarce speak to Cromwell about anything, but he will lay his hand on his breast, elevate his eyes, and call God to record. He will weep, howl, and repent, even while he doth smite you under the first rib. Captain Joyce and Captain Vernam can tell you sufficient stories to that purpose.”¹

This is a caricature not without resemblance to the original.

After the battle of Worcester the tone of the lord-general was so high that Hugh Peters said this man will make himself king. A council of officers used to meet at his house. Some of them had seats in parliament, and transmitted recommendations of an embarrassing character, which it was dangerous to disregard. Some of the most fanatical military men

¹ *The Hunting of the Foxes from Newmarket to Triploe Heath by five small Beagles*, London, 1649.

wished the law courts to be reformed, justice to be had swift and cheap. The Mosaic code, being inspired, would be the best model. The parliament made some beginning of reform in legal proceedings; but the lawyers in the House kept back progress with endless debates. Cromwell sounded Ludlow and Whitelocke in no obscure fashion whether they would support his pretensions to be made king; the answer being unfavourable, he was fain to break off the colloquy with a piece of rough pleasantry.

The parliament hoped, no doubt, that by unwearied attention to public business and the extraordinary success which attended their labours, they would obtain the approval of the nation, and it was not their efficiency but their title to govern that was questioned. Having been reduced by successive prescriptions and disqualifications to about 150 names, they could not claim to be a full parliament. They had put down many opponents, and punished some of them with great severity; they had refused many favours, and made many enemies. The military officers, when they understood that the army would be reduced, were as uneasy as the lawyers when they heard that the law courts were to be reformed; and councils of officers were held to discuss the state of affairs. Cromwell took every occasion to increase the clamours that were raised against the Long Parliament, and to unite all parties in their hostility against an assembly which, by its delay in giving the country an opportunity to express its opinion by a new election, had aroused the discontent even of republicans like Milton. It may be said for the Long Parliament, that, being anxious lest, in proclaiming a

republic, they had made an advance on popular opinion, they desired to familiarise the people with their theory of government before they sent out for public approval; as Harry Marten put it, recalling that Moses was sent by Pharaoh's daughter to nurse: "Their commonwealth was yet an infant of a weak growth, and a very tender constitution, and therefore his opinion was that nobody could be so fit to nurse it as the mother who brought it forth, and that they should not think of putting it under any other hands till it had attained more years and vigour."

Their notion of a republic was not the same as that of a modern democracy or the pure government of majorities, hence we find Milton denying the right of a majority to make a king to deprive an intelligent minority of their liberties. The republican cause was strongest in the middle classes, and they had the nobility and perhaps the lower classes, against them; but they were by far the ablest, the purest, the noblest, and the most energetic party in the nation. But though a minority may force a nation to be servile, it can scarcely force them to be free. A form of government which has to be debated at the polls subject to the reaction of popular favour, is in a most insecure position.

This has several times been proved in the history of England: "An inconstant people," said William of Orange, when he found the tide of popularity ebbing against him after having saved the nation from the consequences of their own political wanderings. With another generation the reaction against the House of Hanover several times placed the Protestant succession in danger.

While some members were content to rest in the present enjoyment of power, Vane was anxious about the future. He restlessly pushed on a bill for a more equal distribution of the franchise and of electoral districts. There were great inequalities in the representation of different towns and counties. Cornwall, in which crown influence had long been potent, was allowed to send 44 members to parliament, while other counties, which paid as many taxes, returned no more than 6 or 8. Some which had scarce a house upon them sent 2 members to parliament, as many as the great cities, London excepted. The sum paid in taxation was made the basis of representation ; London was allowed 7 members, and other cities 1 each. Householders of a certain rent were to have a vote in the towns. In the country care was taken to exclude tenants who were under the control of others. An abstract of this bill has been pieced together by Mr Forster,¹ from a scrutiny of the allusions, votes, and divisions recorded in the *Journals of the Parliament*. Anomalies and inequalities were abolished, which in default of the measure not becoming law, continued until they were swept away by the Reform Bill of 1832. The franchise was accorded to all freeholders of land estate of the clear yearly value of 40s., and to tenants of twenty-one years' lease of the value of £20, and to copyholders of estate or tenants for life of the value of £5. The number of representatives, besides those to be sent by Ireland and Scotland, was fixed at 400. It was clearly a just, liberal, and comprehensive measure designed to give a fair representation to the country.

¹ *Sir Henry Vane*, p. 158 ; Ludlow's *Memoirs*, vol. ii., p. 435.

Whatever his misgivings might be, Cromwell had made up his mind to become supreme ruler of the state. To effect this he had to use the army who hated the name of king, and proclaimed their dislike to the rule of a single person, so he had to steer in a tortuous course, and not let his dupes know whither he was leading. In the army there was a variety of opinions and fancies and interests. The sectaries mixed up their political aims with their theological aspirations. To these he held up the promise of a reign of righteousness, to reform the law, do away with lawyers, regulate the conduct of life to an austere model, and purge the churches of all relics of popery. To the body of the army he held out the prospect of continuance of employment, and to the ambitious he offered the promise of power. Looking at it from a selfish point of view, the council of officers, who had so often interfered with state affairs, could scarcely desire a new parliament in a broadened constituency. Such an assembly would come in with a sense of power, and one of their first proceedings would be to disband a portion of the army. This had been already talked of during the Dutch war, the expenses of which were weighing heavy on the nation. Cromwell knew that time would cause his laurels to fade, and his name would wear out as Fairfax's had already. The later achievements of Blake, not inferior to his own, now filled men's mouths. Five months before Cromwell had been a teller in the divisions in which it was determined by a majority of four and two, not to put an end to the sitting of parliament.¹ This furnished

¹ *History of the Commonwealth of England from the Death of Charles I. to the Expulsion of the Long Parliament by Cromwell*, by Andrew Bisset, London, 1867, vol. ii., p. 420,

him with a grievance for his council of officers that they were too slow to dissolve ; but how could it now be held a grievance that the majority had now determined to do so? It is asserted by Cromwell in his "Declaration of the Grounds and Reasons for dissolving the Parliament by Force," dated "Whitehall, April 22, 1658," that the council of officers, having a meeting with about 20 members of parliament, they laid before them their judgment, that the supreme authority should be by the parliament devolved upon known persons, men fearing God and of approved integrity, and the government of the commonwealth committed unto them for a time, as the most hopeful way to encourage and countenance all God's people, reform the law, and administer justice impartially.

"They being plainly dealt with about this, and told that neither the nation, the honest interest, nor we ourselves, would be deluded by such dealings, they did agree to meet again the next day in the afternoon for mutual satisfaction, it being consented to by the members present, that nothing in the meantime should be done in parliament that might exclude or frustrate the proposals above mentioned. Notwithstanding this, the next morning the parliament did make more haste than usual, in carrying on their said act, being helped on therein by some of the persons engaged to us the night before, none of them which were then present endeavouring to oppose the same ; and being ready to put the main question for consummating the said act, whereby our aforesaid proposals would have been rendered void, and the way of bringing them into a fair and full debate in

parliament obstructed; for preventing whereof, and all the sad and evil consequences, which must, upon the grounds aforesaid, have ensued," etc. This promise, whether formal or informal, made by some or made by all the 20 members at this meeting, was certainly not binding upon the parliament, nor was it clear that these under the promise had the power to implement it. Whitelocke, who was at this meeting of officers at Cromwell's lodgings, says nothing of any such promise. He himself represented that it would be a most dangerous thing to dissolve the parliament. Many other members with all the officers, of whom St John was one of the chief, were in favour of putting a period forthwith to the parliament, the better to make way for themselves and their ambitious design of advancing them to the civil government. They and their party declared their opinions that it was necessary the same should be done one way or other, and the members of parliament not permitted to prolong their own power.

At which expression Cromwell seemed to reprove some of them; and this conference lasted till late at night, when Widdrington and Whitelocke went home weary, troubled to see the indiscretion and ingratitude of those men, and the way they designed to ruin themselves. The fate of the country was in the air. Apparently Cromwell had not yet decided or was not sure whether the officers were all ready for violent measures. According to appointment they came early in the morning to Cromwell's lodging, a few parliament men and a few officers of the army. What the military cabal was anxious about was not so much the dissolution of parliament as the question into

whose hands power should be lodged after the dissolution and during the elections. How the parliament proposed to arrange that is not recorded. It is likely they would continue the council, and that the military party thought that they would not be sufficiently powerful in it. Well aware of the danger, Vane had been pressing through the amendments from his report, and had within the month pushed the bill so far that it only required the third reading to have the force of law. That morning of April 20, he anxiously urged the House to disregard needless forms such as the delay in getting it engrossed. Colonel Ingoldsby now came in haste from the House to warn the military junto that the bill for dissolution was in its last stage. The irritation thus aroused lay in the knowledge that there was no consent to the proposal of the council of forty to manage public affairs during the elections. Cromwell, now perceiving that if he did not act at once, his grievance and his opportunity would be gone together, broke up the meeting and ordered a party of musketeers from his own regiment, commanded by Lieutenant-Colonel Worsley, to be sent to the door of the parliament house. The decisive moment had come; as a man who sways a chain, his hand is in its turn moved by the chain. The number of soldiers was small, but men upon whom he could count, and he had Lambert and Harrison, and several other officers who were members of the parliament to help him through. Into the old Gothic chamber, where sat in earnest discussion this memorable assembly, there now enters quietly the lord-general in plain black clothes and grey worsted stockings. He takes his ordinary

seat and calls for Harrison, who was on the other side of the House, to whom he said: "That he judges the parliament ripe for dissolution, and this to be the time of doing it." The major-general answered, as he since told me,¹ "Sir, the work is very great and dangerous, therefore I desire you seriously to consider of it before you engage in it." "You say well," replied the general, and thereupon sat still for about a quarter of an hour.

What was now passing in that powerful mind so full of conflicting desires and emotions? The voices of honour and of conscience, the deep conviction that he must answer to God, thoughts of his former aspirations for freedom, the memories of those who had given their life-blood for the liberties of England, the good opinion of the great men before him who had entrusted him with the sword he was to use against them, and the punishment which he had been the means of meting to the king for doing what was most like he was now about to do. Thoughts such as these must have tortured a mind not rendered callous by utter selfishness. Then, on the other side, was the fierce craving for power nourished by years of military command, and the scorn of a successful soldier for the talk and swayings of a popular assembly with the fear that the result of the polls or the caprices of faction might place him and his party in the hands of his adversaries. Nor was Cromwell free from the self-deceptions of Harrison, that he was an instrument in the hands of Providence to do some great work for the people.

Just as the question for passing the bill was being

¹ Ludlow's *Memoirs*, Vivay, 1798, vol. ii., p. 455.

put, Cromwell again said to Harrison: "This is the time. I must do it." Then, starting up, he made a speech wherein he "at first and for a good while¹ spake to the commendation of the parliament for their pains and care for the public good," as if still uncertain how to finish: then, changing his tone, he loaded the parliament with reproaches, charging them not to have a heart to do anything for the public good, to have espoused the corrupt interest of Presbytery and the lawyers, who were the supporters of tyranny and oppression, accusing them of an intention to perpetuate themselves in power, had they not been forced to the passing of this act, which he affirmed they designed never to observe,² and thereupon told them, that the Lord had

¹ This is stated in Algernon Sydney's account, see *Journal of the Earl of Leicester, Sydney Papers*, edited by R. W. Blencowe, London, 1825, p. 139.

² Mr Carlyle, on good evidence, which, however, he does not give us, says that the bill contained a clause that all the members of the sitting parliament should retain their seats, and that they should have power to exclude any elected members obnoxious to them. It has been pointed out by Mr Bisset (*Commonwealth of England*, vol. ii., p. 473), that while the semi-official narrative published under the direction of Cromwell, the day after the *coup d'état*, asserts in positive words, that "by the said Act these present members were to sit and to be made up by others chosen, and by themselves approved of;" the official "Declaration" issued on April 22, carefully avoids any such positive assertion, using more vague words: "Recruit the house with persons of the same spirit and temper, thereby to perpetuate their own sitting." "The craft of Cromwell is very conspicuous in the distinction. He might and would, of course, disown the semi-official paper when it suited him so to do. The words of the official paper which he could not disown, were so chosen that they might be explained to mean either that the present members were to continue to sit, and that persons of the same spirit and temper were to be added to them, to make up the full number of 400; or that the present members were either not to sit at all in the next house, or were to take their chance of re-election with the new members who were to form the new parliament." Cromwell could have proved the truth of his assertions or insinuations by publishing a copy of the bill, or at least giving the words of the clause, which he did not do, "The bill had not been printed or

done with them, and had chosen other instruments for the carrying on His work that were more worthy.

engrossed, Cromwell had snatched from the clerk the only copy in existence, had carried it himself under his cloak to his own house at White-chapel, and was never known afterwards to refer to it in any way" (Forster's *Life of Oliver Cromwell*, vol. ii., p. 75).

The statement can be met with sufficient disproof. Mrs Hutchinson (*Memoirs of Life of Colonel Hutchinson*, London, 1822, vol. ii., p. 200), says, "Meanwhile they and their soldiers could no way palliate their rebellion but by making false crimination of the parliament men, as that they meant to perpetuate themselves in honor and office, that they had gotten vast estates, and perverted justice for gain," etc.

Colonel Hutchinson was in the country when the parliament was violently turned out, but went to London immediately after and found divers of the members there. Ludlow (*Memoirs*, vol. ii., p. 453), gives testimony to the same effect. After enumerating the successes of the parliament he says: "To which ought to be added that after so many toils and hazards, so much trouble and loss for the public good, they were not unwilling to put an end to their power, and to content themselves with an equal share with others for the whole reward of their labours."

Thomas Scot, in a speech made in Richard Cromwell's parliament (Burton's *Parliamentary Diary*, vol. iii., p. 111): "The Dutch war came on. If it had pleased God and his Highness to have let that little power of a parliament sit a little longer, when Hannibal is *ad portas*, something must be done *extra leges*; we intended to have gone off with a good savour and provided for a succession of parliaments, but we stayed to end the Dutch war."

Sir Arthur Hesilrige said in the same parliament: "We were labouring here in the House on an act to put an end to that parliament and to call another. I desired the passing of it with all my soul. The question was putting for it when our general stood up and stopped the question" (Burton's *Diary*, vol. iii., p. 98). Here also the testimony of Mr Reynolds, another member of the Long Parliament: "I was very pressing for that act to dissolve ourselves. I never desired any earthly thing with more earnestness to see that parliament fairly dissolved and another provided. . . . This was never known abroad how nearly the parliament that conquered others were to conquering themselves" (Burton's *Diary*, vol. iii., p. 209).

These statements were made during a lengthened debate when Scot and Hesilrige were exposed to correction from the Cromwellians and other opponents of the commonwealth.

A clause providing that every member of the rump should be a member of the new parliament without election was entirely in discord with the spirit and scope of the bill which Mr Forster has gathered from the journals of the parliament, the reports of the select committees

This he spoke with so much passion and discomposure of mind as if he had been distracted.

Vane rose to remonstrate, when Cromwell shouted and the record of votes and divisions. No mention has been found of such a clause which could not have passed the House without discussion.

Professor Masson, in his *Life of Milton*, vol. iv., p. 409, quotes Godwin and Guizot against Bisset. If we are to appeal to authorities, we might cite Mr Christie, who says, in his *Life of Shaftesbury*, London, 1871, vol. i., p. 93, "I find it difficult to reconcile Cromwell's objections to the popular character of the scheme of representation proposed in the bill with another charge that they designed by this bill to continue their own power. I cannot suppose with Mr Carlyle that the bill contained a clause providing that every member of the rump should be a member of the new parliament without election." Masson airily observes that "Mr Bisset refers to passages in Ludlow and Colonel Hutchinson's memoirs as contradicting that account; but they are too general to be worth anything." Not so; Cromwell's assertion was a general one, and therefore to be met with a general reply. Cromwell, of course, could have made it a precise one by quoting the clause, if such a clause ever were in the only copy of the bill which he took and destroyed. I think that the description Ludlow gives of the bill quite negatives the statement which Masson is so anxious to credit.

In the introduction to the *Diary of Thomas Burton*, p. cxliv., there is mention of a diurnal which refers to a pamphlet entitled *Some Mementos for the Officers and Soldiers of the Army*, from some sober Christians. One of these Mementos discovers how Cromwell "broke in pieces the parliament that intrusted him with his command under a false pretence that they would have sat for ever," though they were at that instant passing an act for dissolving themselves and settling successive parliaments; but the Protector broke them in haste to prevent the passing of that act which had otherwise passed within an hour."

To controvert this statement the courtly diurnal adds: "Sure they had no mind to rise as you may read in his highness's speech to the parliament." This, no doubt, in 1654, was a conclusive argument.

A few passages from newsletters of the time have been printed in the *Historical Review* (July 1893), as corroborating Cromwell's statements. The following sentences bear on the question. Newsletter, April 23, 1653. "The bill resolved to be carried on by parliament was not for dissolving this parliament but for recruiting it with such as probably would be disaffected neuters, lawyers or the like." Another newsletter, dated April 29, "They fell hotly upon the act for calling a new parliament or rather recruiting the old." The writers of these letters are unknown, and their information in some details is incorrect. It is apparent that the reports in question are simply taken from the *Narrative of Proceedings* published on April 21, and Cromwell's declaration issued on the

out : " You think, perhaps, that this is not parliamentary language. I know it."

Sir Peter Wentworth stood up to answer him, but was cut short by Cromwell, who strode into the middle of the chamber, and stamping the ground, cried out : " You are no parliament, I say you are no parliament ; I will put an end to your sitting. Call them in." " The doors were opened and Colonel Worsley entered the House with five or six files of soldiers, about thirty men with their muskets ready." Sir Henry Vane said aloud : " This is not honest, yea, it is against morality and common honesty." On which Cromwell cried out : " O Sir Henry Vane, Sir Henry Vane, the Lord deliver me from Sir Henry Vane." He then walked up and down the floor of the House, he went on reviling some of the other members.

Pointing to the Speaker in his chair, he said to Harrison, " Fetch him down." The Speaker refused to go when he was pulled down by Harrison. The general then told him to put out Algernon Sydney, who was seated on the Speaker's right hand. Sydney said he would not go, and sat still. Harrison and Worsley laid their hands upon his shoulders, when he rose and went towards the door. Cromwell told a soldier, pointing to the mace : " Take away this

22nd, and passed as current before the writers had either time or opportunity for inquiring into their correctness.

M. de Bordeaux, the French ambassador in London, writing the day after the *coup d'état*, who seems well-informed, simply says that the " General Cromwell dissolved the parliament while they debated about a new parliament, and when the present one should take an end " (Guizot's *History*, Appendix xxiii.). Amongst the charges against the late parliament, Bordeaux makes no mention of the attempt to hold their seats without re-election.

fool's bauble." He then addressed himself to the members of the House and said, "It's you that have forced me to this, for I have sought the Lord night and day, that He would rather slay me than put me upon the doing of this work." "After this he went to the clerk, and snatching the act of dissolution, which was ready to pass, out of his hand, he put it under his cloak, and having commanded the doors to be locked up, went away to Whitehall." As the members passed out, between 80 and 100, he addressed them in abusive language, some of which has been recorded. He accused Alderman Allen of embezzling, and Whitelocke of injustice, and called Sir Peter Wentworth an adulterer, and Challoner a drunkard. As his old friend, Harry Marten, passed, he asked him if a whoremaster was fit to sit and govern. He is said to have called to Sir Henry Vane that he "might have prevented this; but he was a juggler, and had not so much as common honesty." Such invective, indicating a mind perturbed to frenzy, were scarcely fit for his audience, the musketeers. Indeed, Whitelocke tells us that some of them were ashamed of his language. Cromwell then went to the council of officers, still in debate about this weighty business, and told them what he had done.

On the afternoon of the same day he went to the council of state, accompanied by Lambert and Harrison, and told them at his entrance: "Gentlemen, if you are met here as private persons, you shall not be disturbed; but if, as a council of state, this is no place for you; and since you can't but know what was done at the House in the morning, so take notice

that the parliament is dissolved." To this Sergeant Bradshaw answered: "Sir, we have heard what you did at the House in the morning, and before many hours all England will hear it; but, sir, you are mistaken to think that the parliament is dissolved; for no power under Heaven can dissolve them but themselves; therefore, take you notice of that." Something more was said to the same purpose by Sir Arthur Hesilrige, Mr Lowe, and Mr Scot; and the council of state, perceiving themselves to be under the same violence, departed.¹

Thus fell by the treachery and violence of a military junto the commonwealth of England, which during a brief time of four years and three months, had done more and accomplished more than any government that had ever ruled England. It is needless to repeat the encomiums of friends and the unwilling testimony of enemies to the mighty work of these great men. The facts themselves cry out, though posterity has been marvellously reluctant to listen. They had subdued inside and outside enemies, united the three kingdoms of the British Islands under one rule, had changed the scorn and hostility of the princes and courts of Europe into a wholesome fear and involuntary respect, had given a new dignity to the cause of freedom, and had, above all, sustained that incomparable exaltation of mind, that intellectual activity, that unselfish energy and public spirit, which makes nations truly great.

It is not at all surprising that the parliament should have hesitated to risk the fortunes of the country and their own fates upon the outcome of the

¹ Ludlow, vol. ii., p. 461.

polls. At the time, however, it was a serviceable accusation to hurl at them, that they desired to prolong their own power. The eagerness of the admirers of Cromwell, to get this assumption accepted, seems to imply that it constitutes, to their minds, a valid excuse for his violently seizing upon the supreme power, and retaining it during the rest of his life. Well, perhaps this excuse is as good as any which they are able to offer.

CHAPTER XX

The Republicans in Suspense. Further Sea Fights. Peace with Holland. The Barebones Parliament. State of Parties. Attempts to reform the Law. Cromwell's Second Parliament. His Domestic Policy. His Foreign Policy. His Government of Scotland and of Ireland.

"WE do not even hear a dog bark at their going," said Cromwell in his joy at his triumph. Colonel Hutchinson, we are told,¹ found divers of the members of parliament consulting together in London. They had friends enough in the army, city, and country, to have disputed the matter; but they thought, that if they should vex the land by war amongst themselves, the royalists and Presbyterians would have an opportunity to prevail to the ruin of both. One thing was clear, the parliament had willed a new election, and were prevented by Cromwell from accomplishing it, and Cromwell could have accomplished it and would not. If he really wished the voice of the country to be taken, it was now in his power at once to call for an election, and to see that neither the old parliament nor the other parties should enjoy any unfair advantage.

As long as he was chief of the army, Cromwell had a force sufficient to quell all opposition, but the army of the commonwealth was not a tool to be used

¹ *Memoirs*, vol. ii., p. 206.

to do anything like the mercenaries of a Sicilian tyrant or the janissaries of the East, where the downfall of one despot but meant the elevation of another. The very soldiers had their own opinions and their objects which they expected the lord-general to fulfil and they were averse to be led in the very direction he wanted to go. Indeed, the first difficulty came from some of the officers. Colonel Okey, distinguished for his skill and gallantry during the civil war, repaired to the general to desire satisfaction about his proceedings. Cromwell professed himself resolved to do much more good, and that with more expedition than could be expected from the parliament. This put most of the officers to silence, and they determined to wait to see what further he should do ; but Colonel Okey inquired of Colonel Desborough what his meaning was to give such high commendations to the parliament, when he endeavoured to dissuade the officers of the army from petitioning them for a dissolution, and so short a time after to eject them with so much scorn and contempt, who had no other answer to make, but that, if ever he had drolled in his life, he had drolled then.¹

The time was most opportune for the usurper occupying the high position attained by the parliament : all enemies within the British Isles were reduced, the Dutch much weakened, and the public treasury full. The Dutch ambassadors had welcomed the usurpation in hopes of getting better terms from Cromwell ; but finding themselves mistaken, they did their best to continue the struggle, counting at least on divided action. In this, too, they found themselves mistaken, for

¹ Ludlow's *Memoirs*, vol. ii., p. 460.

the commissioners of the navy, "not clearly seeing to what extremities things would be driven combined to act in their station" (Ludlow). When the news of the expulsion of the Long Parliament reached his fleet lying off Aberdeen, Blake said to his captains: "It is not the business of a seaman to mind state affairs, but to hinder foreigners from fooling us." Nevertheless, his republican sentiments and incorruptible integrity moved Cromwell to make General Monk, against whom there were no such objections, admiral of the fleet, with Deane as vice-admiral. With a fleet of 120 sail manned hastily, Tromp appeared off Dover firing into the town. The English fleet, separated in three squadrons, was hurriedly gathered into one, and couriers riding day and night sped north to call Blake. The two hostile fleets met in the Channel on the morning of June 2. The English had 105 ships, 3840 guns, and 16,260 men; the Dutch were about equal in guns and men, though they had more ships, and the sea-fight raged through the long summer day. Deane was killed by a cannon shot. At night they lay within sight of one another repairing damages as well as they could. Next morning Tromp, who thought Blake could never arrive in time to take part, lost some hours manœuvring to gain the advantage of the wind. The fight began again about noon, with doubtful success on either side; but towards evening¹ the thunder of artillery on the flank of the Dutch fleet gave warning of the terrible approach of the "Sea-King," and the ship of his nephew, young Robert

¹ Dixon says about two o'clock; but in the original dispatch from Monk and Blake it is said, "About seven o'clock last night General Blake, with 13 sayle of shippes and some victuallers, came up with us." See *Historical Commission* (Alfred Morrison), 9th Report, p. 432.

Blake, burst through the Dutch line, volleying fire from each side. His appearance was greeted with one of these manly shouts that stir men's hearts on the battle-field.

The heroic Dutch admiral did his utmost to sustain the spirit of his men. He ran his own ship, the *Brederode*, aboard of Penn's ship the *James*. The English crew drove them back and cleared the quarterdeck of the *Brederode* of its defenders, when Tromp, resolved not to be taken alive, set a match in the powder room, which sent the upper deck and the boarders into the air. Tromp himself escaped from the disabled ship into a fast sailing frigate, and hurried through the fleet to urge his captains to continue the struggle. In vain! the brave old sailor had at last to give orders for a retreat, and it was only the coming of night that saved his fleet from destruction. The Dutch lost 13 ships taken and 6 sunk, and 1350 men taken. The victors counted 126 men killed, and 236 wounded, with much damage to their ships.

A blockade was then kept up along the Dutch coast. We may fairly infer from the urgent requests of Blake for supplies that the commissariat on shore was far from being so well looked after as during Vane's administration. In one letter he complains that his stores were all run short; the beer was sour; the bread bad; the butter rancid; the cheese rotten. The amount of sickness on board was so great that, in spite of the enemy's weakness, and the advantage of holding them in close blockade, he feared that he would be compelled, by want and sickness, to return to England. In another letter Blake writes: "Our

men fell sick very fast every day, having at present on board this ship upwards of 80 sick men, and some of them very dangerously, which we hear is generally through the whole fleet alike, proportionally to the number of men on board."¹ Blake's own health gave way, and he was carried ashore in a dangerous condition, leaving Monk, Penn, and Lawson to carry on the war. The blockading fleet was withdrawn, which enabled the Dutch to concentrate their squadrons for a last effort. With wonderful courage and energy they again, on July 29, encountered the English, but with no better fortune. Thirty-three of their ships were sunk. Up to this date the war had been fought without any needless inhumanity. The prisoners had been well treated and sometimes exchanged. Monk now gave orders to grant no quarter, but out of compassion the English rescued many of the enemy from drowning. Tromp was shot dead on his quarter-deck. The victors lost 1 ship, 8 captains, with 400 men slain or drowned, and 700 wounded. The Dutch were now no longer able to continue this deplorable war. Fifteen hundred of their ships are said to have been taken, about double the whole ocean-going mercantile marine of England. Their trade was at a stand; their people starving; so they were obliged to accept the terms which Cromwell dictated.

The states-general had to make formal acknowledgment of the sovereignty of the seas; their men-of-war were to strike their colours to those of England on all occasions, and they engaged to pay

¹ Dixon's *Life of Blake*, pp. 257-59, 261.

a sum to defray the damage done to English merchants in the Indies, Brazil, and other parts. The King of Denmark was, with difficulty from Cromwell, included in the treaty, the Dutch guaranteeing to make good the losses of the owners of the ships detained by him. The two nations engaged not to harbour or succour the rebellious subjects of the other, and the Dutch engaged not to make Stadtholder any of the House of Orange. Reparation was promised to the heirs of the victims of the massacre of Amboyna, an outrage which had remained unavenged for thirty years. Some thought that the project of the coalition entertained by the Long Parliament, should not have been dropped. This, however, could scarcely fit in with the farther designs of the protector. Monk, we are told, thought it "a base treachery in Cromwell to make a sudden peace with the Dutch, and betray all the advantages of the war, that he might go up to the throne with more peace and satisfaction." But, however deep Monk's resentment of baseness and treachery might have been, assuredly he did not express it to Cromwell.

The peace was solemnly proclaimed on April 17, 1654. The protector in great state entertained the Dutch ambassadors. Medals were struck upon the occasion, and the successful usurper glorified in panegyrical verses. The triumphant issue of the war with the greatest naval power in the world, was mainly due to the genius of Vane and Blake. *Alter tulit honores.*

The rule of Cromwell might be called a dictatorship restrained as well as upheld by an army

hankering after republicanism. He had got himself into this position by promising to his supporters a better government, which he could not give, and reforms which he soon found too difficult to effect. He, now of his own authority, called together a legislative assembly of persons stated to be "faithful, fearing God and hating covetousness." What Cromwell expected from this convention known as the Barebones Parliament is not clear. After sitting for about five months, much of which time was spent in prayer, they resigned their authority into the hands of the lord-general, from whom they had received it without having passed any of the formidable reforms they had traced out. A few days after, Cromwell was proclaimed protector with much military pomp.

All the parties who had inveighed against the Long Parliament, now directed their hostility against Cromwell, and the republicans joined in. A few, like Blake and Ludlow, still continued to serve him, hoping for a change in their favour. Milton remained Latin secretary, though his office was shared with another, but was admitted neither into the intimacy nor the confidence of the protector, to whom he offered advice which could not be welcome, based upon hopes which were never realised. In his *Defensio Secunda pro Populo Anglicano*, published in 1654, he thus addresses Cromwell: "Consider often with yourself that your country has intrusted you with her dearest pledge, that of her liberty. Regard the great expectations conceived of you; reflect that your country's hope is entirely from you; regard the countenances and wounds of so many brave men, who, under your conduct, have fought for liberty; regard the *manes* of

those who have died in battle ; regard what foreign nations may think and say of us, and the great things which they have promised themselves from our noble acquisition of liberty, and our new commonwealth so gloriously begun to be established, which, if it prove abortive, will be the greatest infamy to this nation ; lastly, regard your own character, and never suffer that liberty, for which you have passed through so many toils and dangers, to be violated by yourself, or in any measure lessened by others. You cannot be free yourself, unless we are free ; for such is the necessary constitution of things, that whoever invades the liberty of others, first of all loses his own, and will be first sensible of his own being a slave. But if he, who has been the patron, and as it were tutelar deity of liberty, and been esteemed a man of the greatest sanctity and probity, should usurp over that liberty which he has defended ; it will be a pernicious and almost fatal wound, not only to his reputation, but even to that of virtue and piety in general. Honesty and virtue will seem to be lost ; religion will have little regard paid to it ; and reputation will ever after be of small account ; than which no greater misfortune can befall mankind."

Many people, too, had their immediate fortunes to consider ; they had bought the lands of the crown, of the church, or of the Cavaliers. Oliver was one man ; the Stuarts were a hereditary dynasty who would bring back with them the Lords, the bishops, and the whole royalist faction eager to prescribe, confiscate, and hang. Republican feeling still continued to be strong in the army, and there seemed little likelihood of another general gaining the same

ascendancy over the soldiers which Cromwell had done. Thus, while some of the republican leaders kept up a resolute opposition to the protector's government, a few continued to serve the state under him, and some were content to await events.

Many plots were formed against the life of the usurper. A proclamation, said to come from Charles Stuart, was circulated, in which a reward was offered for his assassination, and there was dangerous discontent amongst the zealots in the army, who had expected great changes in the constitution.

To gain over the sectaries, Cromwell had reproached the Long Parliament with being slow and dilatory at reforming the law, but he was never able to accomplish as much towards that desirable object as they had done. Under the Long Parliament, there was a commission on which Whitelocke and Sir Matthew Hale sat to inquire into the speediest way to reform the law. The commission "made several valuable reports, but their labours were suddenly interrupted by the violent dissolution of the Long Parliament" (Campbell).¹ Amongst the sectaries

¹ The labours of these enlightened friends of law reform are thus commented on by Lord Campbell in his *Lives of the Lord Chancellors*: "their efforts were greatly obstructed, not only by the violent end of the Long Parliament, but still more by the folly and fanaticism of Barebones Parliament, and by the abrupt dissolution of the two parliaments which followed; but they procured the actual enactment of some most important laws, and the *projects* of many others which have at last been adopted in the present age." Ordinances passed "for changing tenure in chivalry into common soccage," by which a great portion of the land of the kingdom was freed from ward ship reliefs and other oppressive burdens; "for allowing marriage to be entered into according to the religious persuasion of the parties or as a civil contract at their option," the model of the recent marriage act; "for the registration of births, marriages, and deaths," which we have likewise copied, "for paying judges and other officers by salaries instead of fees," the most effectual

there were not a few zealots who desired to abolish the common and statute law of England, and put the Mosaic code in its place. There were, however, enlightened men who, had they not been hindered, would have anticipated many reforms which had to wait for well-nigh two hundred years.

One of the boldest schemes of the Barebones Parliament was the summary abolition of the Court of Chancery. As this court was very unpopular owing to its undue delays and great costs, Cromwell undertook to reform it with the concurrence of his council. His ordinance was found so unworkable and likely to inflict unforeseen injustices that the lord commissioners, Whitelocke and Widdrington, refused to obey it, and went on for a whole term without observing it. For this they were summoned before the protector, and dismissed from their office, and two military officers made lords commissioners, against whom there were loud complaints of their general incompetence. Lord Campbell, who severely criticises this ordinance,¹ owns that the Common Law Bench and Exchequer were well filled in Cromwell's time: he sought out worthy men as judges, and kept a regard of the just administration of the law so far as was consistent with the maintenance of his own paper.

After ruling with the help of the tools who formed his council for nearly a year, Cromwell ventured to call mode of preventing corruption and correcting abuses in courts of justice; and "for having all legal records in the language of the country," so that a knowledge of the laws might be communicated to those who were to obey them. But the restoration brought back Norman-French to the reports and barbarous Latin to the law records, which continued till the reign of George II."

¹ *Lives of the Lord Chancellors*, London, 1846, vol. iii., chapter lxx.

a parliament based on the scheme of redistribution proposed by Ireton in the Instrument of Government, and adopted by Vane in his bill. It met on September 3, 1654.

The republicans had a scruple against recognising Cromwell's writs by becoming candidates, but a few sought election. Though before taking their seats the members had to make a general recognition of the protector's government, a discussion was soon raised by Bradshaw, Scot, and other republicans who had got in, whether government by a single person should receive their sanction. Cromwell then ordered that the members, before entering the House, should sign a test in the lobby of a stricter form, which was refused by the republicans but signed by about 140 members. Finding that notwithstanding these men still went on considering limitations to his power, Cromwell abruptly dissolved the parliament before they had time to do anything of consequence.

Cromwell, though overfond of ruling, was anxious to rule well, and for one man to do so after the able statesmen of the commonwealth was assuredly not easy. Such men were not to be had for hire.

Milton, when asked what made him side with the republicans, answered among other reasons because theirs was the most frugal government, for that the trappings of a monarchy might set up an ordinary commonwealth. The expenses of the protector's court were about £35,000 a quarter, not too much perhaps; then there was to pay the expenses of keeping in peace a larger army than the Plantagenets had mustered to march through France. To raise the sums needed for this purpose kept the protector in

perpetual difficulties. The cousin and friend of Hampden had to raise taxes without the consent of parliament, and to distrain the goods of those who refused.

He divided England and Wales into twelve districts, over which he set twelve major-generals. Cromwell's mastiffs were let loose upon the country charged to raise money, carrying, as one of them said, the laws of England in their breasts. They soon drew up lists of malignants, delinquents, disaffected, and Roman Catholics. Some of the royalist gentry had ventured to return and settle down after years of exile, to pay their debts and repair their houses, when they were ordered to make a statement of their property to be scrutinised by such as would accept the invidious office of commissioners. An exaction of one-tenth of their substance was made. If they refused to pay the estates were sequestered. "There is scarcely an honest man that is not in a borrowing condition,"¹ writes Sir Ralph Verney; a proceeding more likely to unite the country gentlemen against the government could scarcely be devised. Sir Arthur Hesilrige, refusing to pay taxes not voted by parliament, had his cattle seized by order of Oliver Cromwell, who like to him had taken up arms to resist the illegal exactions of Charles I.

¹ *Memoirs of the Verney Family during the Commonwealth, 1650-1660*, London, 1894, vol. iii., chap. viii.

Ralph Verney, who left the Long Parliament rather than sign the covenant, had spent nine years abroad, principally in the south of France, his wife having consumption. On his return he was arrested on a charge of disaffection, but was released after a short detention. It was not so easy to escape the major-generals, who were as eager to raise money as to punish malignants. They exacted a fine of one-tenth of his estate which, by appeals and delays, he managed to escape paying till their powers were over.

The major-generals were instructed to prevent horse-racing, cock-fighting, bear-baiting, and stage plays; drunkenness, swearing, and profaning of the Lord's Day, were severely punished. The episcopal ministers were ejected and even chased out of private families where they had been kept as chaplains. The quakers were treated with great severity. The major-generals suppressed solitary alehouses, and restricted the number of licences for the sale of liquor.¹

They were overwhelmed with work, and found great difficulty in carrying out their puritanical regulations, especially as their ignorance of legal procedures was too patent, and the country gentlemen, who had heretofore the management of rural administration, were obstructive and hostile.

The protector was watchful in weeding the army of discontented officers. He used to send for the most popular Independent and Anabaptist ministers who preached and prayed against him, expostulated with them, prayed with them, and listened to their remonstrances, as if he were going to take them to heart. He had a long colloquy with Richard Baxter, author of the *Saints' Everlasting Rest*, who had been a chaplain in the civil wars. Cromwell laid forth how God had owned his government by defeating his enemies. They disputed together for four hours. "I saw," said Baxter, "that what he learned must be from himself, being more disposed to speak many hours than to hear one, and little heeding what another said when he had spoken himself." The

¹ See *Cromwell's Major-Generals*, by David Watson Rannie, in the *English Historical Review* for July 1895.

Presbyterian divine desired a return of the old monarchy which he had afterwards good cause to deplore.

The royalists would not have a regicide to rule over them, nor the republicans a dictator. Kept well informed of everything that was going on, Cromwell knew he was in dangers which he was perpetually avoiding by address and conduct. He had no friends save his army and his agents, and some of the clergy to whom he bestowed livings, for he kept the patronage of the church, still Presbyterian, in his hands, though many who had something to lose weariedly acquiesced in his rule, for fear of the Stuarts or the Levellers. The nation was sinking into a dismal state of indifference to civil liberty.

Cromwell was faithful to his standard of religious toleration, which, though not so high as in our days, was much higher than in any state of the time save the republic of Holland. Presbyterianism remained the established religion ; only for political reasons, he would not allow the office-bearers to assemble in synods. Sometimes church livings were given to Independents. All the sects, save the Socinians,¹ were allowed freedom to preach ; but "the frequent use" of the prayer-book was forbidden, and most of the episcopalian clergy were ousted from their livings, though they were allowed a portion of their incomes for subsistence. Cromwell kept up the penal laws against the Catholics ; but did not press them hard.

¹ John Biddle, the earliest preacher of Unitarianism, sustained a public disputation in St Paul's cathedral with a Baptist minister. He was committed to Newgate by order of the council ; the protector sent him to Scilly, where he remained till 1658. He was allowed one hundred crowns a year for his maintenance. See Neal's *History of the Puritans*, edited by Toulmin, vol. iv., p. 135.

The Dutch war being over, there was no reason why Britain should not enjoy the blessings of peace after so much bloodshed ; but Cromwell, whose first need was to sustain his own power, hoped, by pleasing the people with triumphs abroad, to make them forget the liberties of which he had deprived them. He came into power with a large veteran army and a well-equipped fleet manned by sailors who had defeated the greatest naval power in Europe, all under the control of a single hand, which is highly favourable to arrangements with foreign powers. His policy, though it fulfilled the aim of rendering his name formidable in Europe, was not what a far-sighted statesman would have prosecuted had he thought only of his country's good. France was rising into the colossal monarchy which it became under the majority of Louis XIV. Spain, though still a great power, was sinking into decline. Both nations eagerly bade against one another for the alliance of England. France could do him more harm than Spain, and the Protestants enjoyed some degree of toleration ; but Spain was eminently the persecuting Catholic power, and her rich possessions offered a tempting prey. When the frightened Spanish ambassador asked what cause of offence his country had given, Cromwell demanded that she should abolish the Inquisition and allow the English to trade in the Indies. Cromwell prepared a fleet and army, the destination of which was kept secret. Without any declaration of war, it was sent against the Spanish possessions in the West Indies. In this expedition the want of the organising power of Vane was apparent. The troops were ill supplied with

arms and ammunition, provisions bad and scanty, and entrusted to two incapable commanders.¹ At Hispaniola the expedition met with a disgraceful repulse, but they succeeded with little difficulty in seizing upon Jamaica, which still remains to us the sole legacy of the foreign policy of Cromwell. The treachery of the action was not condemned by public opinion in England so strongly as it might have been, though several naval officers were so shocked that they would no longer serve under Cromwell's government. The victories of Blake filled the enemies of England with fear as they had done in the days of the commonwealth, though he did not meet with the same ready support. In repeated letters to the protector he complains of bad provisions, ships become foul and unseaworthy, and sickly crews. By lending a small contingent to France against Spain, Cromwell triumphed in the field of European politics with no great exertion of military force, while he pleased English vanity by the acquisition of Dunkirk. He did his best to accelerate the downfall of Spain and promote the rise of France; in short, he helped the work which, continued as it was by his successor, Charles II., caused William III. and Marlborough so much pains to undo. Nevertheless, his foreign policy answered the purpose. The great figure of the protector was regarded with awe and admiration throughout Europe. Even his enemies allowed that, though ambitious for power, he knew how to exercise it. His court was dignified and

¹ Mr Bisset, in his *Essays on Historical Truth*, London, 1871, on the Government of the Commonwealth and the Government of Cromwell, has shown the causes of the inferiority.

serious; his private life decorous and free from scandal; in his public demeanour Oliver was noble and great.

Venice sent an ambassador to solicit Cromwell's aid as the champion of Christendom against the Turks; but, though Blake gave the Venetians a welcome diversion by his victory at Tunis, the sagacious protector preferred to be the champion of Protestantism. When the persecution of the Vaudois by the Duke of Savoy aroused indignation amongst all the Protestant states, Cromwell stood as their protector, and though his exertions were successful, mainly through the interest of Mazarin, who was eager to gain the English help against Spain, it served to uphold Cromwell's name as the champion of the Protestant faith.

In his government of Scotland, Cromwell continued what had been begun by the commissioners of the Long Parliament. The religious toleration allowed looked well when compared with the oppression which followed the restoration. His policy accustomed a people kept back by centuries of misrule and incessant struggles with a more powerful neighbour to a uniform and orderly system of government.

It was, however, purchased at a dear price; Scotland was bled white, utterly exhausted of men and means. Such was the poverty of the people that Monk, who was not troubled with feelings of compassion, again and again wrote to the protector¹

¹ See *Scotland and the Protectorate*, edited by C. H. Firth, Edinburgh, 1899. Introduction, p. lv., and letters, pp. 162, 190, 195, 201-212, 259, and 295.

that it was impossible to raise the £10,000 per month laid upon Scotland to maintain the English garrison. It was only by seizing the cattle in the country and distraining the household goods in the burghs that Monk could raise about £8000. The amount had to be reduced to £6000. This was the amount in which Scotland was taxed half a century after.¹

In England and Scotland, after the sword was sheathed, the vanquished were suffered to go in peace; not so in Ireland, which, during the eight years' war and anarchy, had lost one-third of her population. Cromwell's government of the country was intolerant and oppressive, though like his other measures it answered the immediate end which he had in view. His wholesale forfeitures of the lands of the native Irish, and his attempt to banish them into the province of Connaught, did as much as anything else to confirm that irreconcilable hatred to England, which gives to this day so much insecurity to our empire. By encouraging the native Irish to leave their country for foreign service, Cromwell turned Ireland into a great recruiting depot for the armies of the Catholic powers, which continued till the time of the French revolution. It is known that nearly half a million of Irishmen, during this period, took service in France; and on several occasions, as at Fontenoy, their fiery valour turned the tide of battle against a British army.

A few years ago the inextinguishable hatred of the Irish people against Cromwell was shown in the refusal of the nationalist members to allow money to be voted for a statue to the protector, and the

¹ Defoe's *History of the Union*, London, 1786, p. 165.

English home rule party dared not thus offend their Irish allies. Mr Gladstone, then retired from public life, was delighted with Justin Macarthy's speech on the occasion, observing that Cromwell was no friend to liberty.

Cromwell was the first ruler of England to recognise the importance of the colonies. He was anxious that some of the settlers in Massachusetts should shift to his new conquest of Jamaica, which they excused themselves from doing. He always favoured New England. The colonists in Virginia, where royalist sentiment was strong, complained that owing to the protector's forbidding them to trade with foreign countries, they could neither procure sufficient supplies for themselves, nor dispose of all their produce in the mother country.

CHAPTER XXI

"A Retired Man's Meditations." The Healing Question. Vane imprisoned and persecuted. Cromwell's Third Parliament. His Anxieties and Nervous Troubles. His Death. Choice of a Successor.

AFTER the expulsion of the Long Parliament, Sir Henry had quietly betaken himself to Raby Castle, where he had a rest which could scarcely have been unwelcome after the strain and toil of so many years. He now gave up his mind to those mystical musings recorded in a book entitled *A Retired Man's Meditations*, which will be noticed farther on. On his father's death, in 1654, as the elder son, Sir Henry fell heir to Raby Castle, and Belleau in Lincolnshire. The northern estate had suffered much during the civil war, and as he had while in office paid little attention to his private affairs there were debts and incumbrances to clear off.

In the hopes of advancing his project of making himself king, Cromwell issued a proclamation calling upon the people to hold a fast, and apply themselves to the Lord to discover the Achan, who had so long obstructed the settlement of these distracted kingdoms, declaring that he and others associated in the government earnestly longed for light, that they might discern their errors and faults, and that they were ready with a mind open to conviction to receive counsel and

direction in whatever methods providence might adopt. Sir Henry took advantage of the invitation and wrote a treatise entitled: "A Healing Question propounded and resolved upon occasion of the late publique and seasonable Call to Humiliation in order to Love and Union amongst the Honest Party, with a desire to apply Balsam to the Wound before it become incurable," by Henry Vane, Knight. A title containing a prophecy only too well fulfilled. A copy of the work was sent through General Fleetwood to Cromwell. Being returned without comment it was published in March 1655.¹ The treatise is so carefully constructed, one part supporting the texture of the whole, that a few extracts give no adequate idea of the wisdom and prescience shown in its composition.

It is addressed to "the honest party," those who took up arms in defence of public liberty. Vane reminded them that the cause has still the same goodness in it as ever, not to be less valued now than when neither blood nor treasure were thought too dear to carry it on and hold it up from sinking. The persons concerned were still the same. In the management of the war it pleased God, the righteous judge, to make them complete conquerors over their common enemy, thus strengthening their just claim to be governed by national councils and successive representations of their own election and setting up.

This they thought they had been in possession of; but a great interruption had happened to their expectations, something rising up that seems rather

¹ This treatise may be found in Somers' *Collection of Scarce and Valuable Tracts*, second edition, volume vi., p. 308, and in the appendix to Forster's *British Statesman*, Sir Henry Vane, vol. iv.

accommodated to the private and selfish interest of a particular part than truly adequate to the common good. "Hence it is," the writer goes on, "if these breaches be not timely healed, and the offences (before they take too deep root) removed, they will certainly work more to the advantage of the common enemy than any of their own unwearied endeavours and dangerous contrivances in foreign parts put all together."

He claims that the whole party of honest men, by the success of their arms, have a right to set up meet persons in supreme judicature and authority, and to shape and form all subordinate actings and administrations of rule and government, so as shall best answer the public welfare and safety of the whole.

In this he eloquently observes, "All the particulars of our civil right and freedom are comprehended, conserved in, and derived from their proper root; in which whilst they grow, they will ever thrive, flourish, and increase; whereas, on the contrary, if there be ever so many fair branches of liberty planted on the root of a private and selfish interest, they will not long prosper, but must, within a little time, wither and degenerate into the nature of that whereinto they are planted."

With fervid eloquence Vane proclaims the right and blessing of freedom in matters of religion, as he had done eighteen years before in Massachusetts: "The magistrates should content themselves with what is plain in their commission in giving protection and punishment in matters of outward practice, converse, and dealing in the things of this life between man and man." "Why shouldest thou," he asks, "set at

naught thy brother in matters of his faith and conscience, and herein intrude into the proper office of Christ, since we are all to stand at the judgment seat of Christ, whether governors or governed, and by His decision only are capable of being declared with certainty to be in the right or in the wrong?"

He observes that since the fall of the bishops and persecuting presbyteries, the same spirit is apt to arise in the next sort of clergy that can get the ear of the magistrates, though he admits that in the matter of religious toleration, "the present governors have been willing very eminently to give their testimony, in their public declaration, however, in practice there is much of grievance yet found among us, though more, in probability, from the officiousness of subordinate ministers, than any clear purpose or designs of the chief in power."

He warns the army of the danger to the freedom contended for by themselves of having a divided interest from the rest of the commonwealth. "The offence lies in this, that the whole body is denied the exercise of the right of freely disposing of themselves in such a constitution of righteous government, as may best answer the ends held forth upon pretence that they are not in capacity as yet to use it; which, indeed, have some truth in it, if those that are now in power, and have the command of the arms, do not prepare all things requisite thereunto, as they may, and like faithful guardians to the commonwealth, admitted to be in its nonage, they ought."

"But if the bringing of true freedom into exercise amongst men, yea, so refined a party of men, be impossible, why has this been concealed all this

while? and why was it not thought on before so much blood was spilt, and treasure spent? Surely such a thing as this was judged real and practicable, not imaginary and notional."

He skilfully conveys to the reader's mind who was the Achan whose sin obstructed the settlement of the kingdoms, and instead of favouring and promoting the public good, aimed at self-interest and private gain. Anxious to conciliate and gain over the military party, the author finds excuses for the usurpation: "Since what hath been done amongst us may probably have been more the effect of temptation than the product of any malicious design; and this sort of temptation is very common and incedent to men in power (how good soever they may be) to be overtaken in, and thereupon do sudden unadvised actions, which the Lord pardons and overrules for the best; evidently making appear that it is the work of the weak and fleshy part, which his own people carry about with them too much unsubdued."

For recruiting the party he suggests "a convention of faithful, honest, and discerning men chosen for that purpose by the free consent of the whole body of adherents to this cause in the several parts of the nations, and observing the time and place of meeting appointed to them (with other circumstances concerning their election) by order from the present ruling power, but considered as generall of the army. Which convention is not properly to exercise the legislative power, but only to debate freely, and agree upon the particulars; that by way of fundamental constitutions shall be laid and inviolably observed, as the conditions upon which the whole body so

represented, doth consent to cast itself into a civil and politick incorporation, and under the visible form and administration of government therein declared, and to be, by each individual member of the body subscribed, in testimony of his or their particular consent given thereunto. Which conditions so agreed (and amongst them an act of oblivion for one) will be without danger of being broken or departed from; considering of what it is they are the conditions and the nature of the convention wherein they are made, which is of the people represented in their highest state of sovereignty, as they have the sword in their hands unsubjected unto the rules of civil government, but what themselves orderly assembled for that purpose do think fit to make. And the sword upon these conditions subjecting itself to the supreme judicature thus to be set up, how suddenly might harmony, righteousness, love, peace, and safety unto the whole body follow hereupon as the happy fruit of such a settlement, if the Lord have any delight to be amongst us."

Recognising the inconveniency of a legislative assembly discharging the executive powers, he asks: "Would a standing council of state settled for life, in reference to the safety of the commonwealth, and for the maintaining intercourse and commerce with foreign states, under the inspection and oversight of the supreme judicature, but of the same fundamental constitution with themselves, would this be disliked? Admitting their orders were binding, in the intervals of supreme national assemblies, so far only as consonant to the settled laws of the commonwealth the vacancy of any of which by death or otherwise might be supplied by

the vote of the major part of themselves? Nay, would there be any just exception to be taken if (besides both these) it should be agreed (as another part of the fundamental constitution of the government) to place that branch of sovereignty which chiefly respects the execution of laws in a distinct office from that of the legislative power (and yet subordinate to them and to the laws), capable to be entrusted into the hands of one single person, if need require, or in a greater number, as the legislative power should think fit; and for the greater strength and honour unto this office, that the execution of all laws and orders (that are binding) may go forth in his or their name."

This is Vane's idea of a commonwealth. A legislative assembly founded upon a redistribution of electoral power in accordance with the number of the voters in the district and the amount of taxes paid. A council or senate elected for life and filling up their own vacancies, and who should conduct foreign relations and hold the reins of power in the interval of the parliamentary elections. The execution of the laws was to be lodged in a single person. It was clearly left open to Cromwell that he might, as the restorer of liberty, have been the president of the republic, and retained enough of power and authority to satisfy a worthy ambition. It was indeed true, as Vane so wisely pointed out, that the only way of safety lay in the union through mutual concessions of the republican and protector's parties. But Cromwell only thought how he might uphold his own power; he was far below the magnanimity of an Epaminonidas or a Timoleon. It was left for Washington to show an honour and unselfishness which secured the safety

of a great people who have prospered under a constitution similar to that proposed by Vane.

The *Healing Question* was published about the time when the writs for Cromwell's third parliament were issued. It is said that the treatise was much read at private meetings. It might seem incredible that an answer to a request for advice so moderate, calm, and impersonal should be viewed as a criminal offence by one like Cromwell, who had spoken so loudly and fought so stoutly for freedom. The action of the usurper showed his extreme anxiety that Vane should be silenced. In the beginning of August he caused a curt summons to be sent to Vane to appear before the council. At this time the friends of the great statesman were labouring to get him elected for Boston, but were afraid of showing themselves openly, such was the intimidation exercised by the ruling party. Failing in the town, Vane's friends tried to get him elected for the county of Lincolnshire. Major-General Whalley took the matter more calmly. "Sir Henry Vane," he wrote¹ to Secretary Thurloe, "hath no great interest in Lincolnshire. If anything enable him to be chosen, I fear it will be his being at this time sent for." Whalley, two days after, repeats this observation in a letter to the protector himself,² so clearly did he recognise this arbitrary summons as an error in electioneering tactics.

From his seat in Belleau in Lincolnshire, Vane wrote that he could not be in London till some days after the day prescribed. He reached the capital on

¹ Letter dated Newark, August 9, 1656, Thurloe's *State Papers*, vol. v., p. 297. He adds in a postscript: "Henry Vane's friends labour much for him as they did at Boston, but at last durst not appear."

² Dated Nottingham, August 11, 1656, *Thurloe*, vol. v., p. 299.

August 14. On the 20th, Sir Henry wrote from his house at Charing Cross to Mr William Jessop, clerk to the council at Whitehall.¹

“SIR,—It being declared by parliament (as is very well known) that it is against the laws and liberties of England that any of the people thereof should be commanded by the king (when there was one) to attend him at his pleasure, but such as are bound thereunto by especial services (which others therefore are not) it will, I hope, be permitted me without offence to claim the same privileges and liberty in these times, and in the case of the summons lately sent unto me, wherein I find no cause for my appearance, but mere will and pleasure; yet in vindication of the innocent and peaceable deportment I live in, according to the laws, I have not refused to be upon the place at my house here in the Strand ever since Thursday night, as I made known unto you by this bearer the next morning; and as ever since I have here, so I am still ready to appear, when I shall be sent for, until the press of my occasions in reference to my family concerns (which at this time, by reason of my father’s debts, are very great and heavy upon me) shall require my attendance upon them in other places of the nation; all which I have held myself obliged to make known unto you in the relation you stand in, especially not having heard from you yesterday as I supposed I should. I am your humble servant, H. VANE.”

The council had probably delayed proceedings against Vane till the results of the elections were

¹ *Thurloe*, vol. v., p. 328.

known to them. Sir H. Vane had polled in three places and missed it in all. Thurloe goes on in his letter to Henry Cromwell,¹ who now filled Strafford's place as Lord Deputy at Dublin. "Sir H. Vane was before the council upon Thursday last (August 21); he owned to the writing of it (*The Healing Question*) as also the publishing in terms mysterious enough (as his manner is). He was hereupon ordered to give in security (to the amount of £5000) not to disturb the peace of the nation, or else to stand committed, and he was to do it by this day." Vane again appeared before the council and delivered into Cromwell's own hand² a paper containing the reasons of his disapproving of his usurpation, and a friendly advice to him to return to his duty. This appeal to Cromwell's better self was unavailing, and Vane refused to comply with what was required: "I am well content," he said, "to take this as a mark of honour from those who sent it, and as the recompense of my former services," and added with a terrible significance, "I cannot but observe in this proceeding with me, how exactly they tread in the steps of the late king, whose design being to set the government free from all restraint of laws as in our persons and estates, and to render the monarchy absolute, thought he could employ no better means to effect it, than by casting into obloquy and disgrace all those who desired to preserve the laws and liberties of the nation." He concluded thus: "It is with no small grief to be lamented that the evil and wretched principles, by which the late king aimed to work out

¹ Dated Whitehall, August 26, 1656, vol. v., p. 349.

² Ludlow's *Memoirs*, vol. ii., p. 577.

his design, should now revive and spring up under the hands of men professing godliness." A fortnight was allowed to pass till a warrant was made out to arrest the unyielding Puritan. He was sent to Carisbrooke Castle, where the late king had been imprisoned.¹ Here Vane remained immured under great hardship for four months,² a piece of tyranny worthy of the Star Chamber. About the same time General Harrison, who had so actively assisted Cromwell in turning out the parliament, was sent to Pendennis Castle; Colonel Rich had been some weeks prisoner at Windsor. When set free Vane found other persecutions in store for him. Cromwell privately encouraged some of the army to take possession of certain forest walks belonging to Sir Henry near Raby Castle, and set the attorney-general, on pretence of a flaw in his title, to a great part of his estate, to present a bill against him in the Exchequer. At the same time it was privately intimated to him that he should be free from this and other persecutions, if he would conform to the present authority.

Cromwell had now drunk too deeply of the intoxicating draught of power to accept the way of honourable withdrawal, counselled by Vane and hoped for by Milton. Yet he had compunctions: his frequent assertions, that he had prayed to the Lord, not to be compelled to do some violent thing

¹ Vane himself said, regarding his opposition to the usurpation of Cromwell, it "well near cost me not only the loss of my estate, but of my very life, if he might have had his will, which a higher than he hindered; yet I did remain a prisoner, under great hardship, four months in an island by his orders." Vane was set free on the last day of 1656.

² Ludlow's *Memoirs*, vol. ii., p. 594.

indicated the struggle within his breast of conflicting feelings, the resistance of the higher motives on which he had once acted against the undercurrent which swayed him to self-aggrandisement. He was not naturally cruel ; but in his uneasy situation he had no choice, other than to order things abhorrent to his feelings. With his usual sagacity he discerned that Sir Henry Vane was a dangerous adversary who must be swept out of his way in spite of old friendship.

Cromwell's third parliament met on September 17. The elected members found the doors guarded by soldiers, and none were admitted to the House save those who had been furnished with a certificate. In this way above a hundred of Cromwell's political opponents were kept out. Amongst these were Hesilrige, Scot, Weaver, and other republicans besides Sir Harbottle Grimston, Maynard, and the Earl of Salisbury, leaders of the Presbyterians. Sir Anthony Astley Cooper, once on Cromwell's council, had now turned against him, a sign that something might be made of opposition. A spirited protest from sixty-five of the excluded was forwarded by the admitted members somewhat ashamed of their position. To this the council replied that they were empowered by the "Instrument of Government" to regulate the elections and to see that those chosen should be "such and no other than persons of known integrity, fearing God, and of good conversation." Opponents of Cromwell's rule were thus held to be devoid of these estimable qualifications.

The protector successfully operated upon this assembly to assent to his projects of obtaining the

title of king¹ and of fabricating a new House of Lords ; but he failed to get a bill passed condoning the exactions of the major-generals whom he had to abandon, and he had to abandon the kingship owing to the resolute opposition of the officers of the army. For his new second chamber, Cromwell nominated 63 men likely to be friendly. Out of 7 of the old peerage called only 2, his son-in-law, Lord Falconbridge, and Lord Eure would consent to sit amongst the plebeian colonels and time-serving place-men of the protector's nominees. Only 40 of those called took their seats at the new chamber, which was regarded with dislike by most of the elected parliament.

After sitting nine months the parliament was prorogued. It was called again on January 20, when the excluded members were admitted.

They forthwith began to question the legality of what had been done in their absence when Cromwell, getting alarmed, dissolved this his last parliament after it had sat for a fortnight.

Thus, though he had got beyond visible restraints, Cromwell still found obstacles to his domineering will. Adroitly served by his spies he was able to baffle the frequent plots of the Cavaliers to assassinate him, yet he lived in continual apprehension. Julius Cæsar, who believed in no higher power than the forces of blind matter, went unarmed and unguarded amongst

¹ In this scheme Cromwell was all along aware of the dangerous ground upon which he was treading. He seemed at first to discountenance the proposal to make the protectorate hereditary. Later on (in 1656-57), when there was a good deal of talk of making the protector a constitutional king, his feigned reluctance deceived no one.—See the paper on "Cromwell and the Crown" in the *English Historical Review*, July 1902, by Dr C. H. Firth, p. 437.

the enemies whom he had conquered and forgiven ; but the predestinarian protector, in the midst of his guards, wore armour under his clothes, and carried loaded pistols in his pockets. Those constant anxieties, those internal mental struggles acted upon his susceptible nervous system. The Venetian ambassador, Sagredo, describing an audience with the protector, wrote to the senate¹ that though of robust and martial presence, he had an air of dejection. While he stood uncovered the hand which grasped his hat, trembled visibly.

The agitated state of his nervous system is revealed in his handwriting. In 1642 it is firm and regular ; in 1649 it is still good ; but in 1657 the signature is feeble and shaky like that of one who has passed through a nervous crisis, or that of a very old man.² I have seen firmer handwriting from a man above ninety, but then he had lived a quiet life.

It was not given to Cromwell to rebuild what he had done so much to destroy. A military despot he could only found a military despotism. The parliamentary generals who stuck to him each dreamed of being his successor, and could not bear the idea of a hereditary monarchy. In the course of his short reign he made the best and bravest captains of the commonwealth

¹ Lo ritrovai un poco abbatuto nel volto, e con qualche apparenza di salute non interamente consistente e perfetta, osservato avendo che mentre stava scoperto gli tremava la mano con la quale stringeva il cappello. Giovanni Sagredo's report to the Senate of Venice is dated, London, October 22, 1655. He finishes his remarks about Cromwell that, after his death there would be a change of scene agreeable to the rule that violence was never durable.—*Cromwell e la Repubblica di Venezia per Guglielmo Berchet.* (Venezia, 1864.)

² This is well seen in the plate of autographs in the frontispiece of the third volume of Burton's *Cromwellian Diary*, London, 1828, which is here reproduced.

Oliver Cromwell.

Cromwell Oliver P.

R. Cromwell Richard P.

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his enemies ; all the old heroes of the civil wars, Fairfax, Overton, Okey, Robert Lilburne, Hesilrige, Hutchinson, Alured, shunned or opposed him. Harrison, the honest fanatic whom he deluded, was thrown into prison ; Lambert, a gallant cavalry leader, beloved of the soldiers, but vain and ambitious, was deprived of his commission by the man who had used him as his instrument in expelling the parliament. Cromwell did his utmost to form a party of his own, and succeeded in attracting some able politicians like Whitelocke who, being in favour of monarchy though disapproving of his usurpation, still thought his rule preferable to the return of the Stuarts. In the end Cromwell came principally to depend upon those connected with him by blood or marriage, such as his son, Henry, Lockhart who had married his niece, Desborough, his brother-in-law, General Fleetwood and Lord Falconbridge who had married his daughters, and Thurloe, his secretary, an able but unscrupulous man.

But though scarcely successful in founding a party of his own, the sagacious protector did much to weaken and cripple the rival parties who opposed him. He kept the royalists impoverished by heavy contributions ; he allowed their conspiracies to come to a head, and then visited their leaders with death, transportation, and forfeiture of their estates. He did much to destroy the faith and popularity of the republican party. He succeeded in corrupting some of their leaders, such as St John and Lenthal, and kept the rest in private where their influence went to decay. His schemes were interrupted by a death which might be considered early in view of the robustness of his

frame and his temperate habits, but which seems to have been hastened by declining health owing to continual care and anxiety. He died on September 3, 1658, in the fifty-ninth year of his age.

On his deathbed, looking back, perhaps with some misgiving, on the means he had used to gain the worldly greatness that was now fading away, he asked Goodwin, his chaplain, "If it were true that the elect could never fall?" "Nothing more certain," answered the preacher. "Then I am safe," said Oliver, "for I am sure that I once was in a state of grace."

He had been allowed, by the petition and advice, to nominate his successor, but had neglected to do so in a public manner, though a written document was said to have existed in favour of Fleetwood, Oliver's son-in-law. The night before he died he had named his eldest son, Richard. This was attested on oath by Goodwin, his chaplain, and by Major-Generals Whalley and Goffe, whose testimony was received by the privy council. Fleetwood engaged not to rest any claims upon the missing paper, even should it be found.

Enthusiastic admirers, like Mr Carlyle, are naturally impelled to throw doubts upon this nomination, for it was in every way a serious error. The protector had allowed his desire of founding a dynasty in his own family to deceive his sagacity and his parental affection to outweigh his sense of public duty. How much nobler the conduct of a great patriot like John de Witt,¹ who, though he exerted all his influence to prevent the office of Stadtholder being restored in

¹ See *Burnet's History of his Own Times*.—Oxford, 1833, vol. i., chapter ccxxi., p. 405.

the family of Orange, yet took care to give the young Prince William an education which should help him to rule well, should he be, in spite of all, put over the state.

Such a good judge of human nature as Cromwell must have known that Richard had no talents either for politics or war. He bore the character of a good-humoured country gentleman, of manners rather too easy for his father's puritanical court, given to carousing with the Cavaliers living in the neighbourhood, and skilful only in hunting, hawking, and horse-racing.

Thomas Carlyle has, by the mere force of his style, carried the reading public slenderly acquainted with history into an unreasoning admiration for the protector. With him everything which his hero did was right, and there was nothing wrong about him save that he was not born a Scotsman.¹ Clarendon follows a line as straight and simple in the opposite direction—Cromwell was “a brave wicked man.” As for understanding Oliver's strange character, we doubt whether he understood it himself. What is required of the historian is to keep relative proportions true, and not to make his heroes, like the statues of Egyptian conquerors, ten times bigger than the other figures.

What would or might have happened had the great protector lived a few years longer? Such speculations are sure to be tinged with the prejudices of the writer. At any rate we know what actually took place. Oliver Cromwell, from a gentleman of small estate, rose to rule the three kingdoms with greater power, and

¹ “With Oliver born Scotch, one sees not that the whole world might have become Puritan.”—*Cromwell's Letters and Speeches*, by Thomas Carlyle.

presented a grander figure than any sovereign either before or after for five years and four months, after which he left great confusions, some of which were the consequences of his own errors.

Englishmen nowadays may feel some satisfaction at the victories of Cromwell, and at the fear which his name inspired all over Europe, without feeling the slightest annoyance at the reflection, if it should have occurred to them at all, that under his rule the people of England lost the liberties which they had held with danger and hardship against the Tudors and the Stuarts, and which they had successfully defended through a long and bloody war. What must have been the feelings of the generation that had fought and suffered, to find in the military champion of the parliament a more arbitrary ruler than the crowned king whom Oliver had done so much to bring to the scaffold? And how could the generation that had grown up since the civil wars think Charles Stuart deserving of dethronement and death without equally condemning Oliver Cromwell? If Charles had raised money without the consent of parliament, Cromwell had done so too. What was the king's ship-money compared with the exactions of the protector's major-generals? If Charles had entered the House of Commons to arrest the five members, Oliver had brought armed men to thrust the members out of the House. If Charles had refused to give up the control of the militia, Cromwell had used the army to subvert the civil government; had given the names and power of a parliament to a ridiculous assembly of his own nomination; had used violence and corruption to ensure the return of men sufficiently subservient to uphold his usurpation, and

had prevented his opponents from taking their seats. He had, in defiance of the Magna Carta, instituted a special tribunal for the trial of his opponents, and had imprisoned and sold to slavery British citizens without any trial at all. Nevertheless, the king died the death of a criminal, and the successful soldier was reigning in Whitehall. The hand and seal of the one man were on the death-warrant of the other.

These were arguments too evident to escape attention, too true to be refuted, and too serviceable not to be used by the royalist party as well as by the republicans, who bitterly accused Cromwell and his partisans of betraying the good old cause.

CHAPTER XXII

Richard Cromwell Protector. His Parliament. Vane's Speeches. On the Protector's Office. On Captives sent to Barbadoes. Military Cabals. Richard dissolves his Parliament. He resigns his Office. Restoration of the Long Parliament.

RICHARD quietly succeeded to the power of the great protector, as the generals had agreed for the time to support him, and the nation knew that they could not resist the army. A letter of Henry Cromwell's from Dublin to his brother, as well as some written by Thurloe, prove that they had little expectation that the government would remain long in their hands.

All the dissonant parties, which Oliver Cromwell had held under, now began to scheme and plot as if the existing government counted for nothing. While the republicans held secret meetings, the officers of the army met at Wallingford House, the residence of General Fleetwood ; and but six weeks after the death of Oliver a deputation of two or three hundred officers, with Fleetwood at their head, appeared to demand that some experienced person should be made commander-in-chief, and that no officer should be cashiered without the sentence of a court-martial. Richard, in his reply, which had been prepared by Thurloe, his father's able adviser, observes : " You know the difficulties my father all this time wrestled with, and I believe no man

thinks that his death has lessened them." In truth he was asked to give up his power by the only men who could help him to maintain it. While Richard's refusal was accepted for the moment, his conciliatory language showed his weakness.

Oliver had died seven months after dissolving his last parliament ; the treasury was empty, the army in arrears, and as Richard's advisers did not feel their position strong enough to enforce his arbitrary method of levying taxes and contributions, they felt themselves compelled to call a parliament.

It was determined that the distribution of seats agreed on by the Long Parliament, and practised by Cromwell, should be abandoned, and that the writs of election should be issued according to what was called the ancient law, principally because, as Ludlow tells us, "it was well understood that mean and decayed boroughs might be much more easily corrupted than the numerous counties and considerable cities." It was determined that 30 members should be returned for Scotland and as many for Ireland, and the government arranged that they should be elected for places where the military garrisons could influence the course of the elections. All the arts of a corrupt government were put into play to procure partisans of the protector to be chosen. All the appointments in the army and civil list were in his hands. The officers of the admiralty and navy had the power of pressing at their pleasure the men of the seaport towns into their fleet. The sheriffs, who were men mostly chosen for their subserviency, made themselves very useful to the protectorate, disposing of the writs to whom they pleased, and acting as judges of the fitness of voters.

As it was known that the members returned would be required to take an oath of fidelity to Richard Cromwell, the opposing parties had to consider how their scruples could be overcome. The Cavaliers were expressly directed by Charles Stuart to try to procure seats, and it was determined, after much deliberation amongst the republicans, to contest a number of places and sit in the House if elected. The influence of the government seems to have been principally directed against the republican party. Great efforts were made to prevent the election of Sir Henry Vane, who was believed to have gained a majority both in Bristol and Hull, two of the largest towns in the kingdom, though the sheriffs refused to return him; but, in spite of the threats of the court faction, he was elected for the small borough of Whitchurch, in Hampshire. Ludlow, too, was elected, and managed to keep his seat without taking any oath. Sir Arthur Hesilrige, Mr Thomas Scot, Bradshaw, Nevil, and some other well-known republicans, Sir Anthony Ashley Cooper, then in league with the commonwealth men, and Lord Fairfax, were also elected.

Out of a House of 564 members, 504 of whom came from England, there were about 50 determined republicans and from 100 to 140 members who wavered between the protector and a republic, and perhaps 200 supporters of the government. The rest were persons of neutral or unknown opinions. The number of Cavaliers who found their way into the parliament was small, from which it may be concluded that their party had not yet become popular.

The Upper House, as made up by Oliver Cromwell, was also summoned to assemble. The

parliament was solemnly convoked by Richard Cromwell, February 27, 1659.

Vane, Hesilrige, and Ashley Cooper, the leaders of the Opposition, lost no time in directing against the government of the new protector a vigorous criticism, which his friends had neither the ability to confute, nor the power to silence. The title of Richard Cromwell was disputed; his right to call representatives from Scotland and Ireland was questioned, and the upstart House of Lords turned into derision.

M. de Bordeaux, the French Ambassador, writes to Mazarin:¹ "The more moderate among the republicans assert that it will be advisable to grant the protector the same prerogatives which were accepted by the late king when the Long Parliament treated with him in the Isle of Wight," and it would have been well, as events proved, if such an arrangement could have been made and held to. Richard was not personally unpopular. "I never knew any gall or guile in him," said Hesilrige, his father's bitter and resolute opponent. He was just the sort of man to make a good constitutional king in quiet times, but was too fond of an easy life not to wish to escape being baited by republican orators, or bullied by unruly generals like his uncle, Desborough, or his brother-in-law, Fleetwood.

On the bill entitled an Act of Recognition of Richard to be protector of the commonwealth being ready for the second time, there was a long silence. Hesilrige, moving himself upon his seat, was called

¹ Bordeaux's Letters are printed in the Appendix of the *History of Richard Cromwell, and the Restoration*, London, 1856.

to speak, and spoke for three hours reviewing "what we have, what we are, and what we shall be." He demurred to recognise Richard as protector, and thought that they should inquire how he was appointed. "Never begin," he said, "with the person first, but agree what trust he shall have."

Mr Scot moved that "you first digest a government and then fix the person." The debate went on with very free speeches for eight days. On the third day Sir Henry Vane rose to address the parliament.¹ After reviewing the train of events which led them step by step to change the ancient fabric of the government, he said: "I confess I was then exceedingly to seek, in the clearness of my judgment, as to the trial of the king. I was for six weeks absent from my seat here, out of my tenderness of blood. Yet all power being thus in the people originally, I myself was afterwards in the business."

Further on he said: "It was then necessary, as the first act, to have resort to the foundation of all just power, and to create and establish a free state; to bring the people out of bondage, from all pretence of superiority over them. It seemed plain to me that all offices had their rise from the people, and that all should be accountable to them. If this be monstrous, then it is monstrous to be safe and rational, and to bear your own good."

"It is objected that this nation could not bear that government; but Holland bears it against the power of Orange. They keep the office of Stadtholder vacant to this day. So do other places."

¹ These passages are taken from the account of the proceedings of the parliament in Burton's *Diary*, vol. iii.

The orator thus concluded his address :—

“ Now, this power and office were given, it seems, by the regulation of the Petition and Advice ; the whole executive power of the late king was all given, at one clap, to the late protector for life. Nothing was given him more, only the nomination and declaration of a successor, which must be according to law. So says the Petition and Advice. This nomination must first appear before we can say this gentleman is undoubted protector. Had I thought this had been said before I should have spared both you and myself.

“ That which is now brought in, the Bill of Recognition, takes it for granted that there is no one in the possession of the protectorship ; for it requires that you acknowledge his right and title, not that we shall acknowledge his person, and then inquire what is this right and title ? It is hard we should be put upon that. Let us know what this right and title is, that we must recognise. But it seems the parliament that made the Petition and Advice, they gave it, and we must acknowledge it. If he hath any right it must be by one of these three ways :—

“ 1. Either by the Grace of God and by God's Providence, that if he hath a sword, he may take whatever is within the reach of it, and thus maintain his right.

“ 2. Or as the son of the conqueror. He was, indeed, a conqueror on your behalf, but never of yourselves fit for you to recognise.

“ 3. Or lastly, by the Petition and Advice. But that cannot be urged, until it doth appear that he hath it according to that. Yet that is only a nomina-

tion, which hath nothing of constitution until you have made it. He must come to you for that. I appeal then, if this has not deserved three days' debate. Deserves it more to set nails upon it? May it not deserve a grand committee to convince one another in love and unity?

"Therefore I shall move that this bill may, upon the whole matter, be committed to a grand committee, where reason may prevail.

"It is not a sudden recognition, a sudden obtaining of the first steps that will direct us fairly into this room. It must be on such an unshaken foundation you will maintain it against the old line. If you be minded to resort to the old government, you are not many steps from the old family. They will be too hard for you, if that government be restored.

"Instead of the son of a conqueror by nature, make him a son by adoption. Take him into your family, and make him such an one as the great one will direct you. When the army see they are yours, they will be protected by you."

"I would have all the names of the sectaries laid aside, and righteousness go forward. Let fees and extortions be looked into, which make the laws themselves your oppressors. I have discharged my conscience, and look on it as a special testimony of God's Providence that I am here to speak this before you." The debate went on for five days more. It appears from the words used by Vane and other republican speakers that they were willing to recognise Richard Cromwell as protector, though with considerable limitations to his power. They would have deprived him of the right of negating bills passed by

the parliament and of the control of the militia. Although they were not able to hinder the recognition of Richard's title as proposed, the discussion weakened Richard's party, and the republicans made some converts amongst the new members.

The parliament considered various high-handed actions of the late protector. Major-General Robert Overton was called to the bar of the House. He had been taken from Scotland on a charge of conspiring against the government, and without any trial, committed to prison in Jersey where he had remained for three years on a simple order signed Oliver P., without any cause being stated. This was declared by the House to be illegal and unjust, and Overton was set at liberty. The House was much affected by a pathetic petition from Marcellus Rivers, and seventy other free-born people, who had been arrested upon pretence of the Salisbury rising in the end of the year 1654, although, as was stated, many of them never saw Salisbury, nor bore arms in their lives. Many of these men were never tried, yet were kept prisoners for a whole year in Exeter, after which they were driven by a guard of horse and foot to Plymouth to the ship *John of London*, where, after they had lain aboard fourteen days, the captain hoisted sail; and at the end of five weeks and four days more, anchored at the Isle of Barbadoes, in the West Indies; the captive prisoners being all the way locked up under decks amongst horses, that their souls, through heat and steam, under the tropic, fainted in them; and they never, till they came to the island, knew whither they were going.

At Barbadoes they were bartered for so many

hundredweights of sugar, and kept working at the mills or digging outside, "being bought and sold still from one planter to another, or attached as horses and beasts for the debts of their masters, being whipped at the whipping-posts for their master's pleasure, and sleeping in sties worse than hogs in England."¹ Another petition was read from one Thomas on whom a price of a £100 was put; in default he was sent to Barbadoes but managed to escape. It was objected that four members of the House were implicated. This was a breach of privilege. They, however, spoke in their defence. Sir John Coplestone, High Sheriff of Devon, admitted that Rivers had been tried and acquitted from an error in the indictment, notwithstanding he was sent to Plymouth by the order of his late highness. Mr Noel, alderman of London, explained that he sent persons out to the plantations from Bridewell, and other prisons. All were sent with their consent on an indent to work without wages for five years, after which they received a salary. They only worked from six to six, "were civilly treated, and were allowed horses to ride on." It was clear that both Rivers and Thomas were Cavaliers, and the House was warned to be tender how they encouraged that party. One member moved to reject the petition: if the House were to sit for twelve months it would not have time to hear all petitions from Cavaliers. What would they do with the Scots taken at Dunbar and Worcester? Under the Long Parliament two or three thousand Protestants were sent to Barbadoes against their consent. Some proposed that the

¹ Burton's *Diary*, vol. iv., p. 262.

petitioners should be arrested and tried, others expressed indignation at men being sold, and would have the petition examined. Sir Henry Vane spoke to this effect :—

“ I do not look upon this business as a cavalierish business ; but as a matter that concerns the liberty of the free-born people of England. To be used in this barbarous manner, put under hatches, to see no light till they came thither, and sold there for £100, such was the case of this Thomas.

“ I am glad to hear the old cause so well resented : that we have a sense and loathing of the tyranny of the late king, and of all that tread in his steps, to impose on liberty and property. As I should be glad to see any discouragement upon the Cavaliers, so I should be glad to see any discouragement and indignation of yours against such persons as tread in Charles Stuart’s steps, whoever they be. The end of the major-generals was good as to keeping down that party, but the precedent was dangerous.

“ Let us not be led away. Whenever the tables turn, the same will be imposed upon your best men, that is now designed as your worst. There is a fallacy and subtlety on both hands. I would have you be as vigilant against that party as you can ; but if you find the liberty and property of the people of England thus violated, take occasion from these ill precedents to make good laws.”

This matter, after occupying most of two sittings, was talked out, nothing apparently being concluded.

Ludlow tells us that there are three parties in the

army who pursued different aims. One which met at Wallingford House wished to make Fleetwood general-in-chief. Some superior officers were left who cherished republican ideas; of whom Ludlow himself and Colonel Robert Lilburne were the most active, and lastly a small circle which still held round Richard Cromwell. The Wallingford cabal covered their desire to gain the control of the state by an ostentatious anxiety for "the safety of the common cause"; and made overtures to Vane and Hesilrige. Richard had recourse to the parliament who passed a vote that the officers of the army should no more hold political councils.

This resolution was opposed by the leaders of the commonwealth party: "Be very wary of proceeding suddenly," said Vane. "This diffidence of your friends ought to be avoided. Take heed you take not the thorn out of another's foot and put it into your own. It never can be policy to distrust those we are obliged to trust." The Wallingford party paid no heed to this prohibition, and the son of Oliver Cromwell had the humiliation to find, by actual trial, that the soldiers no longer obeyed him, and that even his own body-guard could not be trusted. The parliament made a more stringent order declaring the meetings of the military council to be high treason. They retaliated by a deputation to Richard urging him to dissolve the parliament. Richard, prompted by Thurloe, resisted this, maintaining that the dissolving of the parliament, where he still had a majority, would be both his ruin and their own. The Lords Howard, Broghill, and others offered that if he would give them a sufficient authority, they would

either force his enemies to obey him or cut them off. Richard thanked them for their friendship, but said that "rather than a drop of blood should be spilt on his account, he would lay down that greatness which was but a burden to him."¹

As Fleetwood's partisans declared that if Richard would not dissolve the House, they would do it themselves, he had to give an unwilling assent. The Commons, hearing what was in the air, refused to obey the protector's summons to attend him at the House of Lords, and adjourned till next morning. The dissolution was proclaimed, the doors of the House were locked, and a guard placed to prevent them reassembling.

This was Richard's last public act: The protectorate had rested upon force, the force being withdrawn it swooned away. Richard's formal resignation came a few days after. The control of the government remained in the hands of the unruly generals who had now overturned the protector and his parliament; but a little consideration showed them the impossibility of military despotism without a commander, whom all were prepared to obey. The generals quarrelled with one another; the officers made their terms with their superiors, who were too anxious to have the good-will of their men to venture to repress their disorders. They had no skill in managing civil affairs, and felt themselves the object of general dislike. The sectaries, fifth-monarchy men and republicans amongst the soldiery held violent meetings, and discussed their own theories of government. The republicans demanded that the Long

¹ See Budgell's *Memoirs of the Boyles*, 1737, pp. 75-76.

Parliament should be recalled. They held that it had never been legally dissolved.

In spite of the opposition of those who had a share in keeping up Cromwell, a meeting was arranged at Sir Henry Vane's house at Charing Cross, where deputies from the army conferred with Vane, Hesilrige, Ludlow, and Major Salloway. After much discussion it was agreed that an act of indemnity should be passed, securing those who had taken part in the government of the Cromwells from future proscription, and that some provision should be made for Richard Cromwell. The third and fourth propositions that reform should be made in the law and clergy, and that the nation should be governed by representative assemblies and by a select senate, caused a great deal of discussion. The officers had to put up with vague answers, rendered still more unsatisfactory by the knowledge that the parties with whom they were treating had no power to carry out what they promised. It was found from a list furnished by Ludlow that 160 of those who had sat in the Long Parliament since the year 1648, were yet alive. After some further conferences 16 of the old members, accompanied by some officers of the army, went to the house of William Lenthall, the old Speaker, and acquainted him with their desire to recall the Long Parliament. Lenthall, who had been created a peer by Cromwell and had become old and feeble, made many excuses, and they were obliged to issue writs without his signature. The Speaker, however, hearing that it was likely a sufficient number would assemble to form a quorum, made his appearance amongst them. "About twelve o'clock," says Ludlow, "we went to take our

places in the House, Mr Lenthal, our Speaker, leading the way, and the officers of the army lining the room for us as we passed through the Painted Chamber, the Court of Requests, and the lobby itself, the principal officers having placed themselves nearest to the door of the Parliament House, every one seeming to rejoice at our restitution of promising to live and die with us."

They forthwith sent summonses to all the members throughout England, and eventually about 90 took their seats.

The first care of the restored parliament was to remove Richard Cromwell from Whitehall. Vane, Hesilrige, Scot, and Ludlow were deputed for that purpose. He promised not only to submit to the authority of the parliament but to use the best of his endeavours to persuade those in whom he had an interest to do so likewise. The parliament ordered £2000 to be paid to him to enable him to remove, and promised to pay the debts which he had contracted on the public account.

The parliament gave notice to foreign ambassadors in England and to the English ministers abroad of the restoration of their authority, intelligence not at all pleasing to royal courts.

Mazarin would willingly have done something to maintain Richard, since he hated and feared the commonwealth, which, to use the words of Oxenstiern, the Swedish Chancellor, was "exemplary with a witness, or rather minatory, to all princes of the world." He willingly listened to the overtures of the Spanish king to aid the suppression.

"We agreed," wrote Mazarin to M. Le Tellier, on

August 25, "that it was too dangerous an example to be allowed to go down to posterity unpunished, that subjects should have brought the king to trial and put him to death; and that if the commonwealth of England established itself it would be a formidable power to all its neighbours; because, without exaggeration, it would be a hundred times greater than the power of the kings of England ever was."

"I find it somewhat difficult," writes M. de Bordeaux to Mazarin, June 2, 1659, to "comply with the order reiterated to me in M. de Brienne's letter of 25th ultimo, that I must thwart the establishment of a commonwealth, as there is no probability of success in such an undertaking unless the protector has a strong party in England, or his friends embrace the cause of the King of Scots. It is very probable that England will fall into the king's power again, or that it will be formed into a perfect republic." In another letter M. de Bordeaux, who regarded the face of events in a mood at once calm and scrutinising, writes: "The commonwealth is not generally disapproved of; but people can not be brought to believe that those who now possess authority can ever be brought to consent to resign it."¹

¹ Guizot, vol. i., p. 213.

CHAPTER XXIII

Government of the Long Parliament. Harrington's *Oceana*. Changes in the Army. Booth's Insurrection. Lambert's Ambition. The Parliament again expelled. A Split in the Republican Party. Monk marches Southward. His Character. Royalist Reaction. The Convention Parliament. The Restoration. Fate of the Regicides.

THE government of the country was carried on by a council of state consisting of 31 members, 20 of whom were also members of the parliament; amongst them appeared the names of Sir Henry Vane, Sir Arthur Hesilrige, James Harrington, the author of the *Oceana*, Lieutenant-General Fleetwood, Colonel Algernon Sidney, and Mr Thomas Scot. Amongst those who were not members were the Lord President Bradshaw, Lord Fairfax, Major-General Lambert, Colonel Desborough, Colonel Berry, Sir Anthony Ashley Cooper, and Sir Horatio Townsend, who was secretly in correspondence with Hyde, the agent of Charles Stuart. The military officers, Ludlow tells us, seldom came to the council, and "when they condescended to come carried themselves with all imaginable perverseness and insolence."

Vane was ordered to examine the financial position of the country. He reported a deficit of

£1,500,000,¹ whereas, when Cromwell turned out the Long Parliament, there was a good stock in the treasury, and the pay of the army was in advance.

“Our treasury was so low,” says Ludlow, “through the maladministration of the late government, that though our plenipotentiaries to the two northern crowns had received their instructions, yet they were obliged to stay a fortnight longer before they could receive the sum of £2000 which had been ordered for expenses of their voyage, the taxes coming in but slowly, and the city of London, terrified with the reports of an expected insurrection, being very backward in advancing money.”

Money, however, must be had to carry on the administration of the country, and, above all things, to pay up the arrears of the army. They tried to raise it by an income tax, and by increasing the customs; but, from the weakness of the executive government, they met with great difficulty in collecting the money in a country accustomed to the violent exactions of Cromwell’s major-generals. No salary was claimed by the commissioners who conducted the government, though they voted themselves a body-guard; and they had the courage to reduce the salaries of the public servants. Great exertions were

¹ Colonel Birch said in Richard Cromwell’s parliament that when the Long Parliament was put out there were 100,000 men in arms, carried out with a small charge. We left £600,000 and half as much out of Compositions, Weavers’ Hall money, Dean and Chapter lands, and £120,000 per month laid.—*Burton’s Diary*, vol. iii., pp. 58, 63, 64.

Mr Slingsby Bethel, in a pamphlet entitled *The World’s Mistake in Oliver Cromwell*, reprinted in the *Harleian Miscellany*, tells us that at the expulsion of the parliament, “the public stock was £2,000,000 in ready money, the value of £700,000 in stores, so that, if there might be a debt of nearly £500,000 upon the kingdom, he met with above twice the value in lieu of it.”

made to appoint sheriffs, justices of peace, and magistrates attached to republican principles, so as to secure their aid at the next election. It was probably the fear of holding an election with the old Cromwellian sheriffs and other magistrates which induced them to continue sitting. On June 6, 1659, they voted that they should cease to sit on May 7, 1660.

The strength of the republican party appeared greater in opposition to Richard Cromwell than when it again took the charge of affairs, for the royalists, who had reinforced it, now turned to pull it down. That prestige of vigour and success, so nobly earned by ceaseless watchfulness, able statesmanship, and great victories by land and sea, had been snatched away. Cromwell, who had reaped the fruits of what they had sown and watered, had done his best to calumniate them, while they had now to struggle against the confusion which he had left behind him.

Even those soldiers who openly regretted their fault in turning out the Long Parliament might be expected to repeat it, if their resentment should be aroused by any vote which displeased them. The government was thus weak; and no government will be respected, much less trusted, by the mass of people for wisdom alone. The Long Parliament, before its violent dissolution, could not claim to represent the whole of England; that it should represent the conquering party was a necessary result of the civil war. The excluded Presbyterian members soon appeared demanding their seats; nor was it easy for those, who had been chased out of the House by Cromwell, to show that they had a better right to vote than

those who had been chased out by Colonel Pride. At best, then, they were a provisional government who engaged to take the direction of affairs until a new parliament should be called; and, viewed as such, a better government could not at that time be had.

Those who still retained faith in republican ideas were discussing the best form of government. There was a Rota club of which Henry Nevil, Major Wildman, and other republicans were members. They were in favour of the proposed magistrates and senators going out by rotation as in Venice and Switzerland. "The views propounded at this club," says Anthony Wood, "were very taking, the more because as to human foresight there was no probability of the king's return;" and accordingly we find the opinions of Harrington or those of the Rota reproduced in the political speeches and pamphlets of that time.

James Harrington was a prominent debater at this club. He had attended the Prince of Orange in a visit which he made to the court of Denmark, and had travelled in France and Italy. The constitution of Venice, the oldest republic in Europe, where he resided some time, attracted his attention. It was, he said, a government for preservation. He admired the equality granted to those allowed to take a part in the government, but blamed its oligarchical tendency. In the year 1646 he was engaged by the commissioners appointed by the parliament to take the captive king from Newcastle and attend Charles, as one already known to him, and not engaged to any party nor faction. Charles was fond of his conversation about

books and foreign countries ; and, as Anthony Wood tells us, "they had often discourses concerning government, but when they happened to talk of a commonwealth the king seemed not to endure it." Being anxious to induce both parties to make conciliations he became suspected by the parliament, and was for some time under arrest, till liberated by Major-General Ireton. He became a member of the council of state before Cromwell's usurpation, and was again a member when the Long Parliament was recalled. Harrington is known as the author of the *Oceana*, a book which, though never popular, has been often studied by philosophical politicians. Upon a tedious structure of political romance, Harrington introduces a number of original discourses upon political combinations, and examines with deep philosophical insight, the constitution of different governments, from those of the Greeks and Hebrews, down to those of the Dutch and Venetians.

Harrington was the first to give prominence to the view that empire follows the balance of property—that is, if the possessors of property be few in number, the government is an oligarchy. If one man hold in his hand the greater part of the property of a country, it is absolute monarchy ; but if property be in the hands of the people the government becomes a commonwealth. In a country like England, as it was then constituted, it was natural that landed property should receive the greater share of his attention, for at that time the relative value over movable property was much greater, and a much larger part of the population was dependent for their subsistence on the cultivation of the soil. Nevertheless, he remarks, in such cities as

subsist mostly by trade, and have little or no land, as Holland and Genoa, the balance of treasure may be equal to that of land. Viewing the form of government as the natural adaptation of the superstructural, that is, the laws and constitution to the foundation, that is, the distribution of property, and the social habits and customs of the people—Harrington considered that a change in the foundation might be accelerated, if not actually brought about, by laws affecting the distribution of property; hence he proposed an agrarian law, by which no one should be allowed to inherit more than a rental of £2000 a year. We know not whether any writer before him in England proposed and argued in favour of the ballot, which he had seen in use at Venice. He advocated liberty of conscience and a complete system of national education. He thought that the Long Parliament was an ill-balanced government having no senate or second chamber.

Views so enlightened could not have, perhaps, been carried into effect all at once; but the successful establishment of a commonwealth, under the guidance of great statesmen, would have given a milder and more equal spirit to our laws, and a wiser and nobler course to our national life. It is likely that those of the present day, who judge them so harshly, have never reflected how things must have been viewed in those times. At present it is the march of democracy and socialism which excites alarm in Europe. At that time the progress of despotism must have been regarded with fear and anxiety by every lover of freedom. All the old feudal kingdoms had passed or were passing into absolute monarchies. The states-

men of the commonwealth had no experience of a successful constitutional monarchy such as has existed more or less since 1688.

The great standing army, left by Cromwell, was not only the support but the difficulty and danger of the restored parliament. No body of men changes its members more rapidly than an army; which, to retain its efficiency, must be composed of young men possessed of the highest bodily vigour. Thus we may be sure that the soldiery of the protectorate had lost a large number of the yeomanry or citizens, who had quitted their freeholds or trades to fight for the cause of the Long Parliament. Those who had not retired at the close of the civil wars, or during the eight years which had passed away between the battle of Worcester and the death of Cromwell, getting to look upon the army as the means of gaining their bread, had lost much of their civilian modes of thought, and become more imbued with the habits of military discipline. Cromwell had used incessant care to remove those officers, who, being friends of the commonwealth, had disapproved of his usurpation.

“He weeded,” says Mrs Hutchinson, “in a few months’ time, above 150 godly officers out of the army, with whom many of the religious soldiers went off; and in their room abundance of the king’s dissolute soldiers were entertained, and the army was almost changed from that godly religious army, whose valour God had crowned with triumph, to the dissolute army they had beaten; bearing yet a better name.” The pay which Cromwell allowed to his soldiers was sufficiently large to attract men of a good class. Many of them wished well to the commonwealth, but had, unhappily, learnt

the lesson that the public interest must come behind their own private leanings, and that they might safely dictate to the civil government. Cromwell's successors in the command of the army, looking to their men as the source of power, treated them with a familiarity which, especially in time of peace, soon becomes fatal to discipline. "Examples of this kind of independence," writes M. de Bordeaux, "are to be seen daily in London, where the corporals assemble together and deliberate on public affairs. The officers, on their side, hold their own councils, and all seem to dread an oligarchy and demand a republic, which would scarcely accord with the present state of public feeling in England."

"The parliament, meanwhile, treats their inclinations with great consideration, and began last week to deliberate on the articles proposed by the army; those which regard the form of government, liberty of conscience, and the reformation of the laws met with no difficulty."¹

The support of a standing army of above 50,000 men was a hard strain upon the resources of the country, yet the government was not strong enough to propose disbanding any of them. The parliament sought to secure themselves against the ill-will of the officers of the army by raising the militia; but this only served to diminish their popularity without increasing their strength, for the people disliked serving in the militia, and the militia never dreamt of coping with the regular army.

To please the Wallingford House party, Fleetwood was nominated commander-in-chief. A bill

¹ M. de Bordeaux to Cardinal Mazarin, June 2, 1659.

was prepared and brought in, constituting seven persons to be commissioners for the nomination of officers to be presented for the approbation of the parliament. Of these Sir Henry Vane was the only civilian. Much dissatisfaction was shown at the proposal for the officers to receive their commissions from the Speaker. Desborough openly said that he accounted the commission he had already to be as good as any the parliament could give, and that he would not take another. Considerable difficulty was found in restoring republican officers, such as Alured, Overton, and Okey, who had been cashiered by Cromwell for their republican principles. Sir Arthur Hesilrige had a regiment; Ludlow was prevailed upon to take one also. He was soon after made commander-in-chief of the army in Ireland.

A projected insurrection of the royalists was made known to the parliament through the aid of Thurloe, the secretary of Cromwell, who gave the commonwealth the benefit of his means of obtaining intelligence. The insurrection was easily put down, and General Lambert, who had been entrusted with this affair, principally through the influence of Vane, returned with the idea that he could imitate Cromwell. The leaders of the insurrection were punished with a mildness which had never before been shown in the civil wars; but the confiscation of their estates was a great help to the commonwealth labouring under financial difficulties.

Lambert persuaded the officers to draw up a petition which, if the parliament had acceded to, would have been a virtual forfeiture of the control of the army. They demanded that Fleetwood should

be made commander-in-chief without any limitation of time, and that Lambert, Desborough, and Monk should also have high commands, and that no officer should in future be dismissed without a court-martial. They blamed the parliament for not using greater vigour in suppressing the late rebellion of Sir George Booth, and complained that the officers of the army had not been sufficiently rewarded; the last especially an audacious misstatement. Sir Arthur Hesilrige called the attention of parliament to this petition before it was delivered, and any further subscriptions to it were forbidden. In a few days, however, Colonel Desborough himself delivered one of a similar character, coming from the council of Wallingford House. The parliament, which had done its best to avoid a conflict, when fairly forced into it, acted with courage and dignity. Fleetwood, Lambert, and Desborough, and six others were dismissed from their appointments, and the command of the army committed to the charge of seven persons, Hesilrige, Ludlow, Monk, and Fleetwood, and Colonels Overton, Morley, and Walton. Orders were given to arrest Lambert, and Sir Arthur Hesilrige declared his resolution to have him shot.

Hesilrige is described, even by his friends, as of sour and morose temper to whom liberality seemed a vice; but he was an incorruptible upholder of republican principles.

The cashiered generals now appeared, with the soldiers who took their part, and endeavoured to gain over those regiments placed round Westminster for the defence of the parliament. A scene took place which has often had its counterpart in the disorderly republics of South and Central America. It soon

became clear that few of the soldiers were willing to fight against their old commanders, and the parliament, being the weaker body, had to yield. To use the words of Whitelocke : "The council of state came to an accommodation to save the effusion of blood ; and the parliament was not to sit, but the council of officers undertook to provide for the preservation of the peace, and to have a form of government to be drawn up for a new parliament to be shortly summoned, and so to settle all things."

Thus fell, for the second time, by military violence, the remainder of the Long Parliament, generally called the Rump Parliament, after having been in power about five months, during which the members of the government ruled the country under very difficult circumstances, without their adversaries being able to reproach them with any lack either of ability, courage, or honesty, though they wanted one thing, which by some people is considered worth all these virtues together, they wanted success. Their foreign policy, though opposed to that of Cromwell, was prudent and dignified, and made them respected abroad, if the violence of faction would not allow them to be justly esteemed at home.

Mr Lockhart, their ambassador, had been received with great distinction at Madrid, and had concluded the war with Spain, which, begun in such bad faith, had so much helped the ambition of France, and been disastrous to English commerce. Algernon Sidney had, with the support of a powerful fleet, acting in accord with the neighbouring republic of Holland, compelled the King of Sweden to raise the siege of Copenhagen, it being at that time thought of great importance to

prevent Sweden gaining nearly the whole coast of the Baltic.

The revolution caused a split both in the republican and military parties. Vane became a member of the committee of safety, along with Lambert, Desborough, and Fleetwood, not because he approved of their violence, but because he feared that permanent disagreement with the army would prove fatal to the republican cause. In this crisis Vane accepted the commission of colonel of a regiment which was only titular and which as he said my own inclinations, taste, and breeding little fitted me for. Ludlow, too, consented to have his name put upon the committee of safety, hoping, "as they were now under the government of the sword, to procure the best government that could be got." By his name a correspondence was kept up between Vane and their more unyielding colleagues in the parliament, such as Scot and Hesilrige. Whitelocke accepted the charge of the great seal, principally, he assures us, to watch Vane, of whose views he was an opponent. Bradshaw died about this time, "a stout man and learned in his profession. No friend of monarchy."

The English army in Scotland had remained apart from these tumults. General Monk now declared himself dissatisfied with the committee of safety. George Monk, the son of a gentleman in Devon, had borne arms at Rhé and in the low countries. He had served with the parliament troops against the Irish rebels; had deserted to the royalists; had been taken at Nantwich, and had remained a prisoner for two years. Seeing the king's cause hopeless he had joined the parliamentary army.

In the invasion of Scotland Cromwell had got him made colonel of a regiment, and had advanced him by steps till he became general of the army. The protector did not trust Monk, and let him know that he was watching him; but he thought him a serviceable tool who would do his work as long as he got his price. He had need of a man of good military capacity, for all the best parliamentary captains were against his usurpation.

Monk was a man of great courage, quiet and resolute. He had a clear, cold intellect, and was callously selfish. Amongst the Puritan soldiers he echoed somewhat awkwardly the pious phrases in vogue, and observed the code of morals in use, as a sharper recognises the rules of a game of cards and keeps them so long as he thinks them advisable for his own gain. Forced to observe outward decency Monk had been constrained to marry his mistress, the daughter of a blacksmith. Pepys describes her as "a plain homely dowdy, a very ill-looking woman, and a nasty wife." She, however, suited Monk's taste and "had wit enough and always influence over her husband."¹

As most of the officers of the northern army were still imbued with republican sentiments they readily assented to the general's proposal that a portion of the army should march southwards to restore the parliament. It is not likely that Monk, at the outset, really designed to bring in the king as he and his friends gave out after that event was accomplished, more likely as Clarendon thought that the conviction

¹ *The Mystery and Method of his Majesty's happy Restoration*, by John Price, D.D., one of the late Duke of Albemarle's Chaplains, London, 1680.

was forced upon him on his march through England, that the Rump Parliament had not reputation enough to preserve themselves and those who adhered to them. The reaction in favour of monarchy which had begun at the execution of King Charles, had been reinforced by the usurpation of Cromwell, and his attempts at kingship had now carried away a great part of the nation who were tired out by continual insecurity by the succession of upstart generals without the capacity to rule, and parliamentary politicians without the power, by the insolence of military government without its strength, and by the continuous decline of discipline and authority, which seemed to be rapidly converting the army into bands of janissaries.

When Lambert marched to meet Monk it soon became clear that his confederates were not able to hold the country behind them. The governor of Portsmouth admitted Sir Arthur Hesilrige and Colonel Morley into that fortress, which now became a rendezvous for the friends of the parliament. Admiral Lawson brought his fleet into the Thames and declared for the parliament. Sir Henry Vane endeavoured to gain him over, but he preferred to listen to the arguments of Scot and Sir Anthony Ashley Cooper, who were active on the other side. Fairfax, though enfeebled by the gout, rose in Yorkshire, and gathered together a mingled army of Presbyterians, royalists, and republicans, joined by some of Lambert's soldiers, who had not forgotten their old general, so that before he crossed the borders Monk received the news that the parliament was restored. The military junta fell to pieces without a blow. Lambert was deserted by his soldiers in the north, as

Desborough was in the south. At Wooler, in Northumberland, Monk received a message from the parliament thanking him for his services, but not asking him to march farther southwards, without, however, daring to forbid him. After holding a council of his officers, he determined that they should continue their march.

There is no proof that Monk ever seriously designed, like Lambert, to occupy the place of Cromwell; he seems to have been more given to avarice than ambition; but by his march to London he had put himself at the head of the government, in place of Fleetwood and Lambert. He was now the umpire and arbitrator of everything, and at whatever period the intention to restore the king may have entered his mind, he possessed the one quality necessary to carry it through, and that was untruthfulness. To make a republican army bring back the king, required a man who laid not the slightest stress upon promises, to whom lying and perjury were ready weapons, and who could desert his friends, lull his opponents to sleep by promises, betray the soldiers who trusted him, and sell the liberties of England for a dukedom and a sum of money. With no imagination, though naturally secretive, Monk took no artistic pleasure in lying, he never told a falsehood when the truth would do; but he never told the truth when a lie would help him. It seems that Monk derived much assistance from Sir Anthony Ashley Cooper, a man of great political tact, and a singular power of persuading those who came within his personal influence.

Nevertheless, the immediate leaders of the two

opposing parties did not know how near things were to the end. The remains of the old parliament again met, Scot and Hesilrige and others completely deceived by the protestations of Monk, in favour of the good old cause and hatred to the rule of a single person. "Sir Arthur Hesilrige, Walton, and Morley came into the House in their riding-habits, and Hesilrige was very jocund and high." On the other hand, Charles Stuart and his advisers felt their hopes fading away.

"The surprising restoration of the parliament," writes Clarendon, "that had been so often exploded, so often dead and buried, and was the only image of power that was most formidable to the king and his party, seem to pull up all their hopes by the roots. There remained only within the king's own breast some faint hope, and God knows it was very faint, that Monk's march into England might yet produce some alteration."

But Vane was not so easily deceived by outward appearances ; he had, for taking a part in the committee of safety, been ordered to return to his house at Raby. Before leaving London he said to Ludlow : " Unless I am much mistaken, Monk has still several masks to pull off." It would have been impossible in fewer words to indicate the game Monk was playing. Vane added : " For what concerns myself, I have all possible satisfaction of mind as to those actions which God has enabled me to do for the commonwealth ; and I hope the same God will fortify me in my sufferings, how hard soever they may be, so that I may bear a faithful testimony to His cause."

Whitelocke advised Fleetwood either to declare at once for a free parliament or to send some person at once

to Breda and offer the crown to Charles Stuart upon satisfactory terms ; otherwise, Monk would deceive Scot and Hesilrige and their associates, and bring in the king without making any terms for the country, whereby the lives and fortunes of the parliamentary party would be at the mercy of the Cavaliers. Fleetwood was of too undecided a character to take the choice of such vigorous alternatives. About this time he had a conversation with Vane still faithful to the good old cause which had been wrecked by selfish partisans, who had been deaf to his warnings. During these disorders in England the control of the army in Ireland had fallen into the hands of a party acting under the name of the parliament, who refused to receive Ludlow on pretence of his having forfeited his command by becoming a member of the committee of safety. Ludlow landed at Duncannon, but was recalled by the restored parliament to answer the charges against him. If he had remained at the head of the army in Ireland he would, from his military talents and steady attachment to the commonwealth, have been a formidable adversary to Monk. As it was, the control of affairs in Ireland fell into the hands of a number of men who joined in all the measures of Monk to restore the king. Monk's first care was to weed the army of all those officers who he thought might oppose his designs.

Oliver had weeded the army of the republican officers ; the parliament had weeded the army of the Cromwellians ; Lambert had weeded the army of the friends of the parliament, who, on being restored, had weeded out himself and his faction ; and now Monk set to weed the army of the little honesty and honour

that could be left in the higher ranks. Monk's next measure was to recall the excluded members to the House of Commons by which the Presbyterians found themselves in a majority. Without believing, like Colonel Hutchinson, that had the old Independent party not withdrawn, they might still have gained a sufficient number of votes from the other party to uphold the cause of the commonwealth, it seems to us that, if they had consented to stay, they might have had a considerable influence on the deliberations of the assembly. As it was, the control of affairs was left entirely in the hands of Monk and the secluded members, who now arranged to call a new parliament. The people, losing all trust in a party which had been so often trampled under by the soldiery, were ready to abandon the fruits of the civil war for the repose of a government that would save them from military rule. It was in vain for Milton to pour out his eloquent warnings, which, ratified by experience and preserved by the fire of genius, remain like a continual reproach to the nation that allowed them to pass unheeded.

The elections going almost everywhere against the republicans, brought in a large majority of the Presbyterians and Cavaliers. The king was restored without any conditions save the voluntary declaration which he addressed to the parliament from Breda. This was mainly accomplished through the artifices of Monk, who perceived it was for his own personal interest that Charles should come unembarrassed by any promises or limitation to his power. It has been represented that it was necessary to hurry through the restoration for fear that the discontented soldiers should gather to a head, and take vengeance

upon those who had betrayed them ; but historians, in their anxiety to do justice to this line of argument, fail to see, or at least to point out, that the army had a double reason to be discontented ; first, that Charles was restored at all, and second, that it was proposed to restore him without any conditions, leaving themselves, their friends, and leaders exposed to the vengeance of the Cavaliers whom they had so often defeated in the field, and leaving the good cause for which they had risked their lives, and which some of them still loved to be treated as a failure and a crime. It therefore does not appear clear, if the proposal made by Sir Matthew Hale, and supported by Prynne, that conditions should be offered to the king, would have increased the danger of discontent from the army. The danger of restoring the king without conditions was much greater than the danger of restoring him with conditions ; and, allowing that there was a danger in both, was the danger not worth the risk ? It was, indeed, impossible for such an important transaction as the restoration to be accomplished with such rapidity as not to allow the army time to think about it. Three months passed away from the time when the secluded members were restored, and the Long Parliament was dissolved, and a month passed away after his declaration from Breda was delivered to the Convention Parliament, until he landed at Dover to take possession of the throne.

The whole nation appeared frantic with an outburst of joy and loyalty, not at all befitting the commencement of the most shameful period of English history. Unfortunately, time and experience falsified

the expectations of every one who expected anything but misery and disappointment. Charles II. receives a magnificent entertainment from the States of Holland, upon whom he twice made an unjust war; he confirms the declaration of Breda, which he was so soon to break, to a trusting committee of Lords and Commons. This well-written manifesto was composed by Hyde, who was made lord chancellor, but whom, in the course of time and convenience, Charles allowed to be chased into exile. The king listens graciously to a deputation of the Presbyterians for whom he has persecution in store. He receives a sum of money from a deputation of the city of London, which he afterwards repaid by depriving the city of its charter; he sets sail from Holland in the *Naseby*, now christened the *Royal Charles*, the same ship which the Dutch afterwards burned in the Medway. On landing at Dover, this excellent prince is presented with a bible—"the thing which he valued most in the world;" he then reviews the army, which he soon afterwards disbands; he arrives at Whitehall, where the two Houses of Parliament "solemnly cast themselves at his feet with all vows of affection and fidelity to the world's end." Charles declares his firm attachment to parliaments, which towards the end of his reign he entirely got rid of, and his fidelity to the Protestant religion, which he afterwards renounced. The same evening he commenced a connection with a married woman, whom he ennobled with the titles of Lady Castlemaine and Duchess of Cleveland. Other favourites received similar honours. Their services were rewarded with liberal pensions voted to their descendents by

a dutiful parliament, and continued to be paid down to our own days.

The Convention Parliament was dissolved, after sitting about seven months, and a new House of Commons was elected under the influence of that besotted loyalty which had greeted the return of Charles II. with such outbursts of rejoicing. In this parliament, which was not renewed for nineteen years, the Cavalier party had a powerful majority, and proceeded to gratify their dislike to liberty, and their hatred to those who had upheld it. They passed an act declaring the whole right of controlling the militia to be in the king, thus deciding one of the most important points contested between Charles I. and the Long Parliament in a way which, if it has been fatal to the liberties of England, has at least given a good many incapable commanders-in-chief, and cost us several humiliating military reverses. They introduced the bishops into the House of Lords. In open violation of the declaration of Breda, they passed the corporation act, by which all existing magistrates could be removed at the pleasure of commissioners, and none could in future be eligible for office who had not within a year taken the sacrament according to the forms of the Church of England, who did not renounce the Solemn League and Covenant, and declare the unlawfulness of taking up arms against the king on any pretext. This act virtually excluded all honest dissenters from holding any public offices. By the Act of Uniformity, all beneficed clergymen were ordered to subscribe to a corrected copy of the Book of Common Prayer, in consequence of which 2000 clergymen

of the Presbyterian persuasion left their livings on St Bartholomew's Day. At the urgent request of the king, those provisions of the triennial bill, unanimously passed by the Long Parliament in 1641, by which, if the king did not call a parliament in three years, it could be assembled without his consent, were abolished. The only wonder is that they did not bring back the Star Chamber.

Indeed, the parliament which represented the Cavaliers, vanquished in the field but now victorious at the polling booths, was anxious to go farther than Charles and his minister, Clarendon, thought it safe or honourable to allow. If we consider the overwhelming tide of servility of the nobility, and the clergy of the Church of England, the favourable reception and circulation given to books more slavish than any ever written under Asiatic despotism, advocating abject submission to the worst tyrants as an inviolable Christian duty; and when we reflect on the flood of vice and licentiousness which overwhelmed this unhappy generation, we may think that the greater part of the nation not only wished to get rid of its freedom, but to make itself unworthy of being free. It was the dislike of the royalists to a standing army founded upon their recollections of the soldiers of Cromwell, the worthless character of the restored king, his indolence and the incapacity of his administration at home and abroad, which saved the nation from totally sinking under the yoke of despotism. As it was the nation fell into such a state of subjection that in spite of the infatuated policy of James, it required the assistance of a Dutch army to set them free.

The king had been brought back by a parliament in which the Presbyterians were as strong as the Cavaliers, and in which there were still some true friends of liberty, like Lord Fairfax and Mr Pierpont, who thought it was better to regulate events which they could not control. In the Convention Parliament the bishops were still kept out of the House of Lords; the great question of the control of the militia left undecided, and a bill was introduced to secure at least for compensation the purchasers of the church lands.

The Cavaliers who, like the Duke of Newcastle, returned in the confident expectation of recovering all their estates, found the Act of Oblivion a great hindrance to their suits. In some cases they had sold their lands to pay their fines, and for this there was no remedy. Most of them, however, got back at least part of their estates, so that at the restoration, as during the civil wars, a great shifting of property took place.

Ashley Cooper, now made Earl of Shaftesbury, had protested that not a man should be excluded from the amnesty: "for, if I should suffer such a thing," he said, "I should be the greatest rogue alive." This consideration did not prevent him along with Montague, the friend of Cromwell, Lord Manchester, Denzil Holles, and others, who had fought against the king, sitting as judges upon some of their old political allies.

Twenty-nine of those concerned in the execution of the king were tried for their lives and estates; all were condemned. At the trials the doctrine of the divine right of kings was assumed as the basis of the accusation, and as they held that nothing could, under

any circumstances, be lawful save with the concurrence of the king, Lords, and Commons, it was clear that a king, however guilty, could never be punished unless he himself desired it. The prisoners, on their side, insisted that in case two of the three estates should be in the wrong and become dispossessed, the Commons could act alone.

Though refused counsel, and often interrupted, insulted, and overruled, the accused defended themselves with courage and dignity, some of them, especially Scot and Marten, with great ability. The sentence was that they should be drawn upon hurdles to the place of execution and there hanged by the neck, and, being alive, cut down, their entrails to be taken out of their bodies (and they living) the same to be burned before their eyes, and their heads cut off, and their bodies to be divided into four quarters, and heads and quarters to be disposed of at the pleasure of the king's majesty.

This sentence was literally executed upon ten of them, six of whom had sat at the king's trial, Harrison, Scot, Scrope, Clements, Carew, Jones, and Cook, who had acted as solicitor. To these were added Colonel Hacker and Axtell, who had commanded the guards at the execution, and Hugh Peters, who had, in his sermons, publicly justified the punishment of Charles.

They all died with the greatest fortitude, justifying their cause to the last. It was feared that Hugh Peters would not have the same courage as the rest; but at the time of execution his courage rose. When Mr Cook was cut down they brought Mr Peters near that he might see it; and by-and-by the hangman

came to him, all besmeared in blood, and rubbing his bloody hands together, he tauntingly asked, "Come, how do you like this, Mr Peters, how do you like this work?" To whom he replied, "I am not [I thank God] terrified at it, you may do your worst."

Milton, who had justified the king's punishment as boldly as Peters, was not tried, though he was for some time in confinement. He is believed to have been saved mainly by the interest of Sir William Davenant, whose life he had been instrumental in saving when his own party was in power.

The other nineteen who had been tried were not put to death, as this could not be done without the consent of parliament. All their property was forfeited, and they were confined in the Tower, where they were very cruelly treated. It being found that the charity of their friends procured them some alleviation of their miseries, they were disposed in remote dungeons, where most of them soon died.

Henry Marten lingered out twenty years' imprisonment in Chepstow Castle in Monmouthshire.

Okey, Darkstead, and Cobet, who had escaped to the continent, were seized at Delft, with the consent of the States by Downing the king's, once Cromwell's, resident in Holland. They were conveyed to London and put to death with the usual barbarities. Okey was one of the best officers during the civil wars, and had remained a faithful friend to the commonwealth.

Two of the king's judges, General Whalley and General Goffe, sought refuge in Massachusetts, where the royalist reaction had no force. At Boston, Governor Endicott received them very courteously,

and for nearly a year they lived unmolested, attending religious meetings, where they preached and prayed. When royalist warrants for their apprehension reached Boston they were conveyed away to the woods by their friends. For many years they lived in great secrecy. In 1664 they were joined at Hadley by Colonel Dixwell, another of the king's judges, who changed his name, married, and lived peaceably among the people of Newhaven, where he died at the age of eighty-two.

Hutchinson, who had read the papers left by Whalley and Goffe, tells us¹ that they believed that the regicides put to death in London, whose bodies were not suffered to be put into graves, were the witnesses mentioned in the Apocalypse. They looked for the coming of Christ, and were much disappointed when the year 1666, which had been assigned for that event, passed away without the deliverance of the saints; but flattered themselves that the Christian era might be erroneous.

In 1675, when Hadley was surprised by the Indians during King Philip's war, the town was saved by Goffe, the old Puritan soldier, now bowed with years, who darted from his hiding-place, rallied the disheartened, and having achieved a safe defence sank back to his retirement to be seen no more.

Hesilrige and Whitelocke were included in the amnesty, the House of Commons being specially divided on their cases. Whitelocke paid an enormous fine to Charles, in order to secure himself from further

¹ *History of the Colony of Massachusetts Bay*, pp. 215-219. Hutchinson gives in the appendix an affecting letter from Goffe's wife in England, who was Whalley's daughter.

molestation ; for a vote of the House of Commons was scarcely sufficient to save a man from the court. Harrington and Colonel Hutchinson were both imprisoned on groundless charges without ever being brought to trial. Harrington was set free after his health was permanently injured ; but Hutchinson died at Sandown Castle in Kent, in 1664, after eleven months' imprisonment. The last of the great commonwealth men that appear in English history are Algernon Sidney and Edmund Ludlow.

Sidney found it intolerable to live in England after the return of the Stuarts. "I think," he wrote, "that being exiled from my country is a great evil, and would redeem myself from it with the loss of a great deal of my blood. But when that country of mine, which used to be esteemed a Paradise, is now like to be a stage of injury ; the liberty we hoped to establish oppressed ; luxury and lewdness set up in its height, instead of the piety, virtue, sobriety, and modesty which we hoped God by our hands would have introduced ; the best of our nation made a prey to the worst ; the parliament, court, and army corrupted ; the people enslaved ; all things vendible ; no man safe but by such evil and infamous means as flattery and bribery—what joy can I have in my own country in this condition ? A pleasure to see that all I love in the world is sold and destroyed ? Shall I renounce my principles, learn the vile court arts, and make my peace by bribing some of them ? Shall their corruption and vice be my safety ?

"Ah, no. Better is a life among strangers than in my own country upon such conditions.

"When the innocence of my actions will not

protect me, I will stay till the storm be over-passed.

“In short, when Vane, Lambert, Hesilrige cannot live in safety, I cannot live at all. If I had been in England, I should have expected a lodging with them; or, though they may be the first as being more eminent, I must expect to follow their example in suffering as I have been their companion in acting.” After spending many years in Italy and France, Sidney returned to England to fall a victim to an unjust trial, leaving his eloquent writings and his heroic example to his countrymen.

When Ludlow found that resistance to the restoration was hopeless, he took refuge in Switzerland along with John Lisle, the husband of Alice Lisle, the lady who was put to death for harbouring a fugitive after Monmouth's rebellion. Lisle was murdered by royalist assassins, and several attempts were made upon the life of Ludlow, but without success. Though repeatedly asked, he had refused to engage in the desperate plots of the Wildmans and Fergusons against the Stuarts; but when the news of the Revolution of 1688 reached the shores of the Lake of Geneva, Ludlow regarded it as the triumph of the cause to which he had been so honest and steady a friend.

He was invited by some powerful members of the Whig party to return to England; but it would appear that the horror with which the regicides were regarded had increased during the twenty-eight years, when no man dared say a word in their excuse. It was brought to the notice of parliament by some Tory member that one of the regicides had appeared

openly in London, and whatever the Whigs may have thought on the matter, they had not the courage to defend him. Some days elapsed before a warrant could be issued against him, and the Puritan soldier had time to escape from England and to return to the republican state which had sheltered him so long. He died in the seventy-third year of his age. We have seen his grave in the church of St Martin, overlooking the little town of Vevey, and the quiet blue waters of the Lemane Lake, surrounded by the mountains on which he must often have gazed. On the church wall there is an inscription in which his widow records his courage in battle, his mercy to the vanquished, his love of liberty, and hatred of arbitrary power. Beside him lies Andrew Broughton, who read the sentence of death on Charles I.

CHAPTER XXIV

Vane's Theological Views and Writings

WHILE Oliver Cromwell took up the uneasy burden of the state, Henry Vane retired to Raby Castle and gave his mind to those theological reveries which so strikingly contrast with his firm grasp of administrative details and the clearness of his political insight. Yet, in the deeply religious tone of those days, it is no more surprising that a practical politician should have written an abstruse treatise on theology than that, in our days, a cabinet minister should write a book on the Homeric poems, or on the foundations of belief. In the spring of 1655 Vane published a quarto volume of 440 pages entitled, *A Retired Man's Meditations or the Myserie and Power of Godlinesse*. One feature of Vane's writings is their entire subjectivity. One may turn over page after page without finding any trace of the personality of the author or political allusions which might mark when the book was written.

In the last chapter of the *Meditations* Vane proclaims his faith in the near coming of a real theocracy on earth. This belief, which was shared by many of his contemporaries,¹ amongst others by John

¹ Bishop Hacket in his *Memoirs of the Life of Archbishop Williams*, tells us of a very religious family in Huntingdonshire who kept a sentinel at all hours and seasons to expect the second coming of the Lord Jesus Christ.

Wilton, was founded on the Apocalypse "as interpreted in several volumes lately made extant," the chief of which was the commentary of Mede, *Clavis Apocalyptica*. Vane tells us that "the general prospect thereof has been given into my faith in some small glimpses (a vague claim of special inspiration) as well as from the inward and outward works of God, in a patient and humble expectation of the clearer and more certain description thereof, as the things themselves are drawing on, which Christ in His times will fully show, by the brightness of His own coming, unto which the children of light and of this day are exhorted to be hastening, as that which is hastening upon them, that so it may not overtake them as a thief in the night at unawares." To ensure the security of this new paradise the devil should be bound and sealed up in the bottomless pit and totally unable to deceive and beguile the nations.

"Christ would then appear in an incorruptible immortal state of spirit, soul, and body, to reign with the glorified saints. All shall obey Him either voluntarily or by compulsion; every tongue shall confess Him, every knee shall bow to Him. Christ will quicken whom He will, calling whom He pleases out of their very graves, whether spiritual or literal." As to the general state of the world which was to follow this new reign of religion and morals, Vane does not say any more than that it shall be a glorious, pure, incorrupt state unto the whole creation, which shall then keep a holy Sabbath and rest unto the Lord, a seventh time of the time of the world's continuance; in which there shall be no sowing of the field nor pruning of the vineyard, nor exacting any labour from

the creature, but what in a voluntary sense it shall perform by way of homage and worship unto Christ, for the use of His saints during the thousand years, who are yet in their corruptible body, expecting their great change.

As in this new world Christ will reign both as a natural and temporal sovereign, it might be expected that the dignity of the saints would be increased. Vane speaks of a general assembly of the first-born who should administer the accomplishment of God's promise as to making good the reward which righteousness is to receive even in this life. This general assembly is to have the power of the keys; what they bind on earth shall be bound in heaven, and what they loose in earth shall be loosed in heaven. They are to have the power of church censures to hardened offenders, and of condemning them to everlasting destruction from the presence of God. The power of the sword is also committed to them. Here we see the dream of a heavenly Geneva, in which a general assembly has the full powers of an ecclesiastical and civil court, backed by the irresistible might of a living Christ.

The saints are to have the perfect use of the natural senses of their mind and body; they shall hold forth the law of righteousness and the obedience thereof unto which natural men in those days shall be required to conform; natural men shall be under the influence of a ministry and magistracy brought forth in the highest and utmost perfection and purity that can be enjoyed on earth, managed by the person of Christ Himself and the whole assembly of the first-born.

The revelation of nature and of the scriptures shall be made clear and comprehensible in the highest degree. During this blessed period those saints, who may be called from heaven where they exercise a life equal to the angels, will not undergo any debasement by returning to the earth to take human shape, for there will be no hindrance to the free and absolute exercise of the former angelical life, so that they may either walk the earth or be with the Lord in the air. Vane held that the world was to last seven thousand years. At the end of the millennium Satan would again be let loose to renew his insidious warfare against the human race.

Transforming himself into the figure of an angel of light this powerful being will muster the wicked men and angels, deluding people with lying wonders, gathering Gog and Magog to battle, the number of whom is as the sands of the sea, to compass about the camp of the saints. At the end of the struggle Christ will carry the faithful up to the heavenly mansions provided for them. Then the great day of judgment will come when the dead, small and great, shall be made to stand before God, the wicked shall be raised "to everlasting contempt," the devil shall be cast out into the lake of fire where the beast and the false prophet are, and the whole visible frame of the creation will be destroyed by fire.

Over such views Vane brooded in his imprisonment. They were held by him to the last.¹ The belief in the near coming of the kingdom of righteous-

¹ This may be seen in his letter to his lady from the Isle of Scyllum and from two Treatises published shortly after his death. See *An Epistle General to the Mystical Body of Christ on Earth, the Church universal in Babylon, who are Pilgrims and Strangers on the Earth, desiring and*

ness consoled him amidst the disappointments of his schemes for the establishment of a free and happy commonwealth.

The traditions of a return of the golden age and the destruction of the world are older than Christianity, and have found their way into many mythologies, answering in some way to men's hopes and men's fears. The minds of the first Christians were kept on the strain waiting for the promised coming of their Lord before the generation, which had seen Him, had passed away. These expectations slowly faded as the centuries went by; but in every age down to our own there have been persons of a devout and ardent frame of mind who have gathered, from their study of the scriptures, that the time is at hand for the second appearance of Christ. Vane had arrived at the idea that six thousand years had elapsed since the creation described in Genesis. As the seventh day brought in the Sabbath, the seventh thousandth year would bring in the reign of the saints. Less deeply occupied with theological ideas, a real belief in the appearance of an incarnate God, in this work-day world, would be too strange to most people, though there are some who still entertain such hopes. Yet ideas of similar import come to the surface in our own day. The hopes of a better state of things, though on a more modest scale, are to be realised, not by supernatural interference, but by an equal distribution of wealth and a planned organisation of labour. Such dreams have their

seeking the Heavenly Country. Written by Sir Henry Vane, Knight, in the time of his imprisonment. Printed in the year 1662, p. 55.

These views were shared by his friend and biographer George Sikes. See *Life of Vane*, p. 81 and p. 115.

believers, fanatics, and martyrs. The world is not to be consumed by fire, but by a slow process of cooling and shrinking, so that the surface of the globe will become unfit to sustain life.

Vane's theological writings were thought obscure, even in his own day, when men entered upon religious questions with an anxious zeal based upon a full belief of their absolute importance to salvation.¹ He held meetings at which he used to preach and pray. His followers were called seekers and seemed to wait for some new and clear manifestations. Not long after its appearance the *Retired Man's Meditations* was attacked in an express publication by a preacher named Martin Finch.² Unlike his clerical enemies, Baxter and Mather, Finch treats the noble author with deep respect as may be judged from the following passage: "It pleased this noble knight upon his retirement (after he had been such a great blessing in

¹ Bishop Burnet says of Sir Henry Vane: "In these meetings he used, preached, and prayed often himself, but with so peculiar a darkness, that though I have sometimes taken pains to see if I could find out his meaning in his works, yet I could never reach it; and since many others have said the same, it may be reasonable to believe that he hid somewhat that was a necessary key to the rest. His friends told me he leaned to Origen's notion of a universal salvation of all, both of devils and the damned, and to the doctrine of pre-existence."—*History of his own time*, London, 1818, vol. i., p. 180.

When Vane and Cromwell were close friends and corresponded under the names of brother Fountain and brother Heron, Vane wrote to Cromwell, then in Scotland, begging him not to believe some ill-natured reports, adding: "Be assured he answers your heart's desires in all things, except he be esteemed even by you in principles too high to fathom, which one day I am persuaded, will not be so thought by you, when by increasing with the increasings of God, you shall be brought to that sight and enjoyment of God which passes knowledge."

² Animadversions on Sir Henry Vane's Book entitled the *Retired Man's Meditations*, by Martin Finch, Preacher of the Gospel, London, 1656.

public affairs) to the nation to set himself more closely to the study of gospel mysteries. . . . This author hath not contented himself in the shallows, but hath waded into the deeps of divinity, possibly so far sometimes as that he cannot feel the ground of scripture." Through a hundred and seventy-nine pages Finch criticises Vane's religious views in a searching and subtle way. He is a believer in Calvinistic predestination, and argues against Vane that those justified in Christ can never fall. No man under the covenant of works can be justified, as Vane imagines. Finch observes: "I have written but little of the Trinity, because the author's judgment is hard to find out about it."

Sir Henry's friend and biographer, George Sikes, boldly avers "that no book but the scriptures did ever clear so much truth as his *Retired Man's Meditations*. "I was," says Sikes, "one of the number of those that, constantly attending upon his discourses, as oft as I was in town, knew him more in his family exercises and discourses for many years than most; whom I received more help and light in the knowledge of God than from all the men in the world besides, and found his ministry most searching and trying. What others took for gold he proved it to be but brass, and from doctrines that others preferred for spiritual he tried and found them carnal." "His usual practice," we are told, "was to spend an hour or two in preaching and praying with his family."

Unhappily, Sikes took much more interest in his friend as a theologian than as a statesman. While only giving few and meagre details about his political career, he gives a lengthy exposition of

Vane's religious opinions, from which we glean the following.

He held that external ordinances were of little avail, especially that the baptism of water, as practised by John the Baptist and by Christ, have served their season and are gone off the stage. This is preparatory to the Baptism of the Holy Ghost and of fire which are thus defined :—

“The first is that wherewith the earthly man is capable to be baptised through the pouring out of the gifts of the Holy Ghost. The second is that whereby the natural or earthly man is baptised into conformity with Christ in his death, and is made to grow up into the incorruptible form of heavenly manhood. He was for the breaking of bread in a way of Christian communion, if practised in the primitive apostolical spirit and way. Such meetings as he found to approach nearest to the apostolical order, as to liberty of prophesying one by one (1 Cor. xlv. 31) he most approved and frequented.”

Unlike most of the English Puritans and the Scottish Presbyterians, who held that the obligation of the fourth commandment was transferred to the Sunday, Vane thought this observance was rather a magisterial institution (citing Romans xlv. 5) which he so far respected as to spend more time in exercise and in prayer in his family, or other Christian meetings on that day than on any other.

There are passages in Vane's theological writings which support Burnet's statement that he favoured this idea of universal salvation. He recoiled at the rashness of pronouncing that the heathens were doomed to perdition, since he might thus shut out

those whom Christ would possibly, at the last day, welcome as His own. "But, indeed," he wrote in the *Retired Man's Meditations*, "this assertion is so far from straitening or lessening the number of those that are the true heirs of salvation, that it rather discovers how they may lie hid, as they did in Elijah's time, out of the observation of visible professors (amongst those that they exclude as heathens) and be comprehended by Christ, their spiritual head, when as yet they may not have their spiritual senses brought forth into exercise so as to apprehend him, but may be babes in Christ walking as men (1 Cor. iii. 13), undistinguished from the rest of the world. And although they may, in that respect, seem to be men in the flesh, yet they may live according to God in the spirit, and find acceptance in the beloved one, whilst they themselves may either be without law, exercising a chaste natural conscience, or may be under the law, believers so zealous of the law, as to flie in the face of Paul himself, for witnessing a higher light than they have yet experience of, or can bear."

In his religious writings he nowhere speaks of any further punishment on the wicked save that they should be "held in everlasting contempt." A stretch of charity most unusual in the theologians of that day over whom hung the lurid glare of hell with its never ending torments. It was the belief that any error in the interpretation of scripture, any wandering from the creeds, was to be followed by the eternal punishments of an angry God that led men to hate and persecute one another. Not only did the obstinate heretic lead others astray, but he awakened doubts

in the mind of the orthodox believer, hence his fury and hate. Wherever such a belief prevails persecution surely follows whenever its votaries have the power. Sir Simonds D'Ewes, defending his learned friend, Sir Robert Cotton, from the reproach of not being a sound Protestant, tells us that "he hath, in my hearing, most vehemently and learnedly opposed the Romish abominations, openly professing that he did not see how a Tridentine papist could possibly be saved, that is, a papist firmly holding all the late cursed and damnable decrees of the Council of Trent;" and, indeed, this seemed to follow the belief, general with Protestants at the time, that the Pope was the beast in the Apocalypse whose followers were to be cast into the lake of fire.

While the trust in heavenly succour nerved Henry Vane throughout the fight and consoled him in reverses, it never induced him to sit with his hands folded. He felt and proclaimed it his duty to be ever ready to struggle or to suffer, in order to advance the cause of right, and justice, and freedom. Whatever might be the tides of the battle, whether the victory was near or deferred, it was for this high-minded man to exert all his powers in the post God had placed him, leaving the issue to the Almighty arm. Judged by the prevailing opinions of our own time, Vane's religious views were much more rational than those of most of his contemporaries, while he was deeply imbued with the Puritan spirit of piety. His views on religious toleration already explained he always upheld both in theory and practice. His admirer, Mr Henry Stubbe,¹ argued with force and learning

¹ *An Essay in defence of the Good Old Cause and a Vindication of the*

that the civil magistrate hath nothing to do in matters of religion as God hath distributed to every man, as

Honourable Sir Henry Vane, from the false Aspersions of Mr Baxter, by Henry Stubbe of Christ Church in Oxon, London, 1659.

Anthony Wood (*Athenæ Oxonienses*, vol. ii., p. 560) gives a lively account of this Henry Stubbe which is surprisingly favourable, when we consider his usual truculence to those who took the opposite side in politics. Stubbe was born in Lincolnshire in 1631. His father, a minister, inclined to favour the anabaptists, sought refuge in Ireland, whence he was again forced to fly by the rebellion of 1641. His mother with two children, betook herself to London where she supported herself by her own industry. She managed to get Henry into Westminster School where his quickness in learning gained him notice. One day Sir Henry Vane came into the school with his old teacher, Dr Lamb Osbaldiston. This was at the beginning of the civil war, when Vane was treasurer to the navy and much burdened with parliamentary work; yet at the master's motion he took a kindly liking to the lean carotty-headed clever boy then ten years old, frequently relieved him with money, and gave him the liberty to resort to his house where he often got a full meal when otherwise he would have had no sustenance but what one penny could purchase for his dinner. As he still continued to make wonderful progress in his studies, Sir Henry Vane got him to be made King's Scholar, and procured for him a student's place at Christ Church. While still an undergraduate, Stubbe was sent to Oxford, with the engagement of fidelity to the parliament which the members of the university were required to take. Stubbe claims that "he saved the remains of the Cavaliers of Christ Church and Queen's College, and gave them opportunities to live securely and educate others in their principles." After taking the degree of Bachelor of Arts he served the parliament in the wars of Scotland for two years, after which he became second keeper of the Bodleian library. He always retained a fervent gratitude to his kind patron, Sir Henry Vane, and sided with him against his adversaries, whether royalist or Presbyterian. "My youth," he wrote, "and other circumstances incapacitated me from rendering him any great services; but all that I did, and all that I wrote, had no other aim; nor do I care how much any man can inodiate my former writings as long as they were subservient to him."

Losing his place when Vane's fortunes declined, Stubbe retired to Stratford-on-Avon to practise medicine which he had for some years studied. After the restoration, he promised passive obedience to the king's government, and joined the Church of England, not only upon account of its being publicly imposed, but because it is the least defining, and consequently the most comprehensive and fitting to be national. Stubbe had a prodigious memory, and was the most noted Latinist and Grecian of his age. He was a singular mathematician, and thoroughly

the Lord hath called every one, so let him walk, and so ordain in all churches.

Stubbe pleads for those episcopal divines who have learned in all conditions to be content, and in their prosperity were neither rash in depriving nor forward in persecuting. He even pleads for such Catholics who deny the Pope's power any way in temporals to depose magistrates, to dispose of lands, or the civil obedience of subjects.

In reading Vane's theological writings, one grasps at the meaning, believes there is a meaning, yet it escapes, or only dwells in the mind for a moment, leaving no conception behind. Vane does not think with the thoughts of others, nor use their phrases. His mind, in its intense search, strains at coincidences and correspondences which escape minds less exalted; but mystics of his own class, like Sikes, can follow him. He regarded all the scriptures as equally inspired; every sentence, every turn of expression, conveyed God's meaning, hence a passage from the Old Testament might be used to support a doctrine deduced from the New, a verse in Isaiah might confirm the interpretation of a chapter in an epistle of St Paul; but through these his mind worked, selecting and systematising.

Sikes tell us that Vane was reproached for allegorising the scriptures, and carrying them quite

ready in all political matters, councils, ecclesiastical and profane histories. He had a loud voice, and as he spoke his mind freely in all companies, he sometimes got into quarrels. He was of a high generous nature, and scorned money, and riches, and the adorers of them. He visited Jamaica, and in 1665 resided some time in London, and finally practised in Warwick and in Bath, where he gained much reputation as a physician.

out of their native significancy, and intendment, wrestling and forcing all to their own purpose. Yet in general, Vane used the quest of allegories more for the illustration of doctrine than for the finding of new ones. Jerusalem, the Tabernacle, and the Temple were treated as allegories of the heavenly kingdom. Adam, Enoch, Noah, Shem, Abraham, Moses, Joshua, Samuel, David, Solomon, and many others, were thought types or significant figures of Christ. Cain and Abel represent the fleshy and spiritual worshipper.

Sikes well defines an allegory to be when one thing is said as type, letter, or significant figure, through which another farther and more excellent thing is meant and to be understood. Such symbolising was common with the divines and preachers of the day, and seems supported by the example of St Paul (see Gal. iv. 22, 31, Romans viii. 2, Tim. ii. 11).

“The true allegorising interpreter of the scriptures does, and must, expound them into things not seen, things eternal into a sense, quite out of the reach, and discerning of all the sense and reason in mankind; spiritual things, things eternal, are discernible only to the eye of faith, the spiritual discerning the hearing ear. He only that hath this ear will hear what the spirit saith unto the churches. Things seen, things temporal, are the things that are not. Things eternal, things not seen, are the only things that are.”

Swedenborg finds allegories everywhere in scripture (save in St Paul's epistles), through which he introduced his own meanings and found confirmation of his visions. The following idea of Vane's may be found extended and amplified in the writings of the Swedish seer.

The earth brought forth her variety of herbs, plants, fruits, and trees, everyone after his kind, all of which are but the shadows of the kingdoms above, the things of higher and better natures. The confident assertions of the first Reformers, that the scarlet woman seated on the seven hills was papal Rome, and that the Pope was Antichrist turned the attention of Protestants to the Apocalypse, the meaning of which had been forgotten and lost. Not only divines and controversialists but men of superior intellect, like Napier of Merchiston, Grotius, and Isaac Newton, wrote commentaries upon it. Vane noted that in the Revelation, John was commanded to write the things which he had seen, the things which are, and lastly, the things which should be hereafter. This is the clue by following which one may arrive at an explanation of the apocalypse.¹ Vane went no farther towards the correct answer to the riddle: "The number of the name of the Beast," he tells us, "being said to be the number of a man, signifies that it is the sensual part of men's wisdom or reason become devilish by joining in combination with Satan in his revolt from his true head, and in exercising enmity against all righteousness upon one account or other. Apparently Vane believed that the opening of the seventh seal, when the reign of the saints would begin, was to be 1666 years after the birth of Christ.

¹ After the translation of the *Book of Enoch* and the *Ascensio Isaia Vatis* from the Abyssinian it was less difficult to discover the meaning of the Apocalypse. Babylon was the Rome of the Emperors; the beast was Nero. On this point both Renan and Dean Farrar are agreed.

CHAPTER XXV

Trial and Execution of Argyll. Vane in Prison. Letter to his Lady.
His Trial and defence. Can he be Honestly put out of the Way?

THE Scottish people had shown their displeasure at the execution of Charles I., and had shed their best blood to make his son king. They rejoiced at the Restoration, not dreaming of what was to come. Charles had not forgotten the curb which the Presbyterians had held against his profligacy, and had some grudges to avenge. It was not enough that the solemn league and covenant, which he had signed, should be annulled, and episcopacy established in Scotland.

The Marquess of Argyll had put the crown on the head of Charles at Scone, and had run himself into debt in supplying the needy prince with money. Having avoided the disastrous march to Worcester, he had been one of the last in Scotland to give in to the army of the parliament. Having promised to live peaceably under the new government, he had kept aloof from royalist plots and futile insurrections. He had been a member of Richard Cromwell's parliament. After the Restoration he had been encouraged by his son, Lord Lorne, who was in favour with Charles, to come to London. On his way to Whitehall, Argyll had encountered Clarendon whom

he had tried to accost. "Not one word, my Lord," said the chancellor, who whispered to his son, "that is a fatal man." Clarendon and Monk were closeted with the king who ordered Argyll to be arrested in the antechamber and sent to the Tower, where he was kept a prisoner for five months, after which he was sent to Edinburgh to be tried by the Scottish parliament, in which his enemies were numerous. Charges were heaped against him, some of them recklessly false, others covered by indemnities. After the proof had been led, Sir John Gilmour, the President of the Court of Session, said: "I have given all the attention I was capable of to the whole of this process, and I can find nothing proven against the marquess but what the most part of this House are involved in as well as he, and we may as well be found guilty."

To this Middleton, the royal commissioner, had nothing better to reply than: "What Sir John has said is very true. We are, all of us or most, guilty, and the king may pitch upon any he pleases to make examples." Argyll's friends showed hopes of his being acquitted, which was displeasing to Monk. The proof was concluded, and should not legally have been reopened, when a special messenger appeared bearing letters, which had been sent by the marquess to Monk and Colonel Lilburne, written by Argyll to clear himself of the suspicion of being disaffected to Cromwell's government at the time when Monk was actually ruling in Scotland as his deputy. The marquess had disavowed his son, Lord Lorne, who had joined Middleton in the Highlands, and had promised to co-operate in the suppression of the

insurrection.¹ Those letters had been furnished by Monk himself, with a base malice of which a pick-pocket would be ashamed. The parliament held that they proved high treason, and Argyll was condemned to death, and beheaded before the sentence could be confirmed by the king (May 27, 1661).

As Baillie wrote:² "The man was very wise, and questionless the greatest subject the king had, sometime much known and beloved in all the three kingdoms, it was not safe he should live."

It was easy to guess that the same policy which brought Argyll to the maiden, would seek the death of Vane; only it was not so easy to get him tried and condemned, as certain legal formalities had still to be observed in England.

Charles had promised, in the Declaration of Breda, that no one should be excluded from the Act of Indemnity save those who had taken part in the trial or execution of his father, of which Vane had never approved. Relying upon this engagement, Vane had come from Belleau to Hampstead where, early in July 1660, he was arrested and sent to the Tower. The House of Lords had advised the exclusion of Sir Henry Vane at the advice of Clarendon who had drawn up the said Declaration. This was the subject of a conference between the two Houses. Rather than endanger the Indemnity Act, the Commons agreed to except Vane and Lambert on condition that the Lords and Commons should petition the king that, if they should be attainted,

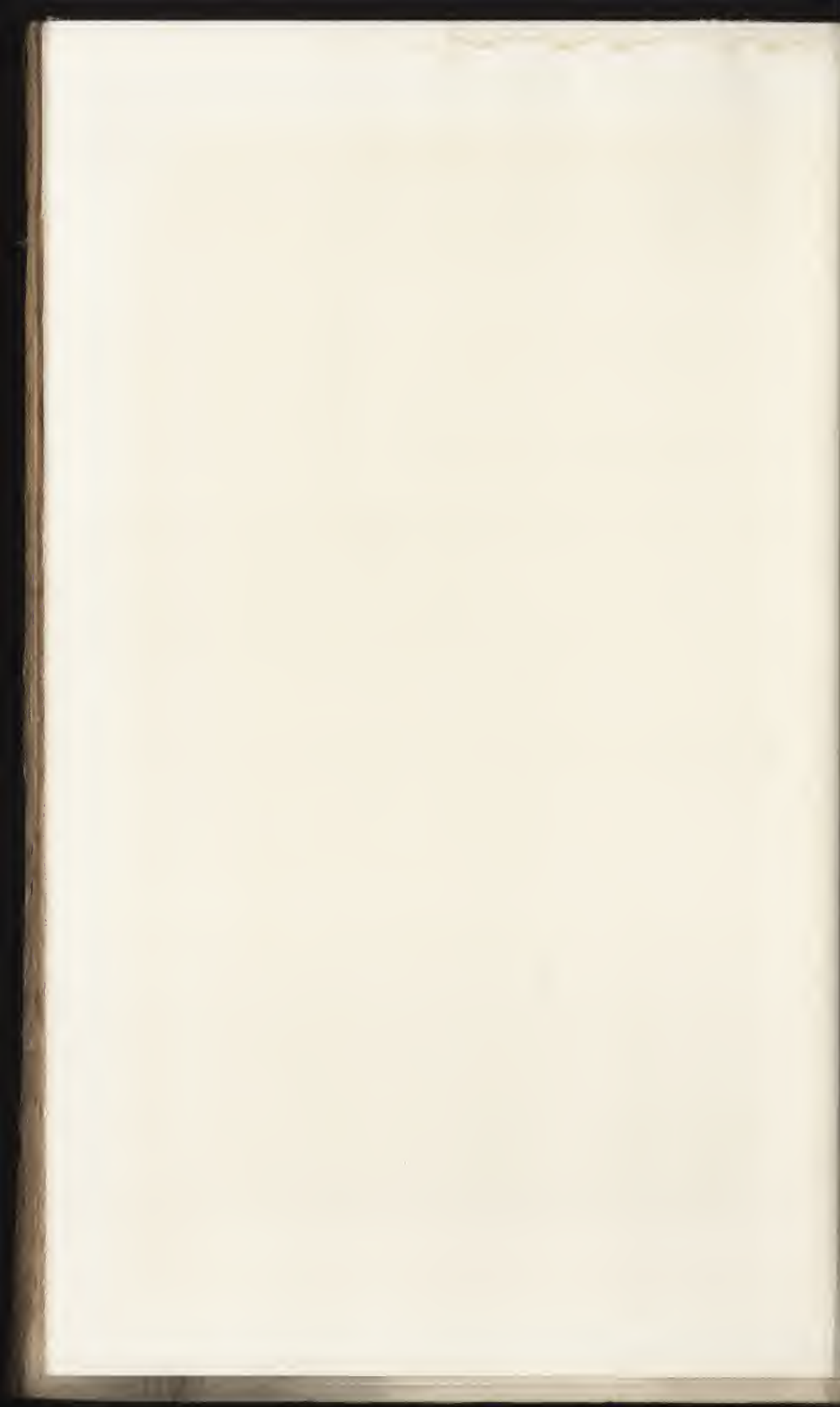
¹ The letters are printed in the Appendix of Willcock's *Life of the Marquess of Argyll*, Edinburgh, 1903.

² *Letters and Journals*, let. 200, vol. ii., p. 452.



SIR HENRY VANE'S HOUSE AT HAMPSTEAD.

[To face page 452.]



their lives should be spared, and his majesty formally granted the desire of the Houses in the said petition.

What made Vane hateful to the triumphant faction was not his guilt, but his innocence, the noble integrity of his life, the unwavering consistency and rectitude with which he had held his course, the great abilities which had marked him as the chief of the republican party, the only one whom the royalists had now any reason to fear.¹ Clarendon and the other advisers of the court did not find the time opportune for bringing the illustrious prisoner to trial; he was kept in confinement till, under the subservient and vindictive parliament of 1661, it was thought practicable to arrange for a judicial murder in defiance of the promises of King, Lords, and Commons. There is extant a petition from Lady Vane for renewal of permission to visit her husband in the Tower, and that he should be allowed to take the air, "A great indisposition growing upon him." On October 21, about fifteen months after his arrest, there was a warrant to take him to Scilly. In a castle in these remote islands he was confined for five months. Means of access to the prisoner were jealously guarded. During these two years the rental of his estates was arrested, his family suffered from want, his debts amounting to £10,000 were unpaid, and he had not wherewithal to maintain himself in prison. He beguiled these melancholy days by composing

¹ In the Fifth Report of the *Historical Manuscripts Commission*, p. 155, we find the following passage: "The king hath given order to Sir Ed. Turner to acquaint the House of Commons that by that clause in his speech, 'If there be any other of such dangerous principles that the safety of the nation cannot consist with their liberty,' that he meant Hesilrige, Vane, Lambert, and Axtell."

meditations on grave subjects. Nothing is more impressive than these weighty reflexions of the victims of oppression, like Eliot and Vane, written in the solemn moments of separation from the world, in which a powerful mind asserts its freedom and soars beyond the walls of the prison upheld by the tyrant and guarded by the slave. In the appendix we give extracts of some of these compositions which were printed by his biographer, George Sikes. The thoughts of this great man were too high to let him dwell upon the hardships and privations of his prison. In the following letter he addresses his lady in a vein of noble consolation :—

*“ Letter of Sir Henry Vane to his Lady from the
“ Isle of Scylly.*

“ MY DEAR HEART,—The wind, yet continuing contrary, makes me desirous to be as much in converse with thee (having this opportunity) as the providence of God will permit; hoping these will come safe to your hand. It is no small satisfaction to me, in these sharp tryals, to experience the truth of those Christian principles which God of His grace hath afforded you and me, in our measures, the knowledge, and emboldened us to make the profession of. For surely by this fiery trial which is from God appointed to try us, no strange or unusual dispensation of God hath happened to us, differing from that which all His servants and prophets, from the beginning of the world to this day, have found also to be their lot. Nor is it other than the condition (as I may say) and law that all those must come under and submit unto that will approve themselves Christ’s disciples indeed.

Luke xiv. 26, 27. And it is no small mercy that the greatest extremities we have already undergone, and which do as yet threaten, have found that strength and rooting of the grace and love of Christ in our hearts, which causes us not to despair of being made more than conquerors in the end, without desiring those conditions of peace (verse 32) which are not consistent with our being such disciples of Christ as will cheerfully (when called to it) forsake all they have in love to Him and subjection to His will.

“Why should Christ ask us whether we be able to drink of the cup He drank of, and be baptised with the baptism He was baptised with? Was it not to intimate that, if we die with Him we shall also reign with Him, and have it granted to us to sit down with Him on the throne of His glory, our very enemies beholding? What would it be less even in this world, if He should but please to cause, upon this occasion of our suffering, that the spirit of God and of glory should rest upon us and bring forth His kingdom within us in power, giving us that mouth and wisdom that will make mighty in word and deed, that faith to which all things are possible, that spirit of supplication and prayer that He will always hear and immediately answer? God's arm is not shortened; doubtless, great and precious promises are yet in store to be accomplished, and upon believers here on earth to the making of Christ to be admired in them. If we come not to live here, in the actual fruition and full accomplishment of them (as they will be experienced by believers, even on this side the death, or full change of their mortal body), yet if we die in the certain foresight and embracing

of them by faith, this will be no small blessing. This dark night and black shade, which God hath drawn over His work in the midst of us, may be (for ought we know) the ground colour to some beautiful piece that He is exposing to the light. His sons may be manifested and evidently distinguished from those who say they are such and are not. There is a glory to be revealed in them, unto which their suffering is made the needful preparation; and this is called the redemption of the body. In that day, the tabernacling of God in men shall be visible. Their very bodies shall be the Temple of the Holy Ghost. In them, as His Sanctuary, will God dwell for evermore, whence shall be given forth such visible signs of His extraordinary presence, as shall render it past dispute, to the sight of every man, that God is in them and with them of a truth. This state of entire resignedness and subjection of our bodies to our spirits, and of our spirits unto Christ, the father of them, shall certainly be brought to the view of the whole world. The eyes of those that see them shall acknowledge them; and the ears that hear them shall bear witness to them, that they are the seed and offspring which the Lord hath blessed.

“Our body, thus considered as capable of such advance and honour, is not merely the outward case or shell that must return to dust, but includes also the bodily, organical state of life, or that only animal life which the spirit of man exercises in conjunction with his mortal body. In this kind of life we see, hear, and speak, have the exercise of our senses, after a distinct manner from angels and intellectual sub-

stances in a way of operation inferior to theirs, proper and peculiar to the rational soul as needing and using the earthly organs or instruments of the mortal body. There is also in man that which is peculiarly called mind or spirit, in distinction from his soul or from the souly life and activity of the same spirit in and by its earthly body (1 Thess. v. 23). The spirit or mind of man, as distinguished from that life and operation it performs in the mortal body, is capable even while in the body, to be awakened by the father of spirits and come forth in a superior way, even of natural life received by man in his first creation, to act as out of the body, or without the use of bodily organs as an equal associate to the very angels. Now, because the bodily and inferior powers of our mind are the instruments of that converse we are subjected to in these days of our vanity, so that, if we will be sociable, it must be by the use thereof, the Apostle James comprehends all the actions of these inferior powers by the sensible organs we make use of, in the exercise thereof, under the name of the tongue when he saith, 'If any man offend not in word, the same is a perfect man, and able to bridle the whole body.' To bridle and regulate the tongue, order all the language, action, and expression of the animal powers aright, is to bridle the whole body under the government or ruling authority of the mind or spirit, considered in its superior and angelical kind of life and acting, as out of the body, or above and without the use of bodily organs. The mind or spirit of man, thus considered, is as the pilot that turns the ship about, whithersoever he listeth. If it well and truly exercise its governing power, it causes the animal life in all the operations

and affections thereof to obey its dictates and commands, however fiercely driven by contrary winds, false doctrine, any corrupting violent influences of devils or men upon it, and fetches it off from whatever tumultuous disorder, its own sensual lusts or passions are ready to run it into. (James iii. 2, 5.)

“To be partaker of the redemption of the body is to be made this perfect man, which is taught so to live and act, from right spiritual principles, as not to offend in word, through the power actually conferred on him, and exercised by him, for the bridling of the whole body, in the sense above declared, and for the keeping it in subjection to the spirit or angelical part in him, in righteousness and true holiness. This taming of the tongue, or subduing of the bodily part in us, to the spiritual and intellectual, is a work of no small difficulty, a thing that is not to be purchased but at a dear rate. It may cost us all that we have, and no ill bargain neither, since by our words it is that we shall be justified, and by our words we shall be condemned. For, until we have brought under our body, and reduced it into a fixed subjection and entire resignation to our spirits, let us boast never so much, that which is perfect is not yet come, even that perfection, which in a very eminent degree shall be experienced by the saints here on earth, on this side the grave, and during their continuance in the mortal body. This, for ought I can discern, will be the product of the present sharp and fiery trials, that God hath brought upon His people all the world over. After they have suffered a while, and the same afflictions have been accomplished in the rest of their brethren that are in this world, they may so far have

the work of patience perfected in them, as, in this sense, to become perfect and entire, wanting nothing, and to shine forth as so many bright morning stars and forerunning signs of the brightness of the day of Christ's second coming. This God hath set before the eye of my faith, as the mark for the price of the high calling of God in Christ Jesus. This, that perfection, which by conformity with Christ in His death, and fellowship with Him in His resurrection, is in a most eminent degree attainable, before our dissolution, and the putting off our earthly tabernacle. It shall be so far attained by the power and glory of Christ, that is to be revealed in us, that it shall not much fall short of a very transfiguration. And the state of the then glorious church will be no less than a heaven upon earth in the new heavens and new earth, wherein dwelleth righteousness. This glorious state of things we look for, and therefore are or ought to be hastening apace unto the coming of that day of God.

“Yet, when I say until we experience this kind of perfection of power in us, that which is perfect is not yet come. My meaning is not that the incorruptible seed and principle of this very principle perfection is not already seated and rooted in the inward man and in the spirit of the mind so soon as we are regenerated, and that Christ is formed in us dwelling in our hearts by faith. Thus it is that we are all glorious within. Thus the kingdom of heaven is within us likened to the hidden treasure, which, when a man hath found in the field, he keeps it concealed till he hath sold all that he hath, and bought that field. Faith, which is the substance of things hoped for, and the evidence of that glory, which doth not yet appear, is not unfitly

expressed when it is called a light shining in a dark place, that is, in our bodily and sensual part, which continues so for a long time our new birth. But those that are all glorious within, must have their time of manifestation, and be made all glorious without also. The outward man of the heart, and the outward court of the temple, must come to be measured, and be of account and estimation, in the sight of the world. Then the whole body shall be full of light, having no part dark, as when the bright shining of a candle doth give the light.

“This is the perfection which is near us, even at the very door, ready to be testified and witnessed to, who are after another manner than those do pretend to, who are for the subjecting and keeping under the body, but by those mutable and wavering principles of perfection, which amounts but to that visibility of saintship, which is the subject of apostacy, yet hath hitherto passed for current coin. Nor would I have it thought that I have already attained the powerful practice of this holy duty and perfection, but it is much in my desire, aim, and hope.

“The difficult circumstance I am in, and that I am still more and more every day cast into, by God’s wise disposing providence, to the sequestering me from the world, and withholding all sensible comforts from me, so much as He doth make me in some sort confident, it is for a good end, and that out of love and faithfulness I am made to drink of this bitter cup, the better to help forward this necessary work in me, wherein consists the glorious liberty of the sons of God. If I may have and enjoy this, it would seem a very little matter to me to be in outward bonds,

banishment, want, or any other afflictions. Help me then (in all your solitudes and cares about me) to what will further advance this work in me.

“The Lord grant me and mine to be content, if He deny us to live of our own, and will bring us to the daily bread of His finding, which He will have us wait for, fresh and fresh from His own table, without knowing anything of it before hand. Peradventure there is a greater sweetness and blessing in such a condition, than we can imagine till we have tried it. This may add to my help, even our making little haste to get out of our troubles, patiently waiting till God’s time come, wherein He will open the prison doors either by death, or some other way, as He please, for the magnifying His own great name, not suffering us to be our own choosers in anything, as hitherto has been His way with us.”

“And why should such a taking up sanctuary in God, and desiring to continue a pilgrim and solitary in this world, whilst I am in it, afford still matter of jealousy, distrust, and rage, as I see it doth to those who are unwilling that I should be buried and lie quiet in my grave where now I am. They that press so earnestly to carry on my trial do little know what presence of God may be afforded me in it, and issue out of it to the magnifying of Christ in my body by life or by death. Nor can they (I am sure) imagine how much I desire to be dissolved and to be with Christ, which of all things that can befall me I account best of all. And till then I desire to be made faithful in my place and station, to make confession of Him before men and not deny His name, if called forth to give public testimony and witness concerning Him,

and to be herein nothing terrified. What then will the hurt be that I can or shall receive by the worst that man can do unto me, who can but kill the body, and thereby open my prison door, that I may ascend into the pleasures that are at Christ's right hand, prepared for those that testify and openly discover their love to Him, by not loving their lives unto the death? Surely they will prove better than to prefer sin or evil (so much as in appearance) unto affliction and the cross, which Christ would have one take up daily and follow Him in.

“If the storm against us grow still higher and higher, so as to strip us of all we have, the earth is still the Lord's and the fullness thereof; He hath a good storehouse for us to live upon. There is nothing more destructive to us every way than the uncertainty we are in.

“God can, and (if He thinks fit) will chalk out some way, wherein He may appear by His providence, to choose for us, and not leave us to our own choice; and being contracted into that small compass, which He shall think fit to reduce us unto, we may perhaps meet with as true inward contentment, and see as great a mercy in such a sequestration from the world, as if we were in the greatest outward prosperity.

“I know nothing that remains unto us, but like a tossed ship in a storm, to let ourselves be tossed and driven with the winds; till He that can make these storms to cease, and bring us into a safe haven do work out our deliverance for us. I doubt not but you will accordingly endeavour to prepare for the worst. March 7, 1661/62.” In the meantime their enemies were busy.

Shortly after his committal to the Tower an order was given by the king to seize and take possession of all his estates. Dr Cradock, with two deputies, then went to Raby Castle to put the warrant in execution, and demanded the rent books from Thomas Mowbray, Vane's steward, offering him place under them, which he refused. No particular charge had at this time been made against Sir Henry, and it was illegal that before indictment the goods or other things of any offender should be searched or inventoried or seized, nor after indictment be seized, removed, or taken away before conviction or attainder.

An order was obtained from the House of Commons, not confirmed by the Lords, requiring the tenants of such persons as were excepted out of the Act of Indemnity to detain their rents in their own hands. Under pretence of this order, though the parliament that had made it was dissolved, the tenants refused to pay their rents as they came due. When prosecuted in the court at Westminster for recovery of their rents, they complained to the House of Commons, which put the House into a great heat against the prisoner, so that they almost passed a vote to sequester all his estate, though as yet he was unheard and unconvicted. Sir Henry Vane, in his Bill of Exceptions, says, that by common fame several persons had begged for his goods and estate. He also said that he had been credibly informed that about December last a certain captain came from the Duke of Albemarle to Captain Linn, with threatening language, that if he would not confess things against Sir Henry Vane he should be fetched up before the council and made to do it. Linn answered he knew

nothing against Sir Henry Vane, nor had he any orders from him, but from the parliament and council. The same captain came again about a fortnight after from the Duke of Albemarle with a parcel of fine words, that if the said Linn would testify that Sir Henry Vane was in the head of his regiment and that he received orders from him, the Duke of Albemarle would gratify him with any civility he should desire. Linn replied he knew no regiment Sir Henry Vane had, but that it was the parliament and council of state's regiment. The same captain came again to him, and told him the duke desired him to testify Sir Henry Vane's being in the head of his regiment, and that he received orders from him to fight Sir George Booth. Linn replied he knew no such things. The captain told him, as from the duke, he should have any place or office in the court. "Be not afraid to speak," said he, "I warrant you, we shall hang Sir Henry Vane, for he is a rogue."¹ Having been so helpful in getting Argyll condemned, "honest George Monk" was anxious to do further service against rogues by suborning evidence against Vane. Perhaps his enemies hoped that the hardships of his island prison would end the life of the man whom they feared, but though his health was seriously impaired, he lived too long for their peace of mind. Enough of the forms of law still remained in England to render it necessary that,

¹ *Tryal of Sir Henry Vane, Knight, at the King's Bench, Westminster, June 2 and 6, 1662, together with what he intended to have spoken the day of his sentence, June 11, for Arrest of Judgment (had he not been interrupted and overruled by the Court), and his Bill of Exceptions and other occasional Speeches; also his Speech and Prayer on the Scaffold, printed in the year 1662, p. 71.*

in accomplishing their murderous design, they should obtain the formal sanction of 12 jurymen, who could be selected from amongst his political adversaries.

A bill was brought before the grand jury of Middlesex without the privity, knowledge, or presence of the accused, who met and took the depositions of witnesses and found a bill against him. The bill was not passed without difficulty as some of the jurymen objected to their being asked to decide upon matters of law as well as upon matters of fact.

The republican chief was brought for trial before the king's bench on June 2, 1662. The difficulty was to frame an indictment which should make him appear to be guilty of something more heinous than what a great part of the nation had done or approved of. All the legal talent, which the crown could command, was arrayed against him. The attorney-general was Sir Geoffrey Palmer, a bitter and extreme royalist; the Solicitor - General Finch, Serjeants Maynard, Glynn, and others, who had been agents in the affairs of the commonwealth, and had been parties to the same offences as those charged, brought their apostate skill against their illustrious chief. Witnesses were cajoled and suborned, and seeing that there were some men on the jury roll, who could not be counted upon, they were unsummoned, and a new list made up the day before the trial. As the prisoner was cut off from all intercourse and refused counsel, he was at a great disadvantage in challenging the jury. Thirty-two names were challenged. At last, a jury of 12 men were sworn. Their names should be recorded to

sustain their infamy: Sir William Roberts, junior, Sir Christopher Abdy, John Stone, Henry Carter, John Leech, Daniel Cole, Daniel Browne, Thomas Chelsam, Thomas Pitts, Thomas Upman, Andrew Bent, and William Smith. Sir Henry said that Roberts and Abdy were sworn before he was aware, so the challenging of them might seem a personal, disobliging, and exasperation of them against him after they were sworn and fixed. Indeed, it was too likely that his protest would be overruled. He was accused that, on May 15, in the eleventh year of our sovereign lord, the king, he did conspire to imagine the death of the king and the ancient frame of power, and to hold the king from the exercise of his royal government and appointed office, that he did, with other false traitors to the juries unknown, on December 20, assemble and sit together to bring the king unto destruction, and did bring war against the peace. This being read, he prayed to have it read a second time, which was done. He then prayed to have it read in Latin, which was refused. He moved several exceptions to the indictment, as neither the place was sufficiently indicated nor the particular acts of treason were specified. On being refused a copy of the indictment he said, "that the indictment being long and his memory short, it could not well be imagined that he should be able to meet every point." He pressed for counsel to be allowed him. The court refused this till he should plead guilty or not, when they assured him that counsel should be assigned him. Vane then pleaded not guilty, when they had the effrontery to say that they themselves would be his counsel. The accused was given four days to

prepare for his trial, but this did not give sufficient time to call the witnesses he wanted, nor was he allowed solicitors to advise him. The charges against Vane were confined to acts made after the accession of Charles II., which the court was pleased to date from the moment his father's head was off, though it was notorious that his reign did not commence till twelve years later. Formal evidence was given that Sir Henry had been a member of the council of state, and had acted in this capacity, issuing instructions to suppress attempts of any one who should pretend to the title of king, and that he had proposed a new model of the government, in which it was declared destructive to the liberty of the people to admit any king into power. An entry, dated May 7, 1659, was read, showing that a committee of safety had been appointed for the care of the commonwealth, of which the prisoner was a member, and as such had received foreign ambassadors, nominated officers, and that he had appeared at the head of a company of soldiers in Southwark. Sir Henry Vane in his defence argued that the word king, in the statute of treason, was to be understood of a reigning king and in actual possession of the crown, and not a king *de jure* who was not in possession. All ensigns of authority and badges of general merit were visibly in another name and style, the king's best friends serving and being sued in another name.

Vane observed that the parliament was the only power reigning, at the time specified, consequently that no treason could be committed in serving them. He was then interrupted by the court, who asked him to

call his witnesses, if he had any, to which Sir Henry replied, that he had not been furnished with the indictments or of the evidence against him, in time to call witnesses, and desired process of court to summon them and further time to answer the charge. It was told him that the jury were to be kept without meat and drink, fire or candle, till their verdict was delivered in court, therefore that further time could not be granted. As he urged: "Why such haste and precipitancy for a man's life that is more than meat and estate, when you can let civil causes about men's estates depend many years? If an erroneous judgment be passed in such matters, it is irreversible; but if innocent blood be spilt, it cannot be gathered up again." Vane stated that he had great reason to believe that the warrant, sending ships to sea and signed with his name, was forged, and produced two witnesses to prove it.

The substance of what Sir Henry Vane pleaded on the day of his trial, was given by him to his friends, by whom it was secretly printed. The following pages will give some idea of the lucid and powerful manner in which he handled his defence. He stated how he was elected burgess for the town of Kingston-upon-Humber in the parliament that sat down on November 3, 1640, and whose continuance was made with the royal sanction indissoluble save by its own assent, and that a parliament so constituted could not be brought within the statute of 25 Ed. III., nor be questioned, tried, much less judged and sentenced in any inferior court; and, indeed, by a resolution of parliament of August 13, 1642, it was adjudged treason to bring both or either Houses of Parliament under such imputations. He never before

heard that those, who took the judgment of parliament for their guide, however tortuous or erroneous it might be accounted, were to be visited by punishment, because none are judges of the power and privileges of parliament but themselves, nor can their judgment be called in question by private persons or inferior courts. He recalled that the parliament had, when differences had arisen about the very title of the crown, declared the duty of the subject by yielding their obedience to kings *de facto* when kings *de jure* were kept out of possession. He thus, with matchless skill and tact, referred to the contest between the late king and his parliament :—

“The causes that did happen to move his late majesty to depart from his parliament, and continue for many years not only at a distance, and in disjunction from them, but at last, in a declared posture of enmity and war against them, are so well known and fully stated in print [not to say written in characters of blood] on both parts, that I shall only mention it, and refer to it.

“This matter was not done in a corner ; the appeals were solemn, and the decision by the sword was given by that God, who, being the judge of the whole world, does right, and cannot do otherwise.

“By occasion of these unhappy differences thus happening, most great and unusual changes and revolutions, like an irresistible torrent, did break in upon us, not only to the disjointing that parliamentary assembly among themselves [the head from the members, the co-ordinates from each other, and the Houses within themselves] but to the creating such formed divisions among the people, and to the

producing such a general state of confusion and disorder, that hardly any were able to know their duty, and with certainty to discern who were to command, and who to obey. All things seemed to be reduced, and in a manner, resolved into their first elements and principles.

“Nevertheless, as dark as such a state might be, the Law of England leaves not the subject thereof [as I humbly conceive] without some glimpses of direction what to do, in the cleaving to, and pursuing of which, I hope I shall not be accounted nor adjudged an offender; or if I am, I shall have the comfort and peace of my actions to support me in and under my greatest sufferings.

“Admitting then, that thus by law, allegiance is due to the king (as before recited), yet it is always to be presumed that it is to the king in conjunction with the parliament, the law, and the kingdom, and not in disjunction from, or opposition to them, and that while a parliament is in being, and cannot be dissolved but by the consent of the three estates.

“This is, therefore, that which makes the matter in question a new case, that never before happened in the kingdom, nor was possible to happen, unless there had been a parliament constituted, as this was, unsubjected to adjournment, prorogation, or dissolution, by the king's will. Where such a power is granted, and the co-ordinates thereupon disagree and fall out, such effects and consequents as these that have happened will but too probably follow. And if either the law of nature or England inform not in such cases, it will be impossible for the subjects to know their duty, when that power and command,

which ought to flow from three in conjunction, comes to be exercised by all or either of them, singly and apart, or by two of them against one.

“When new and never-heard-of changes do fall out in the kingdom, it is not likely that the known and written laws of the land should be the exact rule; but the grounds and rules of justice, contained and declared in the law of nature, are and ought to be a sanctuary in such cases, even by the very common law of England. For thence originally spring the unerring rules that are set by the divine and eternal law, for rule and subjection in all states and kingdoms.

“In contemplation hereof as the resolve of all judges, it was agreed

“1. That allegiance is due to sovereignty by the law of nature, to wit that the law which God, at the creation of man, infused into his heart for his preservation and direction in the law eternal.

“But through the divisions and disorders of the times, these two powers, the regal and political (which, according to the law of England, make up the one and the same supreme authority) fell asunder, and found themselves in disjunction from and opposition to one another. I do not say the question is now, which of these is most rightly (according to the principles of the law of nature, and the law of England) to be adhered unto, and obeyed, but unto whether power and adherence is a crime in such an exigent of state? Which, since it is such a new and extraordinary case, evidently above the track of the ordinary rules, contained in the positive and

municipal laws of England, there can be no colour to bring it within the statute of 25 Ed. III., cap. 2. Forasmuch as all statutes presuppose these two powers, regal and political, in conjunction, perfect unity, and subservience, which this case does not, cannot admit, so exceeding new and extraordinary a case is it, that it may be doubted whether, and questioned how far any other parliament, but that parliament itself that was privy to all its own actings and intentions, can be an indifferent and competent judge. But, however, the point is of so abstruse and high consideration, as no inferior court can or ought to judge of it as by law books, is most undeniable, to wit Bracton and others.

“I do therefore humbly affirm, that in the aforementioned great changes and revolutions, from first to last, I was never a first mover, but always a follower, choosing rather to adhere to things that persons, and (where authority was dark or dubious) to do things justifiable by the light and law of nature, as that law was acknowledged part of the law of the land. Things that are *in se bona* and such as, according to the grounds and principles of the common law, as well as the statutes of this land, would warrant and indemnify me in doing them. For I have observed by precedents of former times, when there have arisen disputes about titles to the crown, between kings *de facto* and kings *de jure*, the people of the realm wanted not directions for their safety, and how to behave themselves within the duty and limits of allegiance to the king and kingdom, in such difficult and dangerous seasons.

“My Lord Coke is very clear in this point, in his chapter of treasons, f. 7, and if it were otherwise it

were the hardest case that could be for the people of England. For then they would certainly be exposed to punishment from those that are in possession of the supreme power, as traitors, if they do anything against them, or do not obey them; and they would be punishable as traitors by him that hath right, and is king *de jure*, in case they do obey the kings *de facto*; and so all the people of England are necessarily involved in treasons, either against the powers *de facto* or *de jure*, and may, by the same reason, be questioned for it, as well as the prisoner, if the Act of Indemnity and the king's pardon did not free them from it. The security then and safety of all the people of England is by this means made to depend upon a pardon (which might have been granted or denied), and not upon the sure foundation of common law. An opinion sure which (duly weighed and considered) is very strange to say no more.

“For I would gladly know that person in England of estate and fortune and of age, that hath not counselled, aided, or abetted, either by his person or estate, and submitted to the laws and government of the powers that were. And if so, then, by your judgment upon me, you condemn (in effigies, and by necessary consequence), the whole kingdom.

“As to my being no leading or first actor in any change, it is very apparent by my deportment at the time when that great violation of privileges happened to the parliament, so as by force of arms, several members thereof were debarred coming into the House, and keeping their seats there. This made some forbear to come to the parliament for the space of ten weeks (to wit, from December 3, 1648, till towards the

middle of February following), or to meddle any way in any public transactions; and during that time the matter, most obvious to exception, in way of alteration of the government, did happen. I can therefore truly say, that as I had neither consent nor vote at first in resolutions of the Houses concerning the non-addresses to his late majesty, so neither had I in the least any consent in, or approbation to his death. But on the contrary, when required by the parliament to take an oath, to give my approbation *ex post facto* to what was done, I utterly refused, and would not accept of sitting in the council of state upon those terms, but occasioned a new oath to be drawn, wherein that was omitted. Hereupon many of the council of state sat that would not take the other.

“In like manner the resolutions and votes, for changing the government into a commonwealth or free state, were passed some weeks before my return to parliament. Yet afterwards (so far as I judged the same consonant to the principles and grounds declared in the laws of England, for upholding that political power which hath given the rise and introduction in this nation to monarchy itself, by the account of ancient writers), I conceived it my duty, as the state of things did then appear to me (notwithstanding the said alterations made) to keep my station in the parliament, and to perform my allegiance therein to king and kingdom, under the powers then *regnant* (upon my principles before declared), yielding obedience to their authority and commands. And having received trust in reference to the safety and preservation of the kingdom in those times of imminent danger (both within and without) I did conscientiously hold myself obliged to be

true and faithful therein. This I did upon a public account, not daring to quit my station in parliament by virtue of my first writ. Nor was it for any private or gainful ends to profit myself, or to enrich my relations. This may appear as well by the great debt I have contracted, as by the destitute condition my many children are in, as to any provision made for them. And I do publicly challenge all persons whatsoever, that can give information of any bribes or covert ways used by me, during the whole time of my public acting. Therefore, I hope it will be evident to the consciences of the jury, that what I have done hath been upon principles of integrity, honour, justice, reason, and conscience, and not, as is suggested in the indictment by instigation of the devil, or want of the fear of God.

“A second great change that happened upon the constitution of the parliament, and in them of the very kingdom itself, and the laws thereof (to the plucking up of the liberties of it by the very roots, and the introducing of an arbitrary regal power, under the name of protector, by force and the law of the sword), was the usurpation of Cromwell, which I opposed from the beginning to the end, to the degree of suffering, and with that constancy, that well near had cost me not only the loss of my estate, but of my very life, if he might have had his will, which a higher than he hindered: yet I did remain a prisoner, under great hardship, four months in an island by his orders.”

“The third considerable change was the total disappointing and removing of the said usurpation, and the returning again of the members of parliament to the exercise of their primitive and original trust for the good and safety of the kingdom, so far as the state of

the times would then permit them, being so much, as they were under the power of an army, that for so long a time had influenced the government. Towards the recovery, therefore, of things again into their own channel, and upon the legal route of the people's liberties, to wit their deputies and trustees, I held it my duty to be again acting in public affairs in capacity of a member of the said parliament, then re-entered upon the actual exercise of their former power, or at least struggling for it. In this season I had the opportunity of declaring my true intentions as to the government, upon occasion of refusing the oath of abjuration before mentioned.

“And whereas I am charged with keeping out his majesty that now is from exercising his regal power and royal authority in this kingdom. Through the ill-will borne me by that part of the parliament then sitting, I was discharged from being a member thereof about January 9, 1659, and by many of them was charged, or at least strongly suspected to be a royalist. Yea, I was not only discharged from my attendance in parliament, but confined as a prisoner at mine own house, some time before there was any visible power in the nation that thought it seasonable to own the king's interest. And I hope my sitting still will not be imputed as a failure of duty, in the condition of a prisoner, and those circumstances I then was in. This I can say, that from the time I saw his majesty's Declaration from Breda, declaring his intentions and resolutions as to his return, to take upon him the actual exercise of his regal office in England, and to indemnify all those that had been actors in the late differences and wars (as in the said

Declaration doth appear), I resolved not to avoid any public question (if called thereto, as relying upon mine own innocency, and his majesty's declared favour, as before said. And for the future, I determined to demean myself with that inoffensiveness and agreeableness to my duty, as to give no just matter of new provocation to his majesty in his government. All this, for my part, hath been punctually observed, whatever my sufferings hath been."

He then offered the following points to be considered, and urged that he should have counsel assigned him:—

"1. Whether the collective body of the parliament can be impeached of high treason?"

"2. Whether any person, acting by authority of parliament, can (so long as he acteth by that authority), commit treason?"

"3. Whether matters, acted by that authority, can be called in question in an inferior court?"

"4. Whether a king *de jure*, and out of possession, can have treason committed against him, he not being king *de facto*, and in actual possession; and prayed it might be argued by counsel?"

"5. Whether matters, done in Southwark, in another county, may be given in evidence to a Middlesex jury?"

There was a statute of Henry VII. expressly made to provide for this question of a contest happening between a king *de facto* and *de jure*: That none shall be accounted a traitor for serving in his wars; the king for the time being and Lord Coke had maintained that a king that hath right out of possession is not within the statute of treasons. The court insisted

that this exemption did not apply to a government not under the title of a king.

It may be recalled that on a subsequent occasion the Stuart government, wishing to destroy the Earl of Shaftesbury, committed the same blunder. They represented all the treasonable acts to have taken place within the city of London. The bill of indictment had, therefore, to go before a London jury who threw it out. To Vane's plea, the court replied that any overt act, towards compassing the king's death, might be given in evidence where it was acted. He then prayed the benefit of a Bill of Exceptions upon the statute of Westminster, 2 cap. 31, and held that the justices might seal it, which they all refused, saying that it lay not in any case of the crown.

The solicitor now made a bitter speech, fraught with all the slavish maxims then in vogue with the sycophants of power. In reference to the prisoner's repeated demands for the benefit of counsel, he brutally said: "What counsel did the prisoner think would [or durst] speak for him, in such a manifest case of treason, unless he could call down the heads of those, his fellow traitors [Bradshaw or Cook], from the top of Westminster Hall? when there were able lawyers in the bottom of Westminster Hall ready to have spoken to his case, if they might have been assigned by the court."

To this harangue Vane was not allowed to reply, and the solicitor-general carried on a whispered consultation with the foreman of the jury, before they went out, saying that the prisoner must be sacrificed for the nation. The empanelled assassins returned in about half an hour with a verdict of guilty.

Some friends went to see him in the Tower the

same evening, and were surprised to find him in a cheerful mood, although he had been in the court more than ten hours, without any refreshment, engaged in the most strenuous efforts of debate and oratory. He had all along told them that he had foreseen the prosecution. " He knew that the offences to be charged upon him would be such as would equally involve the whole nation, and that, in defending himself, he might therefore be considered as defending the liberty and life of every Englishman, who had acted in the cause of the commonwealth. He had been deeply impressed with a sense of the obligation that rested upon him to make a defence worthy of the importance and magnitude of the occasion ; and he had formed the resolution to avail himself of every security, which the constitution and laws of the country had provided, to protect the subject against injustice and oppression. Actuated by these views, he had refused to plead to the indictment until he was assured he should have the benefit of counsel. When, on the morning of that day, he found that he had been deceived and betrayed, and was without counsel to advise with him, aid him, and speak for him, and that the great cause of liberty and right was left for him to vindicate, he was oppressed with a sense of his incompetency to do it justice. But, in looking back at the close of the day upon the defence he had been enabled to make, his heart overflowed with fervent gratitude and joy. He blessed the Lord that he had been strengthened to maintain himself at the post which providence had assigned him ; that arguments had been suggested to his mind, that he had not been left to overlook any means of defence ; that his lips had been clothed with more than their usual

eloquence, and that, by his gracious help, he had been enabled to discharge, to his own entire satisfaction, the duty he owed to his country, and to the liberty of his countrymen. He had spoken that day, as he told the judge, 'not for his own sake only, but for theirs, and for posterity.' He had done his best and his utmost for himself and for his fellowmen, his conscience was discharged, his obligations were fulfilled, and his mind was, therefore, at peace with itself, at peace with the world, and full of satisfaction, comfort, and joy."

During the trial, the members of the court had been going to Hampton Court, whence they expected the reward of their masquerading in the garb of justice. Vane, alone and unaided, had, with marvellous ability, presence of mind, and unexpected knowledge of the law, so often exposed their breaches of justice, and what was more felt by them, their breaches of law, that they were in bad humour with themselves. Chief-Justice Foster, who presided at the trial, was heard to say: "Though we knew not what to say to him, we knew what to do with him." It was a part of their revenge, for the checks and exposures they had suffered from the accused, to exasperate the king against him.

Charles II., though good-natured to those around him, was thoroughly selfish, and could be merciless when his own safety was concerned. The day after the verdict he wrote to Lord Chancellor Clarendon, the instigator of the whole persecution, the following letter:—

"HAMPTON COURT,

"Saturday. Two in the afternoon.

"The relation, that has been made to me of Sir Henry Vane's courage yesterday in the hall, is the occasion

of this letter, which, if I am rightly informed, was so insolent as to justify all he had done, acknowledging no supreme power in England, but a parliament, and many things to that purpose. You have had a true account of all ; and if he had given new occasion to be hanged, certainly *he is too dangerous a man to let live if we can honestly put him out of the way.* Think of this, and give me some account of it to-morrow, till when I have no more to say to you. C. R."

Although Vane had stated the undeniable fact that at a specified time there was no supreme authority save the parliament, he certainly did not refuse to acknowledge any other authority ; indeed, in his defence, he expressly acknowledged the kingly power as a part of the normal constitution of the realm. But, to act honestly, was what neither Charles, nor his chancellor, nor his court of injustice intended to do.

CHAPTER XXVI

Sentence of Death. His Serenity of Mind. Wonderful Composure on the Scaffold. His last Words. Remarks on his Life and Genius.

ON JUNE 11, after the customary formalities, Sir Henry Vane was called upon to say why sentence of death should not be passed upon him. For this, he was well prepared. He first alleged that he had not been allowed to hear the indictment in Latin, upon which the whole charge had been founded. After some debating, this was conceded. Then he desired counsel to make exceptions to it, which was overruled. He then offered a Bill of Exceptions, which he had brought with him ready drawn, and desired the judges, according to the statute of Westminster 2-31, made 13 Edward I., to sign it. The statute bears to this effect, "That if any man find himself aggrieved by the proceeding against him before any justices, let him write his exemption, and desire the judges to set their seals to it."

This act had been made that the party, deprived of a fair trial, might have a foundation for a legal process against the judges by a writ of error, if any material evidence were overruled.

This took the court by surprise. Serjeant Keeling tried to snatch the book out of the prisoner's hand, wherein was the statute of Westminster. Sir Harry

told him he had a very officious memory, and when he was of counsel for him he would find him books. The statute was consulted and read. They objected that it had not been practised this hundred years; but Vane insisted that the statute was explicit, and that it had never been repealed. Nothing was left but to disregard it. They argued that, if it be held in criminal cases for life, every felon in Newgate might plead the same. Sir Henry answered that his case was not the case of common felons, that there was no call for such illegal haste, especially as he had been already prisoner for two years before, that he got the judges one by one to record their denial. He then desired that the petition of both Houses, with his majesty's answer thereunto, might be read in the court; which they said was a thing they were not bound to take notice of, not being an act of parliament. Yet, what is any act of parliament, but a bill presented with the petition of both Houses to his majesty, with his royal assent thereto, upon public record? At length they condescended to read it.¹ He then offered, for the consideration of the bench, some questions in his case,

¹ The following is the document in question :—

To the king's most excellent majesty.

The humble Petition of the Lords and Commons assembled in parliament.

Showeth that your majesty having declared your gracious pleasure to proceed only against the immediate murderers of your royal Father. We, your majesty's most humble subjects, the Lords and Commons assembled, not finding Sir Henry Vane nor Colonel Lambert to be of that number, are humble suitors to your majesty, that if they shall be attainted, that execution as to their lives may be remitted, and as in duty bound, etc.

The said petition being read it was agreed to, and ordered to be presented to his majesty by the Lord Chancellor. The Lord Chancellor reported that he had presented the petition of both Houses to the king's

touching matter of law, for which he desired he might have counsel assigned him, to argue them before their lordships, to wit:—

1. Whether a parliament were accountable to any inferior court?

2. Whether the king being out of possession and the power regent in others?

Here they interrupted him, crying out that the king was never out of possession. Sir Henry instantly replied that in that case the indictment fell to the ground, for it ran that he endeavoured to keep out his majesty, and how could he keep him out of the realm if he were not out? The court could now do nothing but persist in their senseless fiction, and seeing that they were bent upon refusing him all justice Sir Henry folded up his papers, reminding the court that God must judge them as well as him. He finished his noble defence by protesting that he was willing to die upon the testimony which he had borne.

On this, Serjeant Keeling insultingly answered: "So you may, Sir, in good time, by the grace of God."

Nevertheless, the members of the court were ruffled and disconcerted. They hoped for a reward from the king for making away with his dreaded enemy; but his majesty expected them to save appearances, to do the thing in a deft quasilegal way, without all these foils, otherwise it had been better to get him murdered in prison. Then there were onlookers in the court, silent friends of the good old cause, whose report majesty, concerning Sir Henry Vane and Colonel Lambert, and his majesty grants the desires in the said petition.

JOHN BROWNE,
Clerk Parliamentorum.

through England was to be dreaded. With the accused, a whole party was to be condemned, and it was unwise to exasperate them too far. They had swords, had used them, and might use them again. After pronouncing sentence of death, Chief-Justice Foster endeavoured to take off the king from keeping his engagement, saying that God, though full of mercy, yet intended His mercy only to the penitent.

After two years' solitary imprisonment, kept away from all his friends, led from his gloomy prison into the court, crowded with foes, there was no weakness, no faltering with the illustrious statesman, deprived of counsel there was no confusion, no loss of presence of mind, no appeal to the mercy of the court nor the pity of the bystanders. How different from Strafford, madly insolent in prosperity, suppliant at his trial, courting with the actor's skill the pity which he had never granted to the victims of his own injustice. Vane had been thought a timid man, he loved not war nor the shedding of blood; but on the day of final trial he showed a lofty courage wanting in Lambert, who had braved death in many battles. Between the Wednesday and the Saturday he was allowed to see his wife, children, and friends. He still retained his hopefulness of the liberties of his country, although a cloud was now drawn over them. It was with him a usual saying: "Come what would, everything was upon the right wheel in the wise contrivement of God, for the accomplishing of His righteous designs in the world."

A few of the sayings, treasured up by his friends and recorded by his biographer, ere they had faded from memory, may serve to show his wonderful

constancy and cheerfulness sustained by an unswerving faith in the goodness of his cause.

“I have not the least reluctancy or struggling in my spirit against death, I desire not to live, but my will is resigned unto God in all. Why are you troubled? I am not.”

He said that he had, for any time these two years, made death familiar to him, and being shut out from the world, had been shut up with God, that he did not know what was the mind of God in this great matter, but that he had not the least recoil in his heart, as to matter or manner of what was done by him, and though he might have had an opportunity of escaping, or by policy might have avoided his charge, yet he did not make use of it, nor could decline that which was come upon him.

It being told by a friend that his death would be a loss to the people of God, he answered that God would raise up other instruments to serve Him and His people.

“As for that glorious cause, which God hath owned in these nations, and will own, in which so many righteous souls have lost their lives, and so many have been engaged by my countenance and encouragement, that I now give it up, and so declare them all rebels and murderers, no, I will never do it. That precious blood shall never lie at my door. As a testimony and seal to the justice of that quarrel, I leave now my life upon it, as a legacy to all the honest interest in these three nations. Ten thousand deaths, rather than defile my conscience, the chastity and purity of which I value beyond all this world, and God is not a little concerned on my behalf. He will certainly judge my

case ; wherein is the bowels of this good cause, and in the bowels of that the Kingdom of Jesus Christ, which will speedily be set on foot in these nations. I would not, for ten thousand lives, part with the peace and satisfaction I have in my own heart [both in holding to the purity of my principles, and to the righteousness of this great cause], and the assurance I have that God is now fulfilling all those great and precious promises in order to what He is bringing forth."

Upon friends persuading him to make some submission to the king, and to endeavour the obtaining of his life, he said : " If the king did not think himself more concerned for his honour and word, than he did for his life, he was very willing they should take it." And when some others were speaking to him of giving some thousands of pounds for his life, he said : " If a thousand farthings would gain it he would not give it, and if any should attempt to make such a bargain, he would spoil their market, for I think the king himself is so sufficiently obliged to spare my life, that it is fitter for him to do it than myself to seek it."

The following beautiful passage is taken from his last exhortations to his children : " Live in the spirit and walk in the faith of our Father Abraham. Listen to the experiences of your father, in this dying hour and season of darkness, who can and doth here give a good report of that heavenly and better country he is now going to the more free and full enjoyment of. In the midst of these his dark circumstances, his enjoyments and refreshings, from the presence of the Lord, do more abound than ever. Regard not the

reproaches that are fallen on your father, say or do men what they will, Abraham's faith will find the blessing Abraham found in whomsoever it is."

On the Friday about midnight the sheriff's chaplain came with an order for his execution on the ensuing day, June 14. In telling this to a friend next morning, Vane added "there was no dismalness at all. After the receipt of the message I slept four hours so soundly that the Lord hath made it sufficient for me, and now I am going to sleep my last, after which I shall need sleep no more."

On the last morning his wife, children, and several faithful friends assembled in his chamber. He encouraged them to cheerfulness, and "showed himself marvellously fitted to meet the king of terrors." He said that death shrank from him rather than he from it. Upon the occasion of parting with his relations he said, "There is some flesh remaining yet, but I must cast it behind me, and press forward to my Father. I know a day of deliverance for Sion will come. Some may think the manner of it may be as before, with confused noise of the warrior, and garments rolled in blood; but I rather think it will be with burning fuel of fire. The Lord will send a fire that shall burn in the consciences of His enemies, a worm that shall not die, and a fire that shall not go out. Man they may fight against, but this they cannot fight against. And why," said he, speaking before all the company, "should we be frightened with death? I bless the Lord, I am so far from being affrighted with death, that I find it rather shrink from me than I from it." Then kissing his children he said, "The Lord bless you,—He will be

a better Father to you. I must now forget that ever I knew you. I can willingly leave this place and outward enjoyments for those I shall meet with hereafter in a better country. I have made it my business to acquaint myself with the society of heaven. Be not you troubled, for I am going home to my Father."

In that dark chamber in the Tower, there was assembled Lady Vane and her children to be a widow and orphans ere the day was done, with a few friends, amongst whom was the faithful George Sikes, who described the last scenes. Here, engaged in prayer, was the greatest and wisest statesman of the commonwealth, who had gone through years of civil strife unstained by the world. At Hampton Court was the swarthy libertine, Charles Stuart, jesting with his courtiers, or toying with his harlots, a little anxious to hear that the work, performed by his Clarendons, Fosters, Palmers, and Keelings, each under each, had been finished, and a little apprehensive too that the discredit of the business might do himself harm.

There now enters the sheriff who communicated to Sir Henry a message that he must not speak anything against his majesty or the government. He told the sheriff that he was now ready; the sheriff said that he would not be ready for half an hour; Sir Henry replied: "It rests upon you not on me." The sheriff promised him that his servants should be civilly dealt with, and should attend him on the scaffold; in despite of this, they were beaten and kept off the scaffold, till he said: "What, have I never a servant here?" They told him at first

that there was to be no sled, then one of the sheriff's men came and told him there must be a sled, to which he replied: "Any way how they please, for I long to be at home, to be dissolved, and to be with Christ, which is best of all." He went down the stairs and seated himself on the sled. As he passed out of the Tower some prisoners as well as others prayed the Lord to go with him, and when he came in sight, from the tops of the houses and out of windows, the people used such means and gestures as might best discover at a distance, their respects and love to him, crying aloud: "The Lord go with you; the great God of Heaven and earth appear to you and for you;" whereof he took what notice he was capable in those circumstances, in a cheerful manner accepting their respect, putting off his hat and bowing to them. Being asked several times how he did, by some about him, he answered, "Never better in all my life." Another replied, "How should he do ill that suffers for so glorious a cause?" To which a tall black man said, "Many suffered for a better cause." "And many for a worse," said Sir Henry, "wishing, that when they came to seal their better cause," as he called it, "with their blood, as he was now going to seal his, they might not find themselves deceived. And as to this cause," said he, "it hath given life in death to all the owners of it, and sufferers for it." Being passed within the rails on Tower Hill there were many loud acclamations of the people crying out: "The Lord Jesus go with your dear soul." One told him that was the most glorious seat he had ever sat in. He answered, it is so indeed. After mounting the scaffold, the crowd

then divided to make way for him, when he advanced to the front to show himself to the people. But when they knew that the gentleman in the black suit and cloak, with a scarlet silk waistcoat (the victorious colour), showing itself at the breast, was the prisoner, they generally admired that noble and great presence. "How cheerful he is," said some. "He does not look like a dying man," said others; with many like speeches. Then silence being commanded by the sheriff, lifting up his hands and his eyes towards heaven, and afterwards resting his hand on the rails, and taking a very serious, composed, and majestic view of the great multitude before and around him, he spake. In his address he repeated what he had urged at his trial, its informalities, and injustices; but when he came to tell the people of the refusal of the judges to seal his Bill of Exceptions, Sir John Robinson, the Lieutenant of the Tower,¹ shouted out, "Sir, you must not go on thus, you must not rail at the judges; it is a lie, and I am here to testify that it is a lie." Vane replied: "God will judge between you and me in this matter. I speak but matter of fact, and cannot you bear that? 'Tis evident the judges have refused to sign my Bill of Exceptions." The trumpeters were then ordered to approach nearer to the prisoner, and blow in his face to prevent his being heard; at which Sir Henry, lifting up his hand, then laying it on his breast, said, "What mean you, gentlemen? Is this your usage of me? Did you use all the rest so? I had even done [as to that] could you have been patient; but seeing you cannot bear it, I shall only say this, that whereas the

¹ Pepys calls this man "a talking, bragging, buffle-headed fellow."

judges have refused to seal that with their hands that they have done, I am come to seal that with my blood that I have done."

In his address, which has been rendered by Sikes, he made a pathetic reference to the Earl of Argyll. "For my life, estate, and all is not so dear to me as my service to God, to His cause, to the kingdom of Christ, and the future welfare of my country; and I am taught according to the example, as well as that most Christian saying of a noble person that lately died after this public manner in Scotland. 'How much better it is to choose affliction and the cross, than to sin or draw back from the service of the living God, into the ways of apostacy and perdition.' That noble person, whose memory I honour, was with myself at the beginning and making of the solemn league and covenant, the matter of which and the holy ends therein contained I fully assent unto, and have been as desirous to observe; but the rigid way of prosecuting it, and the oppressing uniformity that hath been endeavoured by it, I never approved."

In another passage he said: "That as the present storm we now lie under, and the dark clouds that yet hang over the reformed churches of Christ [which are coming thicker and thicker for a season, were not unforeseen by me for many years past, as some writings of mine declare], so the coming of Christ in these clouds, in order to a speedy and sudden revival of His cause, and spreading His kingdom over the face of the whole earth, is most clear to the eye of faith in which I die, whereby the kingdoms of this world will become the kingdoms of our Lord and of His Christ.

He then went on: "I stand here this day to re-

sign up my spirit into the hands of that God that gave it to me. Death is but a little word, but 'tis a great work to die. It is to be but once done; and after this cometh the judgment, even the judgment of the great God, which it concerns us all to prepare for. And by this act I do receive a discharge, once for all out of prison, even the prison of the mortal body. In all respects, wherein I have been concerned and engaged as to the public, my design hath been to accomplish good things for these nations." Then, lifting up his eyes and spreading his hands, he said: "I do here appeal to the great God of Heaven and all this assembly, or any other persons, to show wherein I have defiled my hands with any man's blood, or estate, or that I have sought myself in any public capacity or place I have been in."

The cause was three times stated:—

1. In the remonstrance of the House of Commons.
2. In the Covenant; the Solemn League and Covenant.

Upon this the trumpets were again sounded, and the sheriff caught at the papers in Sir Henry's hand, and Sir John Robinson, seeing some copying the words of the great patriot, called for their books, saying: "He treats of rebellion, and you write it." Hereupon, six note books were delivered up.

Vane retained the same composure in all these outrages, only saying, "'Twas hard he might not be suffered to speak, but," says he, "my usage from man is no harder than was my Lord and Master's; and all that will live His life, this day, must expect hard dealings from the worldly spirit." The trumpets sounded again to prevent his being heard. Then again Robinson

endeavoured to snatch the paper out of Sir Henry's hand ; but he kept hold of it, and then reading a part he tore it, and delivered the pieces to a friend behind him, from whom it was taken by the sheriff. They then put their hands into his pockets to feel for papers. The spectators were much shocked seeing a prisoner so strangely handled in his last moments. Vane turned aside, observing, "It is a bad cause which cannot bear the words of a dying man, knelt upon the scaffold," and gave a few moments to prayer. Before the stroke he spoke to this effect : "I bless the Lord who hath accounted me worthy to suffer for His name. Blessed be the Lord that I have kept a conscience void of offence to this day. I bless the Lord I have not deserted the righteous cause for which I suffer." His very last words were as follows : "Father, glorify thy servant in the sight of men that he may glorify thee in the discharge of his duty to thee and to his country." Vane then stretched out his arms, and the executioner struck off his head at one blow. The worst punishment men have for one another is the same fate which hangs over us all. Death has long ago overtaken the oppressors as well as their victims, and in reading this record of old violences and wrongs, the victims seem to triumph, the oppressors to be put to shame. The cause of Vane has triumphed, though those who now enjoy the liberty which he claimed, and for which he suffered, are little mindful and little grateful to one of England's purest and greatest statesmen.

Sikes, who had followed his friend to the scaffold, expresses his feelings in these true and eloquent words : "Cromwell's victories are swallowed up of

death. Vane has swallowed up death itself into victory. He let fall his mantle, left his body behind, that he had worn nine and forty years, and is gone to keep his everlasting jubilee in God's rest. It is all day with him now, no night or sorrow more, no prisons or death. He is gone from a place where so much as the righteousness of man cannot be endured. He is gone to a place where the righteousness of God is the universal garb of all the inhabitants. He is gone to that better city, the new Jerusalem. He had served his generation in his mortal body, done his work, and was glad to sleep, and go look for his reward somewhere else. You see what this ungrateful world has afforded him for all his kindness—reproach, prisons, and death ; he had need have other returns somewhere. Great is his reward in heaven. Well, they have done all they can do to this lover of his country and the laws thereof. But I would willingly have their understandings disabused in one point. Let them not think they have conquered him. They knew him not. He judged his judges at the bar. He triumphed over his executioners at the scaffold R. and the rest. Such a public execution was more eligible than to have lingered out some small time in a prison as a condemned person, liable to any arbitrary after claps, or any future motion or pretence of motion in our troubled sea. He had more ease, God more glory ; the honest party of the nation and their just cause more advantage ; and, why may I not say, his most intimate friends, and dearest relations more comfort ; in this way of his deliverance, one for all.”¹

¹ The body of Sir Henry Vane was given to his friends, who took it next day to the burial place of the family at Shipburne in Kent. In July 1879, Mr Henry M. Vane visited the vault where lie many of his

Burnet tells us that it was generally thought that "the government had lost more than it had gained by his death." Pepys, now a courtier, who had hired a room to witness the execution, as he had a taste for such spectacles, goes home deeply moved, to write in his diary : "He changed not his colour or speech to the last." . . . "In all things, he appeared the most composed man that ever died in that manner, and showed more of heat than of cowardice, but yet with all humility and gravity." Pepys was impressed by the saying of a sympathiser that "the king hath lost more by that man's death than he will get again a good while."

In summing up the character of Henry Vane, we may use the words of an ancient historian : *Vir supra humanam potentiam magnitudine animi præditus*. In portraying a character one looks for some faults, as an artist requires shading for his picture. Yet, throughout his whole career, nowhere have we found thought or action which needed to be excused or stated in a guarded form. One knows not whether most to admire the correctness of his political judgments, his largeness of view with his grasp of details, his triumph over the temptations which beset his rough path, his humanity, and his toleration. Having devoted his life to the good of his country, and to the cause of liberty, his personality seems lost in the great events of his time. His religious views in no way dimmed his charity or impeded his activity, while

ancestors. The remains of Sir Henry Vane were found to be in a solid leaden coffin. The receptacle for the head projects beyond those above it. On it is a cast of the head showing the shape of the several features. See the *History of the Wrays of Glentworth*, Aberdeen, 1881, vol. ii., p. 123, note.

they strengthened the earnest tone of his mind, and gave a firmness to his character, which, as some thought, he did not naturally possess.

The very purity of this great man's life may detract from the interest of his life. In the present state of popular taste, most readers look for a flavour of vice in their fiction, and possibly something rank in what history they can relish. The ancient historians made history a school for virtue and heroic deeds, and a terror to tyranny and wickedness; literary aspirants nowadays seek notoriety by displaying their skill in whitewashing Ethiopians, as a young advocate desires to gain reputation by defending a great criminal. Is there any perfidy, any usurpation, any tyranny, any blood-guiltiness for which some historiographer of to-day has not found specious excuses, if it only be joined to a fleeting success? Nevertheless, let us indulge the hope that there are still some to whom the example of a noble and unselfish life will not be lost.

By his wife, Frances Wray, Sir Henry had 10 children, 5 sons, and 5 daughters. The three eldest sons died unmarried; the fourth without children. The fifth, and only surviving son, Christopher, was reinstated in his father's possessions, and made a peer under the title of Baron Barnard of Barnard Castle. Of one of his descendants, the third Earl of Darlington, it has been aptly said that "though he had an enormous interest at stake in the existence of the rotten boroughs, he was amongst the foremost to promote the passing of the Reform Bill of 1832, the measure his great ancestor had been the first to propose to parliament." He was made Duke

of Cleveland. His three sons, who succeeded him and each other, dying without children, the title of duke ceased, and the estates fell to the descendants of the Honourable Morgan Vane, son of Gilbert, second Baron Barnard, and brother of the third baron, and first Earl of Darlington. The present holder of the stately pile of Raby Castle is Henry de Vere Vane, Lord Barnard.

APPENDIX

SOME EXTRACTS FROM VANE'S WRITINGS WHILE IN PRISON

*Meditations concerning Man's Life penned by this
Sufferer in his Prison State*

ON LIFE

IT is a principal part of wisdom to know how to esteem Life; to hold and preserve, to loose or give it up. There is scarce anything dearer than Life, esteem Life for itself, live, not but to live. Others think the shortest Life best; either not to be born at all, or else to die quickly. There are two extremes. That comes nearer Truth; a wise man said, Life is such a good, that if a man knew what he did in it, he would not accept it, at least not desire it, *vitam nemo cuperet, si daretur tantum scientibus*. Wise men, in living, make a virtue of necessity—live as long as they should, not as long as they can.

There is a time to live and a time to die, a good death is far better and more eligible than an ill life. A wise man lives but so long as his life is more worth than his death. The longer life is not always the better. To what end serves a long life? Simply to live, breathe, eat, drink, and see this world? What needs so long a time for all this? Methinks we should soon be used with the daily repetition of these and the like vanities. Would we live long to gain knowledge, experience, and virtue? This seems an honest design, but is better to be had other ways by good men, when their bodies are in the grave.

None usually employ their time so ill in this world as

men, *Non inopes sumus vitæ, sed prodigi*; some begin to live when they should die; some have ended when before they begin. 'Tis incident to folly to be always but beginning to live. Life is but a sorrowful state, a perpetual issue of errors. 'Tis a web of unhappy adventures, a pursuit of divers miseries enchained together on all sides. *Solum et certum nil esse certi. Nec miserius quicquam homine nec superbius.* Vanity is the most essential and proper quality of man's first nature. The world is not worth that labour and pains, main exercises in and about it, which caused that saying. A wise man should do nothing but for himself. 'Tis not reason wise men should put themselves in danger for fools, much less for knaves.

The will only is truly man's own, and the considerate part of the reasonable soul, on it depend the issues of good or evil, life or death. All the rest of a man, his understanding, memory, imagination may be taken from him, altered, troubled by a thousand accidents; but the will is so much in our power that it cannot be taken away, though its action may be hindered. 'Tis our own till we knowingly and freely give it away, which may be. And he that hath once absolutely given up his will to another, is no more his own man. He hath left himself nothing of his own. 'Tis by the will we are good or evil, happy or unhappy.

CONCERNING ENEMIES

In reference to our enemies we must take care not to meditate revenge. Yet in some sense we may account it an excellent and worthy revenge to slight the worst they can do, whereby we take away the pleasure which they think to have, in vexing us. We must, in suffering injuries, have respect to ourselves, and to him that offend us. Touching ourselves, we must take heed that we do nothing unworthy or unbecoming us, that may give the enemy advantage against us. As to him that offends us we should be wise as serpents to wave his assaults, till our hour is come, and we can gain a conquest by dying.

It is a weakness of mind not to know how to contemn an offence. An honest man is not subject to injury. He is inviolable and immovable. Inviolable not so much that he

cannot be beaten, but that being beaten, he does neither receive wound nor hurt. We can receive no evil but of ourselves. We may therefore always say with Socrates, "My enemies may put me to death, but they shall never enforce me to do which I ought not."

Evils themselves, through the wise overruling Providence of God, have good fruits and effects. The world would be extinguished and perish if it were not changed, shaken, and discomposed, by a variety and an interchangeable course of things, wisely ordered by God, the best physician. This ought to satisfy every honest and reasonable mind, and make it joyfully submit to the worst of changes, how strange and wonderful soever they may seem, since they are the works of God and nature; and that which is a loss in one respect is a gain in another.

Let not a wise man disdain or ill resent anything that shall happen to him. Let him know those things that seem hurtful to him, in particular, pertain to the preservation of the whole universe, and are of the nature of those things, the finish and fill up the course and office of this world.

MEDITATIONS ON DEATH

It is the fruit of true wisdom, not only Christian but natural, to be found and kept in a frame of mind ready for death. The day of death is the judge of all our other days, the very trial and touchstone of the actions of our life. 'Tis the end that crowns the work, and a good death honoureth a man's whole life.

This last act as it is the most difficult, so but by this a man cannot well judge of the actions of another's life without wronging him.

A wise Greek, being asked concerning three eminent persons, which of them was to be most esteemed? returned this answer: We must see them all three die, before this question can be resolved, with which accords that saying of Solon, the wise Athenian to Croesus, when he boastingly showed him his great treasures. No man is to be accounted happy before his death.

True natural wisdom pursueth the learning and practice

of dying well, as the very end of life, and indeed he hath not spent his life ill, that hath learned to die well. It is the chiefest thing and duty of life. The knowledge of dying is the knowledge of liberty, the state of true freedom, the way to fear nothing, to live well, contentedly, and peaceably. Without this there is no more pleasure in life than in the fruition of that thing which a man feareth always to lose. In order to which, we must above all endeavour that our sins may die, and that we may see them dead before ourselves, which alone can give us boldness in the day of judgment, and make us always ready and prepared for death.

Death is not to be feared and fled from, as it is by most, but sweetly and patiently to be waited for, as a thing natural, reasonable, and inevitable. It is to be looked upon as a thing indifferent, carrying no harm in it. This is all the hurt enemies can do us, is that which we should desire and seek after, as the only haven of rest, from all the torments of this life, which, as it gives us a fuller fruition of Christ, is a very great gain, that the sooner we are possessors of the better.

Death is the only thing of all evils or privations that doth no harm, hath indeed no evil in it, however it be reputed. The sting of it is sin, and that is the sting of life too. There is no reason to fear it, because no man knows certainly what it is. This made Socrates refuse to plead before his judges for his justification or life, for (saith he) "if I should plead for my life and desire of you that I may not die, I doubt I may speak against myself, to my loss and hindrance, who may find more good in death than yet I know. These things I know to be evil, as unrighteousness and sin, I fly and avoid; those that I know not to be so, as death, I cannot fear, and therefore I leave it to you to determine for me, whether it is more expedient for me to die or to live." He can never live contentedly that fears to die. That man only is a free man who feareth not death. Life itself being but slavery, if it were not made free by death. It is uncertain in what place death attends us, therefore, let us expect it in all places, and be always ready to receive it. Great virtue and great or long life do seldom meet together. Life is measured by the end, if that be good, all the rest will have a proportion to it. The quantity is nothing, as to the making it more or less happy.

The spirit of a good man, when he ceases to live in the body, goes into a better state of life, than that which he exercises in this world; when once in that, were it possible to resume this, he would refuse it. Yea, were a man capable to know what this life here is, before he receives it, he would scarce ever have accepted it at first. The self same journey men have taken from no being to being, and from pre-existing being into mortal life, without fear or passion; they may take again from that life by death, into a life that hath immortality in it.

Death is the inevitable law God and nature have put upon us. Things certain should not be feared, but expected; things doubtful only are to be feared. Death, instead of taking away anything from us, gives us all, even the perfection of our natures, sets us at liberty both from our own bodily desires, and others domination, makes the servant free from his master. It doth not bring us into darkness, but takes darkness out of us, us out of darkness, and puts us into marvellous light. Nothing perishes or is dissolved by death, but the veil and covering, which is wont to be done away from all ripe fruit. It brings us out of a dark dungeon, through the crannies whereof our sight of light is but weak and small, and brings us into an open liberty, an estate of life and light, unveiled, and perpetual. It takes us out of that mortality which began in the womb of our mother, and now endeth to bring us into that life which shall never end. This day, which thou fearest as thy last, is thy birthday into eternity.

Death hath a high place in the policy and great commonwealth of the world. It is very perfectible for the succession and continuance of the works of nature. The fading corruption, and loss of life is the passing into a better. Death is no less essential to us, than to live or to be born. In flying death thou flyest thyself, thy essence is equally parted into those two, life and death. It is the condition and law of thy creation. Men are not sent into the world by God, but with purpose to go forth again, which he that is not willing to do, should not come in. The first day of thy birth bindeth thee and sets thee in the way as well to death as to life. To be unwilling, therefore, to die is to be un-

willing to be a man, since to be a man is to be mortal. It being therefore so serviceable to nature, and the institution of it, why should it be feared or shunned? Besides, it is necessary and inevitable we must do our best endeavour in things that are not remediless, but ought to grow resolute in things past remedy.

It is most just, reasonable, and desirable to arrive at that place towards which we are always walking. Why fearest thou to go whither all the world goest? It is the part of a valiant and generous mind to prefer some things before life, as things for which a man should not doubt nor fear to die. In such a case, however matters go, a man must more account thereof than of his life. He must run his race with resolution that he may perform things profitable and exemplary.

The contempt of death is that which produceth the boldest and most honourable exploits. He that fears not to die fears nothing. From hence have proceeded the commendable resolutions and free speeches of virtue, uttered by men, of whom the world hath not been worthy.

A gallant Roman, commanded by Vespasian not to come to the Senate, answered he was a senator, therefore fit to be at the Senate, and being there, if required to give his advice, he would do it as his conscience commanded him. Hereupon, being threatened by the emperor, he replied, "Did I ever tell you that I was immortal? Do you what you will, and I will do what I ought. It is in your power to put me unjustly to death, and in mine to die constantly." What hard dealing cannot he suffer that fears not to die. Other designments may be hindered by our enemies, but they cannot hinder us from dying. The means whereby to live free is to contemn death. It is no great thing to live, slaves and beasts can do that, but it is a great matter to live freely and die honestly, wisely, constantly. *Mori nolo (saith one) sed me esse mortuum nihil estimo*: I would not die, but to be as dead I look upon as nothing. But no man can be said to be resolute to die that is afraid to confront it, and suffer with his eyes open, as Socrates did, without passion or alteration.

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TRANSLATION

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STUDIES IN HISTORY AND PSYCHOLOGY

By W. W. IRELAND, M.D., EDIN., &c.

"'Tis the blot upon the brain
That will show itself without."—TENNYSON.

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OPINIONS OF THE PRESS

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TRANSLATION

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TRANSLATION

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TRANSLATION

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TRANSLATION

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TRANSLATION

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"Dr Ireland's book, which has been brought up to date in this issue, appears, with its contents and omissions, to fairly represent our present position with regard to those problems. It is also a good book, soundly learned and full of fascinating stories."—*Saturday Review*, September 29, 1894.

"In this (second edition) entrancing volume of psychological and psychiatric truth, the distinguished author has most happily bleided scientific facts, historical truth, and literary beauty of style and diction, so that while the book reads like a classic novel it demonstrates that truth is stranger, and may even be more entertaining, than fiction. In this book the study of diseased function of the brain has helped the author to give explanations of some important events in history. In a similar way several questions in psychology are approached through knowledge gained by observations in mental derangement. In this new edition the author has kept the work abreast of scientific research, and made a good many changes and additions without increasing the size of the book save by a few pages. No student of anthropological science can afford to ignore the reading of this remarkable and singularly entertaining volume."—*The Alienist and Neurologist*, St. Louis, January 1894.

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TRANSLATION

"The author is also known in Germany and to a wider circle through the German translation of a part of the first edition of this interesting work, which appeared some years ago under the title of 'Herrschermacht und Geisteskrankheit.' It is only to be regretted that the whole work was not translated into German. The complete work was already on its first appearance reviewed with praise by Kurella. We cordially agree with this review."

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TRANSLATION

"The second edition of Ireland's work is published (the 1885 edition having been received on all sides with great applause), which has been enriched by numerous additions of the latest observations on the subjects without making any deductions. The volume is again well got up."

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THROUGH THE IVORY GATE

STUDIES IN PSYCHOLOGY AND HISTORY

By W. W. IRELAND, M.D., EDIN., &c.

"Prosequitur dictis, portaque emittit eburna."—*Virgil.*

EDINBURGH: BELL AND BRADFUTE, 12 BANK STREET
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OPINIONS OF THE PRESS

"The chapters upon the Swedish sage are much the most important and interesting in the volume. They condense for us the strange history and experiences, in the spirit and out of the spirit, of this greatest of latter-day dreamers, as these are found voluminously related in his books and in those of his disciples. As Dr Ireland says, there seems no tenable alternative between accepting Swedenborg as a vehicle of inspiration, and recognising him to be the victim of delusions that can be traced to derangements of the brain. The first hypothesis he leaves to the followers of the sect to make good. The second Dr Ireland supports by citation of the acknowledged events of Swedenborg's life, and of the internal evidence of his works."—*Scotsman*, October 21, 1889.

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"We cannot reproduce or boil down the excellence of the author's style, the methodical arrangement of his matter, the historical thoroughness, and the philosophic breadth of his conception of Swedenborg in his stages of mental development, maturity, and decay. One must read the book to see how thoroughly Dr Ireland knows his subject, and how dispassionately he pieces it out and weighs all sides. Not less interesting to some readers will be the other chapters on historical personages coming nearer our own times, men who have figured in recent history, and either been adjudged insane or had their sanity doubted. The work altogether is a worthy record of its kind, a fitting sequel to the *Blot upon the Brain*, a careful, masterly work, and a tribute to Dr Ireland's scientific eminence and philosophical culture."—*Glasgow Herald*, November 16, 1889.

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"Though we have found fault with Dr Ireland as an exponent in these instances of an extreme view, we gladly admit that he tells his stories in an interesting way, and with much of what he says of Charles Guiteau, Louis Riel, and Kings Theodore and Theebaw we find no difficulty in agreeing. His book, though likely to raise controversy, is well worth reading."—*British Medical Journal*, November 23, 1889.

"To place him (Swedenborg) in a work with such a title, means, without further debate, that his dreams have not been fulfilled. It is, in short, boldly throwing down the gauntlet, and challenging those who still retain faith in the prophetic foresight of Emanuel Swedenborg. We shall see whether it is picked up by any worthy antagonist. . . .

"For Dr Ireland's conclusions, and the evidence on which they are based, we must refer the reader to the work under review itself. We cannot fail to derive both pleasure and profit from its perusal, and will rise from a study of these essays as we have done, with a high sense of the learning, the industry, and the acuteness of the author. We have no doubt that Dr Ireland's last contribution to the literature of psychological medicine will be as well received as the *Blot upon the Brain*. In America the thoughtful and unprejudiced essay on Guiteau cannot fail to be read with the greatest interest."—*Journal of Mental Science*, January 1890.

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"Dr Ireland's researches serve to throw a light on many events of comparatively recent occurrence. An investigation and exposition by a psychologist of recognised ability, of the mental characteristics of individuals who occupy a prominent place in the world's history, cannot fail to prove interesting to the reading public generally, and *Through the Ivory Gate* will, we are sure, have accorded to it a reception as cordial as that which was given, both at home and abroad, to its predecessor, *The Blot upon the Brain*."—*Glasgow Medical Journal*, January 1890.

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"The reply of Hamlet to his mother is our reply to Dr Ireland: Bring Swedenborg to the test. When was he unable to re-word the matter which he had written? Is not there the most wonderful consistency in the twenty or thirty volumes produced during the last twenty or thirty years of his life? Had he been labouring under 'delusional insanity,' would not his

madness during that lengthy period have gobbled from his previous statements? But nothing of the kind can be discovered in all Swedenborg's voluminous writings. Oh, Dr Ireland, had you possessed the fine saneness of the subject of your ready verdict, you would never have produced your odd mixture of reason and unreason, of candour and prejudice, of learning and ignorance."—*Morning Light: A New Church Weekly Journal*, January 11, 1890.

"This book, like its remarkable predecessor, *The Blot upon the Brain*, embraces a series of historical psychological studies; and whether regarded as a *vidimus* of striking biographical portraits, or as an inquiry into the mental life and public conduct of notable characters, it deserves a place among the best books of present-day literature."—*Medical Press and Circular*, February 5, 1890.

"To Swedenborg's peculiar theology (still propagated amongst us, and of late defended, somewhat feebly, against Dr Ireland's attack, if we mistake not), our author devotes a very large part of the book under notice. That Swedenborg was the subject of delusions cannot be doubted by any one, save by those who simply elect to believe that he had veritable intercourse with the spirit-world. . . .

"Space fails us to follow Dr Ireland's weird studies into further detail. His sketches of Guiteau, Riel, and the Kings Theebaw and Theodore, are masterly and of exceeding interest. His book is the work of a keen, reflective, and judicial mind. He does not mince matters, it is true, but neither does he exaggerate nor distort the plain facts on which his studies are based. As an expert in mental diseases, Dr Ireland writes with authority. It is only bare justice to add that he writes also with grace and power, and that as a consequence his book is one to be read and re-read by all students of history, and by all interested in the problems of man's social evolution. Several fine engravings add to the attractiveness of the work."—*Health*, February 28.

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A STORY IN THE DAYS OF AKBER AND ELIZABETH

By WILLIAM W. IRELAND, M.D., EDIN.

Formerly of H.M. Indian Army, Author of "The History of the Siege of Delhi."

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"Dr Ireland may be congratulated on having succeeded where more than one big man before him has failed. It is not given to many, even among the great ones of literature, to write in a way acceptable to men and to boys, to produce work which may be criticised in the smoking-room of the 'Athenaeum' or the 'Saville,' and which may also be trusted to keep the youngsters out of mischief of a wet afternoon. Charles Kingsley, in his *Water Babies*, did not succeed in interesting the play-room; while, on the other hand, who remembers anything, except through *Robinson Crusoe*, of Daniel Defoe? The work now before us has, however, one material disadvantage in its very excellences, inevitably suggesting, as it does, comparison with the tales of Louis Stevenson and the romances of Walter Scott. It is no small praise to say that, without being less readable, its tone is healthier than that of the *Master of Ballantrae*, while the description of Akber in his son's camp has something of the ring of the *Talisman* about it, recalling indeed one of Scott's finest passages about the great Saladin. Dr Ireland has the characteristic defect of his great predecessor. Stephen Ashbourne,

the hero of *Golden Bullets*, is about as colourless a person as Ivanhoe, and just as we rise from Scott with memories of Di Vernon and of Rebecca, of Effie Deans, or of Lucy, rather than of his titular heroes, so, on closing *Golden Bullets*, we recall not so much Stephen Ashbourne or Benedict de Goës, or even Akber himself, as the heroic Sultana, the Circassian bride of the Emperor, and the two Eastern wives of Ashbourne, all of them sketches full of vivacity and insight, pleasant and piquant withal. . . . Those were days when each man had to be something of everything, when there was a touch of the statesman about the 'man on 'change' and more than a touch of the warrior about the officers and seamen of our mercantile marine. It is not too much to say that Dr Ireland makes these stirring days re-live for us in his pages, nor will the veriest schoolboy fail to catch some just idea of everyday life in a century which knew not in India of the English *raj*. . . .

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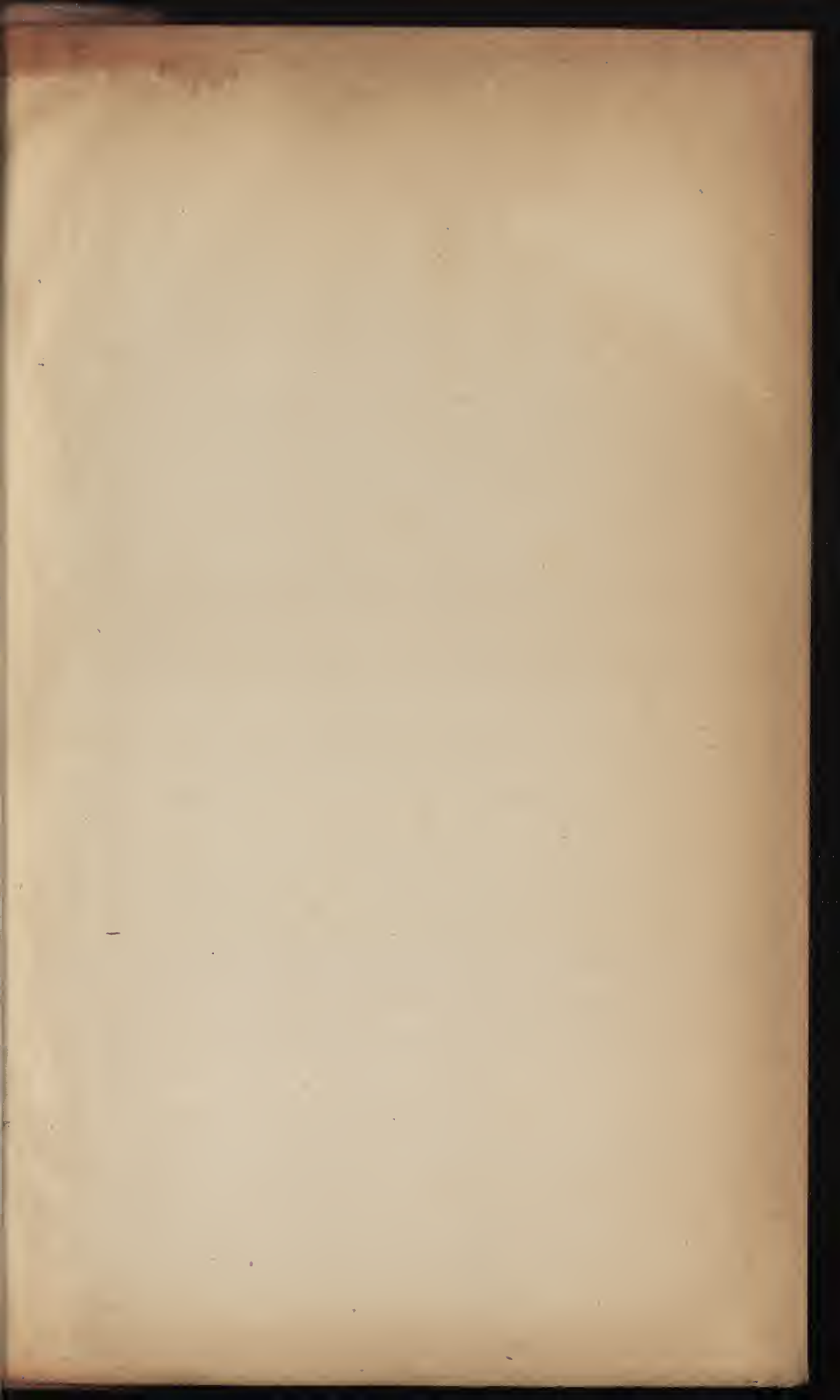
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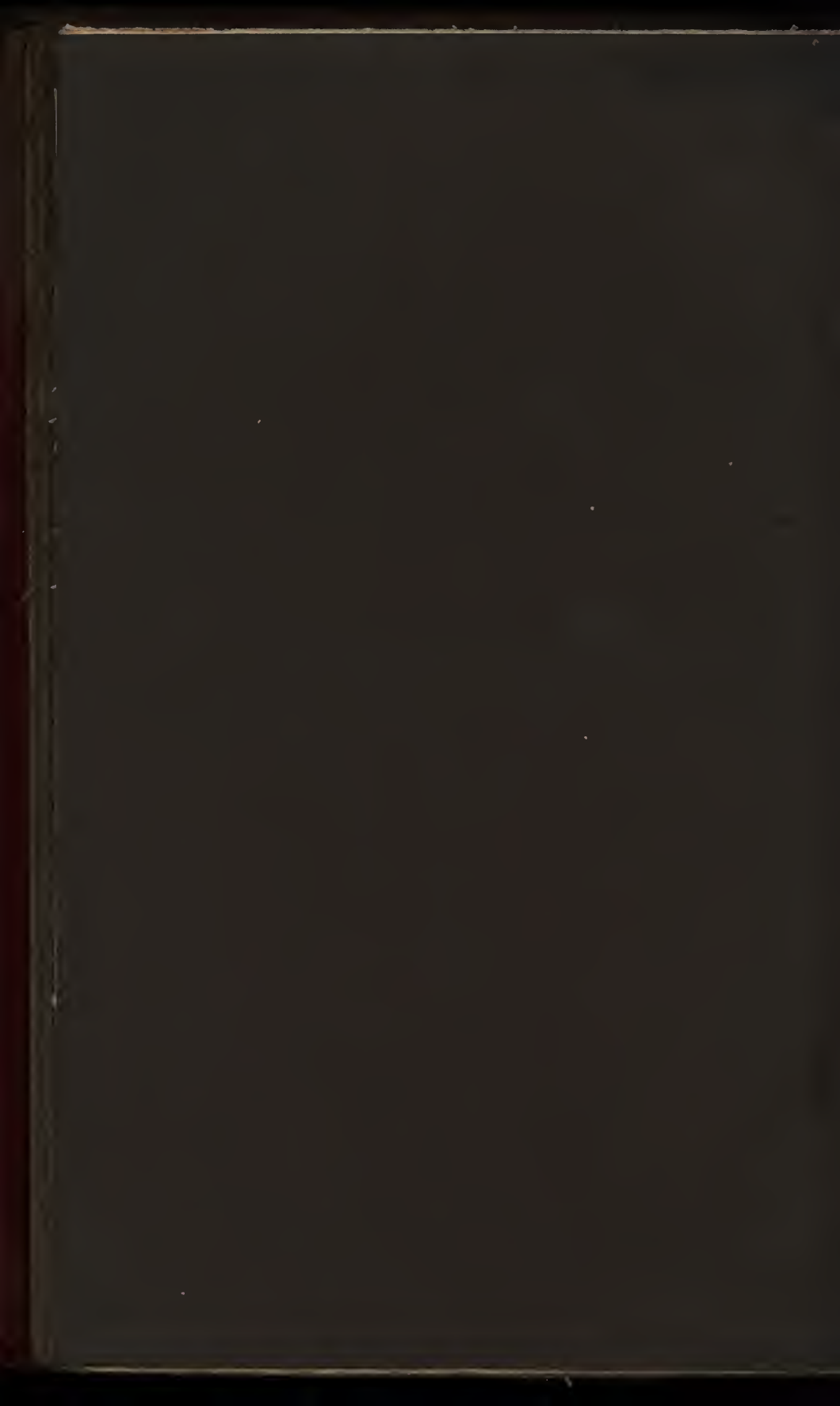
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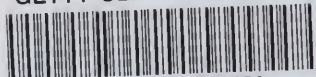
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