

THE
HISTORY
OF THE
REBELLION and CIVIL WARS
IN
ENGLAND,

Begun in the Year 1641.

With the precedent Passages, and Actions, that contributed thereunto, and the happy End, and Conclusion thereof by the KING'S blessed RESTORATION, and RETURN, upon the 29th of May, in the Year 1660.

Written by the Right Honourable

EDWARD Earl of CLARENDON,

Late Lord High Chancellor of *England*, Privy Counsellor in the Reigns of King CHARLES the First and the Second.

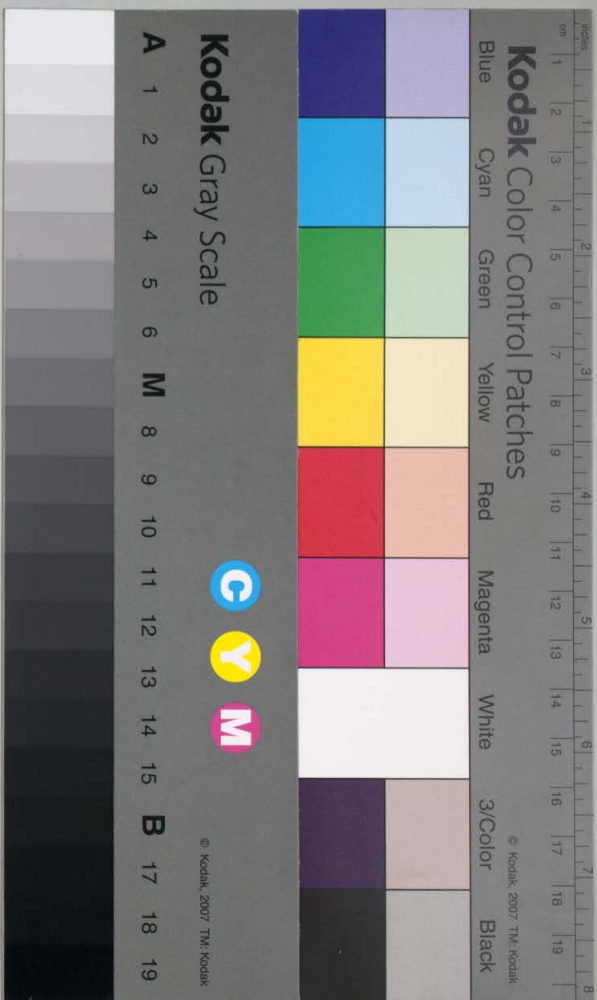
Κἴημα ἐς ἀεί. Thucyd.

Ne quid Falsi dicere audeat, ne quid Veri non audeat. Cicero.

VOLUME I. PART 2.

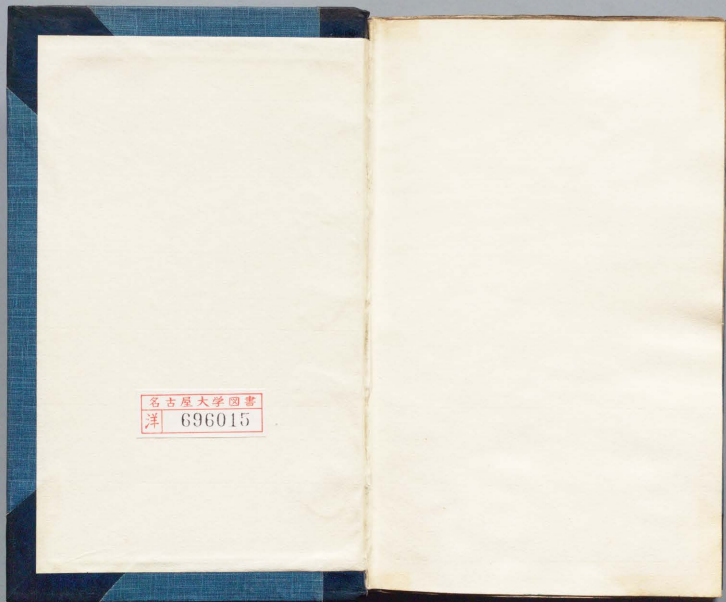
O X F O R D,

Printed at the THEATER, *An. Dom.* MDCCVII.



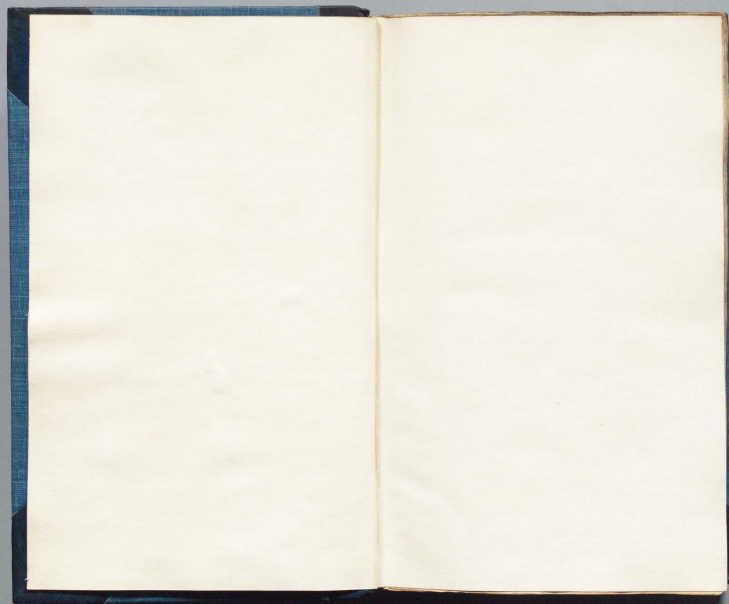


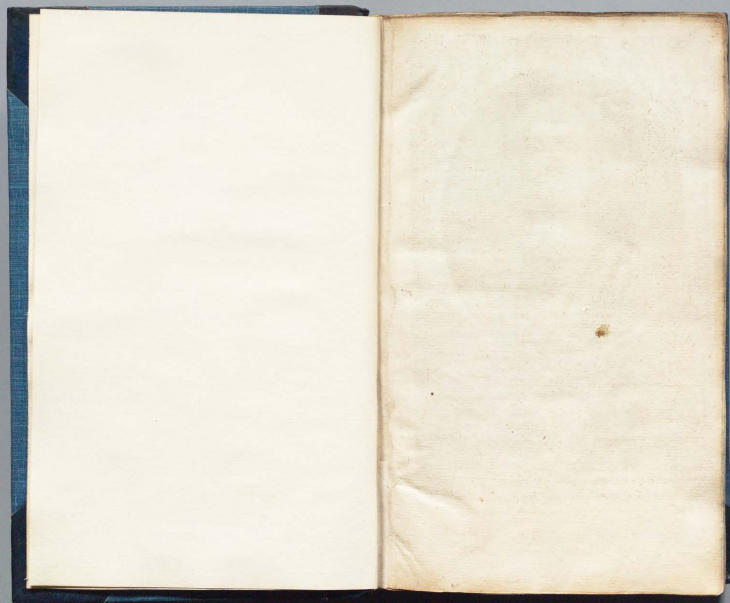
名古屋大学附属図書館蔵 Hobbes I 40696015
Nagoya University Library, Hobbes I, 40696015



名古屋大学図書
洋 696015









Edward Earl of CLARENDON, Lord High CHANCELLOR of England,
and Chancellor of the University of Oxford. An. D. 1607.

THE
HISTORY
OF THE
REBELLION and CIVIL WARS
IN
ENGLAND,

Begun in the Year 1641.

With the precedent Passages, and Actions, that contributed thereunto, and the happy End, and Conclusion thereof by the KING's blessed RESTORATION, and RETURN, upon the 29th of May, in the Year 1660.

Written by the Right Honourable

EDWARD Earl of CLARENDON,

Late Lord High Chancellor of England, Privy Counsellor in the Reigns of King CHARLES the First and the Second.

Κηρυξ εις αις. Thueyd.

Ne quid Falsi dicere audeat, ne quid Veri non audeat. Cicero.

VOLUME I. PART 2.

O X F O R D,

Printed at the THEATER, An. Dom. MDCCVII.

T H E
History of the Rebellion, &c.

B O O K IV.

Iſa. xvii. 12.

*Wa to the Multitude of many People, which make a
Noiſe like the noiſe of the Seas; and to the Ruſh-
ing of Nations, that make a Ruſhing like the ruſh-
ing of many Waters.*

WHEN the King came to *York*, which was The King about the middle of *Auguſt*, he found no came to part of either Army diſbanded; for, though York in the Orders had been ſiſted to that purpoſe, yet money to the Money, without which it could not ſtand. he done, was not yet come to hand; and becauſe ſo great a Sum could not be preſently procured, as would Satisfy Both, an Act of Parliament had been paſſed, for the Satisfaction of the Principal Officers of the King's Army, by which they were promiſed Payment, upon the Publick Faith, in *Newenſter* following; till which time they were to reſpite it, and be contented that the common Soldiers, and Inferior Officers, ſhould be fully Satisfied upon their Diſbanding.

DURING the time of the King's ſhede at *York*, which was not many days, the Earl of *Holland*, Lord General, made a ſuit to him for the making a Baron; which, at that time, might have been worth to him ten thouſand pounds. Whether the King apprehended the making an unit man, who might diſſerve him in the Houſe of Peers; or whether he reliev'd to contain himſelf from enlarging that number, except upon an extraordinary relation to his Own Service, I know not: but he thought not fit, at that time, to gratify the Earl; by which He took himſelf to be highly Diſobliged (as the Courtiers at that time look'd upon whoever was Denied them, as taken from them) and having receiv'd ſome In-
T
formation, X

formation, from *Sr Jacob Ashley* and *Sr John Coniers*, of some idle passages in the late tampering with the Army to Petition, which had not been before heard of; alfoon as the King was gone towards *Scotland*; though his Majesty hath since told me, "that he thought he had left him at parting in very good humour and devotion to His Service) the Earl wrote a Letter to the Earl of *Essex*, to be communicated in Parliament, "that he found there had been strange attempes made "to Pervers, and Corrupt the Army, but, he doubted not, "he should be able to prevent any mischief: the whole Sense being to mysterious, that it was no hard matter, after it was read in the Houses, to persuade men, that it related to somewhat they had yet never heard; and being disto on the Sixteenth day of *August*, which must be the time that the King was there, or newly gone thence (for he took his Journey from *London* on the *Tenth*) seem'd to reflect on somewhat his Majesty should have attempted. Hereupon their Old Feas are awaken'd, and New ones infused into the People; every man taking the liberty of making what interpretation he pleased of that which no man understood.

Order of his
Majesty to
Dissolve the
Papists.

THE Papists were the most Popular Common-Place, and the Butt against whom all the Arrows were directed; and so, upon this new English, an Order was made by Both Houses "for Dissolving all the Papists in *England*; upon which, and the like Orders, though seldom any thing was after done, or no matter of moment, yet it serv'd to keep up the Fears and Apprehensions in the People, of Dangers and Designs, and to diminish them from any Reverence or Affection to the Queen, whom they began every day more implacably to hate, and consequently to disoblige. And, as upon those, and the like light occasions, They grew to a licence of Language, without the least respect of Persons, of how Venerable estimation soever; so they departed from all Order or Regularity in Debate; or Rules and Measures in Juggling; the chief Rulers amongst them, first designing what They thought fit to be done, and the Rest concluding any thing Lawful, that They thought, in order to the doing and compassing the same: in which neither Laws nor Customs could be admitted to signify any thing against Their Sense.

I REMEMBER, about that time, in the providing Money for the Disbanding the Armies, upon which they were marvellously sollicitous, from the time that the King went towards the North, there arose a Question, "Whether *Hid-
met*, *Albarrons*, and *Pollard*, should receive their Pay due "to them upon their several Commands, lying under the Charge of the Plot, for bringing up, and Corrupting the Army; very many Passionately alleging, "that Such men

"ought not to receive their Pay, who had Forfeited their "Trust: Yet these wanted not many who alledge'd, "that "They had the Security of an Act of Parliament for their "Payment, and that in Justice it could not be detain'd from them; that, though they lay under the Displeasure of the Houses, they were so far from a Judgement yet, that "there was not so much as a Charge against them, but that "they were at liberty under Bail; and therefore, they could "not be said to have Forfeited any thing that was their own. In this debate the House seem'd equally divided, till One, who well knew what he said, told them "That there could "not be any Reasonable Pretence for Detaining their due; as well for the Reasons that had been given, as, that they were "absolutely Pardon'd by the late Act of Oblivion, and Pardonification, between the two Kingdoms: the which was no sooner said, than many of Those who were before inclined to the Gentlemen, changed their opinions, and, without so much as calling to have the Statute read, declared, "That They "could have no Benefit by that Act of Parliament, because then, the Same might be as well applied to the Arch-Bishop "of *Canterbury*. And so, without further weighing the Law, or the Reason, it was thought sufficient, not only to exclude them from that Benefit, but to bar them from their Money; lest They might be thought to be admitted to it for That reason, which might prove an advantage to Another, to Whom They had no inclination to be Just. And no question, They had been overseen in the Penning that Statute; the Words, in their true and genuine signification and extent, comprehending as well the Arch-Bishop of *Canterbury*, as Those who at that time had no contempt of the Security they reap'd thereby.

SOON after the King went into *Scotland*, there being some motion "to Adjourne the Houses till after *Michaelmas*, which seem'd to be generally inclined to, very many of both Houses being willing to refresh themselves, after so long absence from their Homes (the Summer being far past, and the Plague increasing; of which some Members had died; and others were in danger, having been in infected houses) and conceiving, that there was no more to be done till the return of the King, saving only the procuring Money to finish the Disbanding; went into the Country; and others, who staid in the Town, were less sollicitous to attend the Publick Service; but betook themselves to those exercises and refreshments which were pleasanter to them: insomuch, as within twenty days after the King's remove, there were not above Twenty Lords, nor much above a Hundred Commons, in both Houses. But This was the advantage look'd for; Vol. I. Part 2. T a Those

Those Persons continuing (especially in the House of Commons) to Whole care and manage the Whole Reformation was committed, They now enterd upon the consultation of the highest matters, both in Church and State; and made attempts and entries upon those Regalities and Foundations, which have been since more evident in wilder and more notorious Breaches.

FROM the liberty and success of advising what was Fit to be done out of the Kingdom, with reference to the Levies for France and Spain, They aflamed the same freedom, of consulting and determining what was Not fit, within the walls of the Church; and finding their numbers to be thin, that they might, by art or accident, prevail with the major part to be of Their mind; and to gratify the more Violent Party of the Reformers (who, with great impatience, suffer'd themselves to be contain'd within any bounds or limits, by Those who knew better how to conduct their business) They enterd upon debate of the Book of Common-Prayer; (which sure, at that time, was much revered throughout the Kingdom) and propos'd, "in regard (they said) many things in it gave offence, at least umbrage to tender Consciences, That there might be liberty to Disuse it: which Proposition was so ungracious, that, though it was made in a thin House, and pres'd by Those who were of the greatest Power and Authority, It was so far from being censur'd, that, by the major part (the House consisting then of about Sixty) it was Voted, "That it should be daily observ'd.

HOWEVER, the next day, contrary to all Rules and Orders of Parliament, very many being absent who had been active in that Debate, They suspend'd that Order; and Resolv'd, "That the Standing of the Communion-Table in all Churches should be alter'd; the Rails (which in most Places had been set up for the greater Decency) "should be pull'd down; that the Chancels should be level'd; and made even with all other parts of the Church; and that no man should presume to bow at the Name of *Jesus* (which was enjoy'd by a Canon, and of long use in the Church); and having digested these Godly Resolutions into an Order, they carried it up to the Lords for their concurrence; promising themselves, that from the small number which remain'd there, they should find no dissent. But the major part of the Lords being much scandaliz'd, that the House of Commons should not only unseasonably, and irregularly, interpose in a matter wherein they had not the least jurisdiction; but should presume to disturb the Peace of the Church, and interrupt the Sacred and Legal Government thereof; by such Schismatical presumption, not only refused to join with them,

them, but instead thereof, directed an Order, formerly made by the House of Peers (on the sixteenth of January before) to be Printed, to this effect, "That the Divine Service "should be Perform'd, as it is appointed by the Acts of Parliament of this Realm; and that all Such as shall Disturb that Wholesome Order, shall be Severely Punish'd according to Law; and acquainted the Commons therewith: Who, nothing fatisfied, perswad their former Order; and "com-manding all the Commons of England to Submit to Their direction, declar'd, That the Order of the Lords was made by the Consent but of Eleven Lords, and that Nine other Lords did Dissent from it; and therefore, that No Obedience should be given thereunto. Whereas, the Order had been made in Full Parliament, seven Months before; and was Seasonably order'd to be Publish'd, by the Major Part present, upon that Important occasion. And Such an Arragating the House of Peers for Publish'ing an Order in maintenance of the Laws establish'd, by Those who had no Authority to declare what the Law was, nor a Jurisdiction over Those who should infringe the Law, was so transcendenc a Presumption, and Breach of Privilege, that there was great expectation what the Lords would do in their own Vindication.

THERE was one Clause in the Act of Pacification, that in the Order, some of both Houses for a Day of the Parliament. "There should be a Publick and Solemn Day of Thanksgiving, for the Peace between the two Kingdoms of England, Scotland, and Ireland. But no day being appointed for that Act of Thanksgiving, the Lords and Commons assumed the Power to resolve themselves of directing it; and to that purpose, made an Ordinance (as they call'd it) "that it should be observ'd on the Seventh of September following, throughout the Kingdom of England and Dominion of Wales. Which was done accordingly; the Factious Ministers in all Pulpits, taking occasion then to magnify the Parliament, and the *Stots*; and to infuse as much Malignity into the People, against Those who were not of that Faction, as their Wit and Malice could suggest; the House of Commons celebrating that day in the Chappel at *Lincoln's-Inn*; because the Bishop of *Lincoln*, then Dean of *Woolwich*, had form'd a Prayer for that occasion, and enjoy'd it to be read on that day, in those Churches where he had Jurisdiction; which They liked not: both as it was a Form; and form'd by Him; and so avoided coming there.

AFTER the Solemnization of that day, and Their making their Declaration against the Lords, about the Order above mention'd, and the recommending some Seditious, Unconformable Ministers, to be Lecturers in Churches about *London*,

Sept. 1642.
Both Houses
of the Commons
advised on
the 10th
of October
1642.
The Powers
of the Com-
mittee of the
House of
Lords.

of the House
of Commons.

1642, whom the Incumbents were compell'd to receive: When They had great apprehensions, by their Members leaving them, that they should not have Forty remaining (less than which number could not constitute a House of Commons) They consented to a Recess; and on the Ninth day of September, 1642, They adjourn'd themselves till the Twentieth day of October following: Either House, irregularly appointing (for the like had never been before practis'd) a Committee, to meet twice a week, and oftner, if They saw cause, during the Recess, and to transact such business as they were authorized to do by Their instructions.

The House of Lords limited their Committee (which consisted of the Earls of *Essex*, *Warwick*, the Lords *Wharton*, *Kimbolton*, and Twelve more; but every Three were as able to transact as the whole number) by their Instructions, "only to open the Letters which should come from the Committee in *Scotland*, and to return Answers to them; with Power to recall that Committee, when they thought fit; to send down Moneys to the Armies; and to assist about their Disbanding; and in removing the Magazines from *Berwick* and *Carlisle*."

BUT the House of Commons thought this Power too narrow for Their Committee; and therefore, against Order too (for the Power of the Committees of both Houses ought to have been equal) They qualified theirs (which consisted of *Mr Pym*, *Mr Saint-John*, *Mr Strood*, *St Gilbert Gerrard*, *St Henry Midway*, *St Henry Vane*, *Alderman Pennington*, *Captain Vane*, and Others; every Six having the Authority of the Whole) as well with the Powers granted to the Lords, as likewise, "to go on in preparation of Proceedings, against such Delinquents, as were wreted against, or complain'd of in the House; and to receive any offers of Discovery that They should make; To send to all Sheriffs, and Justices of the Peace, upon information of any Riots, or Tumults; to stir them up in their Duty in Repressing them; and to report to their House any Failing in Obedience to Their Commands; To take the Accounts of any Accountants to his Majesty, in order to the preparation of his Majesty's Revenue; To consider of framing and constituting a *Hippic* *India* Company; and to consider the Fishing, upon the coasts of *England*, *Scotland*, and *Ireland*; and many other Extravagant particulars: which serv'd to magnify the Authority of that Committee; and to draw Respect and Reverence to them from almost all sorts of men."

The House
of Commons
appointed
Mr Pym to
sit in the
Chair; who,

THE House being thus adjourn'd; the Committee of the Commons appointed *Mr Pym* to sit in the Chair; who, forthwith, with his own hand, Sign'd the Printed Declara-

tions

tions before mention'd, of the Ninth of September; and caused them to be so Read in all Churches in *London*, and throughout the Countries. Whereupon, the Seditious and Factious persons, caused the Windows to be broken down in Churches; broke down the Rails, and removed the Communion-Table (which, in many places, had stood in that manner ever since the Reformation) and committed many Insolent and Scandalous Disorders. And when the Minister and the Graver and more Substantial sort of Inhabitants, used any Opposition, and Refus'd such their Licence, They were immediately required to attend the Committee; and, if they could be neither perswaded, nor threatned to Submit, their attendance was continued from day to day, to their great Charge and Vexation. If any Grave and Learned Minister refus'd to admit into his Church a Lecturer recommended by Them (and I am confident, there was not, from the beginning of this Parliament, nor Orthodox, or Learned man, recommended by them to any Church in *England*) He was presently required to attend upon the Committee; and not discharged till the Houses met again; and Then likewise, if he escap'd Commitment, continu'd, to his intolerable Loss and Trouble: few men having the Patience to endure that Oppression, against which they knew not whither to appeal; and therefore in the end Submitted to what they could not Resist: And so all Pulpits were supplied with Their Seditious and S. himatical Preachers.

THE Armies were at last Disbanded; and, about the end of the Month of September, the Earl of *Holland*, in great Pomp, return'd to *Devonshire*, his House at *Kennington*; where he was visited and carefd, with great application, by all the Factious Party: for he had now, whether upon the Disobligation remember'd before, of being denied the making a Baron; or upon some Information, of some sharp Expressions used by the Queen upon his Letter; and the Conscience of that Letter; or the apprehensions of being Question'd, and Prosecuted, upon the Enormities of his Office of Chief Justice in *Eye*, and other Transgressions, fully declared himself of Their Party. And that They might be the better prepared to keep up the Prejudice to the King, and the keenness against the Court, till the coming together of both Houses; when, they had reason to believe, the observations of Their crooked and indirect Courses, and their visible, unwarrantable Breaches, upon the Church, and the Religion establish'd by Law, would render men less devoted to them; his Lordship furnish'd them with many Informations of what had pass'd in the late Army, which might be wretted to the King's disadvantage; and told them whatsoever the King himself had said to him,

T 4

when

when He look'd upon him as a Person True to him, and when, it is very probable, He was not much delighted with the Proceedings at *Westminster*; and of all the particulars, which *St Jacob's Abbey* and *St John Cantuari* had inform'd him, when they took him to be of entire Truith with his Majesty, and wholly under that consideration (whereupon, They were afterwards examin'd, and compell'd to testify That in Publick, which they had before impair'd to Him in the great Secrecy) and added to all this, whatever information he had receiv'd by the *Lady Carlisle*, of Words or Actions, spoken or done by the Queen, which might increase Their Jealousy or Malice to her Majesty. And He himself (who had been always believ'd a Creature of the Queen's; and exceedingly oblig'd, and protected, by Her immediate and single grace and favour, against the Earl of *Portland*, the Earl of *Strawford*, and the Arch-Bishop of *Canterbury*, in those times when They had otherwise destroy'd him) visited her Majesty but once, from the time of His return out of the North, to the time of the King's return from *Scotland*, which was full six weeks. And yet, there were some men fill'd at those private meetings at *Kennington*, who thought the Queen's favour a likelier means for their Preferment, than the Interest of the Others; and therefore always gave advertisement to her of what paid in that Company: which information, for want of due care in the managery, and by reason of the unfaithfulness of her nearest Servants, commonly produced somewhat, of which the other Side made greater advantage, than She could do by the knowledge of Their Counsels and Resolutions.

THE short Receipt of the Parliament, though it was not much above the space of a Month, was yet a great Refreshment to Those who had Sate near a full Year, Mornings and Afternoons, with little or no intermission; and in that warm Region, where Thunder and Lightning was made. Some very Unwarrantable Proceedings, by the Committee that Sate during the Receipt, on *Mr Pym*, who late in the Chair of that Committee, and oppos'd our those Orders concerning the Church, gave fo much Offence, and Scandal, that the Members were like to meet together with more Courage, and less inclinations to Novelties, than they had partest with. But there were several accidents fell out, some from very licite, and some from very great Causes, which had the Influence upon the Nature and Spirit of men, and upon the Actions of that time, that, for the better understanding some particular passages, which will appear pertinent, it will be even necessary, briefly, and it shall be but very briefly, to mention some of those Particulars.

WHEN

WHEN the King went into *Scotland*; for the better preventing the Correspondence between the two Kingdoms, as *Both Houses* intended it to be done in the Parliament of *Scotland*, by the Act of Pacification; a small Committee (as hath been before said) was appointed by the two Houses, consisting of one Lord, and two Commons, to Attend (as the Phrase was) upon his Majesty: but, in truth, to be Spies upon him; and to give the same assistance to the Parliament There, upon any emergent occasion, as the *Scottish* Commissioners had done Here.

THE Person appointed by the Lords, was the Lord *Essex*. For the word of *Essex*; a younger Son of the House of *Suffolk*; who, in the time of the Duke of *Buckingham*, married a Niece of his; and having his whole dependence upon him, and being eternally absolutely govern'd by him, was by him made a Baron; but that Dependence being at an end, his Wife dead; and He without any Virtues to promote himself; He withdrew himself from Following the Court; and shortly after, from Willing it well; and had now, deliver'd himself up, Body and Soul, to be dispos'd of by that Party, which appear'd most Averse, and Obnoxious, to the Court and the Government; and only in that Confidence, was design'd to that Employment; and to be entirely Dispos'd and Govern'd by the two Members, who were join'd with him by the House of Commons, who were, *St Philip Stapleton*, and *Mr Hamblen*.

THE Letter hath been mention'd before, as a man of great Understanding, and Parts, and of great Sagacity in discerning mens natures and manners; and he mail, upon all occasions, still be mention'd, as a person of great Dexterity and Ability, and Equal to any trust or employment, good or bad, which he was inclin'd to undertake.

THE Other, *St Philip Stapleton*, was a proper man, of a fair extraction; but, being a Branch of a Younger Family, inherit'd but a moderate Estate, about five hundred pounds a year, in *Yorkshire*; and, according to the custom of that Country, had spent much time in those delights which Horfes and Dogs administer. Being return'd to serve in Parliament, He concurr'd with his Neighbours, *Hatham* and *Cholmondeley*; being much younger than they, and govern'd by them in the Prosecution of the Earl of *Strawford*; and so was easily receiv'd into the Company and Familiarity of that whole Party which took that work to heart; and in a short time, appear'd a man of Vigour in body and mind; and to be rather Without good Breeding, than not Capable of it; and so He quickly engag'd his Friends and Country-men in the Confidence of Those who govern'd: They looking upon him, as worth the getting entirely to them; and not averse from being gotten in

gotten; and so join'd him with Mr *Hambden* in this their first employment; and the Party, that ever a Parliament had in his kind) to be initiated under io great a Matter; whose instruction He was very capable of.

There had been, even from the time the *Scottish Army* came into *England*, many Factions, and Jealousies, amongst the Principal Persons of that Nation; but none so much taken notice of, as that between the two Earls, of *Montrose*, and *Argyle*. The Former took himself to have Deserv'd as much as any man, in contributing more, and appearing sooner, in Their first approach towards Rebellion; as indeed he was a man of the best quality, who did so soon discover himself; and it may be said he the sooner, in Opposition to *Argyle*; who, being then of the King's Council, he doubted not, would be of his Majesty's Party. The People look'd upon them Both, as Young men of unlimited Ambition; and us'd to say, "That they were like *Cæsar* and *Pompey*, the One "would endure no Superior, and the Other would have no "Equal. True it is, that from the time that *Argyle* declared himself against the King (which was immediately after the First Pacification) *Montrose* appear'd with less vigour for the Covenant; and bid, by underhand and secret insinuations, made profuse of his Service to the King. But now, after his Majesty's arrival in *Scotland*, by the introduction of Mr *William Murray* of the *Bed-chamber*, He came privately to the King; and inform'd him of many Particulars, from the beginning of the Rebellion; and "that the Marquis of *Hamilton*, was no less Faulty, and False towards his Majesty, than " *Argyle*; and offer'd "to make Proof of all in the Parliament; but rather desir'd, "to have them Both made away; which He frankly undertook to do; but the King, abhorring that expedient, though for his own Security, advis'd, "that the Proofs might be prepared for the Parliament. When suddenly, on a Sunday morning, the City of *Edenborough* was in Arms; and *Hamilton*, and *Argyle*, both gone out of the Town to their own Houses; where they stood upon their guards; declaring publicly, "That they had withdrawn themselves, "because they knew that there was a design to Assassinate "them; and chole rather to absent themselves, than by standing upon their Defence in *Edenborough* (which they could "well have done) to hazard the Publick Peace, and Security of the Parliament; which thundr'd on their behalf.

The Committee at *Edenborough* dispatch'd away an Express to *London*, with a dark and perplex'd account, in the morning that the two Lords had left the City; with many doubtful expressions, "what the end of it would be; not without some dark insinuations, as if the Design might look farther

farther than *Scotland*. And these Letters were brought to *London*, the day before the Houses were to come together, after the Recede; all That Party taking pains to Perswade Others, "that it could not but be a Design to Assassinate "More men than those Lords at *Edenborough*.

As'd the morning the Houses were to meet, Mr *Hyde* being walking in *Westminster-Hall*; with the Earl of *Bedford* and the Earl of *Essex*, Both the Earls seem'd wonderfully concern'd at it; and to believe, "that Other men were in "danger of the like Assaults; the Other, not thinking the Apprehension worthy of them, told them merrily, "that He "knew well what opinions They Both had of those two "Lords, a Year or two before, and he wonder'd how they "became so alter'd; to which They answer'd smiling, "That "the Times and the Court was much alter'd since. And the Houses were no sooner Sate, but the Report being made in the House of Commons, and the Committee's Letter from *Scotland* being Read, a Motion was made, "to send to the "House of Peers, that the Earl of *Essex*, who was left by the King General on this Side *Trent*, might be desired to appoint such a Guard, as He thought competent for the Security of the Parliament, constantly to attend while the "Houses sat, which was done accordingly; and continued, till They thought fit to have other Guards. All which was done to Annule the People, as if the Parliament were Dangerous; when in *Scotland*, all things were quickly Pacified; and the Security ended in creating the Marquis *Hamilton* a Duke, and *Argyle* a Viscount Marquis.

There was a Worse Accident than all these, which fell out in the time of the King's stay in *Scotland*, and about the time of the two Houses reconvening; which made a wonderful impression upon the minds of men; and prov'd of infinite Disadvantage to the King's affairs, which were then recovering new life; and that was the Rebellion in *Ireland*; which broke out about the middle of *October*, in all parts of the Kingdom. Their design upon *Dublin* was miraculously discover'd, the night before it was to be executed; and so the surprizal of that Castle prevented; and the principal Conspirators, who had the charge of it, apprehended. In the other parts of the Kingdom, They observ'd the time appointed, not hearing of the Misfortunes of their Friends at *Dublin*. A general insurrection of the *Irish* spread it self over the whole Country, in such an Inhumane and Barbarous manner, that there were Forty or Fifty Thousand of the *English* Protestants murder'd, before they suspected themselves to be in any danger, or could provide for their Defence, by drawing together into Towns, or strong Houses.

FROM

FROM *Dublin*, the Lords Justices, and Council, dispatch'd their Letters by an Express (the same man who had made the Discovery, one *Owenby*, who had formerly been a Servant to *St John Clowesbury*) to *London*, to the Earl of *Leinster*, then Lord Lieutenant of *Ireland*. From the Parts of the North, and *Ulster*, an Express was sent to the King himself, at *Edenborough*; and the King's Letters from thence, to the two Houses, arriv'd within less than two days after the Messenger from *Dublin*.

IT was upon a Sunday night, that the Letters from *Dublin* came to the Earl of *Leinster*; who immediately caus'd the Council to be summon'd, and as soon as it was met, inform'd them of the condition of *Ireland*; that is, to much as those Letters contain'd: which were written, when little more was known than the Discovery at *Dublin*; and what the Conspirators had confess'd upon their examinations. The House of Peers had then adjourn'd itself to the *Wednesday* following; but the House of Commons were to meet on the next day, *Monday* morning; and the Council resolv'd, that they would in a Body go to the House of Commons, as soon as it

was open, and inform them of it; which they did; notice being first given to the House, that the Lords of the Council had some matters of Importance to impart to them, and were above in the Painted Chamber ready to come to them: whereupon, Chairs were set in the House for them to repose themselves, and the Sergeant sent to conduct them. As soon as they enter'd the House, the Speaker desired them to sit down; and then being cover'd, *Leiston*, Lord Keeper, told the Speaker, "That the Lord Lieutenant of *Ireland*, having receiv'd Letters from the Lords Justices and Council there, had communicated them to the Council; and since the House of Peers was not then sitting, they had thought fit, for the Impostance of the Letters, to impart them to that House; and so refer'd the business to the Lord Lieutenant; who, without any enlargement, only read the Letters he had receiv'd, and so the Lords departed from the House."

THERE was a deep Silence in the House, and a kind of Condemnation; most mens heads having been intoxicated from their first meeting in Parliament, with imaginations of Plots, and Treasonable Designs, through the Three Kingdoms. The affair it self seem'd to be out of their cognizance; and the communication of it; serv'd only to prepare their thoughts, what to do when more should be known; and when they should hear what the King thought fit to be done. And when the King's Letters arriv'd, they were glad the news had come to him, when he had good Council about him to advise him what to do.

THE

THE King was not then inform'd of what had been discover'd at *Dublin*; but the Letters out of *Ulster* (which he sent to the Parliament) gave him notice "of a general Injurie upon the North; and of the Inhumane Murthers committed there, upon a multitude of the Protestants; and that *several O Neils* appear'd as their General, and Commander in chief."

UPON which his Majesty writ to the two Houses, "That his Majesty was fatistied that it was no Rall Injurie, but a Form'd Rebellion; which must be Prosecuted with a War; for the conducting, and prosecuting whereof, he wholly committed to Their Care and Wisdom, and depend'd upon Them for the carrying it on; and that for the present, He had caus'd a strong Regiment, of Fifteen hundred Foot, under good Officers to be transported out of *Scotland* into *Ulster*, for the Relief of those Parts: which were upon the matter wholly inhabited by *Scots* and *Irish*; there being fewer *English* there, than in any part of *Ireland*."

THIS fell out to their wish; and thereupon, they made a Committee of Both Houses, "for the consideration of the Affairs of *Ireland*, and providing for the supply of Men, Arms, and Money, for the Suppressing that Rebellion; the Lord Lieutenant of *Ireland* being one of the Committee: which sat every morning in the Painted Chamber; and the Lord Lieutenant first communicated all the Letters he receiv'd, to them to be consider'd, and to be thence reported to the two Houses; which were hereby possess'd of a large Power, and Dependence; all men applying themselves to Them, that is to the chief Leaders, for their Preferences in that War; the Mischief whereof, though in the beginning little taken notice of, was afterwards felt by the King very sensibly."

THESE concurrent Circumstances, much alter'd and suppress'd that good humour and spirit the Houses were well dispos'd to meet in, and the Angry men, who were disappointed of the Preferences they expected, and had promised themselves, took all occasions, by their Emphatick, to infuse into the minds of the People, "that this Rebellion in *Ireland*, was contriv'd and fomented by the King; or at least by the Queen, for the advancement of Popery; and that the Rebels publish'd and declared, That they had the King's Authority for all they did: which Calumny, though without the least Shadow or Colour of Truth, made more Impression upon the minds of Sober and Moderate men (who, till that time, had much disliked the Passionate Proceedings of the Parliament) than could be Then imagin'd, or can Yet be believ'd. So great a Prejudice, or Want of Reverence,

2

was

The Lords of the Council account all House of Commons with the Name, the House of Lords not sitting.

That his Majesty writes to the two Houses about it.

*A Committee
was appointed
for drawing
up a Remon-
strance.*

was universally contracted against the Court: especially the Queen; whose Power and Activity was thought too great. SHORTLY after the beginning of the Parliament, there had been a Committee appointed, "to prepare and draw up a general Remonstrance of the State of the Kingdom, and the particular Grievances; had taken it; but it scarce met, or was ever after spoken of: But now, the Houses no longer met after the Receipt, than Mr *Strode* (one of the Fiercest men of the Party; and of the Party only for his Fierceness) moved, "That that Committee might be revived, and order'd to meet; for which, of course, a time and place was appointed: by which men easily discern'd, that nothing of their Fury was abated, but rather increas'd, in that they found they credit every day lessen'd in the House, by the opposition and contradiction they sustain'd. And They being thus disquieted; and knowing little; and to doubting much; every day seem'd to them to produce a new Discovery, of some new Treason, and Plot, against the Kingdom. One day, "a Letter from beyond Seas, of great Forces prepared to Invade England; another, "of some Attempt upon the life of Mr *Pym*; and no occasion omitted to speak of the Evil Council about the King; when scarce a Councillor durst come near him; or be suspected to hear from him.

*A new Bill
of the House
of Commons
to take away
the Bishop's
Jurisdiction.*

AFTER some days, a new Bill was presented to the House of Commons, "for the taking away the Bishops Votes in Parliament; and for Disabling them to exercise any Temporal Office in the Kingdom: against which was objected, "That it was contrary to the Course and Order of Parliament, that any Bill that had been Rejected, should be againe presented the same Session; and therefore it ought not to be so much as Read: to which nothing was replied but "Noise; and "that that Bill varied in some clauses from the former; and that the Good of the Kingdom absolutely depended upon it: and so, by the majority of voices, it was order'd to be Read; and afterwards, without any very considerable opposition, Pass'd the House, and was transmitted to the Lords: the greatest argument being, "That their intermeddling with Temporal affairs, was inconsistent with, and destructive to, the exercise of their Spiritual Function. Whilst Their Reformation, both in Scotland, and this Kingdom, was driven on by no men so much, as Those of their Clergy who were their Instruments. As without doubt, the Arch-Bishop of *Canterbury* had Never so great an Influence upon the Councils at Court, as Dr *Burgett*, and Mr *Marebail*, had then upon the Houses; neither did All the Bishops of Scotland together, so much meddle in Temporal affairs, as Mr *Hendersen* had done.

THERE

THERE being at this time, the Bishopsricks of *Worcester*, *The King* *Lincoln*, *Exeter*, *Chichester*, and *Bristol*, Void by Death, *John* *Tranlation*, the King, during the time of his being in Scotland, collated to those Sees, Dr *Prideaux*, the King's Professor of Divinity in *Oxford*; Dr *Wimsay*, Dean of *S Pauls*; Dr *Brownrigg*, Master of *Catharine Hall* in *Cambridge*; Dr *Henry King*, Dean of *Lichfield*; and Dr *Wesfield* of Great *St Bartholomews*, *London*: All of great Eminency in the Church; frequent Preachers; and not a man, to whom the Faults of the Then Governing Clergy were imputed, or against whom the least Objection could be made.

AS SOON as the House of Commons heard of this designation of his Majesty's (having then newly the Second time sent up to the House of Peers, their Bill to remove Bishops from thence) They were much troubled, that at a time when They resolv'd to take away the Old, the King should presume to make New Bishops; and to create so many Voices to assist the other; and therefore, They urged very earnestly, "That the Lords might be moved to join with them, in sending to the King, to make no new Bishops, till the Controversy should be ended about the Government of the Church: which appear'd to Unreasonable, that the Wisest of Them who wish'd it, apprehended no Possibility that the Lords would join with them; or if They did, that the King would be prevail'd with. However, being glad to find their Companions had so much merral, after a long Debate, the major part carried it, "That a Committee should be appointed, to draw up Reasons to give the Lords, to concur with them in that desire to the King: but after that, moved that Stone no further.

In all Debates of this nature, where the Law, Reason, and Common Sense, were directly Opposite to what they proposed, They fail'd: Those who oppos'd from them in opinion, and purposes, to say what they thought fit in opposition; and then, without vouchsafing to endeavour their satisfaction, call'd importunately for the Question; well knowing, that They had a Plurality of Voices to concur with them, in whatsoever they desired. I remember, in this last business, when it was voted that a Committee should be named to draw up Reasons, many of Those who had during the Debate positively argued Against the thing, were call'd upon to be of that Committee; and amongst them, the Lord *Falkland*, and Mr *Hyde*: who stood up, and "declin'd to be Excused from that Service, where they could be of no Use; having given to many reasons against it, that they could not apprehend any could be given for it; therefore thought, the work would be better done, if Those who had satisfied

"Them-

*The King
John
Worcester
Lincoln
Exeter
Bristol
Scotland*

*The Commons
sent up to
the House
of Peers*

“Themselves with the Reasonableness of what they will’d, would undertake the converting and disposing of other men. There was a Gentleman who sate by (Mr. *Hoad* of *Dorchester*); very Severe; and Resolv’d, against the Church and the Court) who, with much Passion, and Trouble of mind, said to them, “For God’s sake be of the Committee, You know none of our side can give Reasons; which made Those that over-heard him Smile: though he spoke it faintly; and upon observation that the Leaders were not then in the House. Otherwise, it cannot be denied, Those who conducted them, and were the Contrivers of the Mischief, were men of great Parts, and unpeakable Industry; and their Silence in some Debates, proceeded partly from Pride, that it might appear, Their Reputation and Interests, had an Influence upon the Sense of the House, against any Rhetorick or Logic; but principally, from the Policy they were oblig’d to use: for, though they could have given a pregnant reason for the most extravagant course they ever made, and evinc’d it, that it was the proper way to Their end; yet, it not being time to discover their purposes (how apparent soever they were to discerning men) they were necessarily to give no reasons at all; or such as were not the true ones.

THIS Stragem failing, of stopping the creation of the new Bishops; they endeavour, by all means, to hasten the House of Peers to dispatch the work before them, before they should be qualifi’d (their Elections, Confirmations, and Consecrations, and other Ceremonies, spending much time) to increase the number of the Opposers; and for the better doing thereof, with great confidence, They demand of the Lords, “That no Recusant Lord, or any Bishop, might have a Vote in the passing that Act: the last being Parties; and the other not suppos’d competent Judges on the behalf of the Kingdom: but, when they found that Logic could not prevail (the demand being indeed so Scandalous, that the House of Peers, if they had not been fatally misled, must have refused it as a high Presumption, and insolent Breach of Privilege) with more Formality and Colour, though an Unreasonableness, They press’d, “That those Thirteen Bishops whom They had before Impetch’d, for making the last Canons; and upon whom their Lordships themselves had pass’d Severe Votes (such indeed as were fitter for Accusers than Judges, Unparliamentary and Unprecedented) might be secur’d from the House, till they should be brought to Judgement. And for this, They found Lawyers in their House, who, prostituting the Dignity and Learning of their Profession, to the cheap and vile affectation of Popular Applause, were not ashamed, to aver Custom and Law

for their Senseless Proposition. But the House of Peers was Not yet detel’d enough, or terrified (though too many amongst them paid an implicit devotion to the House of Commons) to comply in this unreasonable demand.

AND here I cannot but with grief and wonder remember, the Virulence and Animosity express’d at that time, upon all occasions, by Many of good knowledge in the excellent and wise Profession of the Common Law, towards the *Lawyer* and Church-men; taking all opportunities, unchangeably, to improve Mistakes into Crimes; and, unreasonably, to transfer and impute the Follies and Faults of Particular men, to the Malignity of their Order and Function; and so, whet and sharpen the edge of the Law, to wound the Church in its Jurisdiction; and at last to cut it up by the Roots, and demolish its Foundation. It cannot be denied, that the Peevish Spirits of some Clergy-men, have taken great pains to satinate that Profession from them; and Others, as unskillfully (finding, that in former times, when the Religion of the State was a Vital part of its Policy, many Church-men were employ’d Eminently in the Civil Government of the Kingdom) imputed Their wanting those Ornaments their Predecessors wore, to the Power and Prevalency of the Lawyers; of Whom, some Principal men, in all times, They could not but observe to have been their avow’d Enemies; and so believ’d, the Straitning and Confining the Profession of the Common Law, must naturally Extend and Enlarge the Jurisdiction of the Church. Hence arose Their bold and warrantable Opposing and Protesting against Prohibitions, and other Proceedings at Law, on the behalf of Ecclesiastical Courts; and the procuring some Orders and Privileges from the King, on the behalf of the Civil Law; even with an exclusion of the other: as the Arch-Bishop of *Canterbury*, prevail’d with the King to direct, “that half the Masters of the Chancery should be always Civil Lawyers; and to declare, “that no others, of what condition soever, should serve him as Masters of Request. All which was a great mistake: For, besides the stopping Prohibitions was an obvious Breach upon the Justice of the Kingdom; which at some time or other, will still be too hard for the stoutest Opposers and Oppressors of it: I could never yet know, Why the Doctors of the Civil Law, were more of Kin to the Bishops, or the Church, than the Common Lawyer were. To say, that Their Places were in the Bishops dispos’d, as Chancellors, Commisars, and the like; and therefore, that their Persons were more like to be at Their disposal too; at least, to pay them greater Reverence; concludes nothing: for the Clergy had opportunity enough, to oblige and create an equal dependence

The Animosity
express’d as above
between the
Lawyer and
some Church-
men

dependence from the Profession of the Common Law; and I am perswaded, the Sheriffs, to Bishops, and of the Lands of the Church, which were to be managed by the Rules of the Common Law, were not much inferior in Profit to all the Chancellorships in England. And then, if, where the Policy may conflict with Justice, it is no ill measure in making friendships, to look into, and compare, the Power of doing hurt, or doing Good; it is apparent, that the Civil Law in a Kingdom, had not, in the least degree, the ability to help, or to hurt the Church, in any exigency, as the Common Law had: Whole Professors had always, by their Insights, Experience, and Reparation, to great an Influence upon the Civil State, upon Court and Country, that they were notable Friends or Enemies. And the dependence of the Church, as to their inheritance, and Estates (except their Immune Tythes) was entirely upon the Law; being only determinable by those Rules, by which they have seldom receiv'd eminent Injustice. And truly, I have never yet spoken with one Clergy-man, who hath had the experience of both litigations, that hath not ingeniously confel'd, "he had rather, in the respect of his troubling charge, and satisfaction to his understanding, have Three Suits depending in Westminster-Hall, than one in the Arches, or any Ecclesiastical Court.

THESE Particulars above mention'd, were, I confess, to Vulgar minds, great Provocations and Temptations to Revenge; and therefore, I do not at all wonder, that, in the great herd of the Common Lawyers, many Pragmatical spirits, whose thoughts and observations have been contracted to the narrow limits of the few Books of that Profession; or within the narrower Circle of the Bar Oratory: Should go along with the Scream, in the Womanish art of Inveighing against Persons, when they should be Reforming Things: and that some, by degrees, having found the Benefit of being of that Opinion (for we all remember, when Papist and Puritan Lawyers got more Money than their Neighbours, for the Private Opinions they were of, not what they deliver'd in Publick) grew, at last, to have Fits of Conscience in earnest; and to believe, that a Parity in the Church was necessary to Religion; and not like to produce a Parity in the State: by which Doctrine if they had been then instructed, they would quickly have been ashamed of such Divinity.

BUT, that Learned and Unbiais'd (I mean Unapproved) men, in that Science of our Law, who knew the Frame and Constitution of the Kingdom, and that the Bishops were no less the Representative Body of the Clergy, than the House of Commons was of the People, and consequently, that the

depriving Them of voice in Parliament, was a Violence, and removing Landmarks, and not a Shaking (which might Settle again) but Dissolving Foundations; which must leave the Building unsafe for habitation: That Such men, who knew the Ecclesiastical and Civil State was so wrought and interwoven together, and, in truth, so incorporated in each other, that the one could not long continue in Prosperity without the other; and that the Professors of the Law were never at so great a height, as even in This time that they so unjustly envied the greatness of the Church: And lastly, That They, who might well know, that the great unwieldy Body of the Clergy, consisting of such different tempers, humours, inclinations, and abilities; and which inevitably will have to strong an Influence upon the nature and affections of the People; could never be Regulat'd and govern'd by any Magistrates but of Them selves; nor by any Rules, but of such Power as the Bishops exercis'd; Whom (besides all arguments of Piety, and submission to Antiquity) the experience of the Blessed Times Since the Reformation, not to be parallel'd in any Nation under Heaven, declar'd to be the most Happy Managers of that Power, whatsoever ranklets and excrecence might have proceeded from some Branches: I say, that these Knowing and Discerning men (for such I must confess there have been) should believe it possible for Them to flourish, or that the Law it self would have the same respect and veneration from the People, when the well disposed Fabrick of the Church should be rent asunder (which, without Their activity and skill in Confusion, could never have been compos'd) hath been to me an Instance of the Divine Anger against the Pride of Both, in suffering them to be the Fatal Engines of Breaking one another: whereas Neither could have been oppress'd by any other Strength or Power but Their own.

AND I cannot but say, to the Professors of that great and admirable mystery, the Common Law (upon which, no man looks with more affection, reverence, and submission) Who seem Now, by the Fury and Iniquity of the Time, to stand upon the ground they have won, and to be Masters of the Field; and, it may be, Wear some of the Trophies and Spoils They have ravish'd from the Oppress'd; that they have yet but shurr'd Weapons for Others to wound them; and that Their Own Arguments and Eloquence, may be, one time or other, applied to Their Own Destruction. And therefore, if they have either Piety, to repent and redeem the ill that they have wrought; or Policy, to preserve their own condition from Contempt; and themselves from being Slaves to the most abject of the People: They will at length wind up the



the Church and the Law into one and the same Interest; and, by a firm and steady pursuit, endeavour to fix Both on the same Foundation, from whence they have been so violently disturb'd.

By this time the King was as weary of *Scotland*, as he had been impatient to go thither; finding all things propos'd to him, as to a vanquish'd Person, without consideration of his Honour, or his Interest; and having not one Counsellor about him, but the Duke of *Lennox* (who from the beginning carried himself by the most exact rules of Honour, Gratitude, and Fidelity to him) and very few followers, who had either affection to his Person, or respect to his Honour.

THAT which should have been an Act of Oblivion, was made a Defence and Justification of whatsoever They had done: Their first Tumults, and erecting their Tables, in Opposition to, and at last Suppressing, both Courts of Justice and Session; and the Acts and Orders of those Tables; declared to be "the effects of their Duty to his Majesty; and according to the Law of the Land: And to all Those, who on the behalf of his Majesty, and were qualified by his Majesty's Commissions, were adjudg'd Criminal; and the only persons Excepted from Pardon, and Exempted from the Benefit of that Oblivion.

THE Scilicet Acts of that Assembly, which had Expell'd all Bishops, and the Canonical Clergy, from being Members of that Assembly; and affirm'd Themselves to have a Power, "to inflict the Censures of the Church upon his Majesty himself; were declared "to be Lawful, and according to the Constitution of the Kingdom: and the Government of the Church by Arch Bishops, and Bishops, declared to be against "the Word of God; and They condemn'd, as Enemies to the Propagation of the true reform'd Protestant Religion; and therefore to be utterly Abolish'd; and Their Lands given "to the King, his Heirs and Successors.

IN consideration of the King's necessary Absence from that his Native Kingdom, it was thought fit, "that the Full and Absolute Government thereof, should be committed to the "Lords of the Secret Council; who were likewise made "Conservators of the Peace of the two Kingdoms, during the "intervals of Parliaments; and those Lords, and Conservators, "were then, and still, to be named by Parliament; "which was once in three years to assemble upon a day certain, without any Summons from the King, if he neglect-ed to publish such Summons; and, upon the same reason, "all great Officers, as Chancellor, Treasurer, Secretary, and the rest, nominated by Parliament; and in the interval "by

"by the Lords of the Secret Council; without so much as being concern'd to have his Majesty's approbation.

ALL which Acts, and whatsoever else They were pleas'd to present to Him, concerning Church or State, the King consent'd; and thereby, made the Lord *Lowland*, who had been the Principal Manager of the Rebellion, Chancellor of *Scotland*; and Created him likewise an Earl; and confer'd the other great Offices, as he was directed: Then, he made the Earl of *Argyle* (for he was still trull'd with contering of Honours) Marquis; Their great General, *Lefly*, Earl of *Lennox*; and their Lieutenant-General, Earl of *Caillard*; and confer'd other Honours on Persons, according to the Capacity and Ability they had in doing him Mischief: And lastly (leaving all his Own Party barely to Live; for he had procur'd a Pardon for them from the Parliament, upon condition "They came not near the King's presence; nor receiv'd "any Benefit from him; without Their approbation) his Majesty gave all the Lands of the Church, which had been devolv'd to him by its ruin, and whatsoever he had elid-to give, in that Kingdom, to Those who had discover'd it not to be in good hands before: So that he seem'd to have made that Progress into *Scotland*, only that he might make a perfect Deed of Gift of that Kingdom; which he could never have done, so absolutely, without going thither. And so, having nothing more to do There, He began his Journey towards *England* about the middle of *November*.

IT is not to be doubted, in consideration of those Extravagant Concessions, They made as Extravagant Promises to the King; That by their Loyal and Dutiful Comportment, his Majesty should find no diminution of his Power; that he should have the entire Obedience of that Nation; to preserve his full Rights and Regalities in *England*; and to *Restore Ireland*: The Earl of *Leven* telling him (as Marquis *Hamilton* assur'd me, in his hearing) "that he would not only never more serve against him; but that whenever his Majesty would require his Services, He should have it without "ever asking what the Cause was. And many of them whispering in his ear, and assuring him, "that altho' as the Trouble "of the late Storm could be perfectly calm'd, They would "revoke and Repeal whatsoever was now unreasonably extorted from him. And his Majesty having never receiv'd any considerable Profit from *Scotland*, cared the less for what he parted with There: and, it may be, being resolv'd they should be no more Charge to him in his Court here (for surely he had then very hard thoughts of a great part of the Nation) he believ'd he should have more in This Kingdom, than he had given in That; and he made no doubt, but that

They were so full Red now, that they would not stir from Home again, till the Temper and Affliction of his People here, should be better dispos'd for their Reception.

BUT his Majesty never consider'd, or not from enough, that they could not reasonably hope to keep what they had got, but by the same Arts by which they were such gainers; and there cannot be a surer evidence of the Continuance of an Enemy, than the having receiv'd Injuries from him of ease; and there cannot be a surer evidence of the Insufficiency weigh the unpeakeable Encouragement; and, in some particulars, the reasonable Presence the Factious Party here would have, from the Prosperous Wickedness of those there. And, it is certain, their number from thenceforth increas'd wonderfully: the Enemies of the Church premiting their wonderfully: so the King's self would at last yield to any thing, put themselves in company of the self and most positive Actors; and some, who in their Hearts abhor'd what the *States* had done, yet disdain to be over-witted by them; and that they should get more for themselves, and receive a greater Argument of the King's Trust, than We of this Nation; out of pure Malice to them, concurr'd in all their Exorbitancies. All which the King too late discover'd, by the Entertainment he receiv'd upon his Return.

ABOUT the time the news came of the King's beginning his Journey from *Scotland* upon a day appointed; and that he had sent all things in that Kingdom to the general Satisfaction; the Committee for preparing the Remonstrance, offer'd their Report to the Houle; which caus'd the Draught of *Commons*, they offer'd, to be Read. It contain'd a very bitter Representation, of all the illegal things which had been done, from the first hour of the King's coming to the Crown, to that minute; with all the sharp Reflections which could be made, upon the King himself, the Queen, and Council; and publish'd the unreasonableness of the present Government, all the unreasonableness of the introducing Popery; and all other particulars, that might disturb the minds of the People: which were enough discompos'd.

THE Houle seem'd generally to dislike it; many saying, that it was very unnecessary, and unreasonable: Unnecessary, all those Grievances being already fully Redress'd; and the Liberty and Property of the Subject being as well Secured for the future, as could possibly be done: and Un-

reasonable,

reasonable, after the King had gratified them, with granting every thing which they had desired of him; and after that long absence, in the settling the Disorders in another Kingdom, which he had happily compos'd; to be now welcom'd Home with such a volume of Reproaches, for what Others had done amiss, and which He himself had reform'd. Notwithstanding all which, all the other Party appear'd Passionately concern'd that it might not be rejected; and enlarg'd themselves with a high expostion against the Government, as at first; with many insinuations, that we were in danger of being depriv'd of all the good Acts which we had gain'd, if great care and vigilance were not us'd, to disappoint some Counsels which were still entertain'd; making some doubtful glances and reflections upon the Rebellion in *Ireland* (with which they perceiv'd many good Men were easily mov'd) and in the end prevail'd, that a day should be appointed, when the Houle should be resolv'd into a Committee of the whole Houle, and the Remonstrance to be then taken into consideration; and in the mean time, They employ'd all their Credit and Interest with particular Men, to persuade them, that the passing that Remonstrance was most necessary, for the Preservation and Maintenance of all those good Laws which They had already made; giving several reasons to several persons, according to their natures and inclinations; assuring many, that they intended it only for the mortification of the Court, and manifestation that the Malignant Party, which appear'd to be growing up in the Houle, could not prevail; and then, that it should remain still in the Clerk's hands, and never be publish'd.

AND by these, and the like Arts, They promised themselves that they should easily carry it: So that the day it was to be refused, They entertain'd the Houle all the morning with other Debates, and towards Noon call'd for the Remonstrance; and it being urged by some, that it was too late to enter upon it, with much difficulty they consented, that it should be enter'd upon the next morning at nine of the Clock; and every clause should be Debated, the Speaker in the Chair; for they would not have the Houle resolv'd into a Committee, which they believ'd would spend too much time. *Oliver Cromwell* (who, at that time, was little taken notice of) ask'd the Lord *Falkland*, "Why he would have it put off, for that day would quickly have determin'd?" He answer'd, "There would not have been time enough, for sure it would take some Debate." The other replied, "a very sorry one: They supposing, by the computation they had made, that very few would oppose it."

BUT he quickly found he was mistaken: for the next morning,

U 4

The Committee for this Remonstrance made their Report to the Houle of Commons.

morning, the Debate being enter'd upon about Nine of the Clock, it continued all that day; and Candles being call'd for when it grew dark (neither Side being very desirous to adjourn till the next day; though it was evident, very many withdrew themselves out of pure faintness and disability to attend the conclusion) the Debate continued till it was after Twelve of the Clock, with much Passion; and the House being then divided, upon the passing or not passing it, it was carried in the Affirmative, by Nine Voices, and no more: and as soon as it was declared, Mr *Hombden* mov'd, "That there might be an Order enter'd for the present Printing it; which produced a sharper Debate than the former. It appear'd then, that They did not intend to send it up to the House of Peers, for their Concurrence; but that it was upon the matter an Appeal to the People; and to insufe Jealousies into their minds. It had seldom been the custom to Publish any Debates, or Decisions of the House, which were not regularly first transmitted to the House of Peers; nor was it thought in truth, that the House had Authority to give warrant for the Printing of any thing; all which was offer'd by Mr *Hyde*, with some warmth, as soon as the motion was made for the Printing it: and he said, "He believ'd the Printing it in that manner, was not lawful; and he fear'd it would produce Mischievous effects; and therefore desired the leave of the House, that if the Question should be put, and be carried in the Affirmative, that He might have liberty to enter his Proclamation; which he no sooner said, than *Jeffery Palmer* (a Man of great reputation, and much esteem'd in the House) stood up, and made the same motion for himself, "that he might likewise Protest; Many afterwards, without distinction, and in some disorder, Cry'd out together, "They did Protest! So that there was after scarce any quiet and regular Debate. But the House by degrees being quieted, They all consented, about Two of the Clock in the Morning to adjourn till Two of the Clock the next Afternoon. And as they went out of the House, the Lord *Rushland* ask'd *Oliver Cromwell*, "Whether there had been a Debate? to which he answer'd, "he would take his word another time: and whipsc'd him in the Ear, with some asseveration, "that if the Remembrance had been reject'd, He would have said all he had the next morning, and never have been England more; and he knew, there were many other honest Men of the same Resolution. So near was the poor Kingdom at that time to its Deliverance.

HOWEVER They got this Victory, they did not in a long time recover the Spirits they lost, and the agony they had sustain'd, whilst it was in suspense; and they discern'd well

well enough, that the House had not at that time half its Members present; though they had provided, that not a Man of their Party was absent; and that they had even earned it by the heat of the Night, which drove away a greater number of old and infirm Opposers, than would have made Those of the Negative Superior in number: So that they had little hope, in a siller House, to prevail in any of their Unjust designs, except they found some other Expedient, by hopes or fears, to work upon the Affections of the several Members.

In order to which, They spent most part of the next day in their private Consultations, how to Challenge some of those who Offended them the day before; and resolv'd in the first place, not to suffer that Precedent to be introduc'd into the House, "that Men should Protest against the Sense of the House: which, it is true, had not been used in the House of Commons. This Subject was the more grateful to them, because they should heartily take Revenge upon Mr *Hyde*, whom they perfectly hat'd; and to whose activity, they imputed the trouble they had sustain'd the day before; and He was the First who made the Protestation, that is, ask'd leave to do it; which produced the other subsequent clamour, that was indeed in some disorder. But here they differ'd amongst themselves; all the Leading Violent Men, who bore the greatest Sway, were most glad of the occasion, as it gave them opportunity to be rid of Mr *Hyde*; which they Passionately desired: but Sr *John Holtam*, *Chelmsfordly*, and *Stapleton* (who never sever'd, and had a numerous Train attending their motions) remember'd the Service Mr *Hyde* had done against the Court of *Tork* (the overthrowing whereof was their peculiar glory) and would not consent that they should question him; but were ready to concur with them in the Prosecution of any other of the Protesters; wherof there was number enough. This made so great a Difference amongst them, that for the presents they agreed no further, than "that they would that Afternoon only provide, that the next Morning they would fall upon that matter; and then they might consult together at Night, what Perion they would sacrifice.

ABOUT Three of the Clock, when the House met, Mr *Pyne* lamented the Disorder of the Night before, which, he said, might probably have engaged the House in Blood; and had proceeded principally from the offering a Protestation; which had never before been offer'd in That House; and was a Transgression that ought to be severely examin'd; that Mischief might not reitue hereafter from that Precedent; and therefore propos'd, That the House would the next Morning enter upon that Examination; and in the

mean time, Men might recollect themselves, and They who used to take Notes, might peruse their Memorials; that the Persons who were the chief causes of the Disorder, might be named, and defend themselves the best they could; and with this resolution the House arose; the vexation of the night before, being very visible in the looks and countenance of many. Neither that night's deliberation, nor all the Artifice or Impertinency that could be used, could remove the obstinate Northern Men from their resolution; They declared positively, "That if they Prosecuted Mr Hyde, They, and all their Friends, would engage in his Defence: which made the Others resolve, not to incur the danger or inconvenience of such a Schism; and so they unanimously agreed upon another Person, whom they would accuse.

THE next Morning, They first enlarged upon the Offence it self; "of the Mischief it had like to have produced; and would unavoidably produce, if the custom or liberty of it were ever admitted; That it was the First time it had ever been offer'd in That House; and that care ought to be taken, that it should be the Last; by the severe Judgement of the House, upon Tho's Persons who had begun the Presumption.

MR HYDES, who had then known nothing of the Private consultation; and had many reasons to believe Himself to be design'd, stood up (notwithstanding some Signs made to him at a distance by his Northern Friends, which he understood not) and said "it concern'd him to justify what he had done, being the First Man who mention'd the Protestation: upon which, there was a general Noise and Clamour "to Withdraw; and as great, "to Speak: He proceeded, and said, "He was not old enough to know the Ancient Customs of That House; but, that He well knew, it was a very Ancient Custom in the House of Peers; and Leave was never denied There to any Man, who ask'd that he might Protest, and enter his Dissent, against any Judgement of the House, to which he would not be understood to have given his Consent: That He did not undertake any reason, why a Commoner should not have the same Liberty, if he desired not to be involv'd in any Vote, which he thought might possibly be Inconvenient to him. That He had not offer'd his Protestation against the Remonstrance, though he had oppos'd it all he could, because it remain'd still within their Walls; That he had only desired leave to Protest against the Printing it; which, He thought, was not in many respects Lawful for Them to do; and might prove very Pernicious to the Publick Peace.

THEY were very much offended with all he said, and his assurance

assurance in speaking; and Mr Strode could not contain himself from saying, "that That Gentleman had confes'd that "He had first propos'd the Protestation; and therefore desired, He might withdraw; which many Others likewise call'd for: till Sr John Holt was appear'd with some warmth against it; and young Hotham, his Son, accus'd Jeffrey Palmer "of giving the cause of Disorder, by saying, *I do Protest*, "without asking the leave of the House; and encouraging Others to cry out every Man, *I do Protest*: whereupon, They all fell into great Noise and Confusion; and so, without much more discourse, Mr Palmer was call'd upon "to Explain, which, as he was about to do, Mr Hyde (who lov'd him much; and had rather have suffer'd Himself, than that He should) spoke to the Orders of the House; and said, "That "it was against the Orders and Practice of the House, that "any Man should be call'd upon to Explain, for any thing "he said in the House two days before; when it could not "be presumed, that his own Memory could Recollect all the "words he had us'd; or, that any body else could Charge "him with them; and appeal'd to the House, whether there "was any Precedent of the like. And there is no doubt, there never had been; and it was very irregular. But They were too positively resolv'd to be diverted; till, after two hours Debate, He himself desired, "That, to save the House "further trouble, he might Answer, and withdraw; which he did. When it drew towards Night, after many hours Debate, it was order'd, "that he should be committed to the "Tower; the Angry Men pressing, with all their Power, "that he might be Expell'd the House; having born him a long grudge, for the Civility he shew'd in the Prosecution of the Earl of *Strawford*; that is, that He had not us'd the same reproachful Language which the Others had done: but They were at last glad to compound for his bare Commitment to the Tower; from whence he was within few days enlarged, and return'd again to the House. In the close of that day, and the rising of the House, without much opposition, They obtain'd an Order for the Printing their Remonstrance.

THEY Remonstrance, after many clauses and unbecoming expressions were call'd out, contain'd, "That there had been "from the beginning of his Majesty's Reign, a Malignant and Pernicious Design, of Subverting the Fundamental Laws and Principles of Government, upon which the Religion and Justice of the Kingdom was Establish'd: That "the Actors and Promoters thereof, were the Jesuitical Papists; "the Bishops, and Corrupt part of the Clergy; and such "Counsellors and Courtiers, as had engag'd themselves to "further

The Remonstrance order'd to be Printed.

The full sense of it.

“ further the Interests of some Foreign Princes or States, to
 “ the Prejudice of the King and State at Home: All which
 “ had endeavour'd to raise Differences and Discontents be-
 “ cause the King and his People, upon questions of Prero-
 “ gative and Liberty; to Suppress the Purity of Religion, and
 “ such Issues as were best affected to it, as the greatest Impe-
 “ diment to that Change which They thought to introduce;
 “ to cherish and maintain those Opinions in Religion, which
 “ brought Ours revolt and most agreeable to the Parity;
 “ and to continue, multiply, and enlarge the Differences be-
 “ tween the Procellants themselves, distinguishing between
 “ Protestants and Puritans, by introducing and countenancing
 “ such Opinions and Ceremonies, as were fittest for accom-
 “ modation with Popery; that six, of Papists, Arminians, and
 “ Libertines, They might compose a Body, fit to act such
 “ Councils and Resolutions, as were most conducive to
 “ their Own Ends: And lastly, to render the King Disaffec-
 “ ted to Parliaments, by Slanders and False Imputations, and
 “ so putting Him upon other ways of Supply, as of more ad-
 “ vantage than the ordinary course of Subsidies, which brought
 “ infinite Loss to the King and People, and caused the Di-
 “ stractions that ensued.

THEY remember'd “ the Breach of the Parliament at Ox-
 “ ford in the first year of his Majesty's Reign; and reproach'd
 “ him with the Fruitless Voyage to Cadix, at his first coming
 “ to the Crown; the Loss of *Rochel*, by first Suppressing
 “ Their Fleet with his Own Royal Ships, by which the
 “ Protestant Religion in *France* infinitely Suffer'd; the making
 “ a War with *France* precipitately; and a Peace with *Spain*,
 “ without Their Consent, and by deserting the Cause of the
 “ *Palatinate*; and with a Design to bring in *German* Horse,
 “ to force the Kingdom, by Violence, to Submit to such Arbi-
 “ trary Contributions, as should be required of them.

THEY remember'd him “ of Charging the Kingdom by
 “ Billenting of Soldiers, and by raising of Coat and Conduct
 “ Money for those Soldiers, in the Second and Third years
 “ of his Reign; or his Dissolving the Parliament, in his Se-
 “ cond year, after Their Declaration of an intent to grant
 “ Five Subsidies; and the exacting those Five Subsidies after-
 “ wards by a Commission of Loan; upon the refusal whereof,
 “ divers Gentlemen were Imprison'd, whereof some Died,
 “ by the Debts they contracted in that Imprisonment; or
 “ great Sums raised by Privy-Seals; and of an attempt to let
 “ the Excise on Force.

THEY remember'd “ the Dissolution of the Parliament in
 “ the Fourth year of his Reign, and the Untrue and Scanda-
 “ lous Declarations thereupon; the Imprisoning divers Mem-
 “ bers

“ bers of that Parliament after the Dissolution, and detaining
 “ them close Prisoners for Words spoken in Parliament, Sen-
 “ tencing and Fining them for those Words; One of which
 “ Died in Prison for want of ordinary refreshment, whose
 “ Blood (They said) still cry'd for Vengeance.

THEY reproach'd his Majesty “ with Injustice, Oppres-
 “ sion, and Violence, which, after the Breaking of that Parlia-
 “ ment, broke in upon them, without any restraint or moder-
 “ ation; with the great Sums of Money He had exacted
 “ throughout the Kingdom for default of Knighthood, in the
 “ Fourth year of his Reign; with the receiving Tonnage and
 “ Poundage, from the death of King *James*; and raising the
 “ Book of Rates, and laying New Impositions upon Trade;
 “ with the Enlargement of Forreits, and Compositions there-
 “ upon; the ingrossing Gun powder, and suffering none to
 “ buy it without Licence; with all the most odious Mono-
 “ polies of Soap, Wine, Salt, Leather, Sea coal, and the rest
 “ (which had been granted from his Majesty's first coming to
 “ the Crown, and some of them before) “ with the new Tax
 “ of Ship money, and the ill guarding the Seas, and leaving
 “ the Merchants naked to the violence of the *Turkish* Pirates,
 “ notwithstanding that extraordinary and extravagant Supply;
 “ with the vexations upon presence of Nuisances in Building,
 “ and thereupon raising great Sums of Money for Licences to
 “ Build; and of D-population, that men might pay Fines to
 “ continue the same mildemeanour; and with the Seizing the
 “ Merchants Money in the Mint; and an abominable Project
 “ of making Brass Money.

THEY repeated “ the extravagant Conduits of the Star-
 “ Chamber, whereby the Subject had been oppress'd, by Fines,
 “ Imprisonments, Scigmatizing, Mutilations, Whippings, Pil-
 “ lories, Gags, Confinements, Banishments; the Severe and
 “ illegal Proceedings of the Council-Table, and Other new
 “ erected Judicatories; and the Suspension, Excommunications,
 “ and Deprivations of Learned and Pious Ministers, by
 “ the High Commission Court; which grew to that Excess
 “ of Sharpness and Severity, that They said it was not much
 “ less than the *Romish* Inquisition.

THEY reproach'd the King “ with the Liturgy and Canons
 “ sent into *Scotland*, as an Attempt upon the Protestant Re-
 “ ligion; with the Forcing that Nation to raise an Army in
 “ Their Own Defence, and raising an Army against Them;
 “ with the Pacification, and Breach of that Pacification; that
 “ He call'd a Parliament after, in hope to Corrupt it, and
 “ make it Countenance the War with *Scotland*; which when
 “ He found it would Not do, he Dissolv'd it, and then com-
 “ mitted Members to prison; and compell'd men to lend
 “ Money

Money against their wills; and Imprison'd such as refused. They mention'd " the Synod held by the Bishops after the end of the Parliament, and the Canons and Oath made by them; the raising the Armies, Here and in *Ireland*; against the *Sect*; and the liberal Collection and Contribution from the Clergy, and the Catholics, towards that War; all the Favours that had been done to the Papist; the Reception and Entertainment of Signior *Cow*, and the *Count Rosetti*, by the Queen, from *Rome*; and some Ministers sent by her Majesty, &c.

In a word, They left not any Error or Misfortune in Government; or any Passionate Exercise of Power, unmention'd, or unpress'd; with the Sharpest, and most Parabelical Expressions to affect the People, that the general observation of the *Wisest*, or the particular Animosity of the most Disobliged, or ill Affected persons, could suggest, to the Disadvantage of the King, from the death of his Father, to the unhappy beginning of the present Parliament:

Then They magnitud their own Services: " That having found the Kingdom groaning under these Difficulties, which seem'd to be insuperable, They had, by the Divine Providence, overcome them all; That they had abolish'd Ship-money, and all Monopolies; and had taken away that which was the Root of all those Evils, the Arbitrary Power of Taxing the Subjects, pretended to be in the King; That the Living Grievances, the Evil Counsellors, were io quell'd, by the Justice done on the Earl of *Strafford*; the Flight of the Lord *Fineb*, and Secretary *Windbank*; the Acculation and Imprisonment of the Arch-Bishop of *Canterbury*, and other Delinquents; that it was not like to be only an Eale to the present Times, but a Preservation to the Future.

They reckon'd up " all the Good Laws, and the Benefits the People receiv'd by those Laws; spoke of many Good Designs They had, for the Benefit of the Kingdom: But then Complain'd, " of Oppositions, and Obstructions, and Difficulties, with which they were encounter'd, and which still lay in their Way, with some strength, and much obstinacy; That there was a Malignant Party took heart again; that Preters'd some of their own Agents and Factors, to Degrees of Honour, and to Places of Trust and Employment. That they had endeavour'd to work in his Majesty all Impressions and Opinions of Their Proceedings; as if they had done altogether Their Own Work, and not His; and had obtain'd many things from him Prejudicial to the Crown, in respect of Prerogative, and Profit. To wipe out which Slinder, they declared, all they had done was

+

for his Majesty, his Greatness, Honour, and Support: That, when they gave five and twenty thousand pounds a Month, for the relief of the Northern Counties, in the support of the *Scottish Army*, It was given to the King, for that He was bound to Protect his Subjects; and that, when they undertook the charge of the Army, which cost above fifty thousand pounds a Month, It was given to the King, for that it was his Majesty's Army, and the Commanders and Soldiers under contract with Him; and that, when they undertook to Pay their Brethren of *Scotland* three hundred thousand pounds, It was to repair the Damages and Losses they had sustain'd by his Majesty and his Ministers; and that those particulars, amounted to above Eleven hundred thousand pounds.

Then They negligently and perfunctorily pass'd over his Majesty's Graces and Favours; " as being little more than in justice He was obliged to grant; and of no considerable Loss and Damage to Himself: and promised the good People shortly Ease in the matter of Psechions (by which the Debts from Parliament men, and their Followers and Dependents, were not recoverable) and speedily to pass a Bill to that purpose.

Then They inveigh'd against the Malignant Party, " that had sought to cause Jealousies between Them and their Brethren of *Scotland*; and that had such a Party of Bishops and Popish Lords in the House of Peers, as hinder'd the Proceedings of divers good Bills, Pass'd in the Commons House, concerning sundry great Abuses and Corruptions both in Church and State (when, at that time, the House of Peers had only refused to concur with them in Two Bills, that, of the Protestation; and, the taking away the Votes of Bishops out of the House of Peers) " that had attempted to Disturb and Discontent his Majesty's Iac Army, and to bring it up against the Parliament, and City of *London*; " that had rais'd the Rebellion in *Ireland*; and, if not by their Wisdom prevented, had brought the like Misery and Confusion in this Kingdom.

Then They decler'd, " That they meant to have a general Synod, of the most Grave, Pious, Learned, and Judicious Divines, of this Island (when at that time, there was scarce one Orthodox Divine in *England* in reputation with them) " who, assisted by some from Foreign Parts, professing the same Religion, should consider of all things necessary for the Peace and good Government of the Church; and present the result of their Consultations to the Parliament, to be there allow'd and confirm'd: That they would provide a competent Maintenance for Conscientious

+ and

“and Preaching Ministers, throughout the Kingdom: That they intended to Reform and Purge the Fountains of Learning, the two Universities; that the Streams flowing from thence might be clear and pure, and an Honour and Comfort to the whole Land: That his Majesty should be Petition'd by Both Houses, to employ such Councilors, Embassadors, and other Ministers, in managing his business at home and abroad, as the Parliament have cause to commend; without which, They could not give his Majesty such Supplies for His Own Support, or such Assistance for the Protestant Party beyond the Seas, as was desired.

WHAT They declared, “That the Commons might have cause, often, Justly to take Exceptions at some Men for being Councilors, and yet not charge those Men with Crimes; for that there are grounds of Diffidence, which lie not in Proof; and others, which though they may be Proved, yet are not Legally Criminal; as to be a known Favourer of Papists; or to have been very forward in Denying or Countenancing some great Offenders, question'd in Parliament; or to speak Contemptuously of Either Houe of Parliament, or Parliamentary Proceedings; or Such as are suspected to get Councilors Places, or any other of such kind concerning Publick Employment, for Money: That all good courses may be taken, to Unite the two Kingdoms of England and Scotland; to be mutually aiding and assisting one another, for the Common Good of the Island, and the Honour of Both: With some other particulars of this nature.

The ways by which the Party grew to the Strength of Commons.

I KNOW not how Those men have already answer'd it to Their Own Consciences; or how they will answer it, to Him who can discern their Consciences; who having assumed their Countries Trust, and, it may be, with great Karnefullness, bound to prosecute that Truth, by their Supine Laziness, Negligence, and Absence, were the First Inlets to those Inundations, and so contributed to those Licences which have overwhelm'd us. For, by this means, a Handful of men, much inferior in the beginning, in number and interest, came to give Laws to the Major part; and to these that Three Diligent persons, are really a Greater and more Significant number, than Ten Unconcern'd, They, by Plurality of Voices, in the end, converted or reduced the Whole Body to Their opinion: It is true, Men of Activity and Elation, in any design, have many Advantages, that a Composed and Settled Council, though industrious enough, usually have not; and some, that Gallant men cannot give themselves leave to entertain: for, besides Their through considering and forming their Councils before they execute them; They contrainctly

habit of ill Nature and Disingenuity necessary to Their affairs, and the temper of Those upon whom they are to work, that Liberal-minded men would not persuade themselves to entertain, even for the Prevention of all the Mischiefs the Others intend. And whosoever observes the ill Arts by which These men used to prevail upon the People in general; Their absurd, ridiculous Lying, to win the affections, and corrupt the understandings, of the Weak; and the bold Scurrilities, to confirm the Willful; the boundless Promises They presented to the Ambitious; and Their gross, sordid Flatteries, and Applications, to the Vulgar-spirited, would hardly give him self leave to use those Weapons, for the Preservation of the Three Kingdoms.

THE King had at that time a greater Disadvantage (besides the concurrence of ill and extraordinary accidents) than Himself, or any of his Progenitors, had ever had before; having no Servant of the Houle of Commons, of Interest, Ability, and Reputation, and of Faithfulness and Affection to his Service: *St Thomas Jermyn*, who was very Honest to him, and of good Abilities, through his indisposition of health, and trouble of mind for his Son's misfortunes, having left the Houle, and the Court, and being retired into the Country; and *St Henry Fans* (who was the other only Privy-Councillor) having committed those Faults to the King, he knew could not be forgiven; and those Faults to the Country, could not be forgiven; gave himself entirely to the disposition of the new Matter; and *Mr Saint John*, who at the beginning was made Solicitor General, and thereby, had obliged himself by a particular Oath, “to Defend his Majesty's Rights; and to refuse to be of Council, or give Advice, to the Prejudice of the King, and the Crown; was the Chief Instrument, to Devise and Contrive all the Propositions, and Acts of Undisinterestedness towards him. So that, whilst These men, and their Consorts, with the greatest deliberation, consulted, and disposed themselves to compass Confusion: They, who out of the most abstracted Sense of Loyalty to the King, and Duty to their Country, sever'd from any relations to the King's service, or hopes from the Court, preserv'd their own Innocence, and endeavour'd to uphold the good old frame of Government, receiv'd neither countenance nor conduct from Those who were naturally to have taken care of that province. And sure, the Raging and Fanatical Distemper of the Houle of Commons (to which all other distempers are to be imputed) must most properly be attributed; to the Want of Such good Ministers of the Crown in that Assembly, as being Unsway'd by any Guilt of their Own, could have watch'd Other men's; and inform'd, encouraged, and influenced, Vol. I. Part 3.

Those, who flood well inclined to the Publick Peace. To which purpose, if that Stratagem (though none of the best) of winning men by Places, had been practis'd, as soon as the resolution was taken at York to call a Parliament (in which, it was apparent, dangerous attempts would be made; and that the Court could not be able to resist those attempts) and if Mr Pym, Mr Hombold, and Mr Holis, had been then Preferr'd, with Mr *Sains-John*; before they were desperately embark'd in their desperate designs; and had Innocence enough about them, to trust the King, and be trusted by him; having yet contact'd no Personal animosities against him: it is very possible, that They might either have been made Instruments to have done good Service; or at least been restrain'd, from endeavouring to Subvert the Royal Building, for supporting whereof They had been placed as principal Pillars.

But the Rule the King gave himself (very reasonable at any other time) that They should First do Service, and compass this or that thing for him, before they should receive Favour, was Then very unseasonable: first, besides that They could not in truth do him that Service without the qualification, it could not be expected They would desert that Side, by the Power of which They were sure to make themselves considerable, without an unquestionable mark of interest in the Other, by which They were to keep up their Power and Reputation; and so, whilst the King expected They should manifest their Inclinations to His Service, by their Temper and Moderation in those Proceedings that most offended him; and They endeavour'd, by doing all the Hurt they could, to make evident the Power They had to do him Good; He grew so far Disobliged, and provoked, that he could not so honour Grassy them; and They so Obnoxious and Guilty, that they could not think themselves Secure in his Favour: and thence, according to the Policy and Method of Injustice, continued to Oppress that Power They had Injur'd; and to raise a Security for themselves, by Disabling the King to question their transgressions.

THE KING
Expulsion
of London
was his
the
North
Nov. 15.

NOTWITHSTANDING all these Conspiracies to Lessen the Reputation of the Court (to which many other particulars contributed; which will be touch'd hereafter) The City of London made great Preparations to receive the King. *Gourney*, then Lord Mayor, was a man of Wisdom, and Courage, and express'd great Indignation, to see the City so Corrupted, by the ill artices of Factious persons; and therefore attended upon his Majesty, at his entrance into the City, with all the Lustre and good Countenance it could bear; and as great professions of Duty, as it could make, or

the King expect. And on *Thursday*, the Five and Twentieth of *November*, the King entered into London; receiv'd with the greatest acclamations of Joy, that had been known upon any occasion; and after a most magnificent Entertainment, by *St Richard Gourney* Lord Mayor, at the *Guild-Hall*; where the King, Queen, Prince, and the whole Court, of Lords and Ladies, were Feasted; his Majesty was attended by the whole City to *White-Hall*; where he lodg'd that night; and the Earl of *Essex* resign'd his Commission, of General on this *Trent*; which had been granted for the Security of the Kingdom, at his Majesty's going into the North.

THE next day, the King went to *Hampden-Court*; and *Dr H. Vane* as soon as he came thither, took away the Seals from *St Henry* ^{was not} *Pass* (having before taken away his Staff of *Treasurer of the* ^{From being} *Household* from him, and conferr'd it upon the Lord *Serjeant*, in *Suits*. ^{the} *Præsidium* of the *North*; which he was to have had, if Both Houses had not declar'd that Commission to be illegal; and appointed the Guards, that were kept at *White-hall* for the Security of the two Houses, ever since the *News* out of *Scotland*, to be dissolv'd; and shortly after publish'd a Proclamation, "for Obedience to be given to the Laws establish'd, for the exercise of Religion.

THESE proceedings of his Majesty, much troubled the *Managers* in the House; and the Entertainment given to him by the City of London; in which their entire confidence, was much dejected them; and made them apprehend, that his Friends There were not so Powerful as They expected. However, They seem'd to abate nothing of their metal; and shortly after his return, resolv'd to present their Remonstrance, lately fram'd, to him, together with a Petition; in which, They complain'd "of a Malignant Party, which would do far, as to bring divers of their Instruments to be of his Privy-Council; and in other employments of trust and trustels about his Majesty, the Prince, and the rest of his Children; to which Malignant Party, amongst other wickedness, They imputed the Inturrection of the *Peopels* in *Ireland*; and therefore, for the suppressing that Wicked and Malignant Party, They besought his Majesty, that He would concur with his People, in a Parliamentary way, for the depriving the Bishops of their Votes in Parliament (when at that time the Bill to that purpose had not pass'd the House of Peers) "and abridging Their immoderate power over the Clergy; and for the removing unnecessary Ceremonies, by which divers weak Consciences had been scrupled; That He would remove from his Council Such Persons, as were fitted to favour any of those Practices where-with the People had been griev'd; and that He would for the future employ

A Petition
presented to
the King
with
the Remon-
strance
Decemb. 17
and Present.

employ Such persons in the Publick affairs, and take Such to be near him in Places of trust, as his Parliament might have cause to confide in; and that He would reject, and refuse, all mediation and sollicitation to the contrary, how powerful and near becomers; That He would forbear to alienate any of the Forfeited Elected Lands in Ireland, which should accrue to the Crown by reason of this Rebellion. Which Desires of Theirs being graciously fulfill'd by his Majesty (They said) They would apply themselves to his Counsellors and Counsellors, as should support his Royal Estate, with Honour and Piety at home, with Power and Reputation abroad; and by Their Loyal Affections and Service, lay a sure and lasting foundation of the Greatness and Prosperity of his Majesty, and his Royal Pottery in future time.

THEIR Petition, together with the Remonstrance, was presented at Hampton Court, on the First day of December; and within few days after, both the Petition and Remonstrance were by Order Printed, and with great industry Publish'd throughout the Kingdom. Albeit the King, at the receipt thereof, desired them not to publish either, till He should send his Answer: which he did shortly after, expressing;

How sensible He was of that Disrespect; reprehending them for the Unparliamentariness of their Remonstrance in Print; whereof (He said) He would referve to himself to take such course, as He should think fit, in Prudence and Honour. But to their Petition, He told them, That if They would make that Wicked and Malignant Party; whereof they complain'd, known to his Majesty. He would be at ready to Suppress and Punish it, as They could Be to Complain; That by those Counsellors whom He had expedit to Trial, He had given sufficient testimony, that there was no man to near him, in place of affection, whom he would not leave to the Justice of the Law, if They should bring sufficient Proofs, and a particular Charge against him; in the mean time, He would them to forbear such general Apertions, as since they named None in Particular, might reflect upon All his Councils; That for the Choice of his Counsellors, and Ministers of State, it was the natural Liberty all Freeman have, and the undoubted Right of the Crown, to call Such to Secret Council, and Publick Employment, as He should think fit; yet He would be careful to make election of Such, as should have given good testimonies of their Abilities and Integrity, and against Whom there could be no just cause of Exception; That for the depriving the Bishops of their Votes in Parliament, They should consider, that Their Right, was grounded upon

upon the Fundamental Law of the Kingdom, and Confirmation of Parliament.

FOR what concern'd Religion, Church Government, and the removing unnecessary Ceremonies, if the Parliament should advise him to call a National Synod, He should consider of it, and give them due satisfaction therein; declaring His Resolution, to maintain the Doctrine and Discipline establish'd by Law, as well against all invasions of Popery as from the irreverence of Schismatics and Separatists; wherewith, of late, this Kingdom, and this City abounds, to the great dishonour and hazard both of Church and State; for the Suppression of whom, his Majesty required Their timely and active Assistance.

To their desire concerning Ireland, He told them, He much doubted, whether it was Seasonable to declare resolutions of that nature, before the events of the War were seen; however, He thanked them for their advice; and conjured them, to use all possible diligence and expedition in advancing the Supplies thither; the Intolerance and Cruelty of the Rebels daily increasing.

THE graciousness and temper of this Answer, made no impression on them; but they proceeded in their usual manner; framing and encouraging, underhand, those whifpers, by which the Rebellion in Ireland, might be understood to receive some extraordinary countenance from the Court of England; the scandal whereof, They knew, would quickly fall upon the Queen.

AT this time, the diligence and dexterity of the Lord Mayor, caused an Address to be prepared to his Majesty, from the Court of Aldermen; which was sent by the two Sheriffs, and two others of that Body; by which, his Majesty was humbly desired to Reside at White-Hall: which angered the Governing Party, as much as their kind reception had done. The Petition was graciously receiv'd; all the Aldermen Knighted; and the Court, within a day or two, remov'd to White-Hall.

THE Letters out of Ireland were very importunate for Relief in lies, of Men, Money, and Provisions; the Rebels very much increasing and taking Courage, from the slow proceeding here for their Suppression; which indeed was not advanced equal to Mens expectations; though the King, upon his first coming to the Houses after his return from Scotland, with great earnestness recommended it to them. Only, the Propositions made from Scotland, for the sending ten thousand Men from thence, into Ulster, to be paid by the Parliament, were consented to; whereby some Soldiers were dispatch'd thither, to defend their own Plantation; and did in truth, at our

Charge, as much Oppress the *English* that were There, as the Rebels could have done; and had upon the matter the chief Government of that Province committed to them, the chief Towns and Garrisons which were kept by *English* being deliver'd into their Hands. The Lieutenant himself, the Earl of *Leicester* (who was now grown pious to the Managers) made not that suit to his Charge some Men thought necessary; pretending, "that the Rebels had yet some apprehensions and terror of His coming thither with great Forces and Provisions of all kinds; but that if they should hear He were landed, with fo small a Strength as was yet rais'd, and in no better Equipage than he was yet able to go in, They would take Courage, and would Oppress him, before more Succours could come; by reason, that They who yet stood upon their guard, and publickly sided not with Either (ill, by the resistance and opposition They found prepar'd for them, they might guess who was like to prevail) would then freely declare, and join with the *Irish*."

*A Bill prepar'd on the King's of Commons for Prefess, They prepar'd a Bill for Prefess; which quickly pass'd the Commons, and was sent up to the Lords. It cannot be supposed, that there could be then a scarcity of Men, or that it could be hard, within three Months after the Disbanding the Northern Army, to bring together as many Men as they had occasion to use; but their business was to get Power, not Men; and therefore this Stratagem was used, to transfer the Power of Prefessing Men from the King to Themselves; and to get the King, that He might be now Able to raise Men for *Ireland*, to Disable himself from Prefessing upon any other occasion. For, in the Preamble of this Bill which they sent up to the Lords (as they had done before the first Act for Tonnage and Poundage) they declared, "That the King had in no case, or upon any occasion, but the Insurrection from a Foreign Power, Authority to Prefess the Freedom Subject; which could not consist with the Freedom and Liberty of his person."*

The Preamble of the Bill, as it was sent from the Commons, was prepar'd to give the King the Liberty of Towns.

This declivity was new to the Lords, and contrary to the usage and custom of all times; and seem'd to Themselves a great Diminution of that Regal Power, which was necessary for the Preservation of his own Subjects, and Assistance of his Allies; which in many cases He was bound to yield. And the Attorney General took the Courage, "to desire the Lords (as He should often have done in other cases) "that He might be heard, on the King's behalf, before They could be sent

"sent to a Clause so Prejudicial to the King's Prerogative. This necessary stop was no sooner made, than the Commons laid aside the Consideration of *Ireland*; order'd their Committee, "to meet no more about that business; the Levies which were then making of Volunteers, flood still; and They declared, "that the Loes of *Ireland* must be imputed to the Lords. On the other side, the Lords too well understood that Logic, to be moved by it; and were rather sensible of the inconveniences They had incur'd, by their former Compliance, than inclin'd to repeat the same Error.

In the mean time, Letters came every day from *Ireland*, passionately bemoaning Their Condition; and multitudes of Men, Women, and Children, who were despoil'd of their Estates, and forced into this Kingdom for want of Bread, spoke more lamentably than the Letters. In this strait, they knew not what to do; for whatever discourse they pleas'd themselves with, concerning the Lords, it was evident the Fault would lye at their Own doors; besides that, his Majesty might make use of that occasion, to take the whole business out of Their Hands, and manage it Himself by his Council; which would both lessen Their Reputation and Interest, and indeed defeat much of what They had projected.

HEREUPON, Mr *Saint-John*, the King's Solicitor (a Man *Saint-John* might be trusted in any Company) went privately to his Majesty; and seem'd to Him much troubled, "at the late King's offer of a Preamble given by the Commons; and to grant, that the Preamble was Unreasonable, and ought to be insisted against by the Lords, on the behalf of his Majesty's Prerogative; However, He told him, since He thought it impossible to rectify the Commons in their undesign'd ways, it would be a great blessing to his Majesty, if He could offer an Expedient to remove that Rub, which must prove fatal to *Ireland* in a short time, and might grow to such a Distance between the two Houses, as might much cloud the happiness of this Kingdom; and undoubtedly, could not but have a very Popular Influence upon both, when both Sides were forwarder to acknowledge his Majesty's great Wisdom and Piety, than they could be now made to retract any thing that was Erroreous in Themselves; and then "advised him to come to the Houses, and to express his Princely Zeal for the relief of *Ireland*; and to make notice of the Bill for Prefessing, depending with the Lords, and the Dispute rais'd, concerning that ancient and undoubted Prerogative, to avoid further Debate, to offer, "that the Bill should pass with a *Seduo Years*, both for the King and People; leaving such Debates to a time that might better bear it.

The King
put in
his
petition.

The Earl
and
Commons
declared
this to be a
Breach of
Privileges
of Parliament
to the King.

WHICH advise his Majesty follow'd; and coming to the House said the very words he had propos'd to Him: But now Their business was done (which truly, I think, no other way could have been compass'd) the divided Lords and Commons presently Unite themselves, in a Petition to the King; acknowledging his Royal Favour and Protection to be a great Blessing and Security to Them, for the enjoying and preferring all those private and public Liberties and Privileges which belong unto them; and whensoever any of those Liberties or Privileges should be invaded, They were bound, with humility and confidence, to resort to his princely Justice for Redress and Satisfaction; because the Rights and Privileges of Parliament, were the Birth-right and Inheritance, not only of Themselves, but of the whole Kingdom, wherein every one of his Subjects was interest'd: That amongst the Privileges of Parliament, it was Their ancient and undoubted Right, that his Majesty ought not to take notice of any matter in Agitation and Debate, in either House of Parliament, but by their information and agreement; and that his Majesty ought not to propound any Condition, Prowision, or Limitation, to any Bill, or Act, in Debate or Preparation, in either House of Parliament; or to declare His consent or dissent, His approbation or dislike, of the same, before it be presented to him in due course of Parliament. They declared, That all those Privileges had been lately broken, to Their great sorrow and grief, in that speech which his Majesty had made to them; wherein He took notice of a Bill for Pressing of Soldiers, not yet agreed upon; and offer'd a *Salvo Jure*, and provisional Clause, to be added to it, before it was presented to him: and therefore they offer'd Him, by his Regal Power to Protect them, in Those and the Other Privileges of his High Court of Parliament; and that He would not, for the time to come, break or interrupt them; and that, for the Reparation of them in that their Grievance and Complaint, He would declare and make known the Name of such Person, by whose misinformation, and Evil Counsel, his Majesty was induc'd to the same, that he might receive Condemn'd Punishment. And this They did desire, and, as his greatest and most faithful Council, did advise his Majesty to perform; as a great advantage to Him, by procuring and confirming a Confidence and Unity betwixt his Majesty and his People, &c.

AS to having deliver'd this Petition, They no more consider'd, till this matter was Breach should be repair'd; which they resolv'd nothing should do, but the Passing the Bill: and therefore, when the King offer'd, by a Message sent

by the Earl of *Besse*, "That He would take care, by Commissions which He would grant, that ten thousand English Volunteers, should be speedily raised for the Service of Ireland; and the Houses would declare that They would pay them; the Overture was wholly rejected: They neither were willing that such a Body of Men should be rais'd by the King's direction (which would probably be more at His devotion than They desired) nor in any other way than They propos'd: and so in the end (after other ill Accidents intervening, which will be remember'd in order) He was compell'd to Pass the Bill concerning Pressing, which They had prepared.

HOWEVER, for all this, and the better, it may be, for all this; the King, upon his arrival at *White-Hall*, found both his Houses of Parliament of a much better Temper than they had been; Many having great indignation, to see his Majesty so ill treated by his own Servants, and Those, who were most oblig'd to his Bounty and Magnificence; and likewise to discern, how much Ambition and Private Interest, was cover'd under Publick Pretences. They who were in truth Zealous for the Preservation of the Laws, the Religion, and true Interest of the Nation, were sollicitous to Preserve the King's Honour from any indignity, and his Regal Power from violation; and so always oppos'd Those who aimed upon either, and who could compass their ends by no other means than by trampling upon both. So that, in truth, that which was call'd the King's Party, in both Houses, was made up of Persons who were Strangers, or without any Obligation, to the Court; of the best Fortunes, and the best Reputations, in their several Countreys where they were known; as having always appear'd very Zealous in the maintenance of their just Rights, and Oppos'd, as much as in them lay, all illegal and grievous Implications: whilst His own Privy-Council (two or three only excepted) and such the greater number of all his own Servants, either publicly Oppos'd, or privately Berray'd Him; and so much the more virulently abhor'd all Those who now appear'd to carry on His Service, because they presumed to undertake, at least endeavour (for they undertook nothing, nor look'd for any Thanks for their labour) to do that which Them-selves ought to have done; and so They were upon this disadvantage, that whenever They pres'd any thing in the House, which seem'd immediately to advance the King's Power and Authority, some of the King's Council, or his Servants, most oppos'd it, under the notion of being injudicial to the King's Interest: whilst they who had used to govern and impose upon the House, made a show of being

Principles,
the Bill was
receiving pref.
[sic] [sic]

ing more modest; and yet were more insolent; and endeavour'd, by setting new Councils on foot, to entangle, and engage, and indeed over-reach the House; by cozening them into Opinions which might hereafter be applicable to their Ends, rather than to pursue their old Designs, in hope to obtain in the end a Success by their Authority. The Night of the Remonstrance had humbled them in that point: and from that time, They rather contriv'd ways to Silence those who opposed them; by traducing them abroad, or taking advantage against them in the House, for any Expressions they used in Debate which might be mis-interpreted; and so calling them to the Bar, or committing them to the Tower; which did in truth strike such a Terror into the minds of many, that they forbore to come to the House, rather than expose themselves to many unsuccesses there.

*La Troche
in the House
for a Con-
sideration
of the
Power of the
Militia.*

THERE was at that time, or thereabouts, a Debate started in the House, as if by meer chance, which produced many Inconveniences after; and, if there had not been too many concurrent Causes, might be thought the sole cause and ground of all the Mischiefs that ensued. Upon some report or discourse of some Accident, which had happen'd upon or in the Disbanding the late Army, an obscure Member moved, That the House would enter upon the consideration, Whether the Militia of the Kingdom was so Settled by Law, that a sudden Force or Army could be drawn together, for the Defence of the Kingdom if it should be Invaded, or to Suppress any Insurrection or Rebellion if it should be attempted.

THE House kept a long Silence after the motion, the newness of it amusing most Men, and few were understanding the meaning of it; until one and another of the Members, who were least taken notice of, seeming to be moved by the weight of what had been said, enlarged upon the same Argument: and in the end it was proposed, That a Committee might be appointed, to consider of the present State of the Militia, and the Power of it; and to prepare such a Bill for the Settling it, as might provide for the Publick Peace, and for the Suppressing any Foreign Enemy, or Domestick Insurrection.

*The Re-
soluti*

THEY were inclin'd to nominate a Committee, to prepare such a Bill as should be thought necessary: Upon which, Mr Hyde spoke against the making any such Committee; *said*, "There could be no doubt, that the Power of the Militia rested in the King, in whom the Rights of making War and Peace was invest'd; that there had never yet appear'd any defect of Power, by which the Kingdom had been in Danger, and we might reasonably expect the

same Security for the future. With which the House seem'd well satisfied, and compos'd, and inclin'd to go on upon some other Debate; until *Saint-John*, the King's Solicitor, and the only Man in the House of his Learned Council, stood up, and said, "He would not suffer that Debate, in which there had been so many weighty particulars mention'd, to be discontinued without some Resolution; That He would be very glad there were that Power in the King (whose Rights He was bound to defend) as the Gentleman who spoke last seem'd to imagine; which for his part he knew there was not; That the question was not about taking away Power from the King, which was vested in Him (which was his Duty always to oppose) but to enquire, whether there be such a Power in him, or any where else, as is necessary for the Preservation of the King and the People, in many cases that may fall out; and if there be not, then to supply him with that Power and Authority; and said, "He did take upon him with confidence to affirm, That there was a defect of such Power and Authority: He put them in mind, "How that Power had been executed in the Age in which we live; That the Crown had granted Commissions to great Men, to be Lord Lieutenants of Counties; and They, to Gentlemen of Quality, to be their Deputy Lieutenants; and to Colonels, and other Officers, to Conduct and Lift Soldiers; and then He wou'd'them to consider, what Votes they had pass'd, of the illegality of all those Commissions, and of the unjustifableness of all the Proceedings which had been by virtue of those Commissions; So that let the Occasion or Necessity be what it would, He did presume, no Man would hereafter Execute any such Commission; and if there were any Man so hardy, that no body would Obey them; and therefore desired them to consider, whether there be not a Defect of Power, and whether it ought not to be supply'd.

IT was now evident enough, that the Debate was not begun by chance, but had been fully deliberated; and what they would make upon occasions, of those Volumes of Votes, They had often pour'd out upon all accidentall Debates; and no Man durst take upon him to Answer all that had been alleg'd, by laying, all those Votes were of no Validity; and that the King's Right was, and would be judg'd the same it had been before, notwithstanding those Votes; which is very true: But this being urged by the King's own Solicitor, They appointed Him to bring in and prepare such a Bill as He thought necessary; few Men imagining, that such a Sworn Officer would not be very careful and tender of all his Master's Prerogatives, which He was expressly Sworn to defend.

WITHIN

WITHIN few days after, He brought in a very libert Bill; in which was mention'd by way of Preamble, "That the Power over the Militia of the Kingdom was not Settled in any such manner, that the Security of the Kingdom was provided for, in case of Invasion, or Insurrection, or any sudden Accidents; and then an Enacting clause, "That henceforward the Militia, and all the Power thereof, should be vested in — &c." and then a large Blank left, for inserting Names; and afterwards, "the absolute Authority to Execute — &c. The ill meaning whereof was easily understood; and with some warm prefat; "That by this Bill, all the Power would be taken out of the Crown, and put into the hands of Commissioners. To which the Solicitor made Answer, "That the Bill took no Power from any body who had it; but provided to give Power where it was not; nor was there mention of any Commissioners; but a Blank was therefore left, that the House might fill it up as They thought fit, and put the Power into Such hands as They thought proper; which, for ought He knew, might be the King's; and He hoped it would be so.

AS to what this Answer the Bill was receiv'd, notwithstanding all opposition, and Read: all Those Perions who had been formerly Deputy Lieutenants, and lay under the Terror of that Vote, presuming, that this Settlement would provide for the Idormancy of all that had pus'd before; and the King, who might still be expos'd to the same hazards, if they should be requir'd to act upon the like occasions, concurring in the desire, that somewhat might be done for a general Security; and They who had contriv'd it, were well enough contented that it was Once read; not desiring to prosecute it, till some more favourable conjuncture should be offer'd; and so it rest'd.

ABOUT this time, the King, not being well satisfied in the affection or fidelity of Sr William Balfour, whom He had some years before, to the great and general Scandal, and Offence of the English Nation, made Lieutenant of the Tower; and finding that the Seditious Preachers every day prevail'd in the City of London, and Corrupted the Affections and Loyalty of the meaner People towards the Government of the Church and State; resolv'd to put that Place (which forms the Church to be a Brail upon the City) into the Hands of such a Man as He might rely upon; and yet, He was willing to be quit of the Obed, without any Act of Disobligation upon him; and therefore gave him three thousand pounds ready Money, which was rais'd by the Sale of some of the Queen's own Jewels; and immediately caus'd Colonel Lansford to be Sworn in his place, Lieutenant of the Tower.

The King's
Minister
William
Balfour
from being
Lieutenant
of the Tower

THIS was no sooner known, than the House of Commons found themselves concern'd in it; and upon pretence that too excellent a person, as Sr William Balfour (who in truth was very gracious to them, for the safe keeping the Earl of Strafford, could not be remov'd from that Charge; but upon some eminent Design against the City and the Kingdom; and that the man who was appointed for his Successor was a person of great Licence, and known only by some Desperate acts; for which He had been formerly imprison'd by the State, and having made his escape, fled to the Kingdom: They desired the Lords to join with them in a Petition to the King, to put the Tower into Better hands; making such arguments against the Person of the man, as before spoken of. The Lords replied to them, "That it was an argument of that nature, They thought not themselves competent Advisers in it; the custody of the Tower being solely at the King's disposal, who was Only to judge of the Fitness of the Person for such a Charge: But, at the same time that They refus'd to join in a Publick Desire to the King, They intimat'd Privately Their Advice to him, "That He should make choice of a Fitter Person, against whom no Exceptions could be made. For indeed, Sr Thomas Lansford was not then known enough, and of reputation equal to so invidious a province, and therupon, within two or three days at most, He resign'd the Place, and the King gave it Sr John Byron.

THIS was then no Satisfaction in the Change, since it had no reference to Their Recommendation; which They only look'd after: but it gave them great delight, to see that the King's Counsels were not to Ex'd, but Their Clamour might alter them; and that doing Hurt, being as desirable a degree of Power, to some men, as doing Good, and likely to gain them more Profelytes, They had marr'd a man, though They could not Make one. And without doubt, it was of great Disadvantage to the King, that That Council had not been form'd with such deliberation, that there would need no alteration; which could not be made, without a kind of Recognition.

ALL this time, the Bill depended in the Lords House, for the taking away the Votes of Bishops, and removing them from the House of Peers; which was not like to make a more prosperous progress there, than it had fir Months before; it being evident, that the Jurisdiction of the Peersge was invaded by the Commons; and therefore, that it was not reasonable to part with any of their Supporters. But the Violence against them fill increas'd; and no Churches frequented, but where They were Preach'd against, as Antichristian; The Presses swell'd with the most virulent Invectives

Colonel
Lansford
set in his
place.

The usual
style, and
of John
Byron, as
yet.

Reading the
Bill against
the Peersge,
and so
prejudice the
Peersge
in their
power.



većives against them; and a Sermon was Preach'd at *Woffminſter*, and afterwards Printed, under the Title of *The Proteſtation Proteſted*, by the infamous *Burton*, wherein He declared, "That all men were obliged by their late Proteſtation, "by what means ſoever, to remove both Biſhops and the "Common-Prayer Book out of the Church of England, as "Impious and Papifical: whilſt all the Learned and Orthodox Divines of England, were look'd upon under the notion of Scandalous Miniſters; and if the Menest, and moſt Vicious Pariſhioners They had, could be brought to prefer a Petition againſt either of them to the Houſe of Commons (how Falſeſoever) He was ſure to be Proteſtated as ſuch.

A Petition published, in the name of the Apprentices, and Thoſe whole Apprenticeships were lately expired, in and about the City of London; and directed to the King's moſt excellent Majeſty in the Parliament now aſſembled; Shewing, "That They found by experience, "both by their Own and Maſters Tradiſgs, the beginning of "great Miſchiefs coming upon them, to nup them in the bad, "when they were firſt entering into the World; the Cauſe of "which, They could attribute to no others but the Papiſts, "and the Prelates, and that Malignant Party which adhered "to them: That they ſtood ſolemnly engaged, with the ut- "moſt of their Lives and Fortunes, to Defend his Sacred Ma- "jeſty, and Royal Iſſue, together with the Rights and Liber- "ties of Parliaments, againſt Papiſts, and Popiſh Innovators; "ſuch as Arch-Biſhops, Biſhops, and their dependents, ap- "pear to be. They deſired his Majeſty in Parliament to take "notice, that, notwithstanding the much unwearied pain "and induſtry of the Houſe of Commons, to ſubdue Popery, "and Popiſh Innovators; neither is Popery yet ſubdued, nor "Prelates are yet remov'd; whereby Many had taken en- "couragements deſperately to Plot againſt the Peace and "Safety of his Dominions; wineth the moſt Barbarous and "inhuman Cruelities perpetrated by the Papiſts in *Ireland*, "from whence (They ſaid) a new ſpring of Fears and Je- "louſies aroſe in them: and therefore They deſired, that the "Popiſh Lords, and other eminent and dangerous Papiſts, in "all the parts of the Kingdom, might be look'd unto, and "Secured; the Laws againſt Prieſts and Jeſuits fully executed; "and the Preſcely roud up: That fo the work of Reforma- "tion might be proſperouſly carried on; Their diſtracting "Fears remov'd; that the freedom of Commerce and Traffick "might paſs on more chearfully, for the encouragement of "the Petitioners, &c.

THIS, and ſuch ſtuff, being Printed, and ſcatter'd amongſt the People; Multitudes of mean perſons flock'd to *Woffminſter-Hall*,

ſter-Hall, and about the Lords Houſe; crying as they went up and down, *No Biſhops, No Biſhops*, "that fo they might carry "on the Reformation.

IT SAID before, that upon the King's return from *Scotland*, He diſcharged the Guards that attended upon the Houſe, *Whereupon*, the Houſe of Commons (for the Lords refus'd to join with them) Petition'd the King "in regard of the "Fears They had of ſome Deſign from the Papiſts, that "They might continue ſuch a Guard about them as They "thought fit.

TO which His Majeſty answer'd, "That He was confi- "dent they had no juſt cauſe of Fear; and that They were as "Safe, as Himſelf and his Children: but, ſince They did "avow ſuch an apprehenſion of Danger, that He would ap- "point a ſufficient Guard for them. And thereupon, directed the Train-bands of *Woffminſter* and *Middleſex* (which conſiſted of the moſt ſubſtantial Houſholders, and were under known Officers) in fit numbers to attend.

THIS Security was not lik'd; and it was ſaid, — *Quis calidus ipſe caſpader* —? And when the diſorderly Rabble, ſpoke of now, firſt came down, They reſisted them, and would not ſuffer them to diſturb the Houſes; and Some of them, with great rudeneſs, preſſing to the door of the Houſe of Burg, their Lookſhips appointed the Guards to be call'd up to remove them; and the Earl of *Dorſet*, being then Lord Lieutenant of *Middleſex* (the Crowd oppreſſing him, and reſuſing to leave the Room) in ſome Paſſion, call'd upon the Guard "to give Fire upon them; whereupon, the Rabble Frighted, left the place, and halted away.

THE Houſe of Commons, incensed that Their Friends ſhould be ſo uſed, much Inveigh'd againſt the Earl of *Dorſet*; and talk'd, "of Accuſing him of High Treason; at leaſt, "of drawing up ſome Impeachment againſt him; for ſome Judgement he had been Lary to, in the *Star-Chamber*, or Council-Table: and ſo, giving theſe hints of Their Diſpleaſure, that He might have the more care now he curied himſelf; They concluded, that ſince They could not have ſuch a Guard as pleaſed Them, They would have None at all: and ſo ſent to the Lords "for the Diſcharge of the "Train-bands that attended: who willingly conſented to it; and it was done accordingly: The Houſe of Commons deſiring "That it ſhould be Lawful, for every Member to "bring his own Servant, to attend at the door, Arm'd with "ſuch Weapons as They thought fit.

IT was quickly underſtood abroad, that the Commons Great Troubled well the Viſits of their Neighbours: So that the People aſſembled in greater Numbers than before, about the Houſe

The Commons Petitioned the King for a Guard.

His Majeſty's

Great Troubled about the Houſe of

of

of Peers; calling till out with one Voice, *No Bishops, No Popish Lords;* Crowded and Affronted such Lords as came near them, who They knew affected not their ends, calling them *Rotten-hearted Lords*.

HEREUPON, the Houſe of Peers deſired a Conference with the Commons; at which, They complain'd of thoſe Tumults; and told them, That ſuch Diſorders would be an Imputation upon the Parliament, and make it doubted whether they had Freedom; and ſo might happily become a Blemiſh to thoſe many good Laws They had already Paſſ'd, as well as Prevent the making more; and therefore deſired them, that They would, for the Dignity of Parliaments, join with Them in a Declaration, for the Suppreſſing ſuch Tumults. This was reported to the Commons; and as ſoon had ſide, for the handling of other matters of more importance.

THE Tumults continued; and their Inſolencies increas'd; inſomuch, as many Diſolute and Prophanſe People, went into the Abby at *Wythmaſter*, and would have pull'd down the Organs, and ſome Ornaments of the Church; but being reſiſted, and by force driven out, They threatned, they would come with greater numbers, and pull down the Church.

HEREUPON, the Lords ſent again to the Houſe of Commons, to join with them in their Declaration; and many Members of that Houſe complain'd, that they could not come with ſafety to the Houſe; and that ſome of them had been aſſaulted, and very ill entertain'd, by thoſe People that crowded about the door. But this Conference could not be procur'd; the Debate being till put off to ſome other time; after ſeveral Speeches had been made in Juſtification of them, and Commendation of their aſſections: Some ſaying, They muſt not Diſcourage their Friends, This being a time They muſt make uſe of All friends; Mr. *Pym* himſelf ſaying, God forbid the Houſe of Commons ſhould proceed, in any way, to Diſhearten people to obtain their juſt Deſires in ſuch a way.

The Lords ſent a writ, to the ſheriff, to ſeize upon any ſeditious meetings.

IN the end, the Lords requir'd the advice of the Judges, what courſe was Legally to be taken, to Suppreſs and Prevent thoſe Diſorders; and thereupon, directed the Lord Keeper of the Great Seal, to iſſue out a Writ, upon the ſeizure of *Norhampton*, to the Sheriff and Juſtices, to appoint ſtrong Watches in ſuch places as They judg'd moſt convenient, to hinder that unlawful conflux of People to *High miſſery*, to the diſturbance of Their conſultations. Which Writ iſſuing accordingly, the Juſtices of the Peace, in obedience therunto, appointed the Conſtables to attend at the

Water ſide, and places near about *Wythmaſter*, with good Watches, to hinder that Tumultuous reſort.

THIS was no ſooner done, than the Conſtables were ſent for, by the Houſe of Commons, and after the view of their Warrants, required to Diſcharge their Watches. And then the Juſtices were conven'd, and examin'd; and albeit it appear'd, that what They had done was in purſuance of a Legal Writ, directed to them under the Great Seal of *England*, by the advice of the Lords in Parliament, without ſo much as conſulting with the Lords upon that Act of theirs, the ſetting ſuch a Watch, was voted to be a Breach of Privilege: and one of the Juſtices of the Peace, who according to his Oath had executed that Writ, was committed to the Tower for that offence.

UPON this encouragement, all the Factious and Schiſmatical People about the City and Suburbs, aſſembled themſelves together with great licence; and would frequently, as well in the night as the day, convene themſelves, by the ſound of a Bell, or other token, in the Fields, or ſome convenient place, to conſult, and receive Orders from Thoſe by whom they were to be diſpoſed. A meeting of this kind being about the time we ſpeak of in *Southwark*, in a place where their Arms and Magazine for that Burrough was kept; the Conſtable, being a labor man, and known to be an Enemy to thoſe acts of Sedition, went among them, to obſerve what they did; he was no ſooner ſpied, but he was reproach'd with diſdainful words, beaten, and dragg'd, in ſo barbarous a manner, that he hardly eſcap'd with his life. Complaint was made to the next Juſtices; and Oath of the Truth of the complaint made; whereupon, a Writ was directed to the Sheriff, to impannel a Jury according to Law, for the inquiry, and examination of that Riot.

THIS was complain'd of in the Houſe of Commons, as an act that concern'd Their Privileges; for that it was pretended, that that meeting in *Southwark* had been made by goodly and well affected men, only to draw up and prepare a Petition againſt Bilhoſs; and that the Conſtable, being a Friend to Bilhoſs, came amongst them to croſs them, and to hinder men from Subſcribing that whoſome Petition. Upon this diſcourſe, without any further examination, an Order was made by that Houſe, that the Under-Sheriff of *Surrey* ſhould be enjoind, not to ſuffer any Proceedings to be made upon any Inquiry, that might concern any perſons who met together to Subſcribe a petition to be preterrd to that Houſe.

By this, and other means, all obſtacles of the Law being remov'd, and the People taught a way to aſſemble Lawfully

The Tumult
near the
White-
Hall and
Westmin-
ster.

together, in how Tumultuous a mannersoever, and the *Christ-
mas* Holy-days giving more leave and licence to all kind of
People, the Concourse grew more numerous about *Westmin-
ster*; the Rabble sometimes, in their passage between the
City and *Westminster*, making a stand before *White-Hall*, and
criying out, *No Bishops, No Bishops, No Popish Lords*, and
lay aloud, "That They would have no more *Porters Lodges*,
"but would Speak with the King when They pleased: and
when They came near the two Houses, took Papers out of
their Pockets, and getting upon some place higher than the
rest, would Read the Names of several persons, under the
Title of *Disaffected Members of the House of Commons*; and
call'd many Lords, *Falsely, Evil, and Boston-hearted Lords*. But
Their Rage and Fury against the Bishops grew so high, that
They threatn'd to Pull down their Lodgings where they lay;
offer'd to Force the Doors of the *Abbey at Westminster*,
which were kept Lock'd many days, and defend'd by a con-
tinual Guard within; and Assaulted the Persons of some of
the Bishops in their Coaches; and laid hands on the Arch-
Bishop of *York*, in that manner, that, if he had not been
seasonably refused, it was believ'd They would have Murder'd
him: So that all the Bishops, and many other Members, of
Both Houses, withdrew themselves from attending in the
Houses, out of a real apprehension of endangering their Lives.

Whom
all the
Lords
and
many
of both
Houses
watch
down
from
their
seats.

THESE Insurrections by this means were so Countenanced,
that no industry or dexterity of the Lord Mayor of *London*,
or *Richard Gournay*, could give any Check to them; but
instead thereof, Himself (with great and very notable courage
Opposing all Their Fanatick humours, both in the Court of
Aldermen and at the Common Council) grew to be reckon'd in
the First Form of the *Malignants* (which was the term
They impos'd upon all Those They meant to render Odious
to the People) inasmuch, as His House was no less threatned
and disquieted by the Tumults, than the House of Lords:
and when He apprehended some of Those who were most
notorious in the Riot, and committed them to the custody of
Both the Sheriffs of *London* in Person to be carried to *New-
gate*, They were, by the power and strength of their Com-
pansions, Rescued from Them in *Chancery*, and the Two Sher-
iffs compelled to Shift for their own safety. And when it
was offer'd to be proved by a Member in the House of Com-
mons, That the Wife of Captain *Pope* (having received a
Letter from Her Husband to that purpose) was one of the
Citizens that served for *London*, and was known Him-
self to lead those men, that came Tumultuously down to
Westminster, and *White-Hall*, at the time of the Passing the Bill
of Attainder of the Earl of *Strafford*, had with great industry
Solicited

Solicited many People to go down with their Arms to *West-
minster*, upon a day (that was named) when She said, her
Husband had sent her word, that in the House of Commons
They were together by the Ears, and that the worse Party
was like to get the better of the good Party; and therefore
her Husband desired his Friends to come with their Arms to
Westminster to help the good Party; and that thereupon many
in a short time went thither: They who offer'd to make
Proof of the fame, were appointed to Attend many days; but
notwithstanding all the Importunity that could be used, were
never admitted to be Heard.

AT L this time the King (who had been with great So-
lemnity invited by the City of *London*, and desired to make
his Residence nearer to Them than *Hampton-Court*) was at
White-Hall, where, besides his ordinary Retinue, and menial
Servants, many Officers of the late Disbanded Army, who
Solicited Their remainder of Pay from the Two Houses,
which was secured to Them by Act of Parliament, and ex-
pected some farther employment in the War with *Ireland*,
upon observation, and view of the Insolence of the Tumults,
and the Danger, that they might possibly bring to the Court,
offer'd themselves for a Guard to His Majesty's Person; and
were with more Formality and Ceremony entertained by
Him, than upon a just computation of all diletempers, was
by many conceived Seasonable. And from these Officers,
warm with indignation at the Insolence of that vile Rabble,
which every day pass'd by the Court, first Words of great
Contempt, and then, those words commonly finding a
Return of equal Return, Blows were fallen upon some of the
most Pragmatical of the Crew. This was looked upon by
the House of Commons like a Levying War by the King,
and much pryer exprest by Them, that the poor People
should be so used, who came to Them with Petitions (for
some few of them had received some Cuts, and Slashes, that
had drawn Blood) and that made a great argument for Re-
solving their Numbers. And from those contentations, the
two Terms of *Round-Head* and *Cavalier* grew to be received terms
in discourse, and were afterwards continued for the most Suc-
cinct distinction of affections throughout the quarrel: They
who were looked upon as Servants to the King, being then
called *Cavaliers*; and the other of the Rabble contented,
and despised, under the name of *Round-Heads*.

THE House of Commons being at this time without any
Member, who having Relation to the King's Service, would
express any Zeal for it, and could take upon him to say to
others, whom he would trust, what the King desired, or to
whom they who wished well, could resort for advice, and
direction;

direction; so that whilst there was a strong Conjunction, and Combination to disturb the Government by depraving it, whatever was said or done to Support it, was as if it were private men; the King Resolv'd to call the Lord Falkland, and Sr John Colepepper, who was Knight of the Shire for Kent, to his Council; and to make the former Secretary of State in the place of *Yane*, that had been kept vacant; and the latter Chancellor of the *Exchequer*, which Office the Lord Colepepper had Resign'd, that Mr *Pym* might be put into it, when the Earl of *Bedford* should have been Treasurer, as is mention'd before. They were Both of great Authority in the House; neither of them any relation to the Court; and therefore what They said made the more Impression; and They were frequent Speakers. The Lord Falkland was wonderfully beloved by all who knew him, as a man of Excellent Parts, of a Wit fo Sharp, and a Nature so Sincere, that nothing could be more Lowly. The Other was generally esteem'd as a good Speaker, being a man of an Universal Understanding, a Quick Comprehension, a Wonderful Memory, who commonly Spoke at the end of the Debate; when he would recollect all that had been said of Weight on all sides with great exactness, and express his own Sense with much clearness, and such an application to the House, that no man more gather'd a general Concurrence to his Opinion than he; which was the more notable, because his Person, and manner of Speaking were ungracious enough; so that He prevail'd only by the strength of his Reason, which was assisted with Confidence enough.

THE King knew Them to be of good Esteem in the House, and good Affections to his Service, and the quiet of the Kingdom; and was more easily perswaded to bestow those Preferments upon Them, than the Lord Falkland was to accept that which was design'd to him. No man could be more Surprized than He was, when the first Intimation was made to him of the King's purpose: He had never propos'd any Such thing to himself, nor had any Veneration for the Court; but only Such a Loyalty to the King as the Law requir'd from him. And He had naturally a Wonderful Reverence for Parliaments, as believing them most Sollicitous for Justice, the Violation whereof in the least degree he could not forgive any Moral Power: and it was only his Observation of the Difficency; and want of Integrity in this Parliament, which lessened that Reverence to it, and had dispos'd him to cross, and oppose Their designs: He was so totally unacquainted with business, and the forms of it, that He did believe really he could not Execute the Office with any Sufficiency.

clency. But there were two Considerations that made most Impressions upon him; the One, lest the World should believe, that his own Ambition had procur'd this Promotion, and that he had therefore appear'd Signally in the House to Oppose those Proceedings, that he might thereby render himself gracious to the Court: The Other, lest the King should expect such a Submission, and Resignation of himself, and his own reason, and judgement to his Commands, as he should never give, or pretend to give; for he was so severe an Adorer of Truth, that he could as easily have given himself leave to Stool as to Dissemble, or to suffer any Man to think that he would do any thing, which he Resolv'd not to do; which he thought a more mischievous kind of Lying, than a positive averring what could be most easily contradicted.

It was a very difficult task to Mr *Hyle*, who had most Credit with him, to persuade him to submit to this purpose of the King's cheerfully, and with a just sense of the Obligation, by promising that in those Parts of the Office, which required most Drusgery, he would help him the best he could. But above all he prevail'd with him, by enforcing the ill consequence of his refusal to take the Office, which would be interpret'd to his dislike of the Court, and his Opinion, that more would be required from him than he could honestly comply with, which would bring great Prejudice to the King: On the other hand, the great Benefit that probably would redound to the King, and the Kingdom, by his accepting such a Trust in such a general defection, by which he would have opportunity to give the King a truer information of his own Condition, and the State of the Kingdom, than it might be presumed had been given to him, and to prevent any Counsels or Practices, which might more alienate the Affections of the People from the Government; and then, that by this relation He would be more able to do the King Service in the House, where he was too well known to have it believed, that he attain'd to it by any unworthy Means or Application. In the end, He was perswaded to submit to the King's good Pleasure, though he could not be prevail'd with to accept it with fo good a Grace, as might raise in the King any notable Expectation of his departing from the severity of his own Nature.

THUS, He and Colepepper were both involv'd in those Offices, to the no small displeasure of the Governing Party, which could not dissemble their Indignation, that any of their Members should presume to receive those Preferments, which they had design'd otherwise to be dispos'd of. They took any opportunities to express their dislike of Them, and to Oppose any thing they Propos'd to them. And within few

days there came a Letter out in Print, pretended to be Interspoil, as written from a Roman Catholic to another of the same Profession, in which he gives an account, "That they had at last, by the interest of their Friends, procur'd those two Honourable Persons (before mention'd) "to be preferred to those Offices, and that they were well afflu'd "that they would be ready to do them, and all their Friends, "all good Offices. Sr *Johannes Colpepper* thought fit to take notice of it in the House, and to make those Professions of his Religion, which he thought necessary. But the Lord *Falkland* chid him rather to Contemn it, without taking notice of the Libel, well knowing that he was Superior to those Columnies, as indeed he was; all of that Profession knowing that he was most irreconcilable to their Doctrine, though He was always Civil to their Persons. However grievous this Preference was to the angry part of the House, it was very grateful to all those, both within and without the House, who wish'd well to the King, and the Kingdom.

THE King at the same time Resolv'd to remove another Officer, who did disserve him notoriously, and to Prefer Mr *Hyle* to that place, with which his Gracious intentions his Majesty acquainted him, but he positively refus'd it, and assur'd him, "That he should be able to do much more Service in the condition he was in, than he should be, if that were improv'd by any Preferment, that could be confer'd upon him at that time; and he said, "That he had the Honour to have much Friendship with the two Persons, who were very Seasonably advanced by his Majesty, when his Majesty's Service in the House of Commons, did in truth want some Countenance, and Support; and by his Conversation with them, he should be so well instructed by them, that he should be more useful to his Majesty, than if it were under a nearer relation and dependence. The King, with a very Gracious countenance, told him, "that he perceiv'd he must, for some time, defer the laying any Obligation upon him; but bid him be assur'd he would find both a Proper Time, and a Suitable Preferment for him, which he should not refuse. In the mean time, he said, he knew well the Friendship between the two Persons, whom he had taken to his Council, and him; which was not the least motive to him to make that choice; and that he would depend as much upon his Advice, as upon either of theirs; and therefore wish'd that all Three would Con- fer together, how to conduct his Service in the House, and to advise his Friends how to carry themselves most to the advantage of it, and to give him constant Advertisment of what had Pass'd, and Council when it was fit for him

"to do any thing; and declar'd, that He would do nothing, "that in any degree concern'd, or related to his Service in "the House of Commons, without their joyn'd Advice, and "exact Communication to them of all his own Conceptions; which, without doubt, his Majesty did at that time heartily Resolve, though in very few days he did very finally sever from it.

By what hath been said before, it appears that the Lord *Digby* was much trusted by the King, and he was of great familiarity, and friendship with the other Three, at least with Two of them; for he was not a Man of that Esteem, as to be in the entire Confidence of the Lord *Falkland*, who look'd upon his Infirmities with more Severity than the other Two did; and he liv'd with more Frankness towards those Two, than he did towards the Other: Yet even between those Two there was a free Conversation, and Kindness to each other. The Lord *Digby* was a Man of very Extraordinary Parts by Nature and Art, and had surely as good and excellent an Education as any Man of that Age in any Country; a Gracious and Beautiful Person; of great Eloquence and becomingness in his Discourse (save that sometimes he seem'd a little affected) and of so Universal a Knowledge, that he never wanted Subject for a Discourse: He was equal to a very good part in the greatest Affairs, but the unskillful Men alive to conduct them, having an Ambition, and Vanity Superior to all his other Parts, and a Confidence in himself, which sometimes intoxicated, and transported, and expos'd him. He had from his Youth, by the disobligations his Family had undergone from the Duke of *Buckingham*, and the great Men who succeeded him, and some sharp reprehension himself had met with, which oblig'd him to a Country Life, contracted a prejudice, and ill will to the Court; and so had in the beginning of the Parliament, engag'd himself with that Party which discover'd most Aversion from it, with a Passion and Antipathy equal to theirs; and therefore very unacceptable to them. But when he was weary of their violent Councils, and withdrew himself from them with some circumstances which enough provok'd them, and made a Reconciliation, and mutual Confidence in each other for the future, manifestly impossible amongst them; he made private and secret offers of his Service to the King, to whom in so general a defection of his Servants, it could not but be very agreeable; and so his Majesty being satisfied both in the Discoveries he made of what had pass'd, and in his Professions for the future, remov'd him from the House of Commons, where he had render'd himself marvellously ungracious, and call'd him by Writ to the House of Peers, where he did

visibly Advance the King's Service, and quickly renderd himself grateful to all those who had not thought too well of him before, when he desired less; and Men were not only pleas'd with the Assistance he gave upon all Debates, by his Judgement and Vigour, but look'd upon him, as one who could derive the King's Pleasure to them, and make a lively representation of their good demeanour to the King, which he was very luxuriant in promising to do, and officious enough in doing as much as was just.

He had been instrumental in promoting the Three Persons above mention'd to the King's Favour; and hid himself in truth for great an Esteem of them, that he did very frequently, upon Conference together, depart from his own Inclinations and Opinions, and Concurred in theirs; and very few Men of so great Parts were, upon all occasions, more Counsellable than he; so that he would seldom be in danger of running into great Errors, if he would communicate, and expose all his own thoughts and inclinations to such a disquisition; nor was he unbecomable in his Nature to such an entire communication in all things which he conceived to be difficult. But his fatal infirmity was, that he too often thought difficult things very easy; and consider'd not possible consequences, when the Proposition admittid some what that was delightful to his Fancy, by pursuing wherof he imagined he should reap some Glory to himself, of which he was immoderately Ambitious: So that if the consultation were upon any Action to be done, no Man more implicitly enter'd into that Debate, or more cheerfully resign'd his own conceptions to a joint determination: But when it was once affirmatively resolv'd (besides that he might possibly receive some impertinent circumstance, as he thought, the imparting wherof would change the nature of the thing) if his Fancy suggest'd to him any particular, which himself might perform in that Action, upon the imagination that every body would approve it if it were propos'd to them, he chose rather to do it, than communicate it, that he might have some final part to himself in the Transaction, in which no other Person might claim a share.

By this unhappy Temper he did often involve himself in very unsuccessful Attempts. The King himself was the unfortun'd Person alive to be serv'd by such a Counsellor, being too easily inclin'd to sudden Enterprises, and so easily startl'd when they were enter'd upon. And from this unhappy Contention in the One, and the Other, a very unhappy Council was propos'd, and Resolution taken, without the least communication with either of the Three, who had been so lately admittid to an entire Trust.

T H E

THE Bishops, who had been, in the manner before spokn of, driven, and kept from the House of Peers, and not very secure in their own, could not have the patience to attend the Dissolution of this Storm, which in wisdom They ought to have done: but considering Right and Reason too abstractly, and what in Justice was due, not what in Prudence was to be expected; suffer'd Themselves implicitly to be guided by the Arch-Bishop of York, who was of a selfis, and overweening Spirit, to such an act of indifferency, and disadvantage to Themselves; that all their Enemies could not have brought upon Them. This Bishop, as is said, was a Man of a very Imperious and fiery Temper, Dr *William*, who had been Bishop of Lincoln, and Keeper of the Great Seal of England in the time of King James. After his removal from that Charge, He had lived Splendidly in his Diocess, and made himself very Popular amongst those who had no reverence for the Court; of which he would frequently, and in the presence of many, speak with too much Freedom, and tell many Stories of Things and Persons upon his own former Experience; in which, being a Man of great Pride and Vanity, He did not always conne himself to a precise Veracity, and did often presume, in those unwary discourses, to mention the Person of the King with too little reverence. He did affect to be thought an Enemy to the Arch-Bishop of Canterbury; whose Person he seem'd exceedingly to contemn, and to be much displeas'd with those Ceremonies and Innovations, as they were then call'd, which were countenanced by the Other; and had himself published, by his own Authority, a Book against the using those Ceremonies, in which there was much good Learning, and too little Gravity for a Bishop. His Passion and his Levity, gave every day great advantages to those who did not love him, and He provok'd too many, not to have those advantages made use of: So that, after several Informations against Him in the Star Chamber, He was Sentenc'd, and Fined in a great sum of Money to the King, and committed Prisoner to the Tower, without the pity, or compassion of any, but those, who, out of hatred to the Government, were sorry that they were witness to so useful a Champion; for He appear'd to be a Man of a very corrupt Nature, whose Passions could have transportid Him into the most unjustifiable Actions.

He had a faculty of making relations of things done in his own Presence, and discourses made to himself, or in his own hearing, with all the circumstances of answers, and replies, and upon Arguments of great Moment; all which, upon Examination, were still found to have nothing in them that was Real, but to be the pure effect of his own Invention.

After

After he was Sentenced in the Star-Chamber, some of his Friends returned to him, to lament, and console with him for his Misfortune, and some of them seem'd to wonder that in an Affair of such a Nature, He had not found means to have made some Submission, and Composition, that might have prevented the Publick Hearing, which proved so much to his Prejudice in point of Reputation, as well as Profit. He answer'd them with all the formality imaginable, "that they had reason indeed to wonder at him upon the Event; but when they should know how he had govern'd himself, he believ'd they would cease to think him worthy of blame. And then related to them, "that s'oon as Publication had pass'd in his Cause, and the Books were taken out, he had desired his Council (who were all able Men, and some of them very Eminent) in the Vacation time, and they at most leisure, to meet together, and carefully to look over, and peruse all the Evidence that was taken on both sides; and that then they would attend him such a Morning; which he appointed upon their consent, at his own Houe at Westminster: That they came at the time appointed; and being then shut up in a Room together, He asked them, whether they had sufficiently perused all the Books, and were thoroughly inform'd of his Cause? To which they all answer'd, that they had not only read them all over together, but had severally every Man by himself perused them again, and they believ'd they were all well inform'd of the whole. That he then told them he had desired this Conference with them, not only as his Council, by whose Opinion he meant to govern himself, but as his particuler Friends, who, he was sure, would give him their best Advice, and persuade him to do every thing as they would do themselves, if they were in his Condition. That he was now offer'd to make his Peace at Court, by such an humble Submission to the King, as he was most inclin'd, and ready to make; and which he would make the next day after his Cause was heard, though he should be declared to be Innocent, of which he could make no doubt; but that which troubled him for the present, was, that the Insameness of the Charge against him, which had been often Expofed, and Enlarged upon in several motions, had been so much taken notice of through the Kingdom, that it could not consist with his Honour to dissent on Hearing, which would be intimated to his want of Confidence in his Innocence, since Men did not suspect his Courage, if he durst rely upon it other; but that he was Resolv'd, as he said before, the next day after he should be vindicated from those Odious Accusations, he would cast himself at the King's feet, with all the

"Humility, and Submission, which the most Guilty Man could make profession of. It was in this point he desired their Advice; to which he would, without adhering to his own Inclination, entirely conform himself; and therefore desired them, singly in order, to give him their Advice. He repeated the severall, and distinct discourse every Man had made, in which he was so punctual, that he apply'd those Parables, and Expressions, and Manner of Speech to the Several Men, which they were all taken notice of frequently to use; as many Men have some Peculiar Words in discourse, which they are most delighted with, or by custom most addicted to; and in conclusion, "that they were Unanimous in their Judgements, that he could not, with the preservation of his Honour, and the opinion of his Integrity, decline the Publick Hearing; where he must be unquestionably declared Innocent; there being no Crime, or Misdemeanour prov'd against him in such a manner, as could make him liable to Censure: They all commended his Resolution of Submitting to the King s'oon as he had made his Innocence to appear; and they all advised him to pursue that Method. This, he said, had Swayed him; and made him decline the other Expedient, that had been proposed to him.

This Relation wrought upon Those to whom it was made, to raise a Prejudice in them against the Justice of the Cause, or the Reputation of the Council, as they were most inclin'd; whereas there was not indeed the least shadow of Truth in the whole Relation; except that there was such a Meeting, and Conference, as was mention'd, and which had been consented to by the Bishop upon the joint desire, and importunity of all the Council; who, at that Conference, Unanimously advised and desired him "to use all the Means and Friends he could, that the Cause might not be brought to Hearing; but that he should purchase his Peace at any Price; for that if it were Heard, he would be Sentenced very grievously, and that there were many things prov'd against him, which would so much reflect upon his Honour, and Reputation, and the more for being a Bishop, that all his Friends would abandon him; and be for ever after allam'd to appear on his behalf. Which Advice, with great Passion, and Reproaches upon the several Persons for their Presumption, and Ignorance in matters so much above them, he utterly and scornfully rejected. Nor indeed was it possible, at that time, for him to have made his Peace; for though upon some former Addresses, and Importunity on his behalf by some Persons of Power, and Place in the Court, in which the Queen her self had endeavour'd to have done

him

him good Offices, the King was inclin'd to have sav'd him, being a Bishop, from the Infamy he must undergo by a Publick Trial; yet the Bishops Vansy had, in those conjunctures, so far transport'd him, that he had done all he could to have intreated, "that the Court was alarm'd of what they had done, and had prevail'd with some of his Powerful Friends "to perwade him to that Composition: upon which the King would never hear more any Person who mov'd on His behalf.

It had been once mention'd to Him, whether by Authority, or no, was not known, "that his Peace should be made, "if he would resign his Bishoprick, and Dignity of *Wylchester* (for he had That in Commendam) "and take a good Bishoprick in *Ireland*, which he positively refused; and said, "he had much to do to defend himself against the Arch-Bishop Here; but if he was in *Ireland*, There was a Man (meaning the Earl of *Stratford*) who would cut off his Head within one Month.

It is Bishop had been for some years in the Tower, by the Sentence of the Star-Chamber, before this Parliament met; when the Lords, who were the most Active and Powerful, presently resolv'd to have him at Liberty. Some had much kindness for him; not only as a known Enemy to the Arch-Bishop of *Easterbury*; but as a Supporter of Those Opinions, and Those Persons, which were against the Church it self. And he was no sooner at Liberty, and brought into the House, but, as has been before mention'd, he defended, and seconded the Lord *Sey*, when he made an Invective with all the Malice, and Bitterness imaginable, against the Arch-Bishop then in Prison; and when he had concluded, that Bishop said; "that he had long known that noble Lord, and had always believ'd him to be as well affected to the Church as Himself; and so he continued to make all his Address to that Lord, and Those of the same Party. Being now in full Liberty, and in some Credit, and Reputation, he applied himself to the King; and made all possible professions of Duty to his Majesty, and Zeal to the Church; professing "to have a perfect Derivation of Those Persons, who appear'd to have no Affection or Duty towards his Majesty, "and of all evil intentions against the Religion Etablish'd; "and that the Civility he had express'd towards them, was "only out of Gratitude for the good Will they had shew'd to Him; and especially that he might the better promote "his Majesty's Service. And it being his turn shortly after, as Dean of *Windsor*, to Preach before the King; he took occasion to speak of the Factions in Religion; and mentioning the Presbyterian Discipline, he said, "it was a Govern-

"ment only fit for Taylors and Shoemakers, and the like: "not for Noblemen, and Gentlemen: which gave great Scandal, and Offence to his great Patrons; to whom he easily reconcil'd himself, by making Them as merry with some Sharp Sayings of the Court, and by performing more Substantial Offices for them.

WHEN, upon the Trial of the Earl of *Stratford*, it was resolv'd to decline the Judgement of the House of Peers, and to proceed by Bill of Attainder: and thereupon it was very unreasonably Mov'd, "that the Bishops might have no Vote in the passing that Act of Parliament; because they pretended it was to have their hand in Blood, which was against an old Canon; This Bishop, without communicating with any of his Brethren, very Frankly declar'd his opinion, "that they ought not to be present; and offer'd, not only in his own Name, but for the rest of the Bishops, "to withdraw always when That business was enter'd upon: and so betray'd a Fundamental Right of the whole Order; to the great Prejudice of the King, and to the taking away the Life of that Person, who could not otherwise have suffer'd.

And shortly after, when the King declar'd, that he neither would, nor could in Conscience, give his Royal Assent to that Act of Attainder; when the *Umurts* came about the Court, with Noise and Clamour for Justice; the Lord *Sey* desired the King to Confer with his Bishops for the Satisfaction of his Conscience; and desired him to speak with That Bishop in the point. After much discourse together, and the King insisting upon many particulars, which might induce others to consent; but were known to Himself to be False; and therefore he could never in Conscience give his own consent to them; the Bishop, as hath been mention'd before, amongst other Arguments, told him; "that he must consider, that as he had a Private Capacity, and a Publick; so he had a Publick Conscience as well as a Private; that though his Private Conscience, as a Man, would not permit him to do an Act contrary to his own Understanding, Judgement, and Conscience; yet his Publick Conscience, as a King, which oblig'd him to do all things for the Good of his People, and to preserve his Kingdom in Peace for Himself and his Posterity, would not only permit him to do That, but even Oblige, and Require him; That he saw in what Commotion the People were; that his own Life, and that of the Queen's, and the Royal Issue, might probably be Sacrific'd to that Fury; and it would be very strange, if his Conscience should prefer the Life of one single Private Person how Innocent soever, before all those other Lives, and the preservation of the Kingdom.

THIS

THIS was the argumentation of that unhappy Casuist; who truly, it may be, did believe himself; for towards the end of the War, and when the King's Power declin'd; he, being then an Arch-Bishop, did in Person assist the Rebels to take a Castle of the King's; in which there was a Garrison, and which was taken by a long Siege, because he might thereby the better enjoy the Profits of his own Estate, which lay thereabouts.

UPON all these great Services He had perform'd for the Party, he grew every day more Imperious; and after the King thought it necessary to make him Arch-Bishop of York, which, as the time then was, could not qualify him to do more harm, and might possibly dispose, and oblige him to do some good; he carried himself so intolently, in the House and out of the House, to all Persons, that he became much more Odious universally, than ever the other Arch-Bishop had been; having far more Enemies than He, and few or no Friends, of which the Other had abundance. And the great hatred of this Man's Person and Behaviour, was the greatest invitation to the House of Commons for irregularly to revive that Bill to remove the Bishops; and was their chief encouragement to hope, that the Lords, who had rejected the Former, would now Pass, and consent to this Second Bill.

THIS was one of the Bishops, who was most rudely treated by the Rabble, who gathered themselves together about the House of Peers, crying out, *No Bishops, No Bishops*; and his Person was assaulted, and Robes torn from his back; upon which, in very just displeasure, he return'd to his house, the Deanery at *Wexminster*; and sent for all the Bishops, who were then in the Town (it being within very few days of *Christmas*), of which there were Twelve or Thirteen; and, in much Passion, and with his natural Indignation, He proposed as absolutely necessary; "that they might Unanimously and Presently prepare a Protestation, to send to the House, against the Force that was used upon Them; and against all the Acts, which were, or should be done during the time that They should by Force be kept from doing their Duties in the House. And immediately, having Pen and Ink ready, Himself prepared a Protestation; which being read to them, They all approv'd; depending upon His great Experience in the Rules of the House, where he had fix'd many Years, and in some Parliaments in the place of Speaker, whilst he was Keeper of the Great Seal; and so presumed that He could commit no error in Matter or Form; and without further Communication, and Advice, which both the Importance of the Subject, and the Disesteem of the

time did require; and that it might have been consider'd as well what was Right, as what was Right; without further delay, than what was necessary for the fair Writing, and Inrolling the Instrument they had prepar'd; They all set their hands to it. Then the Arch-Bishop went to *White-Hall* to the King, and presented the Protestation to him; it being directed to his Majesty with an humble desire, that He would send it to the House of Peers, since They could not present it Themselves; and that He would command, that it should be Enter'd in the Journal of the House. His Majesty casting his Eye perfunctorily upon it, and believing it had been drawn by Mature Advice, no sooner receiv'd it, than he deliver'd it to the Lord Keeper, who unfortunately happen'd to be likewise present, with his command that he should deliver it to the House as soon as it met; which was to be within two hours after. The Petition contain'd these words,

To the King's most Excellent Majesty; and the Lords, and The Petition
Peers now assembled in Parliament. and Pro-
and Pro-
tation of the
Bishops to the
House of
Lords.

"The humble Petition, and Protestation of all the Bishops,
and Prelates now called by his Majesty's Writs to attend
at the Parliament, and present about London and West-
minster for that Service.

"THAT, whereas the Petitioners were called up by Several and Respective Writs, and under great Penalties to attend in Parliament; and have a clear and indubitable Right to Vote in Bills, and other matters whatsoever Debatable in Parliament, by the ancient Customs, Laws, and Statutes of this Realm; and ought to be Proceeded by your Majesty, quietly to attend, and prosecute that great Service:

THEY humbly Remonstrate, and Protest before God, your Majesty, and the noble Lords and Peers now assembled in Parliament; that as They have an indubitable Right to Sit, and Vote in the House of Lords, so are they (if they may be protected from Force, and Violence) most ready, and willing to perform their Duties accordingly; and that they do Abominate all Actions or Opinions tending to Poverty, and the maintenance thereof; as also all Propension, and Inclination to any Malignant Party, or any other Side, or Party whatsoever, to the which Their own Reasons, and Consciences shall not move them to Adhere.

BUT, whereas They have been at several times, violently Menaced, Affronted, and Abused by Multitudes of People in their coming to perform their Services in that Honourable House; and lately Chased away, and put in
danger

Null, which had been, or should be done in their Absence, in defence of which no man Then durst open his Mouth, will be thought good Law, and good Logick; not that the Presence of the Bishops in that time was so Essentiall, that no Act should Pass without Them; which had given them a Voice, upon the matter, as they say of the King's; and Themselves, in their Instrument, Disclaim'd the least Pretence to such a qualification; but because a Violence offer'd to the Freedom of any One Member, is a Violation to all the Rest: as if a Council consist of Threecore, and the door to that Council be kept by Armed men, and all Such, whose Opinions are not liked, kept out by force; no doubt the Freedom of Those Within is infringed, and all Their Acts as Void and Null, as if they were Locked in, and kept without meat till they alter'd their Judgments.

AND therefore you shall find in the Journals of the most Sober Parliaments, that upon any eminent Breach of Their Privileges, as always upon the Commitment of any Member for any thing Said or Done in the House, sometimes upon less occasions, that House, which apprehended the Treasuries, would sit mute, without Debating, or Handling any business, and then Adjourn; and this hath been practised many days together, till they had Redress or Reparation. And their Reason was, because their Body was Lame; and what was befallen One Member, thatevented to the Rest; and the consequence of one Act might extend it self to many other, which were not in view; and this made their Privileges of so tender, and nice a temper, that they were not to be Touched, or in the least degree Trenched upon; and therefore that in so apparent an Act of Violence, where it is not more clear that they were committed to Prison, than that they durst not then Sit in the House, and when it was Lawfull in the House of Peers for every dissent in the most Trivial Debate, to enter his Protestation against that sense he liked not, though he were single in his opinion; That it should not be Lawfull for Those, who could not Enter it Themselves, to Present this Protestation to the King, to whom they were accountable under a Penalty for their Absence; and unlawful to that degree, that it should render them culpable of High Treason; and so forfeit their Honour, their Lives, their Fortunes, expose their Names to perpetual Infamy; and their Wives and Children to Penury, and want of bread; will be looked upon as a Determination of that injustice, Impiety, and Horror, as could not be believ'd without those deep marks, and Prints of Contusion that followed, and attended That Resolution.

AND yet the Indifference of Those Bishops, sway'd by the

the Pride, and Passion of that Arch-Bishop, in applying that Remedy at a time, when they saw all Forms and Rules of Judgment impetuouly declined; and the power of their Adversaries so great, that the Laws themselves submitted to their Oppressions; that They should, in such a Storm, when the hull Pilot was at his prayers, and the Card, and Compass left without the advice of one Mariner, put themselves in such a Cock-boat, and to be sever'd from the good Ship, gave that Scandal and Offence to all those who passionately desired to preserve their Function, that they had no compassion, or regard of their Persons, or what became of them; insomuch as in the whole Debate in the House of Commons, there was only one Gentleman, who spoke in their behalf, and said; "he did not believe they were guilty of High Treason, but that they were Stark Mad; and therefore desired they might be sent to Bedlam."

This high, and extravagant way of proceeding brought no Prejudice to the King; and though it made their Tribunal more terrible to men who laboured under any Guilt, yet it exceedingly lessened the Reverence and Veneration, that formerly had been entertained for Parliaments: and this last, Acclamation, and Commitment of so many Bishops at Once, was looked upon by all Sober men with Indignation. For whatever Indiscretion might be in the thing it self, though those Expressions in the matter might be Unskilful and Unseasonable, and the Form of presenting and transmitting it, warrantable, and the Form of presenting and transmitting it, Irregular and Unjustifiable (for all which the House of Peers might punish their Own Members, according to their discretion) yet every man knew there could be no Treason in it; and therefore the end of their Commitment, and the use all men saw would be made of it, made it the more Odious; and the Members who were absent from both Houses, which were Three parts of Four, and many of those who had been present, Abhorred the Proceedings; and attended the Houses more diligently; so that the Angry Party, who were no more treated with, to abate their Fury, would have been compelled to have given over all their Designs for the Alteration of the Government both in Church, and State; if the Volatile, and Unquiet Spirit of the Lord Digby had not prevail'd with the King, contrary to his Resolution, to have given Them some New Advantage; and to depart from his purpose of doing nothing without very mature Deliberation.

THOUGH Sir William Balfour, who is already mentioned, had, from the beginning of this Parliament, forgot all his Obligations to the King; and had made himself very Gracious to those people, whose glory it was to be thought Enemies to the Court; and, whilst the Earl of Strafford was his Prisoner

soner, did many Officers not becoming the Trust he had from the King, and contributed much to the Jealousy, which that Party had of his Majesty; upon which there had been a long resolution to remove him from that Charge; but to do it with his own Consent, that there might be no manifestation of Displeasure; yet it was a very unfavourable Conjunction, which was taken to execute it in; and this whole Transacti-
 on was so secretly carried, that there was neither notice nor suspicion of it, till it was heard, that *St Thomas Lamford* was ancient Lieutenant of the Tower; a man, who, though of an Fortune, and of good Education; having been few years before, compelled to fly the Kingdom, to avoid the hand of Justice for some riotous Misdemeanour; by reason whereof, he got the reputation of a Man of Courage, and a good Officer of Foot; and in the beginning of the Troubles here had some Command in the King's Army; but so much inferior to many others, and was so little known, except upon the disadvantage of an ill Character, that, in the most Duxial time, the Promotion would have appeared very ungrateful. He was utterly a Stranger to the King, and therefore it was quickly understood to proceed from the single election of the Lord Digby, to whom he was likewise very little known; who had in truth designed that Office to his Brother *St Lewis Drom*, against whom there could have been no exception, but his Relation; but He being not at that time in Town, and his other having some secret Reason to fill that place in the instant, with a man who might be trusted; he suddenly resolved upon this Gentleman, as one who would be Faithful to him for the obligation, and execute any thing he should desire, or direct; which was a reason he might easily have foreseen would provoke more powerful Opposition; which error, as is said before, was repaired by the sudden change, and putting in *St John Byrom*; though it gave little satisfaction, and the King, by reason of another more inconvenient Action, which changed the whole Face of Affairs, and caused That to be more reflected upon.

The At-
 tention
 of the
 House
 was
 the
 King's
 Majesty
 and
 five
 Mem-
 bers
 of
 the
 House
 of
 Com-
 mons
 High
 Treas-
 ure.

In the Afternoon of a day when the two Houses sat, *Herbert* the King's Attorney informed the House of Peers, that he had somewhat to say to them from the King; and thereupon, having a Paper in his hand, he said, that the King com-
 manded him to accuse the Lord *Kimbolton*, a Member of this House, and five Gentlemen, who were all Members of the House of Commons, of High Treason; and that his Majesty had himself delivered him in Writing several Articles, upon which he accused them; and he read in a Paper these con-
 sisting

Articles

Articles, by which the Lord *Kimbolton*, *Denzil Hollis*, *St Ar-
 thur Haslerig*, *Mr Pym*, *Mr Hamblen*, and *Mr Strade*, food
 Accused of High Treason, for Conspiring against the King,
 and the Parliament.

Articles of High Treason, and other Misdemeanours, against *The Lord
 the Lord Kimbolton*, *Mr Pym*, *John Hamblen*, *Denzil Hollis*, *St Ar-
 thur Haslerig*, and *William Strade Attorn-
 ees of the House of Commons.*

1. "THAT They have Traiterously endeavour'd to Sub-
 vert the Fundamental Laws, and Government of this King-
 dom; and deprive the King of his Regal Power; and to
 place on his Subjects an Arbitrary, and Tyrannical Power.
2. "THAT They have endeavour'd, by many foul Alper-
 sions upon his Majesty, and his Government, to alienate the
 Affections of his People, and to make his Majesty odious
 to Them.
3. "THAT They have endeavour'd to draw his Majesty's
 Army to disobedience to his Majesty's Command, and to
 Side with Them in their Traiterous design.
4. "THAT They have Traiterously invaded, and encour-
 aged a Foreign Power to invade his Majesty's Kingdom
 of England.
5. "THAT They have Traiterously endeavour'd to Sub-
 vert the very Rights and Beings of Parliament.
6. "THAT, for the completing of their Traiterous de-
 signs, They have endeavour'd, as far as in Them lay, by
 Force and Terror to compel the Parliament to joyn with
 them in their Traiterous designs, and, to that end, have
 Actually raised, and countenanced Tumults against the
 King, and Parliament.
7. "THAT They have Traiterously conspired to Levy,
 and Actually have Levied War against the King.

THE House of Peers was somewhat appall'd at this Alar-
 ming; but took time to consider of it, till the next day, that
 they might see how their Masters the Commons would be-
 have themselves; the Lord *Kimbolton* being present in the
 House, and making great professions of his Innocence; and
 no Lord being so hardy to pris for his Commitment on the
 behalf of the King.

At the same time, a Serjeant at Arms demanded to be
 heard at the House of Commons from the King; and being
 sent for to the Bar, demanded the Persons of five of their
 Members to be deliver'd to him in his Majesty's Name, his
 Majesty having accused them of High Treason. But the Com-
 mons

mons were not much surpriz'd with the Accident; for besides that they quickly knew what had pass'd with the Lords, some Servants of the King, by especial Warrant, had writted the Lodgings of some of the Accus'd Members, and seiz'd their Staves and Trunks; upon information whereof, before that Sergeant came to the Houfe, or Publick notice was taken of the Accusation, an Order was made by the Commons; "That if any Person whatsoever should come to the Lodgings of any Member of that Houfe, and there offer to Seal the Doors, Trunks, or Papers of such Members, or to Seize upon their Persons; that then such Member should require the aid of the next Constable, to keep such Persons in safe Custody, till the Houfe should give further Order: that if any Person whatsoever should offer to Arrest or Detain any Member of that Houfe, without first acquainting that Houfe therewith, and receiving further Order from thence; it should be lawful for such Member to stand upon his Guard, and make Resistance, and for any Person to assist him, according to the Prosecution taken to defend the Privileges of Parliament. And so, when the Sergeant had deliver'd his Message, he was no more call'd in; but a Message sent to the King, "that the Members should be forth coming alfoon as a Legal Charge should be preferred against them; and so the Houfe Adjourned till the next day, every one of the Accus'd Persons taking a Copy of that Order, which was made for their Security.

THE next day in the Afternoon, the King, attended only by his own usual Guard, and some few Gentlemen, who put themselves into their company in the way, came to the Houfe of Commons; and commanding all his Attendants to wait at the Door, and give offence to no Man; Himself, with his Nephew, the Prince Elector, went into the Houfe, to the great amazement of all; and the Speaker leaving the Chaise, the King went into it; and told the Houfe, "he was sorry for that occasion of coming to them; that yesterday he had sent his Sergeant at Armes to Apprehend some, that, by his command, were Accus'd of High Treason; whereunto he expected Obediences, but instead thereof he had receiv'd a Message. He declared to them, that no King of England had been ever, or should be more careful to maintain their Privileges, than He would be; but that in Cases of Treason no Man had privilege; and therefore he came to see if any of those Persons, whom he had Accus'd, were Those; for he was resolv'd to have them, wherefore he should find them; and looking then about, and asking the Speaker whether they were in the Houfe, and he making no answer, he said, he perceiv'd the Birds were all Flown, but expected

"they should be sent to him, alfoon as they return'd thither; and assur'd them in the Word of a King, that he never intended any Force, but would proceed against them in a fair, and legal way, and so return'd to White-Hall.

THE Accus'd Persons, upon information and intelligence what his Majesty intended to do, how secretly soever it was carried at Court, having withdrawn from the Houfe about half an hour before the King came thither; the Houfe in great disorder, alfoon as the King was gone, Adjourn'd till the next day in the Afternoon; the Lords being in so great apprehension upon notice of the King's being at the Houfe of Commons, that the Earl of Effex express'd a tender (sane he had of the inconveniences which were like to ensue those Divisions; and mov'd, "that the Houfe of Peers, as a work very proper for them, would interpose between the King and his People; and Mediate to his Majesty on the behalf of the Persons Accus'd; for which he was reprehended by his Friends, and afterwards Laugh'd at himself, when he found how much a stronger Defence they had, than the best Mediation could prove on Their behalf.

How secretly soever this Affair was carried, it was evident that the King's Resolution of coming to the Houfe had been discover'd, by the Members withdrawing themselves, and by a Comploteness, which appeared in the Countenances of many, who us'd to be disturb'd at less Surprising Occurrences; and though the purpose of accusing the Members was only consulted between the King and the Lord Digby, yet it was generally believ'd, that the King's purpose of going to the Houfe, was communicated to William Murray of the Bed-Chamber, with whom the Lord Digby had great Friendship; and that it was discover'd by him. And that Lord, who had promised the King to move the Houfe for the Commitment of the Lord Kimbolton, alfoon as the Attorney General should have accus'd him (which if he had done would probably have rais'd a very hot Dispute in the Houfe, where many would have joy'd with him) never spoke the least word; but, on the contrary, seem'd the most surpriz'd, and perplexed with the Attorney's Impeachment; and sitting at that time next the Lord Kimbolton, with whom he pretended to live with much Friendship, he whisper'd him in the Ear with some motion (as he had a rare talent in Dissimulation) "That the King was very Mischievously advis'd; and that it should go very hard, but he would know, whence that Counsel proceeded; in order to which, and to prevent further Mischiefe, he would go immediately to his Majesty; and so went out of the Houfe.

WHEREAS He was the only Person who gave the Counsel,

fel, named the Persons, and particularly the Lord *Kimbolton* (against whom less could be said, than against many others, and who was more generally beloved) and undertook to prove that the said Lord *Kimbolton* told the Rabbie, when they were about the Parliament House, that they should go to *White-Hall*. When he found the ill Success of the Impachment in both Houses, and how unsatisfied all were with the proceeding, he advised the King the next Morning to go to the *Gold-Hall*, and to inform the Mayor and Aldermen of the Grounds of his Proceedings; which will be mention'd anon. And that People might not believe, that there was any dejection of mind, or sorrow for what was done; the same Night, the same Council caused a Proclamation to be prepared for the stopping the Ports; that the Accused Persons might not escape out of the Kingdom; and to forbid all Persons to receive, and harbour them; when it was well known, that they were all together in a house in the City, without any fear of their Security. And all this was done without the least communication with any body, but the Lord *Digby*, who advised it; and it is very true, was so willing to take the utmost hazard upon himself, that he did offer the King, when he knew in what house they were together, with a select company of Gentlemen, who would accompany him, whereof *St Thomas Lawford* was one, to Seize upon them, and bring them away Alive, or leave them Dead in the place: but the King liked not such Enterprises.

The Persons
removed them-
selves into
the City.

THAT Night, the Persons Accused remov'd themselves into their Strong-Hold, the City: not that they durst not venture themselves at their old Lodgings, for no Man would have presumed to trouble them, but that the City might see, that they relied upon that Place for a Sanctuary of their Privileges against Violence and Oppression; and so might put on an early Concernment for them. And they were not disappointed; for in spite of all the Lord Mayor could do to compose their Discomposers (who, like a very Wise and Stout Militaire, bestirred himself) the City was that whole Night in Arms; some People, design'd to that purpose, running from one Gate to another, and crying out, "that the *Cavaliers* were coming to fire the City; and some saying, "that the King himself was in the head of them.

The King
was inform'd
of this, and
went to the
Council.

The next Morning, the King being inform'd of much that had pass'd that Night, according to the Advice he had receiv'd, sent to the Lord Mayor to call a Common Council immediately; and about ten of the Clock, himself, attended only by three or four Lords, went to the *Gold-Hall*; and in the Room, where the People were assembled, told them, "He was very sorry to hear of the Apprehensions, they had

"entertain'd of Danger; that He was come to Them, to shew how much he relied upon their Affections for his Security, and Guard, having brought no other with him; that he had accused certain Men of High Treason, against whom he would proceed in a Legal way; and therefore he presum'd they would not flatter them in the City. And using many other very Gracious Expressions of his value for them, and telling one of the Sheriffs (who was of the Two thought less inclin'd to his Service) "that he would Dine with him, he departed without that Applause and Cheerfulness, which he might have expected from the extraordinary Grace he vouchsaf'd to them. And in his passage through the City, the Rude People flock'd together, and cry'd out, *Privilege of Parliament, Privilege of Parliament*; some of them peeing very near his own Coach, and amongst the rest one calling out with a very loud Voice, *To your Tent O Israel*. However the King, though much Mortified, continued his Resolution, taking little notice of the Distempers; and, having Dined at the Sheriff's, return'd in the Afternoon to *White-Hall*; and published, the next day, a Proclamation, for the Apprehension of all Those, whom he had accused of High Treason, forbidding any person to Harbour them; the Articles of their Charge being likewise Printed, and dispers'd.

WHEN the House of Commons next met, none of the Accused Members appearing, They had Friends enough, who were well intrusted to aggravate the late proceedings, and to put the House into a Thousand Jealousies, and Apprehensions, and every slight Circumstance carried weight enough in it to disturb their Minds. They took very little notice of the Accusing the Members; but the King's coming to the House, which had been Never known before, and Declaring, "that he would take Them, wherever he Found Them, was an Evidence, that he meant Himself to have brought a Force into the House to Apprehend them, if they had been there; and was look'd upon as the highest Breach of Privilege, that could possibly be imagin'd. They who spoke most Passionately, and probably meant as Maliciously, behaved themselves with Modesty, and seem'd only concern'd in what concern'd them All; and concluded, after many Lamentations, "that they did not think themselves Saig in that House, till the Minds of Men were better Compos'd; that the City was full of Apprehensions, and was very Zealous for their Security; and therefore wish'd, that they might Adjourn the Parliament to meet in some place in the City. But that was found not Practicable; since it was not in their own Power to do it, without the Consent of the Peers, and the Concurrence of the King; who were Both like rather to choose

The House of choose a place more distant from the City. So, with more Reason, in the end they concluded, "that the House should adjourn to the City, and name a Committee, who should sit both Morning and Afternoon in the City; and All who came to have Voices: and *Afterwards* *Westminster-Hall* was appointed for the place of their meeting; They who Served for *London*, undertaking, "that it should be ready against the next Morning: no Man opposing or contradicting any thing that was said; They, who formerly used to appear for all the Rights and Authority which belonged to the King, not knowing what to say, between Grief and Anger, that the Violent Party had by their late unskilful actions of the Court, gotten great Advantage, and recover'd new Spirits: and the Three Persons before named, without whose Privy the King had promised that he would enter upon no Council, were so much displeas'd and deject'd, that they were inclin'd, never more to take upon them the Care of any thing to be transacted in the House; finding already, that they could not avoid being looked upon as the Authors of those Councils, to which they were so absolute Strangers, and which they perfectly Detest'd.

AND in truth, They had then withdrawn themselves from appearing often in the House, but upon the abstracted consideration of their Duty and Conscience, and of the present ill condition the King was in; who likewise felt within himself the Trouble and Agency, which usually attends Generous and Misanthropic Minds upon their having committed Errors, which expose them to Censure, and to Damage. In fine, the House of Commons Adjourn'd for some days, to consult with their Friends in the City; and the House of Lords held in good Correspondence with them, that they likewise Adjourn'd to the same Days they knew, by some Intelligence, the Commons intended to meet again. But the Lords made no Committee to sit in the City.

WHERE the Committee met the next Morning at *Westminster-Hall*, where All who came were to have Voices, and whether All did come at first, out of Curiosity to observe what Method they meant to proceed in, rather than Expectation that they should be able to do any Good there; they found a Guard ready to attend them, of Substantial Citizens in Arms, and a Committee from the Common Council, to bid them Welcome into the City; and to Assure them, "that the City would take Care, that They, and all their Members should be Secured from Violence; and to that purpose had appointed that Guard to attend them, which should be always Reliev'd twice a day, if they resolv'd to sit Morning and Afternoon: and acquainted them further, "that the

Common Council, in contemplation that they might stand in want of any thing, had likewise appointed a Committee of so many Aldermen, and such a number of the Common Council, which should meet always at a place named, as at those Hours, which that Committee should appoint to meet at; to the end, that if any thing were to be required of the City, they might still know their Pleasure, and take Care that it should Obey'd. Thus they had provided for such a mutual Communication and Confederacy, that they might be sure always to be of one Mind, and the One to help the Other in the prosecution of those Designs and Expedients, which they should find necessary to their Common end: the Committee of the City consisting of the most Eminent Persons, Aldermen and others, for their disaffection to the Government of Church and State.

AT their first Sitting, the Committee begun with the stating the Manner of the King's coming to the House, and all he did there; the several Members mentioning all that they would take upon them to remember of his Majesty's Doing or Speaking, both as he came to the House, and after he was there; some of them being walking in *Westminster-Hall* when the King walked through, and to come to the House with him, or near him; others reporting, what they heard some of the Great Men, who attended his Majesty, say, as they pass'd by; every idle word having it's Commentary; and the Persons, who ever were named, being appointed to attend, they having Power given them to send for all Persons, and to Examine them touching that Affair. Nor had any Man the Courage to refuse to Obey their Summons; so that all those of the King's Servants, who were sent for, appear'd punctually at the hour that was signify'd them; and were Examined upon all Questions, which any one of the Committee would propose to them, whereof many were very Impertinent, and of little respect to the King.

IT was very well known where the Accus'd Persons were, all together in one House in *Coleman-Street*, near the place where the Committee Sat; and whither Persons trusted pass'd to and fro to communicate, and receive Directions; but it was not Seasonable for them yet to appear in Publick, and to come and sit with the Committee, or to own the believing, that they thought themselves safe from the Violence, and the Assaults of the Court; the Power whereof they conceivably contemn'd, whilst they seem'd to apprehend it; nor was it yet time to Model in what manner their Friends in the City, and the Country, should appear concern'd for them; in preparing whereof no time was lost.

AGAINST the day the House was to meet, the first Adjournment

journalment not being for above two or three days, the Committee had prepar'd Matter enough for a Report; a Relation of all they had discover'd upon their Examinations, and such Votes, as they thought fit to offer upon the breach of their Privilege; that they might thereby discover the Affections of the House, of which they could not yet take any measure, seeing there had been no Debate since those Accidents, which could discover the general Temper; which they well enough knew, was not before to their Advantage. In the mean time, they used all the ways they could to Asperse those, who used to Oppose them, as the Contrivers of the late Proceedings; and were willing they should know it; which they imagined, would restrain them from taking the same Liberty they had used to do.

Vote of the House of Commons as they first mention'd in this.

AND so at their meeting in the House, upon the Report of the Committee, they declar'd, "That the King's coming to the House, and Demanding the Persons of divers Members thereof to be deliver'd unto Him, was a high Breach of the Rights and Privileges of Parliament; and inconsistent with the Liberty and Freedom thereof; and therefore that they could not with the Safety of their own Persons, or the Intermity of the Rights and Privileges of Parliament, Sit there any longer, without a full Vindication of so high a Breach, and a sufficient Guard, wherein they might Confide; and for that Reason, did Order, that their House should be again Adjourn'd for four days; and that the Committee should meet in the same place, to Consider and Resolve of all things, that might concern the Good and Safety of the City, and the Kingdom; and particularly, How their Privileges might be Vindicated, and their Persons Secured; and should have Power to Consult and Advise with any Person, or Persons, touching the Premises. And, this Order and Declaration being made, they Adjourn'd: the last Clause being intended to bring their Members to them.

At the meeting of the House, the Committee had inform'd them, First of the great Civilities, they had receiv'd from the City in all the particulars, that they might have Order to return the Thanks of the Whole House, which they easily observ'd; and, at their return, they took more Examinations than they had formerly; by which they made a fuller Relation of the King's coming to the House, and his Carriage and Words there. And because it was visible to all Men, that the King was so far from bringing any Force with Him, which they desired it should be believ'd he had brought, that he had only his Guard of Halberders, and a few of them, that used to go with Him on any ordinary Motion;

Motion; and that fewer of his Gentlemen Servants were then with him, than usually attended him when he went but to walk in the Park; and had only their Little Swords; they were very punctual in mentioning any Light or Loose Words, which had fallen from any Man, that it might be believ'd, that there was more in the Matter. As they carefully inserr'd in their Relation, that one of the Waiters, as he walked very near his Majesty through the Hall, said, "I had a good Pistol in his Pocket; and that Another, as they were walking up the Stairs towards the House of Commons, call'd out, *Fell em*; from which they would have it believ'd, that there had been very Bloody intentions.

THEN They propos'd some Votes to be offer'd to the House, in which they Voted "the Rebellion, which was made, to be true; and thereupon, that the King's Coming to the House was the highest Breach of the Privilege of Parliament, that could be made; and that the Arresting, or endeavouring to Arrest, any Member of Parliament was a high Breach of their Privilege; and that the Person, who was so Arrested, might lawfully Rescue, and Receive himself; and that all, who were present, and ought to Assist the injured Person in his Defence, and to procure his Liberty with were Repeared. Though, in the Debate, it was told them, "That they must take heed, that they did not out of Tenderness of their Privilege, which was, and must be very precious to every Man, extend it further, than the Law would suffer it to be extended; that the House had always been in the Vindicating those Members, who were injured; but that the disposing men to make themselves Judges, and to Rescue themselves or others, might be of evil Consequence, and produce ill Effects; at least if it should fall out to be, that the Persons were Arrested for Treason, or Felony, or Breach of the Peace: to either of which Cases, there could be no Privilege of Parliament. This, though a known Truth to any, who knew any thing of the Law, was resolv'd with Noise and Clamour, and with wonderful evidence of Dislike, and some faint Contradictions, "that no Such thing ought to be done, whilst a Parliament was Strong: and then, falling upon the late Action of the King, and the Merit of those Persons, and without much Contradiction, which was found to be ungrateful, the House Confirmd all that the Committee had Voted; and then Adjourn'd again for some days, and Order'd the Committee to meet again in the City, which they did Morning and Afternoon; and prepar'd other Votes

Votes of a brighter Alloy, and more in the face of the King, and the Law, every day adding to the Fury and Fierceness of the precedent. The House met and Sate, only to Confirm the Votes which were Pass'd by the Committee, and to prosecute such Matters, as were by Consent brought to them, by Petition from the City; which was ready to Advance any thing, they were directed; and so whilst the Members yet kept themselves Conceal'd, many particulars of great Importance were transacted in those short Sittings of the House.

It is King about this time, having found the Inconvenience and Mischief to himself of having no Servant of Interest and Reputation, and who took his business to Heart, in the House of Commons, had made the Lord Falkland and Sir John Colpepper, both Members of that House, and of unblemish'd Reputation and confest Abilities, of his Privy-Council; and the one, the Lord Falkland, his Principal Secretary of State, and Sir John Colpepper, Chancellor of the Exchequer; as is said before. And so, having now gotten two Counsellors about him, who durst Trust one another, and who were Both fit to be Truſted by Him, which he had been without above a Year past, to His, and the Kingdom's irreparable Disadvantage; He thought fit to Publish a Declaration to all his Subjects, in Answer to the Remonstrance, he had lately receiv'd from the House of Commons, and was dispers'd throughout the Kingdom. In which, without the least Sharpness or return of the Language he had receiv'd; he took notice "of the Fears, and Jealousies (for those were the New words, which serv'd to justify all Indispositions, and to excite all Disorders) which made Impression in the Minds of his People, with reference to their Religion, their Liberty, or their Civil Interests.

"As to their Religion, He observ'd the Fears to be of two sorts; either as Ours here Established might be invaded by the Roman Party; or as it was accompanied with some Ceremonies, at which some tender Consciences, or Really were, or Pretended to be, Scandaliz'd. For the first, as there might be any suspicion of Favour or Inclination to the Papists, he said, he was willing to Declare to all the World, that, as he had been brought up from his Childhood in, and practis'd that Religion, which was Established in the Church of England; so he believ'd he could, having given a good part of his time and pains to the Examination of the Grounds of it, as it Differ'd from that of Rome, maintain the same by Unanswerable Reasons; and hoped he should be ready to Seal it with the effusion of his Blood, if it should please God to call him to that Sacrifice; and that nothing could be so acceptable to him, as any Propo-

sition, which might contribute to the Advancement of it. Here, or the Propagation of it Abroad; this being the greatest means to stir down a Blessing from God upon himself, and this Nation; and if this Profession of his was wanting to his People, he thought himself extremely Unfortunate, for that his constant Practice in his own Profession had always been, without Offentation, as much to evidence his Care and Duty therein, as he could possibly tell how to express.

"As for matters of Ceremony, He said, he would, in Tenderness to any number of his loving Subjects, be willing to comply with the advice of his Parliament, that some Law should be made for the exemption of tender Consciences from punishment or prosecution for neglecting such Ceremonies; and in such Cases, which by the judgment of most men are held to be matters Indifferent, and of some to be absolutely Unlawful. Provided, that that Case should be attempted, and pursued with that Modesty, Temper, and Submissiveness, that in the mean time the Peace, and Quiet of the Kingdom should not be disturb'd, the Decency, and Comeliness of God's Service not discountenanced, nor the Pious, Sober, and Devout actions of those Reverend persons, who were the first Labourers in the blessed Reformation, or of that time, be Scandaliz'd, and Defam'd.

"For, he said, he could not without Grief of Heart, and without some Tax upon himself and his Ministers for the just executing of the Laws, look upon the bold Licence of some men in Printing of Pamphlets, in Preaching and Printing of Sermons so full of bitterness and malice against the present Government, which made the Laws Established so full of Sedition against his own Person, and the Peace of the Kingdom; that he was many times amaz'd to consider by what Eyes those things were Seen, and by what Ears they were Heard.

"CONCERNING the Civil Liberties and Interests of the Subjects, He said, he should need say the less, having accorded to many lasting Monuments of his Princely and Fatherly care of his People, in those excellent Laws pass'd by him this Parliament; which, with very much Consent to himself, he said, he conceived to be so large and ample, that very many Sober men had little left to wish for of that Kind. He told them, he very well understood the Rights and particular Advantages, he had Departed from in many of the Acts he had pass'd; and therefore he had reason to hope, as he had taken all Occasions to render their condition most Comfortable and Happy; so They would, in grateful and dutiful return, be always ready with equal Tenderness

The King's
whom he
the King's
Commons
former Re-
monstrance

"ness and Alacrity to advance His Rights, and prefer His
 "Honour, upon which their own Security and Subſiſtence fo-
 "much depended; and no particular ſhould be preſented un-
 "to him for the Compleating, and Eſtabliſhing that Security,
 "to which he would not with the ſame readineſs contri-
 "bute his beſt Affiance. He ſaid, if thoſe Reſolutions were
 "the effects of his preſent Councils, and he took God for
 "Witness that they were juſt, and that his Subjects might
 "confidently expect the Benefit of them from him, certainly
 "no ill Deſign upon the Publick could accompany ſuch Re-
 "ſolutions; neither could there be great caule of ſuſpicion
 "of any Perſons preferred by him to degrees of Honour, and
 "places of Truſt and Employment, ſince this Parliament
 "and therefore, that amongſt his Miſfortunes he reckoned it
 "not the Leaſt, that having not remain'd in his Service, nor
 "Protected any One perſon, againſt whom the Parliament
 "had expreſs'd, during the whole Sitting of it, and having
 "in all that time ſcarce vouchſafed to any Man an inſtance
 "of his Favour or Grace, but to ſuch who were under ſome
 "eminent Character of Eſtimation amongſt the People, there
 "Fidelity and Uprightneſs; eſpecially in a time, when he
 "took all occaſions to Declare, that he conceiv'd himſelf
 "capable of being ſerved only by Honelt Men, and in Ho-
 "nelt Ways.

However, if He had been miſtaken in ſuch his Eſ-
 "timation, the Particular ſhould no ſooner be diſcovered to him,
 "either by His own Obſervation, or other certain Infor-
 "mation, than he would leave them to Publick Juſtice, under
 "the marks of his Diſpleaſure. If now ſuſtaining this, ſome
 "Malignant Party ſhould take heart, and be willing to Sacri-
 "fice the Peace and Happineſs of their Country to their own
 "Smaller Ends and Ambitions, under what pretence of Re-
 "ligion and Conſcience ſoever; if they ſhould endeavour to
 "leſſen his Reputation and Intereſt, and to weaken his Law-
 "ful Power and Authority with his good Subjects; if they
 "ſhould go about, by diſcountenancing the preſent Laws, to
 "loſen the bonds of Government, that all Diſorder and
 "Confuſion might break in, He doubted not, but God in His
 "good Time would diſcover Them; and the Wiſdom, and
 "Courage of His High Court of Parliament would join with
 "him in their Suppreſſion, and Punishment.

Having ſaid all He could, to expreſs the clearneſs and
 "uprightneſs of his Intentions, and doe all he could to mi-
 "nimize thoſe Intencions. He ſaid, he could not but confi-
 "dently believe, all his good Subjects would acknowledge
 "His part to be fully perform'd, both in Deeds paſt, and pre-
 "ſent.

ſent Reſolutions to Do, what with Juſtice might be required
 "of him; and that their Quiet and Proſperity now depended
 "wholly on Themſelves, and was in Their own Power, by
 "yielding all Obedience and due Reverence to the Law; and
 "which is the Inheritance of every Subject, and the only Se-
 "curity he can have for his Life, Liberty, and Eſtate; and the
 "which being neglected or diſreſpected, under what Specious
 "ſhews ſoever, a great meature of Infelicity, if not an irre-
 "parable Confuſion, muſt without doubt fall upon them.
 "And he doubted not, it would be the moſt acceptable De-
 "claration a King could make to his Subjects, that he was
 "not only reſolv'd to keep the Laws himſelf, but to maintain
 "them againſt what Oppoſition ſoever, though with the In-
 "firmities of his Being. He hoped the Loyal, and good Af-
 "fections of all his Subjects, would Concur with him in the
 "conſtant preſerving a good Underſtanding between Him
 "and his People; and that their own Intereſt, and Com-
 "paſſion of the lamentable Condition of the poor Proteſtants
 "in Ireland, would invite them to a fair Intelligence and
 "Unity amongſt Themſelves; that fo they might, with one
 "heart, intend the relieving, and recovering of that unhappy
 "Kingdom; where thoſe barbarous Rebels practiſed ſuch in-
 "human and unheard of Outrages upon the miſerable Peo-
 "ple, that no Chriſtian Ear could hear without horrour, or
 "ſorry parallel. He concluded with conjuring all his good
 "Subjects, of what Degree or Quality ſoever, by all the bonds
 "of Love, Duty, and Obedience, that are precious to Good
 "Men, to joy with him for the recovery of the Peace of This
 "That Kingdom, and the preſervation of the Peace of This;
 "to remove all the Doubts and Fears, which might interrupt
 "their Affection to Him, and all their Jealouſies and Appre-
 "henſions, which might leſſen their Charity to each Other;
 "and then, He ſaid, if the Sins of the Nation had not pre-
 "pared an inevitable Judgement for all, God would make
 "him a great and glorious King over a Free and Happy
 "People.

THOUGH this Declaration had afterwards a very good in-
 "fluence upon the People, to his Majeſty's advantage; yet for
 "the preſent it gave no alay to their Diſtempers. Their Se-
 "ditions Miniſters were diſpatched to inflame the Neighbour
 "Counties, and all poſſible Art was uſed to inflame the City of
 "London; which prevail'd ſo far, that notwithstanding all the
 "proportion the Lord Mayor of London, the Recorder, and the
 "Barewell and moſt ſubſtantial Aldermen could make, the Ma-
 "jor part of the Common Council prevail'd to ſend a Petition
 "to the King, in the name of the Mayor, Aldermen, and Com-
 "mon Council of the City of London; which was the next
 Vol. I. Part. 2. A a Sunday

THE HISTORY Book IV.

Sunday Morning deliver'd to him, with great Solemnity, at *White-Hall* by a number chosen of that Body; Representing the great Dangers, Fears, and Distractions, the City then was in, by reason of the prevailing progress of the Bloody Rebels of *Ireland*; the putting out of persons of Honour and Trust from being Comitable and Lieutenant of the Tower, especially in thosetimes, and the preparations there lately made; the fortifying *White-Hall* with Men, and Ammunition in an unusual manner; some of which Men abused, and wounded divers Citizens passing by; the calling in divers Canoners, and other Assistance into the Tower; the discovery of divers Fire-works in the hands of Papists, and the mis-understanding between his Majesty, and the Parliament. That their Fears were exceedingly increased by his Majesty's late going into the House of Commons, attended by a multitude of Armed Men, for the apprehending of divers Members of that House, to the endangering his own Person, and the Persons, and Privileges of that Honourable Assembly. That the effects of those fears tended not only to the overthrow of the whole Trade of that City and Kingdom, which they felt already in a deep measure; but threaten'd the utter ruin of the Protestant Religion, and the Lives and Liberties of all his Subjects; and therefore they pray'd his Majesty, that by the Advice of his great Council in Parliament, the Protestants in *Ireland* might be speedily reliev'd; the Tower put into the hands of Persons of Trust; that by removal of doubtful and unknown Persons from about *White-Hall*, and *Wolymaster*, a known and approved Guard might be appointed for the Safety of his Majesty, and the Parliament; and that the Lord *Kimbolton*, and the Five Members of the House of Commons lately accused, might not be restrain'd of Liberty, or otherwise proceeded against, thus according to the Privileges of Parliament.

That the King very well understood from what Spirit this Petition proceeded, and the inconvenience of giving so much countenance to it, as the very receiving it was, if he could have avoided it. But the Torrent was too strong to be resisted by any direct strength he could raise against it; and therefore he resolv'd to endeavour to divide and reduce them, by the most gracious defending to their pretended Fears, and Apprehensions; and the same day, gave them this Answer; That for the sad business of *Ireland*, he could not possibly express a greater sense than he had done, there being nothing left on His part Unoffer'd, or Undone. For the Tower, he wonder'd that having remov'd a Servant of Trust from that Charge, only to satisfy the Fears of the

OF THE REBELLION, &c.

City, and put in another of unquestionable Reputation and known ability, the Petitioners should still entertain those Fears; and whatsoever preparation of strength was there made, was with as great an eye of Safety and advantage to the City, as to his own Person, and should be equally employ'd to both.

For the fortifying *White-Hall* with men, and Ammunition in an unusual way, He doubted not, that they had observed the strange provocation he had received to entertain that Guard; that, by the disorderly and tumultuous conflix of People at *Wolymaster* and *White-Hall*, his great Council was not only disquieted, but his own Royal Person in Danger; most Scilicetous language being uttered even under his own windows. And if any Citizens had been wounded, or ill treated, he was confidently assur'd, that it had happened by their own evil and courage Demeanours. For the Fire-works in the hands of a Papist, he knew nothing, nor understood Whom, or What They meant.

For his going to the House of Commons, when his Attendants were no otherwise armed than as Gentlemen with Swords, He was perswaded, that if they knew the clear grounds, upon which Those Persons stood accus'd of High Treason, and what would be proved against them, with which they should in due time be acquainted, and considered the Gentle way he took for their Apprehension (which he preferred before any course of Violence, though that way had been very Justifiable; since it was notoriously known that no Privilege of Parliament can extend to Treason, Felony, or breach of Peace) they would believe his going thither was an Act of grace and favour to that House, and the most peaceable way of having that necessary Service performed; there being such Orders made for the resistance of what Authority soever for their Apprehension: and for the proceedings against those persons, he ever intended the same should be with all justice and favour, according to the Laws and Statutes of the Realm; to which all Innocent men would cheerfully submit. And this extraordinary way of satisfying a Petition of so unusual a Nature, he said, he was confident would be thought the greatest instance, could be given, of his clear intentions to his Subjects; and of the singular esteem he had of the good affections of that City, which he hoped in Gratitude would never be wanting to his just commands and service.

It was no wonder, that they, who at Such a time could be corrupted to frame, and deliver Such a Petition, would not be reform'd by such an Answer. Neither will it be here unreasonable, to spend a little time in considering how the

affections and tempers of so rich and opulent a City, which could naturally expect to prosper only by Peace, and agreement, were wrought upon, and transported, to that degree, as to be the chief Instruments of its own, and the Kingdom's destruction.

The Retardation of the City of London as it is now.

THE City of London, as the Metropolis of England, by its Situation, the most capable of Trade, and by the most usual Residence of the Court, and the fixt Station of the Courts of Justice for the publick administration thereof throughout the Kingdom, the chief Seat of Trade, was, by the favourable countenance and favour of Princes, strengthen'd with great Charters and Immunities, and was a Corporation govern'd within its self; the Mayor, Recorder, Aldermen, Sheriffs, chosen by themselves; several Companies incorporated within the great Corporation; which, besides notable Privileges, enjoy'd Lands, and perquisites to a very great revenue. By the incredible increase of Trade, which the distractions of other Countries, and the Peace of this brought, and by the great licence of resort thither, it was, since this King's access to the Crown, in Riches, in People, in Buildings marvellously increased, insomuch as the Suburbs were almost equal to the City; a Reformation of which had been often in contemplation, never pursued, wise men foreseeing that such a Fullness could not be there, without an Impinels in other places; and whilst with the City, the Government of the Country must be neglected, besides the excess, and ill husbandry, that would be introduced thereby. But such foresight was interpret'd a Morosity, and too great an oppression upon the Common Liberty; and so, little was apply'd to prevent its growing a Disease.

As it had these, and many other advantages and helps to be Rich, so it was look'd upon too much of late times as a Common Stock not easy to be exhausted, and as a body not to be griev'd by ordinary Acts of injustice; and therefore as it was a place of refuge, in all cases of necessity, for the souldan borrowing great sums of money, in which they were commonly Merchants too good for the Crown, so it was become a practice, upon any specious pretences, to void the Security that was at any time given for money so borrowed.

Thus after many questionings of their Charter, which were ever remov'd by considerable sums of money, a Grant made by the King in the beginning of his Reign (in consideration of great sums of money) of good quantities of Land in Ireland, and of the City of Londonderry there, was voided by a Suit in the *Star-Chamber*; all the Lands, after a vast expence in building and planting, resum'd into the King's hands,

and a Fine of Fifty Thousand pounds impos'd upon the City. Which Sentence being pronounced after a long and publick Hearing, during which time, they were often invited to a Composition, both in respect of the substance, and the circumstances of proceeding, made a general impression in the minds of the Citizens of all Conditions, much to the disadvantage of the Court; and though the King afterwards remitted to them the penalties of that Sentence, they imagin'd that to the Power of the Parliament, and rather remember'd how the benefit of their Grant had been taken from them, than by whom it was restor'd; so that, at the beginning of the Parliament, the City was as ill affect'd to the Court as the Country was; and therefore chose such Burgesses to sit there, as had either eminently Oppos'd the Court, or accidentally been Oppress'd by it.

Thus chief Government and Superintendency of the City is in the Mayor, and Aldermen; which, in that little Kingdom, resembles the House of Peers; and the Common Council is the representative body thereof, like the House of Commons, to order and agree to all Taxes, Rates, and such particulars belonging to the Civil Policy. The Common Council are chosen every year, so many for every Parish, of the Wealth, and most Substantial Citizens, by the Vestry, and common Convention of the People of that Parish; and as the Wealthiest, and best Reputed Men were commonly chosen, so, though the Election was once a year, it was formerly scarce ever known, that any Man once chosen was afterwards rejected or left out, except upon discovery of an enormous Crime, and decaying in Fortune to a Bankrupt; otherwise, till he was call'd to be Alderman, or dyed, he continued, and was every year return'd of the Common Council.

AFTER the beginning of this Parliament, when those who steer'd at *Windsor* found by their Experience in the Case of the Earl of *Stratford*, of what consequence the City might be to them, and afterwards found by the Courage of the present Lord Mayor, *Sir Richard Gournay*, who cannot be too often or too honourably mention'd, that it might be kept from being dispos'd by them; and that the Men of Wealth, and Ability, who at first had concurred with them, began now to discern that they meant to lead them further than they had a mind to go; they directed their Contentments, that at the Election of the Common Council-men by the concurrence and number of the Meaner People, all such who were Moderate Men, and lovers of the present Government, should be rejected; and in their Places Men of the most Active and Pragmatical Heads, of how mean Fortunes soever, should be Elected. And by this means that Body in great part now consisted of Upstarts,

Part, Faction, Indigent Companions, who were ready to receive all advertisements and directions from *Wilmouther*, and as forward to inroach upon their Superiors, the Mayor, and Aldermen. And so this freiband of Privilege inlamed the City at that time.

THAT They might gratify the City in procuring a better Answer, than they had receiv'd from the King, to their Petition, and that they might more expose his Majesty to their Antwoer, the House refus'd the business of the Tower again, with the old Reflections upon the removal of the former Good Lieutenant, and the putting in a Rude Person and of a desperate Fortune, as they called him, that he might use such Prisoners, as there was an intent to send thither, in such a manner as he should be directed; and that the Person, who was since put in, had put the City into great apprehensions by the observation that was made, that he took great store of Provisions into the Tower, as if he made provision for a greater Garrison, which raised great jealousies; and there was a Petition brought, and deliver'd to the Houses in the Names of several Merchants who used to Trade to the Mint; in which they desired that there might be such a Person made Lieutenant of the Tower, "as they could Confide in (an Expression that grew from that time to be much used) without which no Man would venture Bullion into the Mint, and by consequence no Merchant would bring it into the Kingdom. Whereas in truth there was no Gentleman in the Kingdom of a better Reputation amongst all sorts of Men, and there had been more Bullion brought into the Mint in the short time of his being Lieutenant, than had been in many Months before; and amongst those Persons, which so solemnly delivered that Petition, and had all fibricous; these were very few who had ever sent any Silver into the Mint. However the House entertain'd the complaint as very reasonable, and sent for a Conference with the Lords, with whom they prevailed to join with them in a desire to the King, "that he would remove *St John Byrom* from being Lieutenant of the Tower, which the King for some time refus'd to do, till they press'd it in another manner; which shall be mention'd anon.

The Committee of the Commons shew'd such an ill copy.

THE Committees, that still continu'd to sit in London, intended no other business, but their own Privileges; sent for, and examined, as hath been said, all Men, who had attended his Majesty, or had been actually present in the Hall, or at the doors of the Commons House when the King was there; and all such Examinations, as testified any extravagant discourse uttered by any loose Fellow, who had accidentally put himself into the company, (though it appeared he had no relation to the King's Service; were carefully Enroll'd, and Publish'd;

Publish'd; but such as declared the King's strict Command signifi't any Violence, or disorder, and his positive Charge, that no Man should presume to follow him into the House of Commons (as full proof was made to them of those particulars) were as carefully Suppress'd, and Conceal'd.

THE Sheriffs of London had been directed to appoint a Guard to attend the Committee, whilst it should continue there; and then to Guard the Houses when they should again sit at *Wilmouther*. The Accus'd Persons, who lodged all this time in the City, were brought to the Committee with much haste, and late with them to devise some way to vindicate themselves.

THEN a Declaration was agreed upon by the Commons only, in which was set forth, "that the Chambers, Studies, and Trunks of *Mr Holles*, *St Arthur Hasterly*, *Mr Pym*, *Mr Hand*, *Commons* *dean*, and *Mr Strode*, had been by colour of his Majesty's *Warrant* sealed up; which was not only against the Privilege of Parliament, but the common Liberty of every Subject; that the same Members had been the same day demanded by a Sergeant at Armes to be deliver'd to him, that he might Arrest them of High Treason; that the next day his Majesty came to the House in his own Person, attended by a multitude of Arm'd Men in a Warlike manner with Halberds, Swords, and Pistols, who came up to the very door of the House, and placed themselves there, and in other places, and passages near to the House, to the great terrour and disturbance of the Members then Sitting; that his Majesty, sitting in the Speaker's Chair, demanded the Persons of those Members to be deliver'd to him; which was a high breach of the Rights, and Privileges of Parliament, and inconsistent with the Liberties and Freedom thereof; that afterwards his Majesty did issue forth several Warrants to divers Officers under his own hand, for the apprehension of their Persons, which by Law he could not do. And thereupon they declared, "that if any Person should Arrest *Mr Holles*, &c. or any other Member of Parliament, by pretence of any Warrant issuing out from the King, he was guilty of the breach of the Privilege of Parliament, and a public Enemy of the Common-wealth; and that the Arresting any Member of Parliament, by any Warrant whatsoever, without consent of that House, wherof he is a Member, is a breach of the Privilege of Parliament; and the Person that shall so Arrest him, is declared a public Enemy of the Common-wealth.

THEY published, that it did fully appear by several Examinations, "that many Soldiers, Papists and others, to the number of about five hundred, came with his Majesty to

A 4

"the

the Houſe of Commons, arm'd; and that ſome of them, holding up their Piſtols cocked near the door of the Houſe, which they kept open, ſaid, I am a good Markſman, I can hit right, I warrant you: and ſaid, they would have the door open; and if any objection was made, they made no queſtion but they ſhould maintain their Party; and that ſome ſaid, "A Pox take the Houſe of Commons, let them be Hang'd. And when the King return'd from the Houſe, they expreſſed great diſcontent aſking, when comes the word; that ſome of them being demand'd what they thought the company intended to have done, answer'd, that queſtionleſs in the poſture they were in, if the word had been given, they ſhould have fallen upon the Houſe of Commons, and have cut all their Throats: upon which they ſaid they were of opinion, that the Soldiers and Papists coming in that manner with his Maſtey was to take away ſome of the Members of the Houſe, and if they ſhould have found oppoſition, or denial, then to have fallen upon the Houſe in a horrible manner.

Also they did thereupon declare, "That the fame was a Traiterous deſign againſt the King and Parliament. And whereas the Perſons acſcud had, with the Approbation of the Houſe, abſented themſelves from the Service of the Houſe, for avoiding the great and many inconveniences, which otherwiſe might have happen'd; ſince which time, a Printed Paper in the form of a Proclamation had iſſued out for the Apprehending and Imprifoning them, ſuggeſting, that through the Conſcience of their Guilt they were abſent, and ſaid; they did further declare, "that the ſaid Printed Paper, was falſe, and ſcandalous, and illegal; and that notwithstanding that Printed Paper, or any Warrant iſſued out, or any other matter againſt them, they might and ought to attend the Service of the Houſe, and the Committees then on foot; and that it was lawful for all Perſons whatſoever to lodge, harbour, and converſe with them, and whoſoever ſhould be queſtion'd for the ſame ſhould be under the Protection, and Privilege of Parliament.

And they declared, "That the publiſhing the Articles of High Treason againſt the Perſons acſcud, was a high breach of the Privilege of Parliament, a great Scandal to his Maſtey, and his Government, a Seditious act manifeſtly tending to the Subverſion of the Peace of the Kingdom, and an injury, and diſhonour to the Members; and that the Privileges of Parliament, and Liberties of the Subject ſo violated and broken, could not be fully, and ſufficiently vindicated, unleſs the King would be graciously pleaſed to diſcover the Names of thoſe Perſons, who adviſed him to do the particular

particular Acts before mention'd, that they might receive Condign Punishment.

This ſtrange Declaration, ſo contrary to the known rules and judgements of Law, and to the known practice and proceedings of Parliament, was no ſooner fram'd and agreed upon in the Committee, than it was Printed, and Publiſhed throughout the City, and Kingdom, before it was Confirm'd by, or Reported to the Houſe; which is againſt the cuſtom of Parliament. For, by that cuſtom, no Act done at any Committee ſhould be divulged before the ſame be Reported to the Houſe.

The truth is, it cannot be expreſſed how great a Change there appear'd to be in the countenance and minds of all ſorts of People, in Town and Country, upon theſe late proceedings of the King. They, who had before even loſt their Spirits, having loſt their Credit, and Reputation, except amongſt the meanest People, who could never have been made uſe of by them, when the greater ſhould forſake them; and ſo deſpair'd of ever being able to compaſs their deſigns of Malice, or Ambition (and ſome of them had reform'd their old resolutions of leaving the Kingdom) now again recover'd the greater Courage than ever, and quickly found that their Credit and Reputation was as great as ever it had been; the Court being reduc'd to a lower Condition, and to more diſtelleſs and neglect than ever it had undergone. All that they had formerly ſaid of Plots and Conſpiracies againſt the Parliament, which had before been laugh'd at, was now thought true and real; and all their fears, and jealousies look'd upon as the effects of their great Wiſdom and Foreſight. All that had been Whiſper'd of *Irreſolv'd*, was now talk'd Aloud and Printed; as all other Seditious Pamphlets and Labels were. The Shops of the City generally ſhut up, as if an Enemy were at their Gates ready to enter, and to plunder them; and the People in all places at a Gaze, as if they look'd only for direCTIONS, and were then diſpoſed to any underſtanding.

On the other ſide, They, who had, with the greateſt Courage and Alacrity, oppos'd all their Seditious practices, between Grief and Anger were confounded with the confideration of what had been done, and what was like to follow. They were far from thinking that the acſcud Members had receiv'd much wrong, yet they thought it an unreaſonable thing to call them to an Account for it. That if any thing had been to be done of that kind, there ſhould have been a firſt choice of the Perſons, there being many of the Houſe, of more miſchievous inclinations, and deſigns againſt the King's Perſon, and the Government, and who were more expoſed to the Publick Prejudice, than the Lord *Kimbleton* was; who was

a Civil,

a Civil, and well natured Man, and had rather kept ill Company, than drank deep of that infection and poison, that had wrought upon many others. Then *Sr Arthur Hasling*, and *Mr Strad*, were Persons of too Low an account and esteem, and thought their Virtulence, and Malice, was as conspicuous, and transcendent as any Man's, yet their Reputation, and Interest to do mischief otherwise than in concurring in it, was so small, that they gained Credit and Authority by being join'd with the rest, who had indeed a great influence. However, since there was a Resolution to proceed against Those Men, it would have been much better to have caused them to have been all severally Arrested, and sent to the Towers, or other Prisons, which might have been very easily done before suspected, than to send in that manner to the Houses with that Formality, which would be liable to so many exceptions. At least, they ought to far to have imparted it to Members in both Houses, who might have been trull'd, that in the instant of the Accusation, when both Houses were in that Contemneration (as in a great Contemneration they were) somewhat might have been prested Consensidly towards the King's satisfaction; which would have produced some opposition and contradiction, and might have prevented that Universal concurrence and despection of Spirits, which seized upon, and possidled both Houses.

But above all, the anger, and indignation was very great and general, that to all the other overights and presumptions was added the exposing the Dignity, and Majesty, and Safety of the King, in his coming in Person, in that manner, to the House of Commons; and in going the next day, as he did, to the *Guild Hall*, and to the Lord Mayor's, which drew such Reproaches upon him to his Face. All which was justly imputed to the Lord *Digby*, who had before fewer true Friends than he deserv'd, and had now almost the whole Nation his Enemies, being the most Universally odious of any Man in it.

When the House of Commons had Pass'd such Votes from the Committee at *Mercant-Taylors-Hall*, as they thought necessary, and had once more Adjourn'd thither, the Committee asked the advice of the House, whether the accused Members might be present with them (who had in truth directed, and govern'd all their proceedings from the time they Sat there) which was not only approv'd, but those Members requir'd to attend the House the next day it was to Sit, and to continue the Service of the House, which was then Adjourn'd for three or four days, that the City might appear in such a posture, as should be thought convenient.

The noise was so great of the preparations made in the City

City to bring the accused Members in Triumph to the Parliament, and that the whole Militia would accompany them, and other Vessels, upon the *Thames* to *Westminster*, that the King thought it convenient to remove again from *White-Hall*, and so on the tenth of *January*, which was the Eve to that great Festival, his Majesty, the Queen, and the Royal Children, went from *White-Hall* to *Hampton-Court*, waited on by some few of their own Household Servants, and thirty or forty of those Officers, who had attended at *White-Hall* for security against the Tumults.

BEFORE His going, he sent to the Earls of *Essex* and *Holland* to attend him in his Journey; who were both by their Places, the one being Lord Chamberlain of his Household, and the other the first Gentleman of his Bed-Chamber or Groom of the Stole, obliged to that Duty. The Earl of *Essex* resolv'd to go, and, to that purpose, was making himself ready, when the Earl of *Holland* came to him, and privately dissidled him; assuring him, that if they two went, they should be both Murder'd at *Hampton-Court*; whereupon they left the King to his small retinue in a most disconsolate, perplexed Condition, in more need of Comfort and Counsel, than they had ever known him; and instead of attending their Master Committee-Sate, and where they were not the less well known to have been invited to have waited upon their Majesties. They who wisht the King best, were not sorry that he then withdrew from *White-Hall*; for the insinimosity, with which all that People were transported, and the general against the Courts, and even against the Perion of the King, cannot be exprest.

WHILST the Committee Sat in *London*, the Common Council likewise met, as hath been said, to the end they might be ready to comply in any particulars should be desired from the City; and so the Committee having Resolv'd, "that the actions of the Citizens of *London*, or of any other Perion whatsoever for the defence of the Parliament, or the Privileges thereof, or the Preservation of the Members thereof, were according to their Duty, and to their late Protestation, and the Laws of this Kingdom; and if any Perion should Arrest, or Trouble any of them for so doing, he was declared "to be a publick Enemy of the Common-wealth; "to be made known to the Common Council of the City of *London*, the Accused Members about two of the Clock in the Afternoon on the eleventh of *January*, being the next day after

The King and his Royal Family, removed to Hampton-Court.

The assault
Hammer
English
French
Westmin
the Jan

After the King went to Hampton-Court, came from their Lodgings in the City to *Westminster*, guarded by the Sheriffs, and a Train-bands of *London* and *Westminster*, and attended by a Convoy of many thousands of People besides, making a great clamour against Bishops, and Popish Lords, and for the Privileges of Parliament; some of them, as they passed by *White-Hall*, asking with much contempt, "what was become of the King and his Cavaliers?" and whether he was gone?

From *London* Bridge to *Westminster*, the *Traffic* was guarded with above a hundred Lighters and Long-boats, laden with small pieces of Ordnance, and dressed up with Wall-cloaths and Sreemers, as ready for Fight. And that the Train-bands of *London* might be under the Command of a Person fit to lead them, they granted a Commission to Captain *Stippen*, who was Captain of the Artillery Garden, to be Major-General of the Militia of the City of *London*; an Office never before heard of, nor imagined that they had Authority to constitute. The Man had serv'd very long in *Holland*, and from a Common Soldier had raised himself to the degree of a Captain, and to the reputation of a good Officer; he was a Man of order and sobriety, and untainted with any of those Vices which the Officers of that Army were exercised in; and had newly given over that Service upon some exceptions he had to it, and, coming to *London*, was by some Friends preferred to that Command in the Artillery Garden, which was to teach the Citizens the exercise of their Armes. He was altogether illiterate, and having been bred always abroad, brought disaffection enough with him from thence against the Church of *England*, and to was much careful and trusted by that Party.

This Man marched that day in the head of their Tumultuary Army to the *Parliament* House; where the scolded Members were no sooner arriv'd, than they magnified "the great kindness and affliction they had found in the City," and their zeal to the *Parliament*; and if their expressions of "it, upon this extraordinary occasion, had been somewhat unusual, that the House was engaged in honour to protect and Defend them from receiving any damage. Whereupon the Sheriffs of *London* were called into the House of Commons, and thanked by the Speaker for their extraordinary care, and love expressed to the *Parliament*; and told, "That they should have an Ordinance of *Parliament* for their Indemnity, declaring that all their actions of respect and kindness, which they had shew'd to the Lords and Commons in *London*, and their attending them to, and at *Westminster*, was legal and justifiable. The Masters and Officers of Ships were likewise called in, and most heartily thanked for their kindness;

kindness; and Sergeant Major-General *Stippen* appointed every day to attend at *Westminster*, with such a Guard as he thought sufficient for the two Houses. There was one circumstance not to be forgotten in the march of the Citizens that day, when the shew by Water was little inferior to the other by Land, that the Pikesmen had fallen'd to the tops of their pikes, and the rest in their hats or their bosoms, printed Papers of the Protestation which had been taken, and enjoined by the House of Commons the year before for the defence of the Privilege of *Parliament*; and many of them had the printed Votes of the King's breaking their Privileges in his coming to the House, and demanding their Members.

As soon as the Citizens and Mariners were discharged, some *Buckingham* fire men, who were said to be at the Door, with a Petition, and had indeed waited upon the Triumph with a train of several thousand men, were called in; who delivered their Petition in the name of the Inhabitants of the County of *Buckingham*, and said it was brought to the Town by about six thousand men. "They commended the unwearied pains of the House of Commons, for the redress of the pressures they had lain under, but complained that success was not answerable, their endeavours being frustrated or retarded by a Malignant faction of Popish Lords, Bishops, and Others; and now of late, to take all their hope, was left, from them, of a future reformation, the very Being of the *Parliament* was shaken, the Privileges thereof broken in a desperate and unexampled manner, and the Members thereof unassured of their lives, in whose safety, the safety of Them, and their Posterity was involved. "They held it therefore their duty according to their late Protestation to defend, and maintain the Persons and Privileges thereof, to the utmost power of their Lives and Estates; to which purpose, they said, they were then come to make the humble tender of their Service, and would remain in expectation of their Commands and Order; to the execution whereof they would with all alacrity address themselves, ready to live by them, or to dye at their feet, against whomsoever should in any sort illegally attempt upon them.

"They besought them therefore to assist the ardent Prayers of the Petitioners, that the Popish Lords and Bishops might be forthwith cured the House of Peers; that all Privileges of *Parliament* might be confirmed to them, and that all evil Counsellors, the *Abbas* of the Common-wealth, might be given up to the hands of Justice; without all which, they said, they had not the least hope of *Israels* peace, or to reap those glorious advantages, which the fourteen Months

Months seed time of their unparalleled'd endeavours had given to their unsatisfied expectations.

WHEN they had received thanks for their wonderful affection, and were told, that "by the great care of the City of London, the Parliament was sufficiently guarded and assured; and therefore that they might depart to their Houses till further occasion appeared, of which they should be sure to be informed; One of them said, "they had another Petition, which they meant to prefer to the King; but desired their advice, whether that House would vouchsafe to commend it, or whether they themselves should deliver it. For that, they received new thanks, and were willed "that six, or eight of them should present it to his Majesty in the name of the rest; for the House saw their Wisdom and moderation fact, that they presumed they of Themselves were very able to manage that business.

WHEN they had thus carefulled the Commons, they went to the House of Lords with another Petition, complaining of the malignant faction, which render'd the endeavours of the House of Commons successful, and said "that in respect of that late attempt upon the Honourable House of Commons, they were come to offer their Service, as resolved in their just defence to live and dye. And therefore they did humbly pray, that that most Honourable House would cooperate with the House of Commons, in speedily perfecting the most necessary work of Reformation, bringing to consign and exemplary punishment both wicked Counsellors, and other Plotters, and Delinquents; and that the whole Kingdom might be put into such a present posture of Defence, that they might be safe both from all practices of the malignant Party at home, and the endeavours of any ill affected States abroad. The Lords were as Civil to them as the Commons had been, and gave them great thanks. And from thence they went to find out the King with their Petition to Him; in which they complained, "that Mr Hamden, whom they had chosen Knight of their Shire, and in whom they had ever good cause to confide, was, to their great amazement, accused, amongst the others, of High Treason. They said, that having taken into their serious consideration the manner of their Impeachment, they could not but conceive that it did oppugn the Rights of Parliament, to the maintenance whereof their Proclamation did bind them; and they did believe, that the malice, which his, and the others Zearl to his Majesty's Service, and the State, had raised in the Enemies of his Majesty, the Church, and the Common-wealth, had occasioned that foul Accusation, rather than any ill defects of theirs; and that through

their

"Their fides the judgement and care of the Petitioners and others were wounded, by whose choice they were preferred to the House; and therefore they did humbly desire his Majesty that Mr Hamden, and the rest, who lay under the burthen of that Accusation, might enjoy the just Privileges of Parliament. So from this day we may reasonably date the Levying of War in England; whatsoever hath been since done being but the Superinducures upon those foundations, which were then laid.

THE Members being in this manner placed again upon their Thrones, and the King retired with his poor family to Hampton-Court, they reviewed their Votes, which had passed in the Committee in the City, which they had caused every night to be printed without staying for the confirmation of the House; and where they had any defect, as they thought, or by the interpretation of others, they supplied them with more strength and Authority. So they provided and declared, "that no Member of Parliament should be arrested upon any pretence whatsoever. And because it had been intiled on that they would not make any Declaration so much against the known Law, which allowed no Privilege in the case of Treason, Felony, or breach of the Peace, they now added that "even in the Case of Treason no Member ought or could be arrested, or proceeded against, without first informing the House of which he was a Member, of the Charge and Evidence against him, and receiving Their leave and direction for the proceeding against him. And that men might hereafter be more wary how they were made judgements in bringing any reproach upon them, they Appointed a Committee to prepare a Charge against Herbert the King's Attorney General for preforming to accuse the Members of High Treason; which was made ready accordingly, and prosecuted with wonderful vigour, as will be remembered hereafter.

THEY resolved that the King should not enjoy much ease and quiet in his retreat; and therefore every day sent some Committee or other to him with Petitions and expostulations; a Committee of Lords and Commons attended him with an ignominious complaint of the Breach of Privilege, they had sustained by his coming to the House; and desired him "that he would inform them who had given him that pernicious Counsel, that such evil Counsellors might be brought to justice, and receive condign punishment. And when they found that the Lord Digby, whom they generally believed to be the Author and contriver of all that transaction, though they could have no evidence of it, had withdrawn himself from Court, and they well enough knew had transported himself beyond the Seas, they brought Witnesses to the Bar,

They also
Petitioned
House of
Lords.

They also
in the King.

The House of
Commons
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

They also
sent six
Members
to attend
the King
at Hampton
Court.

who affirmed, "that there were, on such a day, several Officers, whereof the beloved *Lausford* was one, assembled together at *Kingston* upon *Thames* near *Hampden-Court*; and that the Lord *Disley* came thither to them in a Coach with six Horses from *Hampden-Court*, and conferred with them a long time, and then returned again thither. They were well satisfied with the evidence, and forthwith scolded him to the House of Peers of High Treason, for the Levying of War against the King and Parliament; and a Proclamation was shortly issued out for his Apprehension, when all the Town knew, that he was safely arrived in *ZeeLand*. They returned the consideration of the Lieutenant of the Tower; and upon new information that most provision was sent in thither every day, they sent for *St John Byrnes*, who appeared at their Bar, and gave to full answers to all the questions they asked of him, that they could not but dismiss him. However they sent again to the King to remove him, and put a sifter man into the place, and recommended *St John Comers* to him, as a man in whom they could Confide; and because they did not speedily receive such an Answer as they liked, they appointed their Major-General *Shippon* to place such Guards about the Tower, as might prevent the carrying in more provision of victual thither, than would serve for one days consumption; notwithstanding which, the King would not consent to their desire.

All Men were now in union in both Houses: the Lords had not yet recover'd the Courage to dissent in any one Proposition made to them from the Commons; and in their House no man durst presume to Debate the matter of Privilege, how far it extended, and in what Cases it was of no Moment, left he might be thought to be privy to, and a Counsellor of, that heinous Breach, which had given them all this Credit. In this consent and concurrence, all the Votes, which had passed at the Committee in *London*, and which had been by them communicated to the Common Council, and divulged throughout the City and Kingdom, were confirm'd; and those who objected against any expressions, which were not warrantable, reprehended for taxing the discretion of the Committee.

AND in one day both Houses agreed in, and executed three Acts of Sovereignty, even of as high a nature as any they have since ventured upon; the first, in commanding the Sheriffs of *London*, by and with the advice of their new Sergeant-Major-General *Shippers*, to place a Guard upon, that is to bellege the Tower of *London*, to hinder the coming in of any Provisions, or going out of any Arms or Ammunition; the second, in appointing *St John Horham* to

The Lord
Disley an
enlist of
High Treason
upon the
sins of his
Leaving
St John
at
Kingston
upon
Thames.

go to *Hull*, which will be mention'd anon; and the third, in sending an Order to the Governour of *Perthmouth*, that no body should be admitted into that Town and Fort, or suffer'd to pass from thence, or any thing to be dispos'd of there, but by order from the King signified by both Houses of Parliament.

AFTER this, a message was resolv'd upon to be sent to the Governour of the Prince, "that he should not suffer the Prince to be transported out of the Kingdom, as he would answer the breach of Truth report'd in him concerning Religion, and the Honour, Safety, and Peace of the three Kingdoms; and they declared, "that any Person who should

perjure or attend upon him in such transportation, should be under the same Censure. With these high Acts of Publick Concernment they join'd the vindication of themselves from the late Treasures; and to that end caus'd the Attorney General to be publickly examined upon Interrogatories,

whether he did contrive, frame, or advise the Articles of Impeachment against the Members that were accused? whether he knew the truth of them upon his Own knowledge, or by information? whether he would undertake to make them good, when he should be thereunto called? whom he received them, and by whose direction or advice he did exhibit them? whether he had any testimony or proof of them before the exhibiting? And having received his Answer, "that he had neither fram'd, nor advised them, nor knew any thing of the truth of them, nor could undertake to justify them, but that he had receiv'd them from the King, and was by him commanded to exhibit them; they presently declared, "that he had broken the Privilege of Parliament in preferring those Articles, and that the same was illegal, and he Criminal for so doing; and that a Charge of Commons, against the Attorney General, to have facilitated for the great scandal, and injury to the Members thereof, unless he did within five days bring in his Proof, and make good the Articles against them.

So that they had now rais'd to themselves an unquestionable flock of security, when they had declar'd, "that they might neither be apprehended by a Warrant under the King's own Hand, nor accused by his Attorney General, except themselves were willing; and they who had concluded it most easily just, that the House of Peers mult imprison their own Members, as fast as the Commons accus'd them of High Treason, and, by that rule, had, within less than a week before, freed themselves of twelve Bishops, who always oppos'd their designs (and in a case, where every

Vol. I. Part 2. B b Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's

Man's Confidence absolved them of the Guilt, of which they were charged) thought it now Unanswerable reason to condemn the Justice of the King's proceedings ; ⁴⁴ because if a man should be committed and imprisoned as on the King's accusation him of High Treason, the Parliament might by consequence be Dissolved ; since he might successively accuse the whole Body, which Legick, if they had not pleased to Vote the contrary, would have run as well in their own case, upon their own Licence of accusing ; and more dangerously in respect of the Houle of Peers, which might possibly indeed have been thereby Dissolved.

THOUGH the King had removed himself out of the noise of *Westminster*, yet the effects of it followed him very close ; for before the *Buckinghamshire* Petitioners, who alarm'd him the same, or the next day after he came to *Hampton-Court*, several of the same nature were every day presented to him, in the name of other Counties of the Kingdom ; all which were Printed, and kattered abroad with the Declaration of the Lord *Dorset's* Levying War at *Kingston upon Thames*, and the Proclamation for apprehending him ; all which being industriously dispersed, and without any colour, or ground of danger, but only that the Kingdom might be inured to the style of the two Houses ; and exercised in their commands against the time that they meant to be in earnest, gave the King reason to remove in few days from *Hampton Court* to his Castle at *Windsor*, where he could be more secure from any sudden popular Attempt, of which he had reason to be very apprehensive, when, after those high Acts of Sedition at *London* and *Westminster* were declared to be according to the Laws of the Land, and the Protection lately taken, that Protection was by a new Order enjoined to be administered throughout the Kingdom, and the Names of all those who refused to take it, which there was reason to believe many would upon Their new Oaths, return'd to the Houle of Commons, who were as severe Inquisitors as could be found any where.

FROM thence his Majesty sent a Message to both Houses, ⁴⁴ That he took notice, that his proceedings against those Persons, whom he had accused (naming them) were conceived by many to be illegal, and not agreeable to the Privilege of Parliament, and that he was so desirous to give satisfaction to all men in all matters that might seem to have relation to Privilege of Parliament, that he would waive his former proceedings ; and all doubting by that means settled, when the minds of Men were composed, he would proceed against them in an unquestionable way ; and be assured both Houses, that, upon all occasions, he would be

as careful of their Privileges as of his Life, or his Crown. ⁴⁵ To which he added, that, in all his proceedings against those Persons, he had never the least intention of violating the least Privilege of Parliament ; and in case any doubt of breach of Privilege remain'd, he would be willing to assert it by any reasonable way his Parliament should advise him to ; and therefore he desired them forthwith to lay by all jealousies, and apply themselves to the publick and pressing Affairs, and especially to those of *Ireland*, where the good of the Kingdom, and the true Religion, which should ever be his first care, were so highly and so nearly concern'd. ⁴⁶ And he desired them, that his care of Their Privileges might increase their care of His Lawfull Prerogative, which was so necessary to the mutual defence of each other, and both would be the foundation of a perpetual and perfect intelligence between his Majesty and Parliaments, and of the happiness and prosperity of his People.

BUT this Message was not such as they looked for ; there seem'd still to be left a time for prosecution, and though the error in Form seem'd to be consented to, yet the Substance and Matter of the accusation might be still insisted on. And therefore they took no notice of it, but proceeded in inflaming all Men with the sense of the breach of Privilege ; and finding the general metal somewhat to abate, that they might keep up the apprehension of danger, and the esteem of their Darling the City, they consult about Adjourning both Houses into *London* ; but finding some danger of infringing the Act of Parliament, from whence some advantage might be taken to their prejudice, till that power might be cleared by a Law, they were contented to Adjourn their Houses as they had done for some days, and to appoint Committees, qualified with more power than the Houses had, to meet in *London* ; which for the convenience of the Common Council, who took up the *Guild-Hall*, chose to sit in *Greenwich-Hall*.

IT was wonder'd, that having all places so much at their devotion, they would remove from their more convenient seats at *Westminster* ; where they might transact whatsoever they desired without interruption, and where they were only disturbed by their own direction. But the advantage they respyed by it was extraordinary ; for, besides the fears they dispersed abroad, and the confidence they gave their own Friends of the City by being with them, they were sure, for the most part, to have a Committee to their own hearts desire ; since, besides many out of *London* or Indignation would not attend the Service in so inconvenient a place, very many who troubled them most in their Councils, durst not in earnest go thither ; for fear of uncomely Affairs, if not danger,

danger, their names being published in the tumults as diffused persons; and They were those indeed, which constituted the Malignant Party, which they prayed against; and they found it much easier to transact any thing contrary, and fram'd by such a Committee, than originally offer'd and debated in either House, before the mystery was understood by their Profecyets, and when those, who too well understood it, did render their designs sometimes ineffectual.

It is the minds of Men throughout the Kingdom being now prepared to receive all their Edicts with reverence, and to obey all their Orders, and to believe that all their Safety consisted in, and depended upon their Authority, and there being few within the House who had Courage to oppose and contradict them, they sent to the Lords to quicken them in the Bill they had formerly sent to them concerning removing the Bishops out of their Houses; which now, when there were so many of them Prisoners in the Tower, they presumed

The Commons would not meet with so great an opposition. In the House of Commons they called to have the Bill read, which had lay so long there, the same that had been brought in by Sir John for the settling the Militia of the Kingdom; to which they now added the putting all the Forts, Castles, and Garrisons into the hands of such Persons as they could confide in; which was the Expression they used, when they had a mind to remove any man from a place, of which he was justly possessed, that they could not confide in him, which they thought to be reason enough to displace any man. When this Bill had been with much ado accepted, and first read, there were few men who imagined it would ever receive further countenance: but now there were few, who did not believe it to be a very necessary provision for the Peace and Safety of the Kingdom. So great an impression had the late proceedings made upon them; so that with little opposition it passed the Commons, and was sent up to the Lords.

UPON the disbanning the late Army in the North, all the Artillery, Arms, and Ammunition, that was provided for that Service, had been by the King's Command sent to Hull, where it still remained; and his Majesty intended it should be kept there, for a Magazine upon all occasions. And he had a little before these late passages sent the Earl of *New-Castle* thither, with a private Commission to be Governour thereof, altho as it should be fit to publish such a Commission, and in the mean time by his own Interest to draw in such of the Country, as were necessary to Guard the Magazine. But nothing the King did in the most private manner, but was quickly known to those from whom it should most have been concealed.

concealed. And so the Earl of *New-Castle* was no sooner gone, but notice was taken of it; and he had not been three days in *Hull*, before the House of Peers sent for him, to attend the Service of that House, which he had rarely used to do, being for the most part at *Richmond* attending upon the Prince of *Wales*, whose Governour he was. He made no halt to return upon the Summons of the House, but sent to the King to know his Pleasure; who not thinking matters yet ripe enough to make any such Declaration, appointed him to come away; upon which he appear'd in the House, without being asked where he had been.

BUT both Houses shortly after mov'd the King that the Magazine at *Hull* might be remov'd to the Tower of *London*; that the House of Commons which would be very necessary for the quieting the minds of that Country, and abating the Fears and Jealousies in the hearts of very many, who did apprehend some design in the keeping so much Ammunition in the Northern parts; and his Majesty not giving them a speedy Answer, they sent down Sir *John Holt*, whose Estate lay within three or four Miles of *Hull*, and he had some Command of the Train-bands, to be Governour thereof, and to draw in such of the Country as he thought fit for the place. And though *Holt* had concern'd with them in all their violent ways, yet they well knew that he was not possessed with their Principles in any degree, but was very well affected in his judgement to the Government both in Church and State, but had been first engaged by his particular malice against the Earl of *Stratford*, and afterwards terrified by their Votes against Sheriffs and Deputy Lieutenants, and therefore they sent his Son, a Member likewise of the House, and in whom they more confid'd, to assist him in that Service, or rather to be a Spy upon his Father. And this was the first Illay they made of their Sovereign Power over the Militia and the Forts, whilst their Bill was yet depending, and was a sufficient manifestation what they intended to do, when it should be pass'd; towards which they made all the best they could, exercising the King's patience every day with some disagreeable Message to him, upon their Privileges, and requiring "vindication, and reparation, and discovery of the Persons who had promoted that Prosecution. And though the Council once a week attended upon his Majesty at *Windſor*, he could not freely consult with them upon what most concern'd him.

IN this sad Condition was the King at *Windſor*, fallen ten days from a Height and Greatness that his Enemies fear'd, to such a Lowness, that his own Servants durst hardly avow the waiting on him. For though, 'tis true, the Acts of the

B b 3

House of Commons, and the Tumults, were as great affronts to Majesty, before this last Act upon the Members, as any that could be imagined possible to succeed, yet the House of Peers was then well disposed, and might have been managed with a little patience, to have blifted all the extravagances of the Commons. And the truth is, the greatest extravagances appear'd to the flanders-by to be but the attempts of Persons in Despair, and the fringlings of Men at the last Gasps. And, without doubt, if the King could have had the patience to have sat still a Spectator of the Differences between the two Houses, and encouraging the Lords, who were firm to him, and putting those matters in issue, wherein the Commons had invaded both His and the Lords Privileges; if he had commanded his Council at Law and the Judges, to have proceeded by the strict rules of the Law against Seditious Persons at large, for Preaching and Printing against the peace of the Kingdom, and put the Commons House either to have been quiet, whilst their Champions were exemplarily punished (which would have put a speedy end to their Licence) or to have appear'd the Champions for an Infamous Act against the Law and the Justice of the Kingdom, their Jurisdiction would probably in a short time have been brought within the due Limits, and the Rouseful Factor for the Violent Party being glad to have compounded for an Act of Oblivion.

A King I have heard from Credible Persons, that the Chief of that Faction afterwards confest, that if that extraordinary Accident had not happen'd to give them new Credit and Reputation, they were sinking under the weight of the Expectation of those whom they had deluded, and the Envy of those whom they had oppress'd. I am sure, they who out of Conscience, and Loyalty to their King and Country, diligently attended the Publick Service, were strangely surpriz'd at the matter and manner of that Accusation; and foresaw, from the minute, the infinite disadvantage it would bring to the King's Affairs. Not that they thought the Gentlemen accus'd, less Guilty; for their extreme dishonest Acts in the House were so visible, that nothing could have been laid to their Charge incredible; but the going through with it was a matter of so great dissimilarity and concernment, that every Circumstance ought to have been fully deliberated, and the several parts distributed into such hands, as would not have shak'n in the execution. And the saying, that the King had not Competent Persons enough, whom he might trust in so important a Secret (which I believe was true) is rather an Argument, that the thing was not to be attempted at all, than that it was to be attempted in that manner, for whoever would

would have betray'd the Trust, would be sure to find fault with it, when it was endeavour'd without him, especially if it miscarried. The truth is, there was little reason to believe, that the House of Peers would commit the Lord *Kingsbury* upon the Accusation of Mr Attorney in that conjuncture of time; and lest that the House of Commons would deliver up their Members to the Sergeant at Armes, when they should be demanded; which was an irregular thing, and implied unreasonably; that they had some Power to keep them, who were desired to deliver them. Yet if the choice had been better made, and the several Persons first Apprehended, and put into distinct close Custodies, that neither any Body else should have heard from them, nor they one from another, all which had not been very difficult, the high Spirit of both Houses might possibly have been dejected, that they might have been Treated withal. But even that attempt had been too great for the Solitary State the King was in at that time; which was most naturally to have been improved by standing upon his guard, and denying all that was in his Power to deny, and to compelling his Ministers to execute the Law in those Cases that demonstrably concern'd the Publick Peace.

THE Committee at *Graces-Hall*, very much exalted to find no opposition in any thing they desired from both Houses; resolv'd to make what advantage they could of that Season of their Power; and therefore not vouchsafing to return any Answer to the King's Message of retraction, they concluded upon a new Remonstrance to be made of the State of the Kingdom; in which they would present to the King's view the causes of the present evils and distractions, and propoas'd to him, by way of Advice, the Remedies that in their opinion he was to apply to those evils.

THE Causes they agreed to be, the evil Council about the King and Queen, disposing all occurrences of State, and abusing the King's Authority and Power to the prejudice of Religion, the hazarding the Publick Peace, and strengthening a Malignant Party in the Kingdom; the influence, which the Priests and Jesuits had upon the affections and Councils of the Queen, and the admission of her Majesty to intermeddle with the Great Affairs of State, and with the disposing of places and preferments of the Highest concernment in the Kingdom; whereby those of great Power and Authority were engag'd to favour such designs, as were injurious to her Majesty by those that Religion: the want of a due Reformation of the Church Government, and Liberty then used; the want of a Preaching Ministry, and a competent Maintenance for them; the over trust of

of divers Ceremonies in the Liturgy and Rubrick, and the preferring other Ceremonies not injoyn'd by Law; the Votes of the Popish Lords in the House of Peers, which was a hindrance of the Reformation, and a protection of the Malignant Party; the preferring such as had adhered to Delinquents, and the displeasur shew'd against those who had been used as Witnesses in the Prosecution of them; the breaches of the Privileges of Parliament; and the managing of the great Affairs of the Realm in Cabinet Councils by Men unknown, and not publicly trusted; the preferring Men to degrees of Honour and Offices, and displacing others, in Parliament time, and without the consent of that Council, and many other particulars, to which they thought these Remedies most natural, and proper to be applied.

THAT all Privy Counsellors, and others of trust and employment beyond the Seas, should be remov'd from their Places, and only such admitted, as should be recommended to the King by both Houses of Parliament; and that such Counsellors and Officers, as should be so displaced, and not again recommended, should not have access to the Courts of the King and Queen: that all Priests, Papists, and ill affected Persons, though professing the Protestant Religion, should be remov'd from the Queen's Person, and from having any Office or Employment under her, and that all her Servants should take such an Oath as should be devised by Parliament; that he, or she, would not at any time directly, or indirectly by him, or her self, or any other, move or petition, or sollicite her Majesty in any matter concerning the State and Government of the Kingdom, or concerning any favour or immunity to be conferred upon any Papist, or for any Honour, Preferment, or Employment of any Person whatsoever.

THAT the King would remove from about his own Person, and the Queen's, and from both their Courts, Mr *William Murray*, Mr *Peters*, Mr *John Winter*, and Mr *William Crofts*, being all Persons of evil Fame, and Disaffection to the Publick Peace and Prosperity of the Kingdom, and instruments of Jealousy and Discontent between the King and the Parliament: that the King would not entertain any advice or mediation from the Queen in matters of Religion, or concerning the Government of any of his Dominions, or for the placing or displacing of any great Officers, Counsellors, Embassadors, or Agents beyond the Seas, or any of his Servants attending his Royal Person either in his Bed-Chamber, or Privy-Chamber; or attending the Prince, or any of the Royal Issue after they shall attain to the Age of five years.

THAT

THAT the Queen should take a solemn Oath, in the presence of both Houses of Parliament, that she would not hereafter give any Counsel, or use any mediation to the King, concerning the disposing of any Offices or Places above mention'd, or at all intermeddle in any Affairs of State, or Government of the Kingdom: that all Officers and Counsellors, that should be employ'd in any of the Places before mention'd, should take a solemn Oath, that they had not made use of any power or mediation of the Queen directly, or indirectly, for their Preferment, or in obtaining any such Place or Employment: That the Affairs of the Kingdom should not be concluded or transacted by the advice of Private Men, or by any unknown or unknown Counsellors, but such matters as were fit for the Council, by the Privy Counsellors only; and such as were fit for the Parliament, by the Parliament only.

THAT no Person whatsoever, under the penalty of Treason, should presume to sollicite, or further any proposition for the Marriage of any of the King's Children with any Prince or Person of the Popish Religion; and that no Marriage for any of the King's Children should be concluded with any Prince or Person whatsoever, without the Consent and Advice of both Houses of Parliament: That none of the King's Children, except the Princess *Mary* then affianced, should at any time go beyond the Seas without the consent of both Houses of Parliament; and that no Person under penalty of High Treason should assist, or attend any of his Majesty's Children in any such voyage beyond the Seas, without the like consent of both the Houses of Parliament.

THAT no Mass, or Popish Service, should be said in the Courts of the King or Queen, or in the House of any Subject of the Kingdom; and that more Laws should be made against the Papists; and all the Priests which were condemn'd, should be forthwith executed. That the Votes of Popish Lords might be taken away; and a Reformation made of the Church Government, and Liturgy by the Parliament; and that no penalty should be incur'd for omission of any Ceremony, till the Reformation should be perfect: That all Delinquents should be subject to such penalties and forfeitures as should be agreed on, and imposed by Bill, in both Houses of Parliament: That such as should be declared in Parliament to adhere to any Delinquents, and had thereupon receiv'd any Preferment from the King, should be remov'd from such Preferment; and such as should be declared by both Houses to have been employed and sided against Delinquents, and had thereupon fallen into

“the King’s displeasure, and been put from their Places, should be restor’d to their Places, and his Majesty’s Favour:

“That every Person, who, being a Member of the House of Commons in that Parliament, had been scolded of any Offence against that House, and the Accusation depending, had been called up to the House of Lords in the quality of a Peer, should by Act of Parliament be put out of that House; and that hereafter no Member of the House of Commons should without their consent be called up to be a Peer, except in case of Defect: That no Person, which should hereafter be made a Peer of the Realm, should be admitted to have his Seat, or Vote in the House of Peers, without the consent of both Houses of Parliament: That those Members of the House of Commons, who had that Parliament been called to the House of Peers, except in case of Defect, should be excluded from giving their Votes in the House of Peers, unless both Houses of Parliament should assent therunto: That no Member of either House of Parliament should be preferred or displaced, sitting the Parliament, without the consent of that House, whereof he was a Member: That such of either House as had been preferred to any Place or Office, during the Parliament, might be put out of those Places:

“That the King would declare the Names of those who advised him to the accusation of the Members, and all the particulars that ensued upon that accusation; and that he would make public Declaration and promise in Parliament, never more to receive information from any Man to the prejudice of any Member of either House, for any thing done in that House, without discovering the Name of such Person who gave him such information.

THESE, and many other particulars of the like nature, were the results of that Committee at *Green-Hall*, which I infer here, being the proper time of their Birth, that the World may see, what their Projections were in the Infancy of their visible power and advantage, though they were not digested into srow’d Propositions till long after, as the effects of riper divisions, and fuller grown jealousies. For by that time they had shaped and framed their Devices, they found the Eyes of the People not so universally shut as they had been; and that the King’s coming to the House of Commons, or the accusing the Members, was not more spoken of than the Tumults, and the driving the King out of *London*, and not suffering him to be quiet at *Hampton-Court*. Then the Lords began to take new Courage, and though they were somewhat intoxicated with the fears and jealousies concerning their Privileges, yet they thought Trespases of that kind capable

of reparation, and so were willing to receive any Overture from the King to that purpose. It was concluded therefore, “the time was not yet ripe to do all at once, till more Men were engag’d, and resolv’d, “with more patience to win their ground by inches.

THE King continued at *Windſor* to expect the end, or the issue of this Tempest; and finding that they hardly would take notice of his former Messages, but proceeded in the High ways of Destruction, for he had advertisement of their most secret Combinations, resolv’d to send such a Message to the two Houses, whose United Reputation was yet too great to struggle with, as might at least divide Those, who desired the Publick Peace, from the Ministers of Confusion: and so on the 20th of *January* sent this Proposition and Message to them in writing, “For preventing those evils, which the manifold Distractions threaten’d to the Kingdom; that they would with all speed fall into a serious Consideration of all those particulars, which they held necessary, as well for the upholding and maintaining the King’s just and Regal Authority, and the Settling his Revenue, as for the present and future Establishment of their Privileges, the free and quiet enjoying of their Estates, and Fortunes, the Liberties of their Persons, the security of the true Religion now profess’d in the Church of *England*, and the Settling of Ceremonies in such a manner, as might take away all Just Offence; which when they should have digested, and compos’d into one entire Body, that to his Majesty and themselves might be able to make the more clear judgement of them, it should then appear, by what his Majesty would do, how far he had been from intending, or designing any of those things, which the too great Fears and Jealousies of some Persons seem’d to apprehend; and how ready he would be to equal, and exceed the greatest Examples of the most indigent Princes in their Acts of grace and favour to their People; so that if all the present Distractions, which so apparently threaten’d the ruin of the Kingdom, did not, by the blessing of Almighty God, end in a happy and blessed accommodation, his Majesty would then be ready to call Heaven and Earth, God and Man, to witness, that it had not failed on His part.

THIS Message was receiv’d by the Lords with great signs of joy, inasmuch that they desired the Commons to join with them in returning their Thanks to his Majesty for his gracious offers, and to assure him, “That they would forthwith apply themselves to those considerations, he propos’d. However the next day they joined together in a Petition to the King, “that he would, in very few days, send in his Proofs, and proceed

His Majesty's Answer.

proceed against the Members he had Accus'd of High Treason, or declare them to be Innocent, and him self to be ill advised, to the which he Answer'd, "that he was ready to proceed against them, but that there might be no new mistakes in the way, and form of the proceedings, he desired, that it might be first resolv'd, whether his Majesty were bound in respect of Privileges to proceed against them by Impeachment in Parliament, or whether he were at liberty to prefer an Indictment at Common Law in the usual way, or whether he had his choice of either; before that was resolv'd, his Majesty thought it unusual and unfit to discover what Proof he had against them; but then he would give such speedy direction for Prosecution, as might put a determination to the business."

This gave them new Offence and Trouble; and if the King's Council had had the Courage to have insisted upon the matter of Law, and the Lords would have given them reasonable countenance, they would have been much puzzled to have procur'd a Resolution that would have serv'd their purposes to all parts, and been content to have suspend'd their judgement, that to the King might have suspend'd his prosecution. For if the Judges had been call'd to deliver their opinions in point of Law, which they ought to have been, they could not have avoid'd the declaring, that by the known Law, which had been confest in all times and ages, no Privilege of Parliament could extend in the case of Treason; but that every Parliament Man was Then in the condition of every other Subject, and to be proceeded against accordingly. In the next place, as they would never have ventured themselves upon the House of Peers under an Impeachment, and thereby made them their Judges, which indeed was incongruous, every Subject being to be try'd for his Life *per Peeres, vel per Leges Terræ*, to both which the Lords, and the Impeachment, were directly opposite, so they would kiss and be traid as Indemnities at Law, and a well chosen sober Jury who had been bound to follow their Evidence of Fact, and were not Judges of the Law, which was severe in any Conspiracy against the Crown, or the Persons of King or Queen.

But having shut the doors against any mention of Law, they made no scruple of resolving, and entering his Majesty "That they were not to see the Evidence he had to prove the guilt, before they could give any direction for the manner of the Prosecution, and proceeding; which they ground upon a Maxim, they had but lately established, though never till then heard of; "that no Member of Parliament, for what Offence soever, could be Arrested, or proceeded against, but by the consent of that House of which he was

a Member; and then, they said, they could not give, or deny their consent by any other measure than the Knowledge of the Crime and Proof, upon which such Members stood accus'd. Which Conclusion had been reasonable had the Premises been just; whereas the argument was to be inverted, that Their consent was not to be asked, because they had no Cognizance of the Crime of which their Members were accus'd, nor were Judges whether their accusation were valid in Law, or sufficiently proved in Fact.

It is not to be believed how many sober, well minded Men, who were real Lovers of the Peace of the Kingdom, and had a full submission, and reverence to the Known Laws, were imposed upon, and had their Understandings confounded, and to their Wills paver'd, by the mere mention of Privilege of Parliament; which instead of the plain, and intelligible notion of it, was by the dexterity of those Bouteffaux, and their under-Agents of the Law, and the Supine Stupidity of the People, render'd such a mystery, as could be only explain'd by Themselves, and extended as far as they found necessary for their occasions, and was to be acknowledged a good reason for any thing that no Other reason could be given for. "We are, say they, and have been always contented, that the only Judges of our own Privileges; and therefore whatsoever we declare to be our Privilege, is such: otherwise whosoever determines that it is Not to, makes himself a Judge of that, whereof the Cognizance only belongs to Us. And this Sophistical Riddle perplexed many, who notwithstanding the desperate Consequence they saw must result from such Logick, taking the first Proposition for true, which being rightly understood, is so, have not been able to wind themselves out of the Labyrinth of the Conclusion: I say the Proposition Rightly understood: They are the only Judges of their own Privileges, that is, upon the Breach of those Privileges, which the Law hath declared to be their own, and what punishment is to be inflict'd upon such Breach. But there can be no Privilege, of which the Law doth not take notice, and which is not pleadable by, and at Law."

THE truth and clearness of this will best appear by Instance: If I am Arrested by Process out of any Court, I am to plead in the Court, that I am a Member of Parliament, and that, by the Privilege of Parliament, my Person ought to be free from Arrest. Upon this Plea the Judge is bound to discharge me; and if he does not, he is a Criminal, as for any other trespass against the Law; but the punishing the Person, who hath made this infringement, is not within His power, but proper to that Jurisdiction, against which the contempt is; therefore that House, of which I am a Member, upon complaint

*Observation
Imposed
wings of
Parliament.*

plaint made of such an Arrest, usually tends for the persons culpable, the Party at whose Suit the Arrest is made, and the Officers which executed it, and commits them to Prison, till they make acknowledgement of their Offence. But that House will never send, at least never did till this Parliament, any Order to the Court out of which the Process issued, to stay the proceedings at Law, because the Privilege ought to be legally pleaded. So, after the Dissolution of Parliament, if I am Arrested within the days of Privilege, upon any plea of Privilege the Court discharge me; but then the Party that Arrests me, escapes punishment till the next Parliament, the Judge having no more power to commit the man that sued or arrested me, than he hath to imprison a man for bringing an Action at Law, when he hath no good title; neither is the Judge of the contempt.

AGAIN, if a man brings an Information, or an Action of the Case, for words spoken by me, and I plead that the words were spoken by me in Parliament, when I was a Member there, and that it is against the Privilege of Parliament, that I should be imprisoned in any other place, for the words I spoke There; I ought to be discharged from this Action or Information, because this Privilege is known, and pleadable at Law; but that Judge can neither punish, nor examine the breach of Privilege, nor Censure the contempt. And this is the true and proper meaning of the old receive'd Axiom, that they are Judges only of their own Privileges.

AND indeed these two, of freedom from Arrests for their Persons (which originally hath not been of that latitude to make a Parliament a Sanctuary for Bankrupts, where any person out-lawed hath been declared incapable of being return'd thither a Member) and of liberty of Speech, were accounted their chiefest Privileges of Parliament: For their other, of Access to the King, and correspondence by Conference with the Lords, are rather of the Essence of their Councils, than Privileges belonging to them. But that their being Judges of their Privileges should qualify them to make New Privileges, or that their Judgement should Create them such, as it was a doctrine never before Now heard of, so it could not but produce all those monstrous effects we have seen; when they have assumed to swallow all the Rights and Privileges of the Crown, the Liberties and Lands of the Church, the Power and Jurisdiction of the Peers, in a word, the Religion, Laws, and Liberties of *England*, in the bottomless and insatiable Gulph of their own Privileges. And no doubt these invasions, on pretence of Privilege, will hereafter be judged to have been the most unparalleled, and capital Breach of those Privileges, that had ever yet been attempted.

IN the Address, which the House of Commons prepared for acknowledgement of the King's Grace and favour in his *Message* of the twentieth of *January*, they had desired, "that they might apply themselves to give his Majesty satisfaction in the Method he proposed, his Majesty would presently put the Tower of *London* into the hands of such a person, as Both Houses should recommend to him; in which the Lords Differ'd with them; as well for that the disposal of the custody thereof was the King's peculiar Right and Privilege, as likewise his Majesty had committed the charge thereof to *St John Byron*, a person of a very Ancient family, an honourable extraction, and good Fortune, and as unblemish'd a Reputation, as any Gentleman of *England*. The Commons, much troubled that the Lords should again take the courage to dissent from them in any thing, resolv'd to press the King upon their Own score, and to get the recommendation of so great an Officer to themselves.

AS to therefore on the six and twentieth day of *January*, they sent a Petition to him in the name of the Knights, Citizens, and Burgesses, of the Commons House assembled in Parliament; in which they took notice "of the gracious *Message* from his Majesty of the twentieth instant, for which they return'd most humble thanks, redoubling to take it into speedy and serious consideration; and said, to enable them with security to discharge their duties therein, they desired the House of Peers to join with them, in humbly beseeching his Majesty to raise up unto them a safe ground of Safety and Confidence, by putting the Tower, and other principal Forts of the Kingdom, and the whole Militia thereof, into the hands of such persons as his Parliament might Conside in, and as should be recommended unto him by Both Houses of Parliament; that, all Fears and jealousies being laid aside, they might with cheerfulness proceed to such Resolutions, as they hoped would lay a sure foundation of Honour, Greatness, and Glory to his Majesty, and his Royal Posterity, and of happiness and prosperity unto his Subjects throughout all his Dominions; where in the House of Peers had refused to join with them. But they, notwithstanding, no way discouraged, but confiding in his Majesty's goodness to his people, did therefore make their humble Address to him to beseech him, that the Tower of *London*, and other principal Forts, and the whole Militia of the Kingdom, might be put into the hands of such persons as should be recommended to him by the House of Commons; not doubting but that they should receive a Gracious and speedy Answer to their humble Desire, without

“which, in all Humane reason, the great Diffractions of the Kingdom must needs overhelm it with misery and Ruine.

THE King was not troubled at the receipt of this Petition, that since they could not be brought to such a degree of Reconciliation, as might make up all breaches, they would be so peremptorily Unreasonable as might probably fever Those from them who were not so Deperate as themselves; and he hoped, that when the People should observe that this grasping of the Militia of the Kingdom into their own hands, as an Expedient for the compelling their high grown Fears and Jealousies, was no more than they desired the Summer before, when Sr Arthur Haslebrig brought in his Bill into the House of Commons, which is before remembered, when that title of Fears and Jealousies was not discover'd; and when the Peers should observe, that the House of Commons insolently Demanded, by their own Single Suffrage, the deputing men to Places of that vast Importance, they would both conclude, that those Unmodest Askers were not only to be Denied, but Reformed: yet believing that Real and Just Fears might grow up, to discommodate and suspect those Imaginary ones, his Majesty vouchsafed a very soft and gentle Answer to that Petition; and told them, “that he hoped his gracious

His Majesty's Answer.

“Message would have produced some such Overture, as by offering what was fit on Their parts to do, and by asking what was proper for Him to grant, might have begot a mutual Confidence in each other. Concerning the Tower of London, that He did not expect, having prefer'd a person of a known Fortune, and unquestionable Reputation, to that Trust, that he should have been prest to remove him without any particular Charge objected against him; however, that if, upon due examination, any particular should be presented to him, whereby it might appear he was mistaken in his good opinion of that Gentleman, and that he was unfit for the Trust committed to him, he would make no scruple of discharging him; otherwise, he was obliged in justice to continue, to preserve his Own work, lest his Favour and good Opinion might prove a Disadvantage and Misfortune to his Servants, without any other Accusation; of which he hoped his House of Commons would be so tender, as of a business, wherein his Honour was much concern'd, and if they found no material Exceptions against that person, they would rather endeavour to justify and Return the Fears of other men, than, by complying with them, puff his Majesty to any thing which did so much reflect upon his Honour, and Justice.

“For as the Forts and Castles of the Kingdom, that he was resolv'd they should always be in such hands, and Only in such,

“such, as the Parliament might safely Confide in; but the Nomination of any persons to those Places, being to principal and inseparable a flower of the Crown, vested in him, and deriv'd to him from his Ancestors by the fundamental Laws of the Kingdom, he would reserve to Himself; in bestowing whereof, as he would take care that no corrupt or Similer courses should prevail with him, so he was willing to declare, that he should not be induced to express that Favour so soon to any persons, as to those, whose good Demesour should be Imminent in, or to his Parliament. And if he then had, or should at any time, by mis-information confer such a Trust upon an Undeserving Person, he was, and would always be, ready to leave him to the Wisdom and Justice of the Parliament.

“For the Militia of the Kingdom, which by the Law was subject to no Command but of his Majesty, and of Authority lawfully deriv'd from him, he said, when any particular course for ordering the same should be consider'd, and digested, and propos'd to him, he would return such an Answer as should be agreeable to his Honour, and the Safety of his People, he being resolv'd only to censure those things, the Granting whereof would alter the fundamental Laws, and endanger the very foundation, upon which the Publick happiness and welfare of his People was founded and constituted, and which would nourish a greater, and more destructive Jealousy between the Crown, and the Subject, than any of those, which would seem to be taken away by such a satisfaction.

“He said, he was not willing to doubt, that his having granted more than ever King had granted, would persuade Them to ask more than ever Subjects had asked; but if they should acquaint him with the particular grounds of their Doubts and their Fears, he would very willingly apply Remedies proportionable to those Fears; for he called God to witness, that the preservation of the Publick Peace, the Law, and the Liberty of the Subject, was, and should always be, as much his Care as his own Life, or the Lives of his dearest Children.

“As no therefore he did conjure them by all the Acts of Favour they had receiv'd from him this Parliament, by their hopes of future happiness in his Majesty, and in another, by their love of Religion, and the Peace of the Kingdom, in which, he said, that of Ireland was included, that they would not be transported by Jealousies, and apprehensions of Possible dangers, to put themselves or his Majesty, into Real and Present inconveniences; but that they would speedily pursue the way propos'd by his former

Vol. I. Part 2.

Cc

“Message,

“Message, which, in Human Reason, was the only way to
 “compose the Distractions of the Kingdom, and, with God’s
 “blessing, would restore a great measure of felicity to King
 “and People.

“This Answer being not only a denial, but such an Ex-
 “patriation as would render their Counsels of less reverence
 “to the People, if upon those reasons they should recede from
 “what they had with that Confidence, and disdain of the House
 “of Peers demanded of the King; they therefore resolv’d to
 “set up their rest upon that stake, and to go through with it,
 “or perish in the attempt. And, to this purpose, they again
 “muster up their Friends in the City, and send their Embassadors
 “abroad to reach the People a new Language. All Petitions
 “in posture of Defence, and nothing else would serve to defend
 “them from the many Plots and Conspiracies against them, or
 “secure them from their own Fears and Jealousies. Most
 “Petitions were presented to the House of Commons by some
 “Citizens of London, in the name of those Merchants, that
 “usually Traded to the Mint with Bullion, who pretended
 “that their Fears and Jealousies were foregat, that they durst
 “not carry their Bullion to the Tower, being not assisted
 “with the present Lieutenant thereof, and therefore desired
 “that he might be removed, and more to the like purpose.

“They had wholly undertaken the managing of the War
 “in Ireland, and really, for many reasons, neither did use, nor
 “desire to use, any great Expedition in that work; yet having
 “with great Industry infused into the minds of the People a
 “leath a Suspicion that the Court favoured that Rebellion, they
 “always made use of the Slowness in those proceedings to the
 “King’s disadvantage. About that time, they had desired the
 “City to furnish them with one hundred thousand pounds, for
 “the Levying, and accommodating Forces to be sent into that
 “Kingdom; which gave the Common Council, where such
 “Loans were always transacted, opportunity to return their
 “opinions, and advice upon the general State of Affairs. They
 “said, “they could lend no more Money by reason of those
 “obstructions, which threaten’d the Peace of this Kingdom,
 “and had already render’d it even desperate: that the not pas-
 “sing the Bill against Pressing of Soldiers, which still de-
 “pended with the Lords, upon those reasons formerly men-
 “tioned at large, put many Men into fears, that there was
 “some design rather to lose this Kingdom, and to confine
 “this in the loss of it, than to preserve either the one, or
 “the other; and that the Rebels were grown so strong there,
 “that they made account speedily to extirpate the British
 “Nation in that Kingdom; and that they intended Then, as
 “they

The Com-
 mon desire
 returned
 money of the
 City.

The Com-
 mon Coun-
 cill An-
 swer.

“they already bragged, to come over, and make this the
 “Seat of the War.

“THAT the not putting the Forts into such hands, in
 “whom the Parliament might Confide, the not setting the
 “Kingdom in a posture of Defence, the not removing the
 “present Lieutenant of the Tower, and putting such a Person
 “into that place, as might be well approved by the Parlia-
 “ment, could not but overthrow Trading more and more,
 “and make Monies yet more scarce in the City and King-
 “dom: the not vindicating the Privileges thereof, the charg-
 “ing some Members of Treason to the deterring of others
 “from discharging their Duties, and to the destroying the
 “very Being of Parliaments, did exceedingly fill the minds of
 “Men well affected to the Publick, with many fears and dis-
 “contentments; and so disable them from yielding that
 “cheerful assistance, which they would be glad to afford.
 “That by this means, there was such a decay of Trading,
 “and such scarcity of Money, neither of which could be
 “cured, till the former evils were removed, as it was like, in
 “every short time, to cast innumerable multitudes of poor Ar-
 “tificers into such a depth of Poverty and Extremity, as
 “might enforce them upon some dangerous and desperate At-
 “tempts, not fit to be Expresed, much less to be Justified;
 “which they left to the House speedily to consider, and pre-
 “vent. These evils, under which they did exceedingly la-
 “bour and languish, they laid, did spring from the employing
 “of all affected persons in places of Trust and Honour in the
 “State, and near to the person of the King; and that they
 “were still continued by means of the Votes of Bishops, and
 “Popish Lords, in the House of Peers. And so having faith-
 “fully represented, they laid, the true reasons, which really
 “enforced them to return that Answer, they craved leave to
 “protest before God and the High Court of Parliament, that
 “if any further miseries befel their dear Brethren in Ireland,
 “or if any mischief should break in upon this Kingdom, to
 “the endangering or disturbing the peace thereof, it ought
 “not to be imputed to Them, but only to such, who should
 “endeavour to hinder the effectual and speedy cure of those
 “evils before recited, which did so much disable and discourage
 “them from doing that which the House had desired of
 “them.

“At the same time, were presented other Petitions, sub-
 “scribed by many thousand hands, and in the names of the
 “Knights, Gentlemen, and Freeholders, and other Inhabitants
 “of the Counties of *Middlesex, Essex, and Hertford*; all which
 “severally inveighed against the Malignant Party, which ren-
 “der’d

C c a d e d

dey'd the good endeavours of the House of Commons fruitless; ⁴⁴ desired that the Votes of the Bishops, and Populls; ⁴⁵ Lords, might be taken out of the House of Peers; that they might be put into a posture of defence, and the Forts, and Castles of the Kingdom, into such hands as the Parliament might Comfide in; that so *Ireland* might be relieved, and this Kingdom made happy. One of them adding, that the Malignant Party of Prelates and Populls, and their adherents, were inconsistent with the happy success of the Parliament. These Petitions, and the Answer of the Common Council of *London*, were thought ample materials for a Conference with the Lords, who might be thereby remember'd of their Duty; and to that purpose Mr *Fyn* delivered them at a Conference, and after they were read, told them, ⁴⁶ that their Lordships might be in those Petitions hear the voice, or rather the Cry of all *England*; and that they were not to wonder if the urgency, the Extremity of the condition we were all in, did produce some earnestness and vehemency of expression more than ordinary; theagony, terour, and perplexity, in which the Kingdom laboured, was universal, all parts were affected with it; and therefore in those Petitions they might observe the Grievans and miserable complaints of all. After a long discourse of the great and notorious dangers the Kingdom was in, by Invasions threaten'd from abroad, and Insurrections from within, he told them, ⁴⁷ the Obstructions, that had brought them into that Distemper, were principally the obstruction of Reformation in matters of Religion; and that there was never Church or State afflicted with more grievances of That kind, than we had been; and that though they were partly eased and diminished by the wisdom of the Parliament, yet many still remained; and as long as the Bishops, and the corrupt part of the Clergy, continued in their power, there would be little hope of freedom, either from the sense of those that continued, or the fear of those which were removed. And of That obstruction, he said, he must clear the Commons, who were in no part guilty of it. Some good Bills they had already pass'd, and others were in preparation, and might have been pass'd before that time, if they had not found such ill success in the other House; whatsoever mischief that obstruction should produce, They were free from it; they might have their part of the Misery, they could have none in the Guilt or Distemper.

He told them ⁴⁸ there was great obstruction in Trade, which brought food and nourishment to the Kingdom; and then having enlarg'd himself with enumeration of the notable benefits the Kingdom received by the salutes of Trade, he

he said, he must protest, the House of Commons had given no cause to that obstruction: They had eased Trade of many Burthens, and heavy Taxes, and had freed it from many hard restraints by Patents and Monopolies; they had sought to put the Merchants into security and confidence in respect of the Tower of *London*, that so they might be invited to bring in their Bullion to the Mint, as heretofore they had done; they were no way guilty of the Troubles, the Fears, and Publick dangers, which made Men withdraw their Stocks, and keep their Money by them, to be ready for such suddain exigents, as, in those great distractions, they had too great cause to expect.

There was an obstruction, he said, in the relief of *Ireland*, but he must declare the Commons were altogether innocent of any neglect therein; they had agreed to the Levies of Men and Money, and, from time to time, done all to the furtherance thereof, though in the midst of many distractions and diversions; but the want of Commissions for Levying Men, that was the Bill about Pressing, and other impediments, had been the causes of that obstruction. Nay, he said, he did not only find impediments to themselves, but encouragement to the Rebels; for many of the chief Commanders now in the head of the Rebels, after both Houses had stopp'd the Ports against all *Irish* Papulls, had been suffer'd to Pass, by his Majesty's immediate Warrants, much to the discouragement of the Lords Justices and Council there, which were procured by some evil instruments too near his Royal Person, and, they believ'd, without his knowledge and intention.

He said, ⁴⁹ there was an obstruction in providing for the defence of the Kingdom, that they might be enabled to resist a Foreign Enemy, and to suppress all civil Insurrections: what endeavour they had used to remove them, but hitherto without that Success and Countenance which they expected, and where their stop had been, and upon what grounds they might proclaim their own Innocency and Faithfulness in that particular, they desired no other Witness but their Lordships.

He told them, ⁵⁰ the evil influences, which had caus'd that Distemper, were the evil Councils about the King, the great Power, that a Factious and Interscinded Party had in Parliament by the continuance of the Votes of the Bishops, and Populls, Lords, in their Lordship's House, and the taking in of others out of the House of Commons, and otherwise to encrease their strength, the fostering a Malignant party throughout the Kingdom, the Jealousies between the King, and his Parliament. And after many bitter and Seditions

ridiculous expressions of the Court, and of all those who were not of his mind, he concluded, "that he had nothing to propose to their Lordships by way of request or desire from the House of Commons; he doubted not, but that their Judgements would tell them what was to be done; their Consciences, their Honours, their Interests, would call upon them for the doing of it. The Commons would be glad to have their help and concurrence in saving the Kingdom; but if their Lordships should fail, it should not discourage them in doing their Duty; and whether the Kingdom be left, or saved, they should be sorry, that the story of this present Parliament should tell Posterity, that, in so great danger and extremity, the House of Commons should be enforced to save the Kingdom alone, and that the House of Peers should have no part in the Honour of the preservation of it, they having to great an interest in the good success of those endeavours, in respect of their great Estates, and high degrees of Nobility.

As soon as this Conference was ended, the Speaker of the House of Commons was appointed to give Mr Pym solemn Thanks for his so well performing that service, and to require him to deliver his Speech in writing to the House, that it might be Printed; which was done accordingly, to the end that the People might understand, besides those reports that upon the King, how negligent the House of Peers were of their welfare and security.

This same day and hour after that Conference, a great number of people, in the name of the Inhabitants of the County of *Hertford*, presented a Petition to the House of Peers; in which, amongst other particulars, "they complain'd of the delay of putting the Kingdom into a posture of War for their better defence, and the want of compliance by that Honourable House with the House of Commons, in entering those many good Motions, and Passing those necessary Bills presented to them from that House for the Common Good. And therefore they desired them, for the better removing of all the causes and springs of their Fears and Troubles, that the evil Counsellors, and others hindering the Publick Good, might be taken from his Majesty, and the Voting of the Bishops and Popish Lords, to be removed out of that Honourable House: And that the Petitioners, who would be ever ready to hazard their Lives and Estates for the defence of the King and Parliament, the Privileges of the same, and in special those noble Lords and Gentlemen in both Houses, whose endeavours were for the Publick Good, might have liberty to Proceed against all those, as Enemies to the Kingdom, who refused to join with

"with those Honourable Lords and the House of Commons, for the putting the Kingdom into a way of Safety, under the Command of such Persons, as the Parliament should appoint. But neither this, nor any of the other proceedings were reliev'd by the House of Peers, though their Privileges were not only invaded, but the very Freedom and Liberty of Parliament absolutely taken away and destroyed thereby.

When the House of Commons found that none of these extraordinary ways would thoroughly Subdue the House of Lords, but that, though they had very sturdy Champions there, the Major part, albeit the Bishops, and all the Recusant Lords were driven from thence, still oppos'd them, whereby neither the Bill for the taking away the Bishops Votes, nor about Pressing, could pass, and that they peremptorily still refused to joyn in the business of the Militia; they found a new way, as unpracticed and as unnatural as any of the former, whereby they would be sure to have an influence upon the House of Peers. It is an old Custom, and Privilege of that House, that upon any solemn Debate, whatsoever is not satisfied with the conclusion and judgement of the House, may demand leave to enter his Protestation, which must be granted. The Original of this was in Jealous Times, when Men desired, for avoiding the ill consequence of any Act there, that their Dissens might appear; and was very seldom practiced, but when they conceiv'd Religion, or the Crown, trench'd upon; inasmuch as you shall not find, in the Journals of many Parliaments, one Protestation enter'd; and when there was any, there was no more in the Records, than, after the Resolution of the House is enter'd, "that such a Lord desired that his Protestation or Dissent might be enter'd, and oftentimes when several have dissented from the general Opinion, not above one or two have enter'd their Protestation. But since this Parliament, as they alter'd this Custom from cases of high Concernment to the most trivial Debates, the Minor part ordinarily entering their Protestation, to the end that their Opinions might be taken notice of, and who were opposite to them, whereby the Good and Bad Lords were known and published; so they alter'd the form, and instead of those general Entries, caus'd the matter of Debate to be sum'd up, and thereupon their Protestation, "that they were not to be answerable for any Inconveniences or Mischief, that should befall the Common-wealth by reason of this or that Resolution. So that from an Act so the particular Indemnity of the Person, that made it, it grew sometimes to be a reproaching and arraigning the sense of the House by any Factious number that dissented. Then

because the Houfe of Peers is a Court of Record, they concluded, "That any Man upon any occasion might perufe "the Journals; and fo every Night the Houfe of Commons could fee how the Debates had been managed and carried all the Day, and take publick notice, and make ufe of it accordingly; which they could not do of thofe difcourfes they receiv'd from their Confidants; for fupplying whereof this unjuftifiable method was found out. For though it is a Court of Record, the higheft Court, and the Acts and Judgements of Parliament are Records, to which the Subject may upon all occafions refort, yet they ought not to make ufe of that Liberty in order to queftion any words fpeakn, or acts done, and remember'd there; of which if the Lords are not the only Judges, their Privileges are much lefs than the Commons in truth have, and may juftly claim.

It happen'd, about this time, that upon *some Overture* in the Lords Houfe, which pleas'd them not, the Violent Party there, in a diforderly manner, cry'd out, *Adjourn, Adjourn*, being not willing the matter fhould then come into Debate; others were not willing that the Houfe fhould Adjourn. The Duke of *Richmond* troubled at that Tumultuary and indireft proceeding, faid, without directing himfelf to the Speaker, "if they would Adjourn, he wou'd it might be for fix "Months, or words to that effect; upon which fome of the other Party immediately mov'd, "that the Houfe might not "refufe, and that the Duke would explain himfelf; and answer "the making fuch a Motion, as, being granted, would be de- "ftructive to the Common-wealth. The Duke faid, "he "made no Motion, but ufed that expreffion, to fhew his dif- "like of the other Motion to Adjourn at that time, when "there was bufinefs in agitation of great Concernment; and "that, when he fpoke, all Men being upon their feet, and "out of their places, he conceiv'd the Houfe had been Up- "pon this he was required to withdraw; and then they, who had long look'd upon him with great Eazy and Antipathy, as the only great Perfon, and Officer at Court, who had difcountenanced their power, and their stratagems, and had with notable Courage always oppos'd their extravagancies, and fervile complying with the Houfe of Commons, and fub- mitting to the Tumult; and had with fingular Conftancy prefer'd his Duty and Fidelity to his Majesty unviolated, inveigh'd againft that Motion, "as of too Serious a nature to "be made a jeft of, and fit to be Censur'd as moft pernicious "to this Kingdom, and deftructive to *Ireland*; the War "whereof could not proceed, if the Parliament fhould have "been Adjourn'd for fix Months, as his Lordfhip had propo- "f'd.

ON the other fide, it was alledg'd, "that the Motion had "never been made to the Houfe; and therefore they ought "no more to queftion, or take notice of it, than of every "light or frolick Difcourfe or Expreflion, that negligently, or "casually fell from any Man; which would take away all li- "berty of Converfation. However, that if it had been fo- "rmally, and formally made, it could be no Crime, it being "the neceffary Liberty and Privilege of every Member, to "make any Motion he thought in his judgement fit, which "the Houfe would approve, or reject, as it found reaſonable. "And that, fince it was as much in the Houfes Power to "Adjourn for fix Months, as for fix Days, it was as lawful "to move the one as the other; of which there could not be "the leaft inconvenience, becaufe the Houfe would be fur- "e reject it, if it were not found proper. After a very "force, and eager Debate, in which much bitternefs and Vi- "ruſency was exprefst, it was Refolv'd by the Major part, "that the Duke had committed no Offence; and fo he was "as regularly abfolv'd as was poffible. Hereupon the Earls of *Northumberland*, *Pembroke*, *Effex*, and *Holland*, who thought the Duke's Affection and Duty to his Maſter a Reproach, and his intereft prejudicial to Them, with the reft of that Party enter'd their Proteftation; "that whereas fuch a Motion had "been made by the Duke of *Richmond*, and upon being que- "ftion'd for the fame, he had been acquitted by the Major "part. They were free from the Mifchiefs and Inconveni- "ences, which might attend the not puniſhing of an Offence "tending fo much to the prejudice of King, or Kingdom.

THE Proteftation, by the advice of that Nights meeting, was the next Day, taken notice of in the Houfe of Commons, and the matter it ſelf of the Motion inlag'd upon, by all poſ- ſible and Rhetorical aggravations, concerning the Perfon, and his Intereft, according to the licence of that Houfe, and that People. It was faid, "here was an evil Counſellor, that had "diſcover'd himfelf, and no doubt had been the Author of "many of thofe evil Councils, which had brought the trou- "ble upon us; that he had receiv'd his Education in *Spain*, "and had been made a Grandee of that Kingdom, and had "been ever ſince notoriously of that Faction; that his Siſters "were Papifts, and therefore his Affection was to be queſtion'd in Religion; that, from the beginning of this Parliam- ent, he had been oppoſite to all their proceedings, and "was an Enemy to Reformation; that he had vehemently "oppoſed the Attainder of the Earl of *Strafford*; was a Friend "to Bifhops; and now, to prevent any poſſibility of Re- formation, which could not be effected without the Concur- rence of the two Houfes, had deſperately mov'd in the "Houfe

House of Peers, where he had a great Faction, that it would Adjourn for six Months; in which time the Malignant Party, of which he might well be thought the Head, and had the greatest influence upon the King's Affections, would prevail so far, that all future hopes would be render'd desperate, and the Kingdom of Ireland be utterly lost, and possessed by the Papists: that they were therefore to take this opportunity, which God had given them, to remove so Malignant and dangerous a Person from the King, and one so suspected, from so important a Charge as the Cinque Ports, of which the Duke was Lord Warden, and to send to the Lords to joy'n with them in a desire to the King to that purpose.

On the other side, it was objected, that whilst they were so sollicitous for their own Privileges, and sensible of the breach and violation of them, they could not more justly those, who had been the Advisers of such breaches, than by offering the like trespass to the Privileges of the Peers: that the life of that Council depended on the liberty of Speech, and where there were so different Minds, there must be dissent Expressions, and if one House might take notice what the other House said, or did, within Those Walls, the Lords would as well question Their Members, as they did now one of the Lords; which would take away all freedom of Debate: that they could not Examine the Circumstances, which attended that Motion, if any such was made; and therefore could not so much as, in their private understandings make a reasonable judgement of it; but that they were naturally to presume the Circumstances were such, as took away the Offence of the Motion, for that the Major part of that House, where the words were spoken, and at the time when they were spoken, had, upon Solemn Debate, concluded, that there was no Crime in them; and that they were not only the Proper, but the Only Judges in that Case: and if the Commons should intermeddle therewith, it was no otherwise, than, by the strength of the Major part of the House of Commons, to make the Minor part of Lords Superior to the Major part of that House; which they would not suffer to be offered to themselves.

It was also said, That the Duke was a Person of great Honour and Integrity, and of so unblemish'd a Fame, that in all the discovery of the Court Offences, there was not any reflection upon him. That his Education had been, according to the best Rules of the Greatest Persons, for some years beyond the Seas; and that, having spent more time in France and Italy, he visited Spain; where his Great Quality being known, and no question as a Compliment to this Kingdom,

with which it was then in straight Alliance and Confederacy, that King had conferr'd the Honour of Grandee upon him; which was of no other advantage or signification to him, than to be Cover'd in the Presence of that King, as the principal Subjects there are. That his Affection to the Protestant Religion was unquestionable and very Eminent; and though his Siblings, who had been bred under their Mothers, were Roman Catholics, yet his Brothers, of whose Education He had taken the sole Care, were very good Protestants.

THAT his opinions in Parliament had been very sound, and were to be presumed to be according to his Conscience, in the profession of which he was so publick, that there was reason to believe he used no ill arts in private; since he had the Courage to do that Aloud, which he had reason to believe would displeas'd many. That it would be a great prejudice, and blemish to their Councils and Discoveries, if after so long discourses of a Malignant Party, and evil Counsellors, of which they had never yet named any, they should first brand This Lord with that imputation upon such a ground and occasion, as must include all those Lords who had absolv'd him, which was the Major part of the Lords. In a word, that it would look as if they had devised those new words to make Men afraid, and keep them in reserve to apply to all those with whom they were Angry.

BUT notwithstanding all this, and all the reason that could be spoken on that part, and that there could be none on the other, after a Debate of very many hours, till after nine of the Clock at Night (the instant that ever was in the Parliament, but that of the Remonstrance) in which it was evident, that they meant, as far as in them lay, to Confound all those, whom they could not Convert; it was Resolv'd by the Majority of Voices, not half of the House being present at that unseasonable time of the Debate, that they should accuse the Duke of Richmond to the Lords to be one of the Malignant Party, and an evil Counsellor to his Majesty; and to desire them to joy'n in a request to the King, that he might be remov'd from any Office or Employment about his Person; which was solemnly recommended to the Lords accordingly, and by them so far receiv'd, that though the desire was refused, no dislike or disapprobation of the Matter or the Manner was in the least discover'd, or intimated on.

ALL things thus prepar'd, and so many Lords driven and kept from the House, besides the Bishops, and they that stay'd here, by this last instance, instructed how to carry themselves, both how they provoked the Good Lords to Protect, they Resolv'd once more to try whether the House of Peers would

be induc'd to joy in the business of the Militia, which they had twice refus'd; and to that purpose, their old Friends of the City in the same numbers flock'd to *Weymouth*, but under the new, receiv'd, and allow'd, style of Petitioners; but as unlike Petitioners to any of those Lords or Commons, whom they understood to be Malignant, as the other Tumult had been. From these Herds there were two notable Petitions deliver'd to the House of Commons, the one from the Porters, their number, as they said, consisting of fifteen Thousand; the other under the title of many Thousands of poor People in, and about the City of *London*. The Porters, with great Eloquence, confess'd the unexpressible pains, that Honourable House had taken for the Good of Church and State; which deserv'd to be Recorded to their Eternal Fame, though the Effects of those unwearied endeavours were not produc'd, by reason of the prevalence of that adverse Malignant, Blood-sucking, Rebellious Party, by the power of which the Privileges of Parliament, and the Liberty of the Subject was trampled upon, the Rebellion in *Ireland* increased, and all Succours and Relief for that Kingdom obstructed. They said, "That Trade had been long languishing, but was now dead by the Fears, Jealousies, and Distractions they lay under, for want of Fortification of the Cinque Ports, which was a great encouragement to the Pirates to make Infractitions, and did much animate a Foreign Power to invade us: that by the deadness of Trade they did want improvement in such a measure, as did make their Lives very uncomfortable; therefore their Request was, that that extream necessity of theirs might be taken into serious Consideration, and that the Honourable House of Commons would fall upon the speediest course for abating and quelling the Pride, Outrage, and Insolency of the adverse Party at Home; that the Land might be secured by Fortifying the Cinque Ports, and putting the People into a posture of Defence, that all their Fears, or as many as could, might be remov'd, and that Trade might be again set up and opened, that their wants might be in some measure supplied. They further desired, that Justice might be done upon Offenders, according as the Atrocity of their Crimes had deserv'd; for if those things were any longer suspended, they should be forced to Extremities not fit to be nam'd, and to make good that saying, that Necessity hath no Law. They said they had nothing to lose but their Lives, and those they would willingly expose to the utmost peril, in defence of the House of Commons, according to their Protection, &c.

THE other was a Petition in the names of many Thousands of

of poor People, and brought by a multitude of such, who seem'd prepar'd for any Exploit. I have thought fit, for the brevity of it, and the rare Effect it produc'd, to insert that Petition in Terms as it was presented, Thus.

To the Honourable the House of Commons now assembled in Parliament.

"The humble Petition of many thousands of poor People in and about the City of *London*.

"HUMBLY sheweth, that your Petitioners have lain a long time under great pressures, and grievances both in Liberties and Confidences, as hath been largely, and sundry times, shew'd and declared, by several Petitions exhibited to this Honourable Assembly both by the Citizens, and Apprentices of the City of *London*, and divers Counties and parts of this Kingdom, from which we hoped long e're this, by your pious care, to have been deliver'd.

But now we, who are of the meanest Rank and Quality, being touch'd with penury, are very sensible of the approaching storms of Ruin, which hang over our Heads, and threaten to overwhelm us, by reason of the sad distractions occasion'd chiefly and originally, as your Petitioners humbly conceive, by the prevalency of the Bishops, and the Popish Lords, and others of that Malignant Faction; who make abortive all good Motions, which tend to the Peace, and Tranquillity of this Kingdom of *England*, and have hitherto hinder'd the sending relief to our Brethren in *Ireland*, although they lie wallowing in blood; which hath given such head to the Adversaries, that we justly fear the like calamities inevitably to befall us Here, when they have vented their rage and malice Thence.

"ALL which, occasions to great a decay and stop of Trade, that your Petitioners are utterly impoverish'd, and our miseries are grown insupportable, we having already spent all that little means, which we had formerly, by Gods blessing, and our great labour, obtain'd; and many of us have not, nor cannot tell where to go, bread to sustain our selves and families; and others of us are almost arriv'd at the same Port of calamity; so that unless some speedy remedy be taken for the removal of all such obstructions, which hinder the happy progress of your great endeavours, your Petitioners shall not rest in quietness, but shall be forc'd to lay hold on the next remedy which is at hand, to remove the disturbers of our Peace; Want and necessity breaking the bounds of Modesty: and rather than your Petitioners

"will

will suffer themselves, and their families, to perish through Hunger and necessity, though hitherto piteously grieved under, they cannot leavany means undrayed for their relief.

THE Cry therefore of the Poor, and Needy, your Poor Petitioners, is, that such Persons, who are the obstacles of our peace, and hinderers of the happy proceedings of this Parliament, and the enjoyment of the looked for purity of Religion, safety of our lives, and return of our welfare, may be forthwith publicly declared, to the end they may be made manifest; the removal of whom we humbly conceive will be a Remedy to cure our miseries, and put a period to these distractions: and that those Noble worthies of the House of Peers, who concur with your happy Votes, may be earnestly desired to join with this Honourable House, and to Sit and Vote as one entire body; which we hope will remove from us our destructive Fears, and prevent that, which Apprehension will make the Wise and Peaceablest men to put into Execution.

FOR the Lords sake hear us, and let our Religion, Lives, and Welfare be precious in your fight, that the souls of the Poor may bless you, and pray, &c.

AFTER this scandalous and extravagant Petition delivered, the House, according to its gracious custom, ordered thanks to be given for their great kindness. To the Which when it was delivered by the Speaker, who told them that the House was in consideration of those things, whereof they had complained, some of that rabble, no doubts as they had been taught, replied, that they never doubted the House of Commons, but they heard all thrust in the Lords House, and they desired to know the Names of those Peers, who hindered the agreement between the Good Lords and the Commons: which they pressed with unheard of rudeness and importunity, and with a seeming unwillingness withdrew, whilst the House took the matter into further consideration.

Yet notwithstanding this Provocation, and that it was urged by many Members, some of which had been assaulted and ill treated by that Rabble in their passage to the House, that the countenancing such Licentious persons and proceedings would be a great blemish to their Councils, they were again called in; and told, that the House of Commons had endeavoured, and would continue those endeavours for their relief; and they doubted not, when they had delivered their Petition, and what they had said, to the Lords, which they would presently do, the causes of their evils would be found out, and some speedy course resolved upon for their

their relief; and therefore desired them with patience to attend a further Answer. And accordingly that Petition was solemnly read, and delivered to the Lords at a Conference; and the Conference no sooner ended, than Mr. Holles, one of those Five whom the King had accused a Month before of High Treason, was sent to the Lords in a Message to desire them, that they would join with the House of Commons in their desire to the King about the Militia; to which he added, that if that desire of the House of Commons was not assented to, he desired those Lords who were willing to concur, would find some means to make themselves known, that it might be known who were against them, and they might make it known to those that sent them.

AFTER which Motion, and Message, the Lords again resumed the Debate; which the Earl of Northumberland began with a protestation, that whosoever refused, in that particular, to join with the House of Commons, were, in his opinion, Enemies to the Common-wealth; when the Major part of that House had twice before refused to concur with them in it. Yet when his Lordship was questioned for that Unparliamentary language, all the other Lords of that Faction joined with him; and declared, that it was Their opinion likewise: the Rabble being at the door to execute whatever they were directed: so that many Lords, out of a just indignation to see their Honours, and their Liberties sacrificed to the People by Themselves; others, out of real fear of being murdered, if they should, in that conjuncture of time, insist on their former resolutions, withdrawing themselves; the Major part of those, who stayed, concluded to join with the House of Commons in their desire concerning the Militia.

WITHIN two days after this agreement, and submission of the Lords, another Petition was presented to the Commons, in the name of the Inhabitants of the County of Surrey, by a multitude of People, who were, or pretended to be, of that County, and Subscribed by above two thousand hands. Their Petition was of the ordinary strain, full of devotion to the House of Commons, and offering to execute all their commands; but with it they presented likewise a Petition, which they intended to present to the Lords, if they approved it, and was Subscribed by above two thousand hands; by which it may appear Where that Petition was drawn, and Where however the hands were procured. The Petition to the Lords took notice of their happy concurrence with the House of Commons in settling the Militia, and Forts, in such hands as the Common-wealth might Conside in, and the King

the Lords
resolving the
Militia.

do

dom in such a posture as might be for its defence, and fidelity: yet they complained of the miserable condition of *Ireland*, which, they said, by the delay it had found amongst their Lordships, notwithstanding the pressing endeavours of the House of Commons, together with many of their Lordships, had been exposed to the inhuman cruelties of their merciless Enemies. With like grief they apprehended the Distractions of this Nation, the composition of which was altogether hopeless, so long as the King's Throne was surrounded with evil Counsellors, and so long as the Votes of Popish Lords, and Bishops, were continued in their House.

WHEREFORE they did humbly pray, and beseech their Lordships, that they would go on in a constant Union with the House of Commons, in providing for the Kingdom's safety; that all evil Counsellors might be found out, *Ireland* relieved; that the Votes of the Popish Lords, and Bishops, might be speedily removed; that for the Peace of the Kingdom might be established, the Privileges of Parliament vindicated, and the purity of Religion settled, and preserved. And, they said, they should be in duty obliged to defend, and maintain with their lives and Estates, their Lordships, as far as they should be united with the Honourable House of Commons, in all their just and pious proceedings.

WHICH Petition was read in the House of Commons, and approved, and the Petitioners thanked for their kind expressions thereon; and then it was delivered by them at the Bar of the House of Peers; who, within a day or two, passed the Bill for taking away the Bishops Votes, and that concerning Pressing, which had lain so long desperate, whilst the Lords came, and fate with freedom in the House. And these marvellous things done, they again Adjourn both Houses into *London*, to lay the Scene for future Action.

UPON the second day of *February*, some Members, appointed by both Houses, attended his Majesty at *Whitehall* with their Petition, that he would forthwith put the Tower of *London*, and all other Forts, and the whole Militia of the Kingdom, into the hands of such persons, as should be recommended unto his Majesty by both Houses of Parliament; which, they assured themselves, would be a hopeful entrance into those courses, which, through God's blessing, should be effectual for the removing all diffidence, and misapprehension between his Majesty and his People; and for establishing and enlarging the honour, greatness, and Power of his Majesty, and Royal posterity; and for the restoring and confirming the Peace, and happiness, of his loyal Subjects in all his Dominions. And to that their most accented

Petition, they said, they did, in all humility, expect his speedy and gracious Answer, the great Distractedness, and Distempers of the Kingdom, not admitting any delay.

AT the same time they likewise presented another Petition to him, concerning the accused Members; in which they begged him "to give directions, that the Parliament might be informed before *Friday* next (which was within two days) what proof there was against them, that accordingly they might be called to a legal Trial, it being the undoubted right, and Privilege of Parliament, that no Member of Parliament could be proceeded against, without the consent of Parliament.

HIS Majesty now found that these persons could not be compounded with, and that their purpose was, by degrees, to get so much Power into their hands, that they need not care for what was left in His; and that the Lords were in no degree to be relied upon to maintain their Own Privileges, much less to defend His Rights; and that they had the power generally to impose upon the People's Understanding contrary to their own Sense, and to persuade them, that they were in danger to be invaded by foreign Enemies, when the King was not only in peace with all Christian Princes, but almost all other Nations so involved in War, that they all desired the Friendship and Assistance of *England*; none was in case or condition to disturb it: "and that there was a decay and deadness of Trade, and Want and Poverty growing upon the whole Kingdom, when no man living had ever remembered the like Plenty over the whole Land, and Trade was at that height, that the like had never been known.

HE resolved therefore to remove himself to a greater distance from *London*, where the Fears and Jealousies grew; and constantly to use to pass any Act, that should be recommended to him from the two Houses, except what might concern *Ireland*, till he might have a full prospect of all they intended to demand, and an equal assurance how far they intended to gratify him for all his concessions; which resolution was very Parliamentary, it having been rarely known, till this present Parliament, that the King consented to any Acts, till the determination of the Session.

THE truth is, when his Majesty found the extreme ill success of the accusation against the Members, and that the Tumults, and the Petitioners, were no other than an Army at the disposal of those, in whom he had no reason to put his confidence, and that all such who expressed any eminent zeal to his Service, would be taken from him under the style of Delinquents and Malcontents, he resolved that the Queen, Vol. I. Part 2.

and the Bill touching the Bishops Votes, and Pressing: Both which debates are gain into *London*. Both Houses Petition the King twice: see the Town of *London*, and the *Ministry*, &c. Edg.

who was very full of fears, should go to *Portsmouth*, Colonel *Goring*, who was Governour thereof, having found means to make good impressions again in their Majesties of his Fidelity; and that *Hinsell* would go to *Hull*, where his Magazine of Cannon, Arms, and Ammunition was; and that being secured in those three places, whither they who wished him well, might resort, and be protected, he would fit still, till they who were over-advise, would come to reason.

But this, though resolved with so much secrecy; that it was not communicated to three persons (as I have been since assured by those who knew) whether by the Treachery of one of those few, or by the Curiosity of others (which I rather believe) who found means to over-hear all private discourses (as both Bed-Chambers were inhabited, and every corner pass'd; by diligent Spies upon their Master, and Mistress) was imputed to those who procured those Orders before mentioned for *Hull* and *Portsmouth*; by reason whereof, and the advice, and promise of many Lords, "that they would firmly unite themselves for the just support of the Regal power, with the extreme apprehension the Queen had of danger, that Council was laid aside. That, which wrought so much upon the Queen's fears, besides the general observation how the King was betrayed, and how his Rights, and Power, were every day wrestled from him, was an advertisement, that she had received, of a design in the prevalent Party to have accused her Majesty of High Treason; of which, without doubt, there had been some discourse in their most private Cabals, and I am persuaded, was imparted to her upon design, and by connivance (for there were some incorporated into that Faction, who exactly knew her nature, passions, and infirmities) that the disdain of it might transport her to somewhat which might give them advantage. And thereby after that discovery to her Majesty, those persons before mentioned were accused of High Treason; yet afterwards, when they had received the full fruits, they found means to complain, "as a great argument of the malignity of those persons of nearness to both their Majesties, "that an insinuation had been made to the Queen, that there was a purpose of accusing her of High Treason, and solemnly by Messinge "besought her to discover, Who had done "that malicious Office; when they very well knew Who it was, and for Whose sake the Queen was brought to return Answer, "that she had heard such a discourse, but took no notice of it, as never believing it; whereas if she could have been compelled to have discovered, how they knew that the Queen had been informed, all the secret would have appeared; the same person first telling her what was in projection

against

against her, and then returning Intelligence of any expressions, and displeasur, he might easily observe upon the apprehension which the other begot.

But both King and Queen were then upon that disadvantage, that all their words, and actions, which were the pure result of their own reasons, and judgments upon what they saw every day occurred, were called the effects of civil Contentions, that so they might take the liberty to reproach them with the more licence; whilst what they received by the most secret perjury of Bed-Chamber Spies, or what they forged themselves, was urged as the result of common Fame, or the effects of their Fears and Jealousies, to the rancour of which the most precious balm of the Crown must be applied. And therefore it was concluded, "that the Queen should take the opportunity of her Daughter the Princess *Mary's* Journey into *Holland* (who had been before married to the young Prince of *Orange*, and was now solemnly desired by the States Embassadors to come into that Country) "to transport her self into *Holland*, patiently to expect an amendment of the affairs of *England*; and that the King should retire into the North, and reside at *York*, and deny all Particulars, till the Whole alteration should be framed. But the first resolution concerning the Queen was only published, the other, concerning the King, communicated to very few; both their Majesties being reduced to so great wants, that the Queen was compelled to coin, or sell, her Chamber Plate for the supply of her most necessary occasions, there being no money in the Exchequer, or in the power of the Mintmasters of the Revenue; the Officers of the Galtoms, out of which the allowance for the weekly support of their Majesties household had been made, being enjoined by the House of Commons, not to issue out any money, without their particular consent, and approbation.

It was evident now that the accused Members were too mighty for the King or the Law, and that they would admit no other Judges of their guilt, than Themselves, nor rules of proceeding, than the Plurality of their own voices; and therefore the King resolved to give over any more thought of that business. And so to that Petition he Answered, "that he had once conceived that he had ground enough to accuse them, so Now he found his good cause wholly to waive any prosecution of them. The other Petition concerning the Militia gave him more trouble; for though he was resolved in no degree to consent to it, yet he was willing, till all things could be ready for the Queen's Journey, and so for his own remove, rather to Delay it, than Deny it; left the same Army of Levitioners might come to *Windsor* to persuade him,

D d 2

which

which had Converted, or prevailed over the House of Peers. And he was persuaded by some, who thought they knew the temper of both Houses, that though they were now united in the Matter, they might easily be divided upon the Circumstances; and that they would not be of one mind in the election of the Persons to be Confided in. So that to that Petition his Majesty returned this Answer:

The King's
Answer to
the Petition
concerning
the Militia

THAT he was willing to apply a remedy not only to their Dangers, but to their Doubts and Fears; and therefore that when he should know the extent of power, which was intended to be established in those persons, whom they desired to be Commanders of the Militia in the several Counties, and likewise to what time it should be limited, that no power should be executed by his Majesty alone without the advice of Parliament, Then he would declare that he would be content to put in all the Forts, and over the Militia, such persons as both Houses of Parliament should either approve, or recommend to him; so that they before declared the names of the persons, whom they would approve or recommend, and so that no person should be named by them, against whom his Majesty should have just, and Unquestionable exception.

Which Answer, though it was not a Consent, gave them notable encouragement, and exceedingly united the vulgar minds to them; who concurred only with them, as they law them like to prevail in what they went about. And there was no danger of any dilution in the Nomination of Persons; because, though they should at first admit such into the Number, whom they could not sufficiently trust, nor plausibly except against, yet when they were once possessed of the power of Nomination, they might easily Weed out those which were not agreeable to the Soil they were planted in. However this would take up some time; and therefore to keep the King's inclination to gratify them (for so they would understand it) warm, the same day they received this Answer, they returned a Message of thanks; and desired his Majesty, whilst they were preparing all other particulars according to his command, that he would confer the custody of the Tower upon Sir John Coniers, whom they had lately recommended to his Majesty as a person of great merit. With which Request, being surpris'd, and desired likewise by Sir John Byren to free him from the Agony and vexation of that place, which John Coniers had expos'd his person and reputation to the rage and fury of the People, and compelled him to submit to such reproaches; he was a generous Spirit could not brook without much regret; for he had upon frivolous formalities been sent for as a Delinquent, and been brought upon his knees at the Bar of

both Houses; his Majesty contented to that alteration, and so King made Sir John Coniers Lieutenant of the Tower. Which was ^{consider'd} such an instance of his yielding upon Imporunity, that from that time they thought themselves even possess'd of the whole Militia of the Kingdom.

Whilst all diligence was us'd in making preparation for the Queen's Journey, to divert their Councils from other inquisition, the King (who had receiv'd so many sharp expostulations for breach of Privileges, and other attempts upon their Reputations) resolv'd upon their publication of a bold scandal upon Himself by one of their principal Members, to expostulate with them, and try what Satisfaction and Reparation they were prepared to give Him, who exacted so much from Him. All opportunities had been taken in Publick, and all licence given to Private and Claudelike forgeries to lay odious, or envious imputation on the King and Queen, in the business of Ireland; and to impute the progress and success of that Rebellion to a connivance, if not a countenance, from the Court: the not Levying Men, and sending Provisions, imputed to his Majesty; though he had, as is before observ'd, offer'd to Levy ten Thousand Volunteers for that Service, and had consented cheerfully to every Proposition, that had been made with the least reference to the assistance of that Kingdom. Indeed he was so alarm'd with those perpetual odious suggestions, which he perceived wrought very pernicious effects in the minds of the People, that he was compelled to consent to many things contrary to his Judgment, and Kingly Policy, to prevent greater inconveniences by those scandals, which he saw were prepar'd for him. So when several Propositions were recommended to him by the two Houses concerning those Supplies, which were to be sent out of Scotland, amongst the rest, there was one, that the Scots should have the Command, and keeping of the Towns, and Castle of Corribfergus; and if any Regiments, or Troops, in that Province should join with them, that they should receive Orders from the Commander of the Scottish Forces. The King consented to all the rest, though these were matters unreasonable enough in favour of that Nation; but, That, he said, he could not approve of; and wish'd the Houses to take that Proposition again into consideration, as a business of very great importance, which he doubted might prove prejudicial to the Crown of England, and the Service intended. And he said, if the Houses desired it, he would be willing to speak with the Scottish Commissioners, to see what satisfaction he could give them therein. This Answer was no sooner read, but both Houses Voted, that whatsoever gave the King Advice, or Counsel,

to fend that Answer, was an Enemy to the King, and Kingdom, and a Committee appointed to find out who those evil Counsellors were. So that, the *Scottish* Commissioners pressing him, "that being the Native King, he would not publish a less Trust and Confidence in them, than their Neighbour Nation had done, his Majesty thought fit to consent to the whole, as the two Houses had advised.

THEM, in the carrying on the War, they allowed his Majesty so little Power, that when he recommended some Officers of prime Quality, Reputation, and Experience in the War, to the Lord-Lieutenant to be employed in that Service, the House of Commons by express Order, and after they knew that his Majesty had recommended them, rejected them, because they were taken notice of to have attended upon the King at *White-Hall*, as a Guard to his Person. And after all this, they took all occasions to asperse him with any ommissions that were in that great work; as Mr *Pym* had more particularly done, in that Speech before taken notice of, at the Conference with the Lords, upon the delivery of those Seditious Petitions; of which the King could not take notice, lest he should be again reproached with breach of Privilege.

BUT when that Speech was Printed by Order of the House, the King thought he had an opportunity to require a vindication; and therefore, in a Letter to the Speaker, he sent this Message: "That he had taken notice of a Speech, pretended by the title to have been delivered by Mr *Pym* in a Conference, and Printed by Order of the House of Commons; in which it was affirmed, that since the stop upon the Post against all *Irish* Papists of both Houses, many of the chief Commanders, now in the Heart of the Rebels, have been suffered to pass by his Majesty's immediate Warrant: and being certain of having used extremest caution in the granting of Pass-Ports into *Ireland*, he conceived, either that Paper not to have been so delivered, and Printed, as is pretended; or that House to have received some mis-information. And therefore his Majesty desired to know, whether that Speech had been so delivered, and Printed; and if it had, that the House would review, upon what information that particular had been grounded, that either it might be found upon reexamination false, and to both the House, and his Majesty to have been injured by it; or that his Majesty might know, by what means, and by whose fault, his Authority had been so highly abused, as to be made to conduce to the assistance of that Rebellion, which he so much detested and abhorred; and that he might see himself fully vindicated from all reflections of the least suspicion of that kind.

I T

IT was some time before they would vouchsafe any Answer to the King upon this Message; but at last they returned, "that the Speech, mentioned in that Message, was Printed by their Order, and what was therein delivered, was agreeable to the sense of the House: That they had received divers Advertisements concerning the several Persons, *Irish* Papists, and others, who had obtained his Majesty's immediate Warrant for their passing into *Ireland*, since the Order of restraint of both Houses; some of which, as he had been informed, since their coming into *Ireland*, had joyn'd with the Rebels, and been Commanders amongst them; and some others had been slay'd, and were yet in safe Custody.

THEM they named some, to whom Licences had been granted before the Order of restraint, and were still in *England*; and said, "there were others, whose names they had not yet receiv'd, but doubted not, upon examination, they would be discovered.

To this the King Reply'd, and told them, "that as he had expressed a great desire to give them all possible satisfaction to all their just requests, and a readiness to rectify, or retract, any thing done by himself, which might seem to trench upon their Privileges by any mistake of his; so he hoped, they would be ready, upon all occasions, to misist an equal tenderness and regard of his Honour, and Reputation with his Subjects: and therefore, he expected they should review his Message concerning Mr *Pym*'s Speech, and their Answer, with which he could not rest satisfied. He said, he was most assured that no Person, who had Command in the Head of the Rebels, had passed by his Warrant, or Privily. And then, he desired them to consider, whether such a General Information, and Advertisement, as they implied in their Answer, without the name of any particular Person, was a ground enough for such a direct and positive Affirmation, as was made in that Speech; which, in respect of the Place and Person, and being now acknowledged to be according to the sense of the House, was of that Authority, that his Majesty might suffer in the Affections of many of his good Subjects, and fall under a possible construction, considering many scandalous Pamphlets to such a purpose, of not being sensible enough of that Rebellion, so horrid, and odious to all Christians; by which, in that distraction, such a danger might possibly ensue to his Majesty's Person, and Estate, as he was well assured they would endeavour to prevent. And therefore, he thought it very necessary, and expected that they should name those Persons who had passed by his Licence, and

D d 4

424 were then in the Head of the Rebels: or if, upon their re-
examination, they did not find particular Evidence to prove
424 that Assertion (as he was most confident they never could)
424 as that Affirmation, which reflected upon his Majesty, was
424 very Publick, so they would publish such a Declaration,
424 whereby that mistake might be discovered; he being the
424 more tender in that particular which had reference to Ire-
424 land, and being most assured, that he had been, and was,
424 from his Soul, resolv'd to discharge his duty, for the Relief
424 of his poor Protestant Subjects, and the utter rooting out
424 that Rebellion; so that Service had not suffer'd for the
424 want of any thing proposed to him, and within his Power
424 to grant.

He said, 425 in this matter he had diligently examined his
425 own Memory, and the notes of his Secretaries; and then
425 named all the Irish Persons to whom he had given any Li-
425 cences to go into that Kingdom, since the beginning of that
425 Rebellion; and said, 425 He was well assured, none of them
425 were with the Rebels; and though some of them might be
425 Papists, yet he had no reason to have any suspicion of them, in
425 respect of their alliance with Persons of great Honour and
425 Power in that Kingdom, of whose Fidelity to him he had
425 good assurance; and the Lords Justice themselves having
425 declared, that they were so far from owning a jealousy of all
425 Papists there, that they had put Arms into the Hands of di-
425 vers Noblemen of that Religion, within the Isle, which the
425 Parliament had well approv'd of. And therefore, unless the
425 said Affirmation of the House of Commons could be made
425 good by some particulars, he expected a vindication by such
425 a Declaration as he had proposed; which, he said, was, in
425 Duty and Justice, due to him.

BUT this, and any thing else could be said, was so far
425 from procuring any Reparation, that when they perceived
425 the King still persist for that Justice, and apprehended that
425 many would believe it due to him, and that the prejudice
425 they had rais'd to him for Ireland would be remov'd there-
425 by, they consequently published another Declaration of several
425 Persons Names, to whom they said the King had granted
425 Passes, and were then Commanders in the Rebels Army, of
425 whose Names his Majesty had never before heard, to whom
425 no Passes had been granted, neither did he believe that there
425 were such Men in Nature; and so left the People to believe as
425 they found themselves inclin'd upon the King's denial, or
425 Their particular, and reflexive Affirmation.

THESE proceedings of the Parliament made a deep im-
425 pression upon all Noble and Generous Persons, who found
425 that their Pride, and Ambition was so great, that they re-
425 solv'd

425 solv'd to remove all persons, who were like to stand in their
425 way, by opposing any thing they desired, or by filling any
425 Place, or Office, which they design'd should be executed by
425 some other person, in whom they could Confide. The Earl
425 of New-Castle, who was Governour of the Prince, knew very
425 well in what prejudice he stood with the Earls of Essex, and
425 Holland (two very powerful persons) upon the Account of
425 he Challenge formerly mentioned to be sent by him to the
425 ears of the two, who would be glad of any opportunity to
425 expose him to an affront; and that they would ind occasions
425 enough upon the account of his known Afflictions to the
425 King's Service, from which it was not possible to remove or
425 spare him. He knew they liked not that he should have the
425 Government of the Prince, as one, who would infuse such
425 principles into him, as would not be agreeable to their De-
425 signs, and would dispose him to no kinde of to their Persons,
425 and that they would not rest, till they saw another Man in
425 the Province; in order to which, they would pick all Quar-
425rels they could, and load him with all Reproaches, which
425 might blast him with the People, with whom he had a very
425 good Reputation. Upon those considerations, and some other
425 imaginations upon the prospect of Affairs, he very wisely re-
425 solv'd to retire from the Court, where he had expended much
425 of his own Fortune, and only made himself obnoxious to
425 be Malice, and Envay of other pretenders; and desired the
425 King to approve of this his reasonable inclination, and to put
425 the Prince under the Tutour of some Person of Honour of
425 unquestionable Fidelity to him, and above the reach of Popu-
425 lar disapprobation; and, at the same time mention'd the Mar-
425 quis of Hertford, who was indeed Superior to any Tempta-
425 tions. The King could not dislike the Earls Judgement upon
425 his own interest and concernment; and did forcee likewise
425 that he might probably have occasion to use his Service un-
425 der another qualification; and therefore was well contented
425 to dimiss him from the Prince.

THE Marquis of Hertford was a Man of great Honour, *The Marquis*
425 Interest, and Estate, and of an universal esteem over the
425 whole Kingdom; and though he had receiv'd many, and
425 continued disobligations from the Court, from the time of
425 his King's coming to the Crown, as well as during the Reign
425 of King James, in both which seasons, more than ordinary
425 use had been taken to discouragement and lessen his Interest;
425 yet he had carried himself with notable Resolutions, from the
425 beginning of the Parliament, in the support and defence of
425 the King's Power and Dignity, notwithstanding all his Allies,
425 and those with whom he had the greatest Familiarity and
425 Friendship, were of the opposite Party; and never concurr'd
425 with

with them against the Earl of *Stratford*, whom he was known not to love, nor in any other extravagancy.

AND then, he was not to be shaken in his Affection to the Government of the Church; though it was enough known that he was in no degree bias'd to any great inclination to the Person of any Church-man. And with all this, that Party carried themselves towards him with profound respect, not presuming to venture their own credit in endeavouring to lessen his.

It is very true, he wanted some of those qualities, which might have been wish'd to be in a Person to be truit in the Education of a great, and hopeful Prince, and in forming of his Mind and Manners in to tender an Age. He was of an Age not fit for much Activity and Fatigue, and lov'd, and was even wedded so much to his Ease, that he lov'd his Book above all Exercise; and had even contracted such a Laziness of Mind, that he had no delight in an open and liberal Conversation; and cared not to discourse, and argue on those points, which he understood very well, only for the trouble of contending; and could never impole upon himself the pain that was necessary to be undergone in such a perpetual attendance: but then those lesser duties might be otherwise provided for, and he could well Support the Dignity of a Governour, and exact that diligence from others, which he could not exercise Himself; and his Honour was so unblemish'd, that none durst murmur against the designation; and therefore his Majesty thought him very worthy of the high Trust, against which there was no other exception, but that he was not Ambitious of it, nor in truth willing to receive and undergo the Charge, so contrary to his natural Constitution. But in his pure Zeal and Affection for the Crown, and the Confidence, that in this conjuncture his submission might Advance the King's Service, and that the refusing it might prove disadvantageous to his Majesty, He very cheerfully undertook the Province, to the general Satisfaction and publick Joy of the whole Kingdom; and to the no little Honour and Credit of the Court, that so important and beloved a Person would Attack himself to be under such a relation when so many, who had force ever eaten any Bread but the King's, Detached themselves from their dependence, that they might without him, and against him, preserve and improve those Fortunes, which they had procured and gotten under him, and by his Bounty.

The King
prefers
the Bill
of the
House of
Peers

NOW the Bill for the taking away the Votes of Bishops out of the House of Peers, which was called a Bill for taking away all Temporal Jurisdiction from those in holy Orders, was no sooner pass'd the House of Peers, than the King was earnestly desired

to give his Royal Assent to it. The King return'd, that it was a matter of great Concernment: and therefore, He would take time to Advise, and would return an Answer in convenient time. But this delay pleas'd not their appetite; they could not attempt their perfect Reformation in Church and State, till those Votes were utterly abolished; therefore they sent the same day again to the King, who was at *Winſor*, and gave him reasons to persuade him immediately to consent to it; One of which was the Grievances the Subjects suffer'd by the Bishops exercising of Temporal Jurisdiction, and their making a Party in the Lords House; a Second, the great Content of all sorts by the happy Conjunction of both Houses in their absence; and a Third, that the passing of that Bill would be a comfortable pledge of his Majesty's gracious Assent to the future Remedies of those Evils, which were to be presented to him, this once being pass'd.

REASONS sufficient to have Converted Him, if he had been less inclin'd or propensity to have Concurr'd with them. For it was, upon the matter, to persuade him to go with them in this, because, That being done, he should be able to deny them nothing.

HOWEVER those of great Trust to the King, and who were very faithful to his Service, though in this particular exceedingly deceiv'd in their judgements, and not sufficiently acquainted with the Constitution of the Kingdom, persuaded him that the passing this Bill was the only way to preserve the Church, there being no united Combination in this particular, that he would not be able to withstand it. Whereas, by the passing this Bill, so many persons in both Houses would be fully satisfied, that they would joyn in no further alteration: but, on the other hand, if they were cross'd in this, they would violently endeavour an Extirpation of Bishops, and a demolishing of the whole Fabrick of the Church.

THEY alledged that he was, upon the matter, deprived of their Votes already, they being not suffer'd to come to the House, and the Major part in Prison under an accusation of High Treason, of which there was not like to be any Reformation, till these present Dilemmas were compos'd; and then that by his Power, and the memory of the indirect means that had been us'd against them, it would be easier to bring them in again, than to keep them in now. They told him, there were two matters of great Importance press'd upon him for his Royal Assent, but they were not of equal consequence, and concernment to his Sovereign Power; the First, that Bill touching the Bishops Votes; the Other,

“Other, the whole Militia of the Kingdom, the granting of
 “which would absolutely divest him of all Regal Power;
 “that he would not be able to deny Both; but by granting
 “the former, in which he parted with no matter of Moment;
 “he would, it may be, not be press’d in the second; or if
 “he were, that as he could not have a more Popular *Quærel*
 “to take up Arms, than to defend himself, and to preserve that
 “Power in his hands, which the Law had vested in him, and
 “without which he could not be a King; so he could not
 “have a more Unpopular argument for the Contention, than
 “the preservation of the Bishops in the House of Peers, which
 “few Men thought Essential, and most Men believ’d Prejudi-
 “cial, to the Peace and Happiness of the Kingdom.

THESE arguments, though used by Men whom he most
 trusted, and whom he knew to have oppos’d that Bill in its
 passages, and to be cordially Friends to the Church of *England*
 in Discipline and Doctrine, prevail’d not so much with his
 Majesty, as the persuasions of the Queen; who was not only
 persuad’d to think those reasons valid (and there are that be-
 lieve that Intuition to have been made in Her by her own
 Priests, by Instructions from *France*, and for reasons of State
 of that Kingdom) but that her own Safety very much de-
 pended upon the King’s consent to that Bill; and that, if
 he should refuse it, Her Journey into *Holland* would be cross’d
 by the Parliament, and possibly her Person in danger either
 by the Tumults, which might easily be brought to *Winster*
 from *Westminster*, or by the Insurrection of the Countries in
 her passage from thence to *Dover*, where she intended to
 take Shipping. Whence by her Intercession with the King
 to do it, she would by a most Seasonable and Popular Obliga-
 tion upon the whole Nation, and leave a pleasant odour of
 her Grace and Favour to the People behind her, which would
 prove much to her advantage in her absence; and she should
 have the Thanks for that Act, as acquired by her goodness,
 which otherwise would be extorted from the King, when she
 was gone.

THESE Intimations and Discourses so far satisfied the
 Queen, and she the King, that, contrary to his most positive
 Resolutions, the King consented, and sent a Commission for
 the Enacting both that Bill, and the other about Pressing;
 which was done accordingly, to the great Triumph of the
 Courtiers, the King sending the same day that he Pass’d those
 Bills, which was the fourteenth of *February*, a Message to
 both Houses; “That he was assur’d his having Pass’d those
 “two Bills, being of so great importance, so judiciously, would
 “serve to assure his Parliament, that he desired nothing more
 “than the Satisfaction of his Kingdom. For *Ireland*, he said,

“as he had Concurr’d in all Propositions made for that Ser-
 vice by his Parliament, so he was Rebelv’d to leave nothing
 undone for their Relief, which should possibly fall within
 his Power, nor would refuse to venture his own Person in
 that War, if the Parliament should think it convenient, for
 the reduction of that miserable Kingdom.

THESE things being said for taking away the Bishops Votes,
 accordingly weaken’d the King’s Party; not only as it seem’d
 to say so considerable a number out of the House of Peers,
 which were constantly devoted to him; but as it made im-
 pression on others, whose minds were in suspense, as when
 conditions are broken. Besides, they that were best ac-
 quainted with the King’s Nature, Opinions, and Resolutions,
 had reason to believe, that no exasper could have wrought
 upon him to have consented to so Anti-Monarchical an Act;
 and therefore, never after retained any confidence, that he
 would deny what was Importunately asked; and so, either
 solemnly withdrew themselves from those consultations,
 hereby avoiding the envy, and the danger of opposing them,
 or quietly suffer’d themselves to be carried by the Scream,
 and consent to any thing that was Boldly and Lullily at-
 tempted.

AS to then it was so far from dividing the other Party,
 that I do not remember One man, who vehemently insist’d
 on, or indeed heartily wish’d, the passing of that Bill, that
 ever deserted them, till the Kingdom was in a Flame: but
 on the contrary, very many, who cordially and constantly
 oppos’d that Act, as friends rather to Monarchy than Re-
 sistance, after that Bill, never consider’d or resist’d any attempt,
 or further alteration, in the Church, looking on the Bishops
 as useful to Sovereignty, and so not of Importance enough
 to be defended by the Sword. And I have heard the same
 Men, who urg’d Before, “that their places in that House
 “had no relation to the Discipline of the Church, and their
 “Spiritual Jurisdiction, and therefore ought to be Sacrific’d
 “to the Preservation of the other, upon which the Peace, and
 “Unity of Religion so much depended, since argue, “that
 “Since their power in that House, which was a good Out-
 “work to defend the King’s from Invasion, was taken away,
 “any other form of Government would be equally advan-
 “ticious to his Majesty; and therefore, that he ought not to
 “insist on it, with the least inconvenience to his condition.
 But that which was above, or equal to all this, was that
 his Majesty’s enacting those two Bills, he had, upon the
 other, approv’d the Circumstances of their passage, which
 had been by direct violence, and almost force of Arms; in
 which case, he ought not to have confirm’d the most Poul-
 tick,

The King
 says that
 “the
 “other
 “of Pressing
 “Bills, &c.

tion, or the most Pious Constitutions: *Male postea est Lex, quæ tumultuaria postea est*, was one of those poisonous *Artifices*, which hath Never been since contradicted; and was an advantage, that, being well managed, and fluently infilted upon, would, in spite of all their Machinations, which were not yet firmly and solidly formed, have brought them to a temper of being Treated with. But I have some cause to believe, that even this Argument, which was Unanswerable for the Repealing that Bill, was applied for the Confirming it; and an opinion that the violence, and force, used in procuring it, render'd it absolutely Invalid and Void, made the Confirmation of it less consider'd, as not being of strength to make that Act good, which was in it Self Null. And I doubt this Logick had an influence upon other Acts of no less Moment than these: but it was an Erroneous and Unskillful suggestion; for an Act of Parliament, what Circumstances soever concurr'd in the contriving and framing it, will be allways of too great reputation to be avoided, or to be declared Void, by the sole Authority of any Private persons, or the single power of the King Himself. And though the Wisdom, Sobriety, and Power, of a future Parliament, if God shall ever bless the Kingdom with another Regularly Constituted, may find cause to declare this, or that Act of Parliament Void; yet there will be the same temper requisite to such a Declaration, as would serve to Repeal it. And it may be Then, many men, who abhor'd the thing when it was done, for the Manner of doing it, will be of the Civilian opinion, *ferri non debent, factum valet*; and never entertain opinion, *ferri non debent, factum valet*; and never entertain thought of the Altering of that, which they would never have consented to the Establishing of; neither will that single President of the Judges in the case of King *Henry* the Seventh, when they declared the Act of Attainder to be Void by the Accession of the Crown (though if he had in truth been the person, upon whom the Crown had Lineally and Rightfully descended, it was good Law) find, or make, the Judges of another Age parallel to them, till the King hath as strong a Sword in his hand, and the People as much at his devotion and disposal; and then the Making, and Declaring Law, will be of equal Facility, though, it may be, not of equal Justice. How much soever the King's Friends were, for the reasons aforesaid, dejected upon the passing those two Acts, it is certain, They who thought they got whatsoever He lost, were mightily Exulted, and thought Themselves now Superior to any Opposition: And what returns of duty and acknowledgement they made to the King for that Grace and Favour, is to be remembered in the next place.

It is the same day those two Acts were by his Majesty's Commission

mission passed, and as soon as a very short Message of thanks for that favour, as much importing the Safety of both Kingdoms of *England* and *Ireland*, was consented to, an Ordinance for the setting the Militia was agreed on by both Houses, and, together with a list of the Names of such Persons, as for the present they meant to Confide in, was immediately sent to the King for his Approbation; the which, being the most Avowed foundation of all the Miseries that have followed, will be here necessary to be inserted in the very terms and form it was agreed upon, and presented; and as followeth.

An Ordinance of both Houses of Parliament for the ordering of the Militia of the Kingdom of England, and Dominion of Wales.

WHEREAS there hath been of late a most dangerous and desperate design upon the House of Commons, which we have just cause to believe to be the effect of the bloody Councils of the Popists, and other ill affected Persons, who have already raised a Rebellion in the Kingdom of *Ireland*, and, by reason of many discourses, we cannot but fear they will proceed, not only to stir up the like Rebellion, and insurrection in this Kingdom of *England*, but also to back them with Forces from abroad; for the safety therefore of his Majesty's Person, the Parliament, and Kingdom, in this time of imminent danger, it is ordain'd by the King, the Lords, and Commons, now in Parliament assembled, That all such Persons shall have power to assemble, and call together all and singular his Majesty's Subjects within the County of _____ as well within Liberties, as without, that are meet and fit for the Wars, and them to Train, Exercise, and put in readines, and them, after their Abilities, and Faculties, well and sufficiently, from time to time, to cause to be array'd, and weaponed; and to take the Muster of them in places most fit for that purpose. And shall have power within the said County to nominate, and appoint such persons of Quality, as to him shall seem meet, to be his Deputy Lieutenants to be approved of by both Houses of Parliament: and that any one, or more of the said Deputies, so assign'd and approv'd of, shall in the absence, or by the Command of the said _____ have Power and Authority to do and execute within the County of _____ all such Powers and Authorities before in this present Ordinance contain'd; and shall have power to make Colonels, and Captains, and other Officers, and to remove out of their places, and to make others from time to time,

time, as he shall think fit for that purpose. And
 his Deputies, Colonels, and Captains, and other Officers,
 shall have further Power and Authority to Lead, Conclude,
 and Employ, the persons aforesaid, array'd, and weaponed,
 as well within the County of _____ as within any
 other part of this Realm of *England*, or Dominion of *Wales*,
 for the suppressing of all Rebellions, Insurrections, and In-
 vasions, that may happen, according as they, from time to
 time, shall receive directions by his Majesty's Authority,
 signified unto them by the Lords and Commons, assembled
 in Parliament. And it is further Ordain'd, that such, as
 shall not obey in any of the Premises, shall answer their
 neglect and contempt to the Lords and Commons, in a Par-
 liamentary way, and not otherwise, nor elsewhere: and
 that every the Powers, granted as aforesaid, shall continue,
 until it shall be otherwise order'd, or declar'd by both Houses
 of Parliament, and no longer. This to go
 into the Dominian *Wales*.

A second Act of the same day, and the only way they took
 to return their thanks and acknowledgment to the Queen
 for her intercession, and mediation in the passing those Bills,
 was the opening a Letter they intercepted, which was directed
 to her Majesty. The Lord *Digby*, after their Majesty's
 going to *Windsor*, when he found in what umbrage he stood
 with the powerful and prevailing Party, and that they were
 able to improve his going through *Tewkesbury* in a Coach and six
 horses to a Warlike appearance, and so to expose him to the
 fury of the People, at least to the power of the Countie, to be
 suppressed, as they had done by their Order, or Procla-
 mation of the twelfth of *January*, before-remember'd, and ap-
 pointed to be read in all Market Towns throughout *England*;
 concluded for his own security, and to free the King's Councils
 from the imputation of his evil influence, to remove
 himself into some parts beyond the Seas: and so, by the King's
 leave, and by his licence, was transported into *Holland*, from
 whence he writ some Letters to his friends at *London*, to
 give them an account where he was, and for supplying
 himself with such accommodations as he stood in need of.
 Amongst these Letters there was one to his Brother in Law
St Lewis Dives, which, by the treachery of that person, to
 whose care it was intrusted for conveyance, was brought to
 the House of Commons: and it being averr'd, that it came
 from the Lord *Digby*, whom they looked upon as a Fugiti-
 ve, they made no scruple of opening it; and finding another
 in it directed to the Queen, after a very little pause they did
 the like; for which they made no other excuse (when upon
 a Message

a Message from the King they sent her the transcript, for the
 Original they still kept) than, that having opened the other
 Letters, and finding in them sundry expressions full of appe-
 riv, and malignity to the Parliament, they thought it very
 probable, that the like might be contained in that to her
 Majesty; and that it would have been dishonourable to her
 Majesty, and dangerous to the Kingdom, if it should not
 have been opened: And they besought the King to per-
 suade her Majesty, that she would not vouchsafe any coun-
 tenance to, or correspondence with, the Lord *Digby*, or
 any other of the Fugitives or Traytors, whose offences were
 under the examination and judgment of Parliament.

It is that Letter to the Queen were these words, "If the
 King be like himself to a safe place, where he may avow
 and protect his Servants (from rage I mean and violence,
 for from justice I will never implore it) I shall then live in
 impatience, and in misery, till I wait upon you. But if,
 after all he hath done of late, he shall be like himself to a
 easiest and complaisantest ways of accommodation, I am
 confident, that then I shall serve him more by my absence,
 than by all my industry. And in that to *St Lewis Dives*,
 were these words: "God knows, I have not a thought to
 make me blith towards my Country, much less criminal;
 but where Traytors have to great a sway, the honestest
 thoughts may prove most Treasonable. Which gave those,
 that thought themselves concern'd, so great offence, that with-
 in two days after, they accused him of High Treason; and
 finding no words in the Letter would amount to that offence,
 they accused him of keeping War against the King; which
 could have relation to no Act of his, but what was before-
 mentioned at *Kingston upon Thames*, when to the terror of
 the King's Subjects, he was seen there in a Coach with six
 Horses. Though this extravagancy of theirs seems to be di-
 rected against a particular person, I could not omit it in this
 place, being accompanied with those circumstances. And it
 may be, pottently may look upon the severe prosecution of a
 young Noble man of admirable parts, and eminent hopes, in
 so implacable a manner, as a most pertinent instance of the
 Tyranny, and Injustice of that time, not possible to end, but
 in so much wickedness as hath since been practis'd.

A THIRD Act of that day was the carrying up an Im-
 peachment to the Lords against the King's Attorney General, ^{the Atto-}
 for maliciously advising and contriving the Articles upon ^{the General}
 which the Lord *Kimbolton*, Mr *Hobbs*, Mr *Payne*, Mr *Harris*, ^{was impeach'd}
 and, Mr *Strade*, and *St Arthur Hallering*, had been accus'd ^{as the Law}
 by his Majesty of High Treason; it being not thought fic-
 tury and reparation enough; that the King had waved any
 Vol. I. Part. 2. E e further

further proceeding against them, except they left such a monument of their power, that, upon what occasion or provocationsoever, no man should presume to obey the King in the like command: so that the same fourteenth of February, that was celebrated for the King's consecration to that Act for putting the Bishops out of the House of Peers, is famous likewise for those three Unparalleled Acts of contempt upon the Sovereign power; the demand of the sole power over all the Militia of the Kingdom; the opening Letters directed to the Sacred person of the Queen; and the impeaching the Attorney General, for performing, what he took to be the duty of his place, by his Master's command. All which were very ill instances of that application and compliance his Majesty had reason to expect, and some men had promised him he should receive.

The King's answer concerning the Militia. 1642 THOUGH the King was resolved in no degree to consent to the Proposition for the Militia, yet he thought not the time reasonable for his positive Denial, the Queen retaining still her fears of being stopped in her Journey. Therefore, for the present, he returned Answer, "that his dearest Con-

fort the Queen, and his dear Daughter the Princess Mary, being then upon their departure for Holland, he could not have to good time to consider of a particular answer for a matter of so great weight, as That was; and therefore, he would retire the same till his return: the King intending to accompany the Queen to *Deventer*, and as soon as she was enabled to return. They received this Answer with their usual impatience, and the next day sent Messengers to him, with that, which they called an Humble Petition; in which they told him, "that they had, with a great deal of grief, received his Answer to their just and necessary Petition concerning the Militia of the Kingdom; which, by a gracious Message formerly sent unto them, he had been pleased to promise should be put into such hands, as his Parliament should approve of, the extent of their power, and the time of their continuance, being likewise declared, the which being now done, and the persons Nominated, his Majesty nevertheless relapsed his resolution to a longer, and a very uncertain time, which they said, was as unsatisfactory and destructive as an absolute Denial. Therefore, they once again besought him to take their desire into his Royal thoughts, and to give them such an Answer, as might talk in them a Confidence, that they should not be exposed to the practices of those who thirst after the ruin of his Kingdom, and the kindling of that combustion in *England*, which they had in to great a measure elicited in *Ireland*; from whence, as they were informed, they intended to

their reply.

invade

invade this Kingdom, with the assistance of the Papists here. They said, nothing could prevent those evils, nor enable them to suppress the Rebellion in *Ireland*, and secure themselves, but the instant granting of that their Petition; which they hoped, his Majesty would not deny to those, who in the discharge of their duty to his Majesty and the Commonwealth, represent unto him, what they found so absolutely necessary for the preservation of both; which the Laws of God and man enjoined them to see put in execution, as several Counties by their daily Petitions desired them to do, and in some places begun already to Do it of themselves. Notwithstanding all that importunity, the King made no other Answer than formerly he had done, "that he would give a full Answer at his return from *Deventer*.

IN the mean time, the House of Commons, to whom every day Petitions are directed by the several Counties of *England*, professing all Allegiance to them, govern Absolutely, the Lords concurring, or rather submitting, to whatsoever is The Lords proposed; inasmuch as when they had bailed the twelve sent for to the Tower, and the Commons returned them. Bishops, who were in the Tower for the Treason of their Proposition, which they did the next day after the Bill was passed for taking away their Votes, the House of Commons in great indignation expulsiated with them, and caused them to immediately again to be recommitted to the Tower. So they gave their private intimations to their Correspondents in the Counties, that they should make small entries upon the Militia; which was done in many places, the people choosing their Officers, and Lifting themselves, and so Training and Exercising under the name of Volunteers; whereby they had opportunity to unite themselves, to know their Confederates, observe those who were of other opinions, and to provide for the Arms and Ammunition against they should have occasion for the Tower of *London* was at their Devotion, and was *held* was in *their* own; the Mayor of that place having been lately sent for and reprehended, for having said, "that they ought not to have Soldiers billeted upon them by the Petition of Right, and for refusing to submit the Tower, which was His charge, to the Government of *Mr. Hotham*; and after a tedious and chargeable attendance, without being brought to a publick hearing, he was persecuted to submit; and so was discharged.

THEY then fell to raising of money under pretence of being rais'd the relief of *Ireland*, and, for that purpose, prepared "an Act for the payment of four hundred thousand pounds for such persons as were Nominated by themselves, and to be disbursed and issued in such manner, and to such uses, as the two Houses should direct, which the King confirmed accordingly.

4

cordingly; whereby they had a stock of credit to raise money, whenever A they found themselves part to it: And this could not be prevented; for the King having committed the carrying on the War of Ireland to them, and they being engaged both for the payment of the arrears to the Officers of the Northern Army disbanded the Summer before, and of the three hundred thousand pounds to the Scots, his Majesty was necessitated to pass the Act with such General clauses, that it might be in their power to divert the money to other uses than those to which it was given; as it afterwards fell out.

The Queen being shipped for Holland, his Majesty returned to Greenwich, whither he had sent to the Marquis of Hertford to bring the Prince of Wales from Hampton-Court to meet him; of which as soon as the Houses were advertised, they sent a Message to the King, who was upon his way from Dover, to desire him, that the Prince might not be removed from Hampton-Court, for that they conceived his removal at that time, might be a cause to promote Jealousies, and Fears in the hearts of his good Subjects, which they thought necessary to avoid; and, at the same time, sent an express Order to the Marquis of Hertford, to require him not to suffer the Prince to go to Greenwich, but his Lordship, choosing rather to obey the King's commands than Theirs, carried his Highness to his Father; and of which the Houses no sooner were informed, than they sent some Members of both Houses to Greenwich, to bring the Prince from thence to London. But when they came thither, they found the King, whom they did not expect there; and so made no attempt to perform that Command. The reason of this extravagancy (besides their natural humour to affront the King, and this seeming care of the Prince was a Popular thing) was pretended to be an information they had received from a Member of the House.

There was one Griffiths, a young Well-man, of no parts or reputation, but for eminent Licence; this youth had long, with great boldness, followed the Court, and pretended to preferment there; and so in the House had always opposed, as far as not consenting, all the undutiful Acts towards the King, and, upon this stock of merit, had pressed more confidently for a reward; and, when the Queen was ready to take shipping at Dover for Holland, he busied himself importuned her to mediate to the King, that he might be forthwith admitted of the Prince's Bed-Chamber; the which her Majesty refusing, he told his Companions, that since he could not render himself considerable by doing the King Service, he would be considerable by doing him Diservice: and so made great haste to London, and openly in the House told them

OF THE REBELLION, &c.

them (the same day that the Prince was to go to Greenwich) that if they were not exactly careful, they would speedily lose the Prince; for, to His knowledge, there was a design and resolution immediately to carry him into France. From which senseless and groundless insinuation, he was taken into their favour; and, his Maice supplying the defect of other parts, was thenceforth taken into Trust, and used as their *Breast* to justify all their Excesses in Taverns and Ordinaries. And I saw Mr *Hambden*, shortly after this discovery, take him in his arms, telling him, "his Soul rejoiced to see, that God had put it into his Heart to take the right way. To their Message the King sent them word, "That to give, not being able to imagine from what grounds they proceeded; but if any information had been given to them to quash those apprehensions, he much desired the same might be examined to the bottom; and then he hoped that their Fears and Jealousies would be hereafter continued only with reference to his Majesty's Rights and Honour.

The Queen being gone, and the Prince come to his Father at Greenwich, the King sent an Answer to the two Houses concerning the Militia; "that having, with his best care and understanding, perused and considered that, which had been sent him from both Houses, for the ordering the Militia to be made an Ordinance of Parliament by the giving his Royal Assent, as he could by no means do it for many reasons, he did not conceive himself obliged to it by any promise made to them in his Answer to their former Petition. He said, he found great cause to except against the Preface, or Introduction to that Order; which confessed a most dangerous and desperate design upon the House of Commons of late, supposed to be an effect of the bloody Councils of Papists, and other ill affected Persons, by which many might understand (looking upon other Printed Papers to that purpose) his own coming in Person to the House of Commons on the fourth of January, which begot fo unhappy a misunderstanding between him and his People. And for that, though he believ'd it, upon the information since given him, to be a breach of their Privileges, and had offered, and was ready, to repair the same for the future, by any Act should be desired from his Majesty; yet he must declare, and require to be believed, that he had no other design upon that House, or any Member of it, than to requite, as he did, the Petitions of those five Gentlemen he had before accused of High Treason, and to declare that he meant to proceed against them legally, and speedily; upon which he believ'd that House would have delivered them up.

E c 3 H e

He called the Almighty God to witness, that he was fo
 far from any intention, or thought of Force or Violence, al-
 though that Houſe had not delivered them according to his
 demand, or in any ſafe whatſoever, that he gave thoſe his
 Servants, and others, who then waited on his Majeſty, ex-
 preſſe charge and command, that they ſhould give no of-
 fence unto any Man; nay if they received any provocation
 or injury, that they ſhould bear it without return; and he
 neither law, nor knew, that any Perſon of his train had any
 other weapons, but his Penſions and Guard, thoſe with
 which they uſually attend his Perſon to Parliament; and
 the other Gentlemen, Swords. And therefore he doubted
 not, but the Parliament would be regardful of his Honour
 therein, that he ſhould not undergo any imputation by the
 raſh and indilcreet expreſſions of any young Men then in his
 train, or by any deperate words uſed by others, who
 might mingle with them without his Content or Appro-
 bation.

For the Perſons nominated to be the Lieutenants of the
 ſeveral Counties of England and Wales, he ſaid he was con-
 tented to allow that recommendation; only concerning the
 City of London, and ſuch other Corporations as by ancient
 Charters had granted to them the Power of the Militia, he
 did not conceive that it could ſtand with Juſtice or Policy
 to alter their Government in that particular. And he was
 willing forthwith to grant to every one of them, that of
 London and other Corporations excepted, ſuch Commiſſions
 as he had granted this Parliament to ſome Lords Lieute-
 nants by their advice. But if that Power were not thought
 enough, but that more ſhould be thought fit to be granted
 to thoſe Perſons named, this, by the Law, is in the Crown
 it ſelf, he ſaid, he thought it reaſonable that the ſame ſhould
 be by ſome Law firſt veſted in him, with Power to tranſ-
 fer it to thoſe Perſons; which he would willingly do: and
 whatever that Power ſhould be, to avoid all future doubts
 and queſtions, he deſired it might be digeſted into an Act
 of Parliament, rather than an Ordinance; ſo that all his
 Subjects might thereby particularly know, both what they
 were to do, and what they were to ſuffer for their neglect;
 that ſo there might be the leaſt latitude for them to ſuffer
 under any Arbitrary Power whatſoever.

To the time deſired for the Continuance of the powers
 to be granted, he ſaid, he could not conſent to divelt him-
 ſelf of the juſt Power, which God, and the Laws of the
 Kingdom, had placed in him for the defence of his People,
 and to put it into the hands of others for any inſtantane
 time. And ſince the ground of their requeſt to him was to

ſecure their preſent Fears and Jealouſies, that they might
 with ſafety apply themſelves to his Majeſty of the 22th of Ja-
 nuary, he hoped that his Grace to them ſince that time, in
 yielding to ſo many of their deſires, and in agreeing to the
 Perſons now recommended to him, and the Power before
 expreſſed to be placed in them; would wholly diſpel
 thoſe Fears and Jealouſies; and he aſſured them, that as he
 had apply'd this unuſual remedy to their doubts; ſo that as he
 there ſhould be cauſe, he would continue the ſame to ſuch
 time, as ſhould be agreeable to the ſame cure he now ex-
 preſſed towards them.

He ſaid, he was fo far from receding from any thing
 he had promiſed, or intended to grant in his former An-
 ſwer, that he had hereby contented to all that had been then
 asked of him by that Petition, concerning the Militia of
 the Kingdom, except that of London and the other Corpo-
 rations; which was, to put the ſame into the hands of ſuch
 Perſons, as ſhould be recommended to him by both Houſes
 of Parliament. And he doubted not but they, upon well
 weighing the particulars of that his Anſwer, would find
 the ſame more ſatisfactory to their ends, and the Peace and
 Welfare of all his good Subjects, than the way propoſed by
 that intended Ordinance; to which, for thoſe reaſons, he
 could not conſent.

And whereas he obſerved by their late Petition, that in
 ſome places, ſome Perſons began already to intermeddle of
 chemſelves with the Militia, he ſaid, he expected his Par-
 liament ſhould examine the particulars thereof, it being a
 matter of high concernment, and very great conſequence.
 And he required, that if it ſhould appear to them, that any
 Perſon whoſoever had preſumed to Command the Militia
 without lawful Authority, they might be proceeded againſt
 according to Law.

It ſeems this was not the Anſwer they promiſed them-
 ſelves; for, at the publiſhing it, they were marvellouſly tranſ-
 ported, and immediately Voted, both Houſes concurring in it,
 That thoſe who adviſed his Majeſty to give that Anſwer,
 were Enemies to the State, and miſchievous projectors a-
 gainſt the defence of the Kingdom: That that denial was
 of this dangerous Conſequence, that if his Majeſty ſhould
 perſiſt in it, it would hazard the Peace and Safety of all
 his Kingdoms, unleſs ſome ſpeedy Remedy were apply'd by
 the Wiſdom, and Authority of both Houſes of Parliament:
 And that ſuch parts of the Kingdom, as had already put
 themſelves into a poſture of Defence againſt the Common
 Danger, had done nothing but what was juſtifiable, and was
 approved by both Houſes. And having cauſed theſe, and
 E 4 ſuch

A Petition
of both
Houses to
the King at
Theobalds.

fact other Resolutions to be immediately published in Print, that their Friends abroad might know what they had to do, they sent a Committee of both Houses to the King at Theobalds with another Petition; in which they told him, ⁴³ That their just apprehensions of Sorrow and Fear, in respect of the Publick Dangers and Miseries like to fall upon his Majesty and the Kingdom, were much increased upon the receipt of his unexpected denial of their most Humble and Necessary Petition concerning the Militia of the Kingdom; ⁴⁴ and that they were especially grieved, that wicked and malicious Counsellors should still have that Power with him, ⁴⁵ as in that time of approaching and imminent Ruin, he should rather incline to that, which was apt to further the accomplishment of the desires of the most Malignant Enemies of God's true Religion, and of the Peace and Safety of himself, and his Kingdom, than to the Dutiful and Faithful Counsel of his Parliament. Wherefore, they said, they were enforced in all Humility to protest; that, if his Majesty should persist in that denial, the dangers and disorders of the Kingdom were such, as would endure no longer delay; but unless he should be graciously pleased to assure them by chose Messengers, that he would speedily apply his Royal Assent to the satisfaction of their former desires, they should be enforced, for the Safety of his Majesty and his Kingdom, to dispose of the Militia by the Authority of both Houses, in such a manner as had been propounded to him; and they resolv'd to do it accordingly.

⁴⁶ THUS likewise most Humbly besought his Majesty to believe, that the dangerous and desperate design upon the House of Commons, mentioned in their Preamble, was not infered with any intention to cast the least aspersion upon his Majesty; but therein they rest'd upon that Malignant Party, of whose Boody and Malicious practices they had so often expostulated, and from which they could never be secure, unless his Majesty would be pleased to put from him those wicked and unfaithful Counsellors, who interposed their own corrupt and malicious designs, betwixt his Majesty's Goodness and Wisdom, and the property and enjoyment of himself and of his People; And that for the dispatch of the great Affairs of the Kingdom, the Safety of his Person, the Protection and Comfort of his Subjects, he would be pleased to continue his abode near to London, and the Parliament; and not to withdraw himself to any other remote parts, which if he should do, must needs be a cause of great danger and distraction.

⁴⁷ THAT He would likewise be graciously pleased to continue the Prince's Highness in those parts at St James's, ⁴⁸ or

or any other of his Houses near London; whereby the designs, which the Enemies of the Religion, and Peace of the Kingdom might have upon his Person, and the Jealousies and Fears of his People might be prevented. ⁴⁹ And as they besought him to be inform'd by them, that by the Laws of the Kingdom, the Power of raising, ordering, and disposing of the Militia within any City, Town, or other Place, could not be granted to any Corporation by Charter, or otherwise, without the Authority and Consent of Parliament: And that those parts of the Kingdom, which had put themselves in a posture of Defence against the Common danger, had therein done nothing but according to the Declaration and Direction of both Houses, and what was justifiable by the Laws of the Kingdom. All which their most humble Counsel and Desires they prayed him to accept, as the effect of that Duty and Allegiance, which they owed unto him, and which would not suffer them to admit of any thoughts, intentions, or endeavours, but such as were necessary and advantageous for his Greatness, and Honour, and the Safety, and Prosperity of the Kingdom, according to that Trust and Power which the Laws had reposed in them.

AS SOON as the Petition was read, the King told them ⁵⁰ that presented it, ⁵¹ That he was so much amazed at their Message, that he knew not what to Answer. He said, they spoke of Jealousies, and Fears, but he desired them to lay their hands to their hearts, and ask themselves, whether He might not likewise be disturbed with Fears and Jealousies? and if so, he assured them, that Message had nothing lessened them.

⁵² FOR the Militia, he said, he had thought so much of it before he sent his Answer, and was so well assured that the Answer was agreeable to what, in justice or reason, they could ask, or He in Honour grant, that he should not alter it in any point.

⁵³ FOR his Residence near them, he said, he wiled it might be so Safe and Honourable, that he had no cause to absent himself from White-Hall: He bid them ask themselves, whether he had not? For his Son, ⁵⁴ He said, he should take that care of him, which should justify him to God, as a Father's and to his Dominions, as a King. To conclude, he assured them upon his Honour, that he had no thought but of Peace, and Justice to his People; which he would by all fair means seek to preserve and maintain, relying upon the Goodness and Providence of God for the preservation of himself, and his Rights.

THIS being suddenly, and with more than usual quickness

The Resolutions of both Houses agree.

ness spoken by the King, much applaud'd them; but they were too far engag'd to retire; and therefore, as soon as it was reported to the Houses, they resolv'd, upon Debate, that the Kingdom should be forthwith put into a posture of Defence, by Authority of both Houses, in such a way as had been formerly agreed upon by both Houses; and that a Declaration should be speedily sent unto the King, containing the causes of their just Fears and Jealousies, and to make it evident that any that were entertain'd against Them were groundless; Ordering at the same time, that all the Lords Lieutenant of any Countie in England, who had been formerly so constituted by the King by his Commissions under the great Seal of England, should immediately bring in those Commissions to be cancelled as illegal: Albeit some such Commissions had been granted, upon their own desire, since the beginning of the Parliament, as particularly to the Earl of Essex, to be Lord Lieutenant of *Yorkshire*, and to the Earl of Salisbury for *Dorsetshire*.

The Lord of the Northumberland provides a Fleet.

THESE both Houses sent to the Earl of Northumberland, being High Admiral of England, that they had receiv'd advertisement of extraordinary preparations made, by the Neighbouring Princes, both by Land and Sea; by which an apprehension was rais'd in both Houses, that the publick Honour, Peace, and Safety of his Majesty, and his Kingdom, could not be secur'd, unless a timely course was taken for the putting the Kingdom into a condition of Defence at Sea, as well as at Land: and they did therefore Order him forthwith to give effectual direction that all the Ships belonging to his Majesty's Navy, and fit for Service, and not already abroad, or design'd for the Summer Fleets, should be Rigged, and put in such a readines, as that they might be soon fitted for the Sea: and that his Lordship would also make known to the Masters, and Owners of other Ships, in any of the Harbours of the Kingdom, as might be of use for the Publick Defence, that it would be an acceptable Service to the King and Parliament, if they would likewise cause their Ship to be Rigged, and to be put into a readiness, as they might, at a short warning, likewise be set to Sea upon any emergent occasion; which would be a means of great Security to his Majesty, and his Dominions. To which the Earl return'd an Answer full of Submission and Obedience.

I HAVE been assur'd from Persons of very good Credit, and conversant with those Councils, that they had in deliberation and debate to send, and take the Prince from his Father at *Thorbalds* by force; but that design was quickly laid aside, when they heard that the King was removed from thence

thence to *New-Market*, and was like to make a further progress. So they utter'd all possible exposition in preparing their Declaration; which they directed to his Majesty, and in which they told him, that although that Answer, and his given to their Petition at *Thorbalds*, did give just cause of sorrow to them; yet it was not without some mixture of Confidence and Hope; considering those expressions proceeded from the misapprehensions of their Actions and Intentions; which, having no ground of truth or reality, might, by his Justice and Wisdom, be removed, when he should be fully inform'd, that those Fears and Jealousies of theirs, which his Majesty thought to be causeless, and without any just ground, did necessarily and clearly arise from those dangers and distempers, into which the mischievous and evil Councils about him had brought the Kingdom. And that those other Fears and Jealousies, by which his Favour, his Royal Preference, and Confidence, had been withdrawn from his Parliament, had no foundation, or subsistence in any Action, Intention, or Mis carriage of theirs; but were merely grounded upon the fallhood and malice of such who, for the supporting and fomenting their own wicked designs against the Religion; and Peace of the Kingdom, did seek to deprive his Majesty of the strength, and the affection of his People; and Them of his Grace and Protection; and thereby, to subject both his Person, and the whole Kingdom, to Ruin and Destruction.

THAT to satisfy his Majesty's Judgement and Confidence in both those Points, they desired to make a free, and clear Declaration of the causes of their Fears and Jealousies, in some particulars.

THAT the design of altering Religion, in this and his other Kingdoms, had been potently carried on, by those in greatest Authority about him, for divers years together; and that the Queen's Agent at *Rome*, and the Pope's Agent, or Nuncio, Here, were not only evidences of that design, but had been great Actors in it.

THAT the War with *Scotland* was procur'd to make way for that intent, and chiefly fomented by the Papists, and others Popishly affected, whereby they had many evidences, especially their free and general contribution to it.

THAT the Rebellion in *Ireland* was fram'd, and contrived, here in *England*; and that the English Papists should have risen about the same time, they had several testimonies and advertisements from *Ireland*; and that it was a common Speech amongst the Rebels (with which, they said, other evidences did Concur, as the information of a Minister who came out of *Ireland*, the Letter of one *Travers*

Their Declaration is his Majesty's

⁴² *from Whetsons in Ireland to his Brother in England, and*
⁴³ *many others) that they would recover unto his Majesty*
⁴⁴ *his Royal Prerogative, wrested from him by the Puritan*
⁴⁵ *Faction in the Houses of Parliament in England; and would*
⁴⁶ *maintain Episcopal Jurisdiction, and the lawfulness thereof;*
⁴⁷ *which, they said, were the two quarrels, upon which his*
⁴⁸ *late Army in the North should have been incited against*
⁴⁹ *them.*

⁵⁰ "THE Cause they had to doubt that the late design,
⁵¹ *if it'd the Queen's Pious Intention, was for the alteration of*
⁵² *Religion in this Kingdom, for success whereof the Pope's*
⁵³ *Nuncio (the Count *Rovetto*) enjoy'd Fasting and Praying*
⁵⁴ *to be observ'd every week by the English Papists; which,*
⁵⁵ *they said, appear'd to them by one of the original Letters*
⁵⁶ *directed by him to a Priest in *Lancashire*.*

⁵⁷ "THE boldness of the Irish Rebels in affirming they
⁵⁸ *do nothing but by Authority from the King; that they call*
⁵⁹ *themselves the Queen's Army; that the prey and booty*
⁶⁰ *they take from the English, they mark with the Queen's*
⁶¹ *mark; that their purpose was to come into England, when*
⁶² *their business was done in Ireland; and finally other things*
⁶³ *of that kind, which, they said, were prov'd by one *O'neely*,*
⁶⁴ *and others; but especially in the forementioned Letter from*
⁶⁵ **Tristram Whetsons*, wherein there was this passage, that many*
⁶⁶ *other Speeches they utter, concerning Religion, and our*
⁶⁷ *Court of England, which he dares not commit to Paper.*

⁶⁸ "THE many attempts to provoke his late Army, and
⁶⁹ *the Army of the Scots, and to raise a Faction in the City of*
⁷⁰ *London, and other parts of the Kingdom. That those who*
⁷¹ *had been Actors in these businesses, had their dependence,*
⁷² *their countenance, and encouragement, from the Court;*
⁷³ *witness the Treason, whereto *Mr. Ferrys*, and others, stood*
⁷⁴ *accused; who, they said, was transported beyond Seas by*
⁷⁵ *Warrant under his Majesty's own hand, after he had given*
⁷⁶ *assurances to his Parliament, that he had laid a strict Com-*
⁷⁷ *mand upon his Servants, that none of them should depart*
⁷⁸ *from Court. And that dangerous Petition deliver'd to*
⁷⁹ *Caprain *Leg* by his Majesty's own hand, accompanied with*
⁸⁰ *a direction Sign'd with C. R.*

⁸¹ "THE false and scandalous accusation against the Lord
⁸² **Kimbolton*, and the five Members of the House of Com-*
⁸³ *mons, tender'd to the Parliament by his own Command,*
⁸⁴ *and endeavour'd to be justify'd in the City by his own Pre-*
⁸⁵ *sence and Perswasion, and to be put in execution upon their*
⁸⁶ *Persons by his demand of them in the House of Commons,*
⁸⁷ *in so terrible and violent a manner, as far exceeded all for-*
⁸⁸ *mer breaches of Privileges of Parliament acted by his Ma-*
⁸⁹ *jesty,*

⁹⁰ *gesty, or any of his Predecessors; and they said, whatever*
⁹¹ *his own intentions were, divers bloody and desperate Per-*
⁹² *sons, that attended him, discovered their seditious, and re-*
⁹³ *solutions, to have Massacred and destroyed the Members of*
⁹⁴ *that House, if the absence of those persons scolded had*
⁹⁵ *not, by God's providence, stop'd the giving that word,*
⁹⁶ *which they expected for the setting them upon that barba-*
⁹⁷ *rous and bloody Act: The listing of Officers, and Soldiers,*
⁹⁸ *for a Guard at *White-Hall*, and such other particulars.*

⁹⁹ "THAT, after a Vote had pass'd in the House of Com-
¹⁰⁰ *mons, declaring that the Lord *Digby* had appear'd in a War-*
¹⁰¹ *like manner at *Kingsfon* upon *Thames*, to the terror and*
¹⁰² *affright of his Majesty's good Subjects, and disturbance of*
¹⁰³ *the publick Peace of the Kingdom, he should nevertheles*
¹⁰⁴ *be in that credit with his Majesty, as to be sent away by*
¹⁰⁵ *his Majesty's own Warrant to *St. J. Pennington* to land him*
¹⁰⁶ *beyond Seas: from whence he vented his own Trayterous*
¹⁰⁷ *conceptions, that his Majesty should declare himself, and*
¹⁰⁸ *returne to a place of strength; as if he could not be safe*
¹⁰⁹ *amongst his People. Which false and malicious counsel, and*
¹¹⁰ *advice, they said, they had great cause to doubt, made too*
¹¹¹ *deep an impression upon his Majesty, considering the course*
¹¹² *he was pleas'd to take of absencing himself from his Parlia-*
¹¹³ *ment, and carrying the Prince with him; which seem'd to*
¹¹⁴ *expres a purpose in his Majesty to keep himself in a readi-*
¹¹⁵ *ness for the acting of it.*

¹¹⁶ "THE many advertisements they had from *Rome*, *Pa-*
¹¹⁷ *ris*, *France*, and other parts, that they fill expected that his

¹¹⁸ *Majesty had some great design in hand, for the altering of*
¹¹⁹ *Religion, and the breaking the neck of his Parliament.*
¹²⁰ *That the Pope's Nuncio had solicited the Kings of *France*,*
¹²¹ *and *Spain*, to lend his Majesty four thousand Men apiece,*
¹²² *to help to maintain his Royalty against the Parliament.*
¹²³ *And they said, as that Forreign Force was the most pernicious,*
¹²⁴ *and Malignant design of all the rest; so they hoped*
¹²⁵ *it was, and should always be, farthest from his Majesty's*
¹²⁶ *thoughts; because no Man would believe he would give up*
¹²⁷ *his People, and Kingdom, to be spoil'd by Strangers, if*
¹²⁸ *he did not likewise intend to change both his own Profes-*
¹²⁹ *sion in Religion, and the Publick profession of the King-*
¹³⁰ *dom, that so he might be still more assured of those For-*
¹³¹ *reign States of the Popish Religion for their future Support,*
¹³² *and Defence.*

¹³³ "THESE, they said, were some of the grounds of their
¹³⁴ *Fears and Jealousies, which had made them so earnestly im-*
¹³⁵ *prove his Royal Authority, and Protection, for their De-*
¹³⁶ *fence and Security, in all the ways of Humility, and Sub-*
¹³⁷ *mission; and that they had not less than six hundred thousand*
¹³⁸ *of his Majesty's Subjects, who were ready to follow him, and*
¹³⁹ *to be sacrific'd to his Majesty's Honour, and Service, if he*
¹⁴⁰ *should but give leave to them to do so.*

million; which being denied by his Majesty, seduced by evil Councils, they did, with sorrow for the great and unavoidable misery and danger, which was thereby like to fall upon his own Person, and his Kingdoms, apply themselves to the use of that Power for the security and defence of both, which, by the fundamental Laws and Constitutions of the Kingdom, rested in them: yet still resolving to keep themselves within the bounds of Faithfulness, and Allegiance to his Sacred Person, and Crown.

"To the Fears and Jealousies expressed by his Majesty, when he said, that for his Residence near the Parliament, he wished it might be so safe and honourable, that he had no cause to absent himself from *White-Hall*: That, they said, they took as the greatest breach of Privilege, that could be offered; as the heaviest misery to Himself, and imputation upon Them, that could be imagined, and the most mischievous effect of evil Councils; it rooted up the strongest Foundation of the safety, and honour, the Crown afforded; it seem'd as much as might be, they said, to cast upon the Parliament such a Charge, as was inconsistent with the nature of that great Council, being the Body, of which his Majesty was the Head; it struck at the very being both of the King and Parliament, depriving his Majesty, in his own apprehension, of Their Fidelity, and Them of His Protection; which are the natural bonds and supports of Government, and Subjection.

"That, they said, they had, according to his Majesty's desire, laid their hands upon their hearts; they had asked themselves in the strictest examination of their Consciences; they had searched their affections, their thoughts, considered their actions; and they found none, that could give his Majesty any just occasion to shew himself from *White-Hall*, and his Parliament; but that he might, with more honour and safety, continue There, than in any other place. They said, his Majesty laid a General Tax upon them; if he would be graciously pleas'd to let them know the Particulars, they should give a clear and satisfactory Answer. But, they said, they could have no hope of ever giving his Majesty satisfaction, when those Particulars, which he had been made believe were true, yet, being produced, were made known to them, appear'd to be false; and his Majesty notwithstanding, would neither punish, nor produce the Authors, but go on to contract new Fears and Jealousies, upon General and Uncertain grounds; affording them no means, or possibility of Particular Answer to the clearing of themselves, of which they gave him these Instructions.

1. The Speeches pretended to be spoken at *Kensington* concerning

cerning the Queen, which had been denied and disavow'd; yet his Majesty had not named the Authors. 2. The Charge and accusation of the Lord *Kinslow*, and the five Members, who refused no Tryal or Examination, which might stand with the Privileges of Parliament; yet no Authors, no Witnesses, were produced, against whom they might have reparation for the great injury, and infamy cast upon them.

"They besought his Majesty to consider in what State he was, how easy and fair a way he had to Happiness, Honour, Greatness, and Plenty, and Security, if he would join with his Parliament, and his faithful Subjects, in the defence of the Religion, and the Publick Good of the Kingdom. That, they said, was all they expected from him, and for that, they would return to him their Lives, Fortunes, and utmost endeavours to support his Majesty, his just Sovereignty, and Power over them. But, they said, it was not Words that could secure them in those their Humble desires; they could not but too well and sorrowfully remember, what gracious Messiges they had from him the last Summer; when, with His privacy, the bringing up of the Army was in agitation: They could not, but with the like affections recall to their minds, how, not two days before, he gave direction for the aforementioned Accusation, and his own coming to the Commons House, that House received from him a Gracious Messige, that he would always have care of Their Privileges, as of his Own Patrimony; and of the safety of Their Persons, as of his Own Children.

"They said, that which they expected, and which would give them assurance that he had no thought but of Peace, and Justice to his People, must be some real effect of his Goodness to them, in granting those things, which the present necessity of the Kingdom did enforce them to desire. And in the first place, that he would be Graciously pleas'd to put from him those wicked, and mischievous Counsellors, which had caus'd all those dangers, and distractions; and to continue his own Residence, and the Prince's, near *London*, and the Parliament, which, they hoped, would be a happy beginning of Contentment, and Confidence between Him and his People; and be followed with many succeeding Blessings of Honour and Greatness to his Majesty, and of Security and Prosperity to Them.

In the Debate of this Declaration, the like whereof had never before been heard in Parliament, in which they took up Mr. *Majesty's* doubts of his safety at *White-Hall* so heavily, that, they said, it seem'd to cast such a charge upon the Parliament,

"ment, as was inconsistent with the nature of that great Council (so apprehensive they were of the least suspicion of want of freedom) the Prevalent Party carried themselves with that pride, and impudency, that they would endure no opposition or dispute; inasmuch as Sr Ralph Hopton (who indeed was very grievous to them for not complying with them) for objecting against some sharp expressions in the Declaration (before he pulled the Houfe, and when the Question was, whether it should pass) as being too distant from that reverence, which ought to be used to the King; and for saying, upon a Clause, in which they mentioned their General Intelligence from *Rome, Venice, Paris*, and other places, of some design the King had upon Religion, and the Parliament, from whence they seemed to conclude that the King would change his Religion, "That they seemed to ground an opinion of the King's Apostacy upon a less evidence, than would serve to hang a Fellow for stealing a Horse, was committed to the Tower of *London*, "for laying an imputation upon that Committee, which had drawn up the Declaration. Notwithstanding which, after they had imprison'd him, they thought fit to make That expression less gross, and positive; though as it is set down above (in which words it passed, and was delivered to the King) it was thought by flanders by to be very unagreeable to the Gravity of a wife Court, and to the Duty of Subjects.

BUT in this particular, in oppressing all those who were of different opinions from them, their carriage was so notorious and terrible, that Spies were set upon, and inquiries made upon all private, light, casual discourses, which fell from those who were not Gracious to them: As Mr *Trelawney*, a Member of the House of Commons, and a Merchant of great reputation, was expelled the House, and committed to Prison, for having said, in a private discourse in the City, to a Friend, "that the House could not appoint a Guard for themselves without the King's consent, under pain of High Treason: Which was proved by a Fellow, who pretended to overhear him; when the Person himself, with whom the conference was held, declared, "that he said, it might be imputed to them for High Treason: and it was confessed on all parts, that the words were spoken long before the discovery, and some days before the House had Relolved, "that they would have a Guard: And afterwards, upon the old stock of their dislike, when the War began to break out, they again imprisoned this honest Gentleman; seized upon all his Estate, which was very good; and suffer'd him to dye in Prison for want of ordinary relief, and refreshment.

AND in this very time, we speak of, and in the very best

of the Militia, when every day very great multitudes of Petitions from most of the Counties of *England*, and from the City of *London*, were presented to both Houses, to desire they might be put into a posture of defence; and that they would cause the Ordinance for the Militia to be speedily executed, which was alleged to be an instance of the people's desire throughout the Kingdom, and the chief ground of their proceeding; the most substantial Citizens of *London* both in reputation, and Estate, finding that the Militia of that City, with which by their Charter, and Constant Practice, the Lord Mayor had been always intrusted, was now with a most extravagant power to be committed to a Number of Fictitious persons of the City, part of whom consisted of men of no fortune, or reputation, resolv'd to Petition both Houses "not to alter the original constitution, and right of their City: and, to that purpose, a Petition was signed by some hundreds; and very probably would in few days have been subscribed by all, or most of the substantial Citizens of *London*. The House had notice of this Petition, which they call'd another Conspiracy and Plot against the Parliament, and immediately employ'd a Member of their own to procure a sight of it; who, under a truit of redelivering it, got it into his hands, and brought it to the House of Commons; upon which, some principal Citizens, who had subscribed it, were examined, and committed to Prison; and a direction given, that a Charge, and Impeachment should be prepar'd against the Recorder of *London*, who, they heard, had been of Council in the drawing up, and preparing that Petition, and, they knew, was opposite to their Tumultuary proceedings. So when the chief Gentlemen of *Oxfordshire* heard, that a Petition had been delivered to the House of Commons in their Name, and the name of that County, against the established Government of the Church, and for the exercise of the Militia, they assembled together to draw up a Petition disavowing the former, and to desire, "that the settled Laws might be observed; of which the Lord *Sey* having notice, he procur'd the chief Gentlemen to be sent for as Delinquents, and so suppress'd that Address: And this was the measure of their Justice in many other particulars of the same nature, receiving and cherishing all mutinous, and seditious Petitions, and discountenancing such as beloug'd the continuance, and vindication, of the so long celebrated and happy Government in Church and State; the prime leaders of that Faction not that blushing, in publick Debates in the House, to aver "that no man ought to Petition for the Government established by Law, because he had already his Will; but they that desired an Alteration, could not otherwise have

*This title
is not
the King
much less
his
jurisdiction
over the
Parliament.*

"their desires known; and therefore were to be countenanced."

"The Committee, which presented the Declaration to the King at *New-Market*, presented likewise additional reasons, as they called them, for his Majesty's return, and continuance near the Parliament; as a matter, in their apprehension, of so great necessity, and importance towards the preservation of his Person, and his Kingdom: and they said,

"THEY could not think they discharged their duties in the single expression of their desire, unless they added some further reasons to back it with. 1. His Majesty's absence would cause men to believe, that it was out of design to discourage the undertakers, and hinder the other provisions for raising money for defence of *Ireland*. 2. It would very much hearten the Rebels There, and disaffected Persons in This Kingdom, as being an evidence, and effect of the Jealousy and Division between his Majesty, and his people. 3. That it would much weaken, and withdraw the Affections of the Subject from his Majesty; without which, a Prince is deprived of his chiefest strength, and lustre, and is linked to the greatest dangers and miseries, that can be imagined. 4. That it would invite, and encourage the Enemies of our Religion and the State in foreign parts, to the attempting, and acting of their evil designs, and intentions towards us. 5. That it did cause a great interruption in the proceeding of Parliament. Those considerations, they said, threatened so great dangers, and miseries, that can be committed, that, as his Great Councils, they held it necessary to represent to him this their faithful Advice, that so, whatsoever should follow, They might be excused before God, and Man.

WHILEST that Declaration was reading, his Majesty expressed some passion upon particular expressions; and once, when that passage was read, that takes notice "of the transportation of *Mr. Ferrars* by his Majesty's own Warrant, after he had given his word, that he had commanded that none of his Servants should depart from Court, interrupted the Earl of *Holland*, who read it, and said, "that's False; and when he was told, "it related not to the Date, but the Execution of the Warrant, his Majesty said, "It might have been better expressed then: It is a rash thing to tax a King with breach of Promise. But after both the Declaration, and Reasons were read, the King, after a short pause, said to them,

"I AM confident that you expect not I should give you a free Answer to this strange, and unexpected Declaration; and I am sorry, in the distraction of this Kingdom,

"you should think This way of Address to be more convenient, than That propounded, by my Messige of the twentieth of *January* last, to both Houses. As concerning the grounds of your Fears and Jealousies, I will take time to Answer them particularly; and doubt not but I shall do to the satisfaction of all the world. God in His good time will, I hope, discover the secrets and bottoms of all Plots, and Treasons; and then I shall stand right in the eyes of all my People. In the mean time I must tell you, that I rather expected a vindication for the imputation laid upon me in *Mr. Pym's* Speech, than that any more General rumors, and discourses, should get credit with you. For My fears and Doubts, I did not think they should have been thought so trivial and groundless, whilst so many seditious Pamphlets, and Sermons, are looked upon, and so great Tumults remembered, unpunish'd and uninquir'd into. I still confess my Fears, and call God to witness, that they are greater for the true Protestant profession, my People and Laws, than for my own rights, or safety; though I must tell you, I conceive none of these are free from danger. What would you have? Have I violated your Laws? Have I denied to pass any one Bill for the ease, and security of my Subjects? I do not ask you what You have done for Me. Are my People transported with Fears and Apprehensions? I have order'd as free, and general a Pardon as your selves can desire. There is a Judgment from Heaven upon this Nation, if these distractions continue. God do deal with Me, and Mine, as all my thoughts, and intentions, are upright for the maintenance of the true Protestant profession, and for the observation and preservation of the Laws of the Land: and I hope God will bless, and assist those Laws for my preservation.

THIS being suddainly, and with some vehemence spoken by his Majesty, and he having taken further time to Answer the Declaration, and the Reasons, the Committee besought him, "since they were to carry back with them no other Answer, that his Majesty would vouchsafe to give them what he had spoken, in writing; which, the next morning, he did: And then the Earl of *Holland* again desired him, "that he would retire nearer his Parliament; whereunto the King briefly Answered, "I would you had given me cause; but I am sure this Declaration is not the way to it. Then being asked by the Earl of *Pembroke*, whether the Militia might be granted, as was desired by the Parliament, for a time? He Answered, "By God not for an hour. You have asked that of me in this, was never asked of a King, and with which I will not trust my Wife, and Children. He told them,

F f 2

“ he could not have believed the Parliament would have sent
 “ him such a Declaration, if he had not seen it brought by
 “ such Persons: and said he was Sorry for the Parliament, but
 “ Glad he had it; for by that he doubted not to satisfy his
 “ People. He said they spoke of ill Councils; but he was con-
 “ fident They had worse Information, than he had Councils.
 “ He told them, the business of *Ireland* would never be done
 “ in the way they were in, four hundred would never do that
 “ work; it must be put into the hands of One: and, he said,
 “ if He were trusted with it, he would pawn his Head to end
 “ that work.

As soon as the Committee returned and reported, what
 Answer they had received, and in what disposition and temper
 they found, and left the King; it was Order'd, that their
 Declaration, which they had sent to him, should be speedily
 printed, and carefully dispersed throughout the Kingdom, that
 the People might see upon what terms they stood; and all
 other possible courses were taken to poison the hearts, and
 affections of the Subjects, and to suppress all those, who, in
 any degree, seemed to dislike their high proceedings. Above
 all, care was taken to place such Preachers, and Lecturers, in
 the most populous Towns and Parishes, as were well known
 to Abhor the present Government, and temper of Church and
 State; many of whom were recommended, and posi-
 tively enjoined, and imposed upon Parishes, by the House of
 Commons; and others, by such Factious Members, whose
 reputation was most current: and all Canonical Clergy men,
 and Orthodox Divines, were, with equal industry, discour-
 naged, imprisoned, or forced to a long attendance upon Com-
 mittees, or the House (which was worse than Imprisonment)
 under the notion and imputation of Scandalous Ministers.
 Which charge and reproach reached all men whose Inclina-
 tions they liked not, or whose Opinions they suspected. And
 that they might be sure to be as strong and absolute as Ses,
 as at Land, they appointed the Lord Admiral to send the
 Names of all those Captains of Ships, who were to attend the
 Fleet for that Summer Service, to them, to the end they might
 have such men, in whom they might Confide; which his
 Lordship most punctually observed. By which they helped
 to free him of those Officers whom he could not plausibly
 have discharged; and struck out the names of those, whose
 Affections, or Relations they thought themselves not secure
 in.

The King thought it now time, according to his former
 Majesty's resolution, which he had not communicated to many, to remove
 into *York*, which was a place of good reception, and conveni-
 ency, for those who were willing to attend him; and to the
 York.

4

and that there might be publick notice of it, he sent from
Huntington, when he was upon his Journey, a Message to
 both Houses: “ That, being then in his remove to his City of
 “ *York*, where he intended to make his Residence for some
 “ time, he thought fit to send that Message to them, and very
 “ earnestly to desire them, that they would use all possible in-
 “ dustry in expediting the business of *Ireland*, in which they
 “ should find so chearful a concurrence from his Majesty, that
 “ no inconvenience should happen to that Service by his ab-
 “ sence, he having all that passion for the reducing that King-
 “ dom, which he had expressed in his former Messages, and
 “ being, by words, unable to manifest more affection to it,
 “ than he had endeavour'd to do by those Messages: having
 “ likewise done all such Acts, as he had been moved unto by
 “ his Parliament. Therefore, if the Misfortunes and Calami-
 “ ties of his poor Protestant Subjects there should grow upon
 “ them (though he should be deeply concern'd in, and sensible
 “ of their sufferings) he said, he should wash his hands before
 “ the World from the least imputation of slackness in that most
 “ necessary, and pious work.

“ And, that he might leave no way unattempted, which
 “ might beget a good understanding between him and his
 “ Parliament, he said, he thought it necessary to declare, that
 “ as He had been so tender of the Privileges of Parliament,
 “ that he had been ready and forward to retract any Act of
 “ his own, which he had been informed had trench'd upon
 “ their Privileges; so he expected an equal tenderness in
 “ them of his known Prerogatives, which are the unques-
 “ tionable Privileges of the Kingdom; amongst which, he was
 “ assur'd, it was a Fundamental one, that his Subjects could
 “ not be oblig'd to obey any Act, Order, or Injunction, to
 “ which He had not given his Consent.

“ AND, therefore, he thought it necessary to publish, that
 “ he expected, and thereby required, Obedience from all his
 “ loving Subjects to the Laws established; and that they
 “ presumed not upon any pretence of Order, or Ordinance,
 “ to which his Majesty was no Party, concerning the Militia,
 “ or any other thing, to do, or execute what was not war-
 “ rantable by those Laws; he being resolv'd to keep the
 “ Laws himself, and to require Obedience to them from all
 “ his Subjects.

“ He once more recommended unto them the substance of
 “ his Message of the twentieth of *January* last; that they would
 “ compose, and digest with all speed, such Acts as they should
 “ think fit for the present, and future establishment of their
 “ Privileges, the free and quiet enjoying their Estates and For-
 “ tune, the liberties of their Persons, the security of the true
 “ Religion

F 3

" Religion then professed in the Church of *England*, the " maintaining his Royal and last Authority, and settling his " Revenue; he being most desirous to take all firing and just " ways, which might bring a happy understanding between " him and his Parliament, in which he conceived his greatest " Power, and Riches did consist.

*Book Hobbes
Dives into
opening the
Militia.*

" I WAS not known both Houses in more choleric and rage, than upon the receiving this Message, which came early to them on *Wednesday* the sixteenth of *March*. Now that Year before had been spent in preparing all things ready for the execution of the Ordinance of the Militia; They had Voted, and Resolved, " that it was not any way against the Oath of " Allegiance, that all the Commissions to Lieutenants under " the great Seal were illegal, and void; and that whoever " should execute any Power over the Militia by colour of any " Commission of Lieutenancy, without consent of both " Houses of Parliament, should be accounted a disturber of the " Peace of the Kingdom. Then they agreed upon this Proposition, " That the Kingdom had been of late, and still was, " in so evident and imminent danger, both from Enemies " abroad, and a Popish and discontented Party at home, that " there was an urgent, and inevitable necessity of putting his " Majesty's Subjects into a posture of defence, for the safeguard both of the King, and his People; and that the Lords " and Commons, apprehending that danger, and being sensible of their own duty to provide a suitable prevention, " had, in several Petitions, addressed themselves to his Majesty for the ordering and disposing the Militia of the Kingdom in such a way, as was agreed upon, by the Wisdom of both Houses, to be most proper for the present exigence of the Kingdom: Yet they could not obtain it; but " his Majesty did several times refuse to give his Royal Assent therunto. Upon this Proposition, they Resolved, " that in the case of extreme danger, and of his Majesty's refusal, this Ordinance agreed on by both Houses for the Militia did oblige the People, and ought to be obeyed, by the " Fundamental Laws of the Kingdom; and that such Persons " as should be nominated Deputy Lieutenants, and approved " of by both Houses, should receive the Commands of both " Houses, to take upon them to execute their Office. All which Resolutions were ordered, the same night, to be Printed and Published. So that, when the King's Message from *Huntingdon* was read the next morning, and seemed to be against their Votes of the day before, they concluded, " that " it could not be sent from the King, but that it had been inserted in blanks left in the *Town* for such purposes; and immediately made a Committee, " to find out by whom " that

" that Message was framed. But when they remembered, that they had Voted as much a week before, and had examined the Gentlemen who brought it, and had received it from the King's own hand, they proceeded no further in that inquiry; but satisfied themselves with a new Vote, " that those " Persons, who advised his Majesty to absent himself from " the Parliament, and those that advised him to that Message, " were Enemies to the Peace of the Kingdom, and justly " to be suspected to be favourers of the Rebellion in *Ireland*. And for the matter it self they resolv'd to insist upon their former Votes; and withal declared, " that when the Lords " and Commons in Parliament, which is the supreme Court " of Judicature in the Kingdom, should declare what the Law " of the Land is, to have that not only questioned, and controverted, but contradicted, and a Command that it should not be obeyed, was a high breach of the Privilege of Parliament.

AND this likewise they caused to be speedily Printed; left the King should be able to persuade the Subjects, that an Order of theirs, without His consent, was no Law to compel their Obedience. And from this last Resolution, by which the Law of the Land, and consequently the Liberty of the Subjects, was resolv'd into a Vote of the two Houses, which passed without any dispute or hesitation, all Sober Men discerned the fatal period of both, and (as a Foundation laid for the Anarchy and Confusion, that hath followed.

IT was now known, that the King was gone to *York*, which *Thomas* made them apprehend their Principality of *Hull* might be in *assessing* danger; and therefore they immediately Resolve, " That no " Forces whatsoever shall be admitted in that *Town*, without " the immediate consent of both Houses: which Order was " sent thither by an express. And having prepared the People to be ready for the Militia, by publishing " That, in case " of extreme danger, they were to obey that Ordinance; " they were, in the next place, to find the danger to be extreme; and, to that purpose, they produced Letters without any name, pretended to be written from *Amsterdam*, signifying " that they had intelligence there, that there was an " Army ready in *Denmark* to be Transported into *England*, " and was to be Landed at *Hull*; which, they said, had been " confirmed to them, by a Person of Reputation, from *Nim-Market*, who confirmed the intelligence of *Denmark*: and " added, that there were likewise Forces ready in *France* to " be Landed at *Hull*.

OF this, how gross and ridiculous *foreser* it appeared to Wise Men, they made a double use (besides the general impression in the People) the one to colour and countenance their

Orders to their Governour there; the other, to make the King's Residence in those parts suspected and grievous, as if he came thither only to bring in Foreign Forces upon them. With these Alarms of Foreign Forces, they mingled other Intelligence of the Papists in England, "that they had a purpose of making an Insurrection; and therefore they proceeded in preparing a Bill to secure the Persons of those of the best Quality, and greatest Interest, and imposing the Oath of Supremacy to be taken with great rigour; and amongst other Stratagems they had to humble the Papists, I remember, upon an information that they used their Protestant Tenants worse in the raising their Rents, than they did those of their own Religion, there was an Order, "that they should not raise the Rents of their Tenants, above the rates that the Protestant Landlords adjoining receiv'd from their Tenants: by virtue of which, in some places, they undertook to determine what Rents their Tenants should pay to them. But, in this zeal against the Papists, they could not endure that the King should have any share; and therefore, when they found, that his Majesty had published a Proclamation in his Journey towards York, "Commanding all the Judges, and Justices of Peace, and other Officers, to put in due execution all the Laws, and Statutes of the Kingdom, against Popish Recusants, without favour or connivance, they presently sent for the Sheriffs of London to the House of Commons, and examined them, "why seven Priests, who were in Newgate, and had been long Condemned, were not Executed? the reason whereof they well knew; and when the Sheriffs said, "that they had received a Reprieve for them under the King's hand, they published that with great care in their Prints to take off the Credit of the new Proclamation; and appointed their Messengers, whom they were then sending to the King with a new Declaration, to move his Majesty, "that he would take off his Reprieve, and suffer those seven Condemn'd Priests to be Executed, according to the Judgements they had received.

They proceeded now to provide all necessary means for the raising great sums of Money, by the diligent collection of what was granted by former Acts, and by a new Bill for the raising of four hundred thousand pounds, for the payment of the great Debts of the Kingdom (by which they meant the remainder of the three hundred thousand pounds, they had boundlessly given to their Brethren of Scotland) and the support of the War of Ireland: All which Monies were to be received, and disposed as the two Houses should direct; of which though the King saw the danger, that might, and did after ensue thereupon, yet he thought that probable inconvenience and mischief to be less, than that, which the scandal of deny-

ing

ing any thing, upon which the recovery of Ireland seem'd to depend, would inevitably bring upon him; and so satisfied whatsoever they brought to him of that kind.

As soon as other Expedients for raising of Money for the War of Ireland, about this time, they made certain Proposals to encourage Men to be Adventurers in that Traffic, Thus: They concluded "that, in so general a Rebellion, very much Land must Elsewhere to the Crown by the forfeiture of Treason, and that, out of such forfeitures, satisfaction might be given to those, who should disburse Money towards the suppression of the Rebels; so many Acres of Land to be allowed for so much Money, according to the value of the Lands in the several Provinces, which was specified in the Propositions; which, having passed both Houses, were presented to the King, who (it being about the beginning of February, when the breach of their Privileges rung in all Mens Ears) Answered, "that as he had offer'd, and was still ready to venture, his own Person for the recovery of that Kingdom, if his Parliament should advise him thereto; so he would not deny to contribute any other assistance he could to that Service, by parting with any profit or advantage of his own there; and therefore, relying upon the Wisdom of his Parliament, he did consent to every Proposition, now made to him, without taking time to consider, and examine, whether that course might not retard the reducing of that Kingdom, by exasperating the Rebels, and rendering them desperate of being receiv'd into Grace, if they should return to their Obedience. And, he said, he would be ready to give his Royal Assent to such Bills, as should be tender'd to him by his Parliament for the confirmation of those Propositions.

Which Answer, together with their Propositions, they send forthwith to be Printed; made their Committees, in all places, to solicit Subscriptions, and to receive the Monies, the Principal and most Active Persons Subscribing first, for the example of others; and delayed the framing, and presenting the Bill to the King, till they had received great sums of Money, and procured very many Persons of all Conditions to Subscribe, many coming in out of pure Covetousness to raise great Fortunes; five hundred Acres of Land being assign'd for one hundred pound in some Counties, and not much under that proportion in others: some out of pure fear, and to win Credit with the Powerful Party, which made this new project a measure of Mens Affections, and a trial how far they might be trusted, and rely'd on.

Then they sent those Propositions digested into a Bill to the King, with such Clauses of Power to them, and dimi-

The King for Adventurers in Ireland.

The King for the Bill to

The King
refus'd a Bill
to that pur-
pose.

tion of his own, that, upon the matter, he put the making a Peace with the Rebels there out of his Power, though upon the most advantageous terms; which he was likewise necessitated to pass.

BUT notwithstanding all these preparations on this side the Sea, the relief, and provision was very slowly supplied to the other side; where the Rebels still increased in strength, and by the fame of these Propositions, enlarged their Power, very many Persons of Honour, and Fortune, who till then had side still, and either were, or seem'd to be averse to the Rebellion, joyning with them, as being desperate, and conceiving the utter suppressing their Religion, and the very extinction of their Nation, to be decreed against them. And without doubt, the great Reformers here were willing enough to drive them to any extremity, both out of revenge and contempt, as a People easy to be rooted out, and that the War might be kept up still; since they feared an Union in that Kingdom might much prejudice their designs in this, both as it might supply the King with Power, and take away much of theirs; whereas now they had opportunity, with reference to *Ireland*, to raise both Men and Money, which they might be able to employ upon more pressing occasions, as they will be found afterwards to have done. Neither was it out of their expectation and view, that, by the King's consenting to that foolish Decree, he might very probably discourage his Catholic Subjects, in his other Dominions, from any extraordinary Acts of duty, and affection: at least, that it would render him less considered by most Catholic Princes. And they knew well what use to make of any diminution of his Interest, or Reputation. These matters thus settled, for the ease of the two Houses, who were now like to have much to do, they appointed the whole business of *Ireland* to be managed by Commission under the great Seal of *England*, by four Lords and eight Commissioners, whom they recommended to the King, and who were always to receive instructions from Themselves. And in this state, and disposition, were the Affairs of *Ireland*, when the King went to 1648, where let us now resort to him.

THE END OF THE FOURTH BOOK.

THE
History of the Rebellion, &c.
BOOK V.

II. III. 12.

As for my People, Children are their Oppressors, and Women rule over them: O my People, they which lead thee, cause thee to err, and destroy the way of thy path.

AS SOON as the King came to *York*, which was about the end of the Year 1641, and found his Reception there to be equal to his expectation, the Gentry, and Men of Ability of that great and Populous County (some very few excepted) expressing great alacrity for his Majesty's being with them, and so less sensible of the insolent proceedings of the Parliament; thereupon, he resolv'd to treat with the two Houses in an other manner than he had done, and to let them clearly know, "That as he would deny them nothing that was fit for Them to ask, so he would yield to nothing that was unreasonable for Him to grant; and that he would have nothing extorted from him, that he was not very well inclin'd to consent to. So, within few days after his coming thither, he sent them a Declaration (which he caused to be printed, and, in the Frontispiece, recommended to the consideration of all his loving Subjects) in Answer to that presented to him at *New-Market* some days before: He told them,

"That, though that Declaration, presented to him at *New-Market* from both Houses of Parliament, was of a strange Nature, in respect of what he expected (after to many Acts of Grace and Favour to his People) and some expressions in it so different from the usual Language to Princes, March 5. 1641. that he might well take a very long time to consider it; yet the clearness and uprightness of his Conscience to God, and

"and love to his Subjects, had supplied him with a speedy
 "Answer; and his unalterable affection to his People pre-
 "vail'd with him to suppress that passion, which might well
 "enough become him upon such invitation. He said, he
 "had reconsider'd his Answer of the first of that Month a
 "Thought, which was urg'd to have given just cause of
 "row to his Subjects; but, he said, whoever looked over
 "that Message (which was in effect to tell him, that if he
 "would not join with them in an Act, which he conceived
 "might prove prejudicial and dangerous to him, and the
 "whole Kingdom, they would make a Law without him, and
 "impose it upon his People) would not think that suddain
 "Answer could be excepted to. He said, he had little in-
 "couragement to replies of that Nature, when he was told
 "of how little value his words were like to be with them,
 "though they came accompanied with all the Actions of
 "Love, and Justice (where there was room for Actions to
 "accompany them) yet he could not but disavow the having
 "any such evil Counsel, or Counsellors about him, to his
 "knowledge, as were mentioned by them; and, if any such
 "should be discover'd, he would leave them to the Censure,
 "and Judgement of his Parliament. In the mean time he
 "could wish, that his own immediate Actions, which he did
 "avow, and his own Honour, might not be so roughly censur'd
 "and wounded, under that common style of evil Counsellors.
 "For his faithful and zealous Affection to the true Protestant
 "profession, and his Resolution to concur with his Parliament
 "in any possible course for the propagation of it, and the sup-
 "pression of Popery. He said he could say no more than he
 "had already express'd in his Declaration to all his loving
 "Subjects, published in *January* last, by the advice of his
 "Privy Council; in which he endeavour'd to make as lively
 "a Confession of himself in that point, as he was able, being
 "most assured, that the constant practice of his Life had been
 "answerable thereto: And therefore, he did rather expect
 "a Testimony, and acknowledgement of such his Zeal and
 "Piety, than those expressions he met with in that Declara-
 "tion of any design of altering Religion in this Kingdom.
 "And he said, he did, out of the innocency of his Soul, wish,
 "that the judgements of Heaven might be manifested upon
 "those, who have, or had any such design.
 "As for the *Scotts*'s Troubles, He told them, he had thought,
 "that those unhappy differences had been wrapped up in per-
 "petual silence by the Act of Oblivion; which, being for-
 "mally pass'd in the Parliaments of both Kingdoms, stopp'd
 "his own Mouth from any other Reply, than to shew his
 "great dislike for reviving the Memory thereof. He said, it
 "the

"the Rebellion in *Ireland*, so odious to all Christians, seem'd
 "to have been framed, and maintained in *England*, or to
 "have any Countenance from hence, he conjur'd both his
 "Houses of Parliament, and all his loving Subjects whatso-
 "ever, to use all possible means to discover, and find such
 "Persons, that he might joy in the most exemplary Vengeance
 "upon them, that could be imagin'd. But, he told them,
 "he must think himself highly, and causelessly injured in his
 "Reputation, if any Declaration, Action, or Expression of
 "the *Irish* Rebels; any Letters from the Count *Roxburgh*
 "to the *Papists*, for Fastings and Praying, or from *Tristram*
 "*Whetcomb*, of strange Speeches utter'd in *Ireland*, should be
 "get any Jealousy, or Misapprehension in his Subjects of his
 "Justice, Piety, and Affection: it being evident to all under-
 "standings, that those mischievous and wicked Rebels, are
 "not so capable of great advantage, as by having their false
 "discourses so far believ'd, as to raise Fears and Jealousies of
 "the distraction of this Kingdom; the only way to their Secu-
 "rity. He said, he could not express a deeper sense of the
 "sufferings of his poor Protestant Subjects in that Kingdom,
 "than he had done in his often Messages to both Houses, by
 "which he had offer'd, and was still ready, to venture his
 "Royal Person for their redemption, well knowing that as
 "he was, in his own Interests, more concern'd in them; so
 "he was to make a strict Account to Almighty God for any
 "neglect of his Duty, or their Preservation.
 "For the manifold Attempts to provoke his late Army,
 "and the Army of the *Scotts*, and to raise a Faction in the
 "City of *London*, and other parts of the Kingdom, if it were
 "said as relating to Him, he could not without great Indigna-
 "tion, suffer himself to be reproach'd to have intended the
 "least force, or threatening to his Parliament; as being
 "Privy to the bringing up the Army would imply. Whereas,
 "he called God to Witness, he never had any such thought,
 "nor knew of any such Resolution concerning his late Army.
 "For the Petition shew'd to him by *Captain Leg*, he said,
 "he well remember'd the same, and the occasion of that Con-
 "ference. *Captain Leg* being lately come out of the North,
 "and repairing to him at *White-Hall*, his Majesty asked him
 "of the state of his Army; and, after some relation of it, he
 "told his Majesty, that the Commanders and Officers of the
 "Army, had a mind to Petition the Parliament, as others of
 "his People had done, and shew'd him the Copy of a Peti-
 "tion; which he read, and finding it to be very humble, de-
 "siring the Parliament might receive no interruption in the
 "Reformation of Church, and State, to the Model of Queen
 "*Elizabeth*'s days, his Majesty told him, that he saw no harm
 "in

in it; whereupon Captain *Leg* replied, that he believ'd it
 the Officers of the Army would like it, only, he thought,
 Sr *Jacob Ashley* would be unwilling to sign it, out of fear that
 it would displeas'd Him. His Majesty then read the Petition
 over again; and observing nothing in Matter or Form, he
 conceiv'd could possibly give just cause of Offence, he deli-
 vered it to him again, bidding him give it to Sr *Jacob Ashley*,
 for whose satisfaction he writ C. R. upon it, to testify his
 Approbation; and he willed that the Petition might be
 seen and published, and then he believ'd it would appear
 no dangerous one, nor a just ground for the least Jealousy,
 or Misapprehension.

FOR Mr *Jermyns*, he said, it was well known that he was
 gone from *White-Hall*, before he receiv'd the desire of both
 Houses for the restraint of his Servants; neither returned
 he thither, or pass'd over by any Warrant granted by him
 after that time. For the breach of Privilege in the Accu-
 sation of the Lord *Kimbolton*, and the five Members of the
 House of Commons, he told them, he thought, he had
 given to ample satisfaction in his several Messages to that
 purpose, that it should have been no more press'd against
 him; being confident, if the breach of Privilege had been
 greater than ever had been before offer'd, his acknowlege-
 ment and retraction had been greater than ever King had
 given; besides the not Examining how many of His Pri-
 vileges had been invaded in defence and vindication of the
 other. And therefore, he hop'd his true, and earnest pro-
 tection in his Answer to their Order concerning the Mi-
 litia, would fo far have satisfi'd them of his Intentions, that
 they would no more have entertrain'd any Imagination
 of any other design, than he there express'd. But why the
 lifting to many Officers, and entertrains them at *White-
 Hall*, should be misconferr'd, he said, he much marvelled,
 when it was notoriously known the Tumults at *Westminster*
 were so great, and their demeanour so scandalous and sedi-
 tious, that he had good cause to suppose his own Person,
 and those of his Wife and Children, to be in apparent dan-
 ger; and therefore he had great reason to appoint a Guard
 about him, and to accept the dutiful render of the Services of
 any of his loving Subjects, which was all he did to the Gen-
 tlemen of the Inns of Court.

FOR the Lord *Digby*, he assur'd them in the Word of a
 King, that he had his Warrant to pass the Seas, and had
 left his Court, before ever he heard of the Vote of the
 House of Commons, or had any cause to imagine that his
 absence would have been excepted against. What their Ad-
 vertisements were from *Rome, Venice, Paris*, and other parts
 or

or what the Pope's Nuncio sollicit the Kings of *France* and
Spain, to do; or from what Persons such informations come
 to them, or how the Credit and Reputation of such Per-
 sons had been sifted and examined, he said, he knew not;
 but was confident no Sober Honest Man in his Kingdoms
 could believe, that he was so desperate, or so senseless, to
 entertain such designs, as would not only bury this his
 Kingdom in suddain distraction and ruin, but his own Name
 and Posterity in perpetual Scorn, and Infamy. And there-
 fore, he said, he could have willed in matters of so high
 and tender a Nature, wherewith the minds of his good
 Subjects must needs be startle'd, all the expressions had been so
 plain and easy, that nothing might stick with them that
 reflect'd upon his Majesty; since they thought fit to publish
 &c. all.

AND having now dealt thus plainly and freely with
 them, by way of Answer to the particular grounds of their
 fears, he said, he hop'd, upon a close consideration and
 weighing of both together, they would not find the grounds
 to be of that moment to begin, or longer to continue, a
 misunderstanding between them; or force them to apply
 themselves to the use of any other power, than what the
 Law had given them: the which he always intended should
 be the measure of his own Power, and expected it should
 be the rule of his Subjects Obedience.

CONCERNING his own Fears and Jealousies, as he had
 to Intention of accusing them, so he said, he was sure no
 words spoken by him on the suddain at *Theobalds* would
 bear that Interpretation. He had said, for his Residence
 near them, he willed it might be to life and honourable,
 that he had no cause to suspect himself from *White-Hall*,
 and how that could be a breach of Privilege of Parliament
 he could not understand. He said, he had explained his
 meaning in his Answer at *New-Market*, at the presentation
 of that Declaration, concerning the printed seditious Pam-
 phlets, and Sermons, and the great Tumults at *Westminster*;
 And he said, he must appeal to them, and all the world,
 whether he might not justly suppose himself in danger of
 other. And if he were now at *White-Hall*, he ask'd them,
 what security he had, that the like should not be Again?
 especially if any Delinquents of that Nature had been ap-
 prehended by the Ministers of Justice, and had been re-
 scued by the people, and so as yet had escap'd Unpunish'd.
 He told them, if they had not yet been inform'd of the se-
 ditious words us'd in, and the circumstances of those Tu-
 mults, and would appoint some way for the examination of
 them, he would require some of his learned Council to ar-
 tend

“tend with such Evidence as might satisfy them; and till that
 “were done, or some other course should be taken for his
 “security, he said, they could not with reason wonder, that
 “he intended not to be, where he most desired to be.

“HE asked them, whether there could Yet want evidence
 “of his hearty and importunate desire to joyn with his Par-
 “liament, and all his faithful Subjects, in defence of the Re-
 “ligion, and publick good of the Kingdom? Whether he
 “had given them no other earnest but Words, to secure them
 “of those desires? He told them the very Remonstrance of
 “the House of Commons (published in November last) of the
 “State of the Kingdom allowed him a more Real Testimony
 “of his good Affections, than Words; that Remonstrance
 “valued his Acts of Grace and Justice at so high a rate, that
 “it declared the Kingdom to be then a Gainer, though it
 “had charged it self by Bills of Subsidies and Poll-money,
 “with the levy of six hundred thousand pounds, besides his
 “contracting a debt of two hundred and twenty thousand
 “pounds more to his Subjects of *Scotland*. He asked them,
 “whether the Bills for the Triennial Parliament, for rein-
 “quishing his Title of imposing upon Merchants, and power
 “of pressing of Soldiers, for the taking away the Star-Cham-
 “ber, and High-Commission Courts, for the regulating the
 “Council Table, were but Words? whether the Bills for the
 “Forfeits, the Stunney Courts, the Clarke of the Market,
 “and the taking away the Votes of Bishops out of the Lords
 “House, were but Words? Lastly, who greater earnest of
 “his Trust, and Reliance on his Parliament could he give,
 “than the passing the Bill for the continuance of this Pre-
 “sent Parliament? The Length of which, he said, he hoped,
 “would never alter the Nature of Parliaments, and the Con-
 “stitution of this Kingdom; or invite his Subjects to much
 “to abuse his Confidence, as to esteem anything fit for this
 “Parliament to do, which were not fit, if it were in his power
 “to Dissolve it to Morrow. And after all these, and many
 “other Acts of Grace on his part, that he might be sure of a
 “perfect reconciliation between him and all his Subjects, he
 “had offer’d, and was still ready to grant, a free, and general
 “Pardon, as ample as themselves should think fit. Now if
 “those were not real Expressions of the Affections of his Soul
 “for the Publick good of this Kingdom, he said, he must con-
 “fess that he wanted skill to manifest them.

“T O conclude, although he thought his Answer already
 “fall to that point concerning his return to *London*, he told
 “them, that he was willing to declare, that he looked upon
 “it as a matter of no great weight, as with reference to the
 “Affairs of this Kingdom, and to his own inclinations and
 “desires.

“desires, that if all he could say, or Do, could raise a mutual
 “Confidence (the only way, with God blessing, to make
 “them all happy) and, by their incouragement, the Laws of
 “the Land, and the Government of the City of *London*,
 “might recover some life for his Security; he would over-
 “take their desires, and be assoon with them, as they could
 “with him. And in the mean time, he would be sure that nei-
 “ther the business of *Ireland*, nor any other advantage for
 “This Kingdom should faile through His default, or by His
 “Absence; he being so far from repenting the Acts of his
 “Justice and Grace, which he had already performed to his
 “People, that, he said, he should, with the same sin- cery, be
 “still ready to add fur- th New ones, as might best advance the
 “Peace, Honour, and Prosperity of this Nation.

“THEY who now read this Declaration, and remember
 “only the insolent and undutiful Expressions in this Declara-
 “tion, to which this was an Answer, and the more insolent and
 “felicitous Actions which preceded, accompanied, and attended
 “it, may think, that the style was not answerable to the Pro-
 “vocation, nor Princely enough for such a Contest; and may
 “believe, that if his Majesty had then expressed himself with
 “more Indignation for what he had suffer’d, and more Resolu-
 “tion, that he would no more endure those Sufferings, they
 “who were not yet grown to the hardness of Avowing the
 “contempt of the King (and most of them having designs to
 “be great Wits, and by Him, whom they provoked) would
 “have been checked, and recovered their Loyalty and
 “Obedience. But they again who consider and remember that
 “suncture of time, the incredible disadvantage his Majesty suf-
 “fer’d by the misunderstanding of his going to the House of
 “Commons, and by the Popular mistake of Privilege of Par-
 “liament, and consequently of the breach of those Privileges.
 “And, on the contrary, the great height and reputation the
 “Factious Party had arriv’d to, the stragings they us’d, and
 “the insultions they made into the People, of the King’s dis-
 “inclination to the Law of the Land; and especially, that
 “he had consented to all those excellent Laws made this Par-
 “liament (of which the People were possid’d) very unwill-
 “ingly, and meant to avoid them: That the Queen had an
 “irreconcilable Hatred to the Religion profess’d, and to the
 “whole Nation, and that her Power was unquestionable: That
 “there was a design to send the Prince beyond the Seas, and
 “marry him to some Papist: Above all (which the Principal
 “of them, with wonderful Confidence, in all places swor’d
 “to be true) that the Rebellion in *Ireland* was fomented, and
 “countenanced at least, by the Queen, that good terms might
 “be got for the Catholics in *England*: I say, whoever con-
 “siders these things, will be inclin’d to think, that the
 “Vol. I. Part 2. G g member

members all this, and, that though it might be preſented, that the exorbitancy of the Parliament might be very ſevere to ſome Sober and wiſe Men, yet his Majeſty had no reaſon to preſume of their eminent and vehement Zeal on his behalf, ſince he ſaw all thoſe (ſome few only excepted) from whom he might challenge the duty, and faith of Servants *ſupra ad aras*, and for whoſe like he had undergone many diſſiculties, either totally aliened from his Service, and ingaged againſt Him, or, like Men in a Trance, unapplicable to it: He will, I ſay, conclude that it concern'd his Majeſty, by all geneſis and conſideration, to undeceive, and recover Men to their liberty and underſtanding, before he could hope revenge that was due to him; and therefore, that he was to defend to all poſſible Arts, and Means to that purpoſe, it being very evident, that Men would no ſooner diſcern his Princely Juſtice and Clemency, than they muſt be ſenſible of the Indignities which were offer'd to him; and incend againſt thoſe who were the Authors of them.

AND the truth is (which I ſpeak knowingly) at that time, the King's Reſolution was to Shelter himſelf wholly under the Law; to grant any thing, that by the Law he was obliged to grant; and to deny, what by the Law was in his own power, and which he found inconvenient to conſent to; and to oppoſe and puniſh any extravagant attempt by the force and power of the Law, preſuming that the King and the Law together would have been ſtrong enough for any encounter that could happen; and that the Law was ſo ſenſible a thing, that the People would eaſily perceive who endeavoured to Preſerve, and who to Suppreſs it, and diſpoſe themſelves accordingly.

THE day before this Anſwer of his Majeſty came to the Members then Sitting at *Wygnanter*, though they knew they ſhould ſpeedily receive it, left ſome what in might Anſwer, and to prevent ſome other ſcandals they had a mind to lay to his Majeſty's Charge, they ſent a Petition to him; in the Name of the Lords and Commons, upon occaſion of the ſhort cuſtary Speech he made to their Committee (which is before mentioned) at the delivery of their Declaration at *New-Market*, in which they told him,

THAT the Lords and Commons in Parliament could not conceive, that that Declaration, which he received from them at *New-Market*, was ſuch as did deſerve that cenſure his Majeſty was pleaſed to lay upon them in that Speech, as which his Majeſty made to their Committee; their addreſs therein, being accompanied with plainneſs, humility, and faithfullneſs; they thought more proper for the removing

The Petition of the Lords and Commons preſented to his Majeſty at York Mar. 25. 1674.

the diſtraction of the Kingdom, than if they had then proceeded according to his Majeſty of the twentieth of *January*; by which he was pleaſed to deſire, that they would declare, what they intended to do for his Majeſty, and what they expected to be done for Themſelves; in both which, as they ſaid, they had been very much hinder'd by his Majeſty's denial to ſecure them, and the whole Kingdom, by diſpoſing the Militia as they had divers times moſt Humbly Petitioned. And yet, they ſaid, they had not been altogether negligent of either, having lately made good proceedings in preparing a Book of Rates, to be pulled in a Bill of Tonnage and Poundage, and likewise the moſt material heads of thoſe humble deſires, which they intended to make to his Majeſty for the good and contentment of his Majeſty and his People; but none of thoſe could be perfected before the Kingdom be put in ſafety, by ſettling the Militia: And until his Majeſty ſhould be pleaſed to concur with his Parliament in thoſe neceſſary things, they held it impoſſible for his Majeſty to give the world, or his People, ſuch ſatisfaction concerning the Fears and Jealouſies, which they had expreſſed, as they hoped his Majeſty had already received touching that exception, which he was pleaſed to make to Mr *Pym's* Speech. As for his Majeſty's Fears and Doubts, the ground whereof was from ſeditious Pamphlets and Sermons, they ſaid, they ſhould be as careful to endeavour the removal of them, alſoon as they ſhould underſtand what Pamphlets and Sermons were by his Majeſty intended, as they had been to prevent all dangerous Tumults. And if any extraordinary Concourse of people out of the City to *Wygnanter* had the ſize and ſhew of Tumult and Danger, in his Majeſty's apprehenſion, it would appear to be cauſed by his Majeſty's denial of ſuch a Guard to his Parliament, as they might have cauſe to Conſide in; and by taking into *White-Hall* ſuch a Guard for Himſelf, as gave juſt cauſe of Jealouſy to the Parliament, and of Terror and Obedience to his People. They told him, they ſought nothing but his Majeſty's Honour, and the Peace and Proſperity of his Kingdoms; and that they were heartily forry, they had ſuch plentiful matter for an Anſwer to that Queſtion, whether his Majeſty had violated their Laws? They begged his Majeſty to remember, that the Government of this Kingdom, as it was, in a great part, managed by his Miniſters before the beginning of this Parliament, conſiſted of many continued and multiplied Acts of violation of Laws; the wounds whereof were ſcarcely healed, when the Excess and enormity of all thoſe violations was far exceeded by the late Strange, and unheard of breach of their Laws in the

"cufation of the Lord *Kimbolton*, and the five Members of the Commons Houfe, and in the proceedings thereupon; for which they had yet received no full fatisfaction.

"To his Majesty's next Queftion, whether he had denied any Bill for the ease and fecurity of his Subjects? They wifhed they could ftop in the midft of their Anfwer; that with much thankfulness they acknowledged, that his Majesty had paffed many good Bills full of contentment and advantage to his People; but Truth and Necessity enforced them to add this, that even in, or about this time of paffing thofe Bills, fome design or other had been on foot, which, if it had taken effect, would not only have deprived them of the fruit of thofe Bills, but have reduced them to a worfe condition of confufion, than that wherein the Parliament found them.

"AND if his Majesty had asked them the third Queftion intimated in that Speech, what they had done for Him? they told him, their Anfwer would have been much more eafy; That they had paid two Armies with which the Kingdom was burthen'd the laft year, and had undergone the Charge of the War in *Ireland* at this time, when through many other exceffive Charges and prefures, his Subjects had been exhausted, and the stock of the Kingdom very much diminished; which great mifchiefs, and the charges thereupon enfuing, had been occasioned by the evil Counfels to powerful with his Majesty, which had and would coft this Kingdom more than two Millions; all which, in juftice, ought to have been born by his Majesty.

"As for that free and general pardon his Majesty had been pleas'd to offer, they faid, it could be no fecurity to their Fears and Jealoufies, for which his Majesty seem'd to propound it; becaufe they arose not from any Guilt of their own Actions, but from the evil designs, and attempts of others.

"To that their Humble Anfwer to that Speech, they desired to add an Information, which they had lately received from the Deputy Governour of the Merchant Adventurers at *Rotterdam in Holland*, that an unknown Perfon, appearing to the Lord *Digby*, did lately folicit one *James Henry* a Merchant, to go to *Elmore*, and to take charge of a Ship in the Fleet of the King of *Denmark*, there prepar'd; which he fhould conduct to *Hull*. In which Fleet likewise he faid, a great Army was to be transported; and although they were not apt to give credit to Informations of that Nature, yet they could not altogether think it fit to be neglected; but that he might juftly add fomething to the weight of their Fears and Jealoufies, confidering with what cir-

"cumftances

"cumftances it was accompanied; with the Lord *Digby's* preceding expreffions in his Letter to her Majesty, and Sir *Lewis Dives*; and his Majesty's fucceeding court of writ drawing himfelf Northward from his Parliament; in a manner very fuitable and correspondent to that evil Council, which, they doubted, would make much deeper Imprefion in the generality of his People; and therefore, they moft humbly advised, and besought his Majesty, for the procuring and fupporting the continuance of his Parliament and all his Subjects, and for the other important reasons concerning the recovery of *Ireland*, and fecuring this Kingdom, which had been formerly prefented to him, he would be graciously pleas'd, with all convenient fpeed, to return to thofe Parts, and to clofe with the Council and desire of his Parliament; where he fhould find their dutiful Affections and Endeavours ready to attend his Majesty with fuch entertainment, as fhould not only give him juft caufe of fecurity in their faithfulness, but other manifold evidences of their earnest intentions, and endeavours to advance his Majesty's Service, Honour, and Contentment; and to establish it upon the fure Foundation of the Peace, and Profperity of all his Kingdoms.

THIS, which they call'd a Petition, being prefented to the Kings, his Majesty immediately return'd, by the fame Meffengers, his Anfwer in thefe words:

"If you would have had the patience to have expected my King's our Anfwer to your laft Declaration (which, confidering the nature of it, hath not been long in coming) We believe, you would have fav'd your felves the labour of faying much of this Meffage. And we could wifh, that our Privileges on all parts were fo flat, that this way of Correspondency might be prefer'd with that freedom, which hath been uf'd of old. For we muft tell you, that if you may ask any thing of us by Meffage or Petition, and in what Language (how unfail foever) you think fit, and we muft neither deny the thing you ask, nor give a reason why we cannot grant it, without being tax'd of breaking your Privileges, or being Countenanc'd by thofe, who are Enemies to the Peace of the Kingdom, and Favourers of the Irish Rebellion (for we have feen your Printed Votes upon our Meffage from *Hanſtautes*) you will reduce all our Answers hereafter into a very little room; in plain *Engliſh*, it is to take away the freedom of our Vote; which, were we but a Subject, were high unjuftice, but being your Kings, we leave all the World to judge what it is. Is this the way to compofe all miſunderftandings? We thought, we fhew'd you one, by our Meffage of the twentieth

G g 3

"dieth of *January*, if you have a letter or reader. We shall
 "willingly hearken to it, for hitherto you have shewed us
 "none. But why the refusal to consent to your Order, which
 "you call a denial of the Militia, should be any interruption
 "to it, we cannot understand. For the Militia, which we
 "always thought necessary to be settled, we never denied the
 "thing (as we told you in our Answer of the 28th of *Janu-*
 "*ary*, to the Petition of the House of Commons) for we
 "accepted the Persons, except for Corporations; we only
 "denied the way. You ask it by way of Ordinance, and with
 "such a Preface, as we can neither with justice to our Honour,
 "or Innocency consent to. You exclude us from any Power
 "in the disposition or execution of it together with you, and
 "for a time utterly unlimited. We tell you, we would have
 "the thing done; allow the Persons, with that exception;
 "before a Bill, the only good old way of imposing on our
 "Subjects: We are extremely unsatisfied what an Ordinance
 "is, but well satisfied, that without our Consent it is no-
 "thing, nor binding; and it is evident by the long time spent
 "in this Argument, the necessity and danger was not to im-
 "minent, but a Bill might have been prepared; which if it
 "shall yet be done, with due regard to us, and Care of
 "our People, in the limitation of the Power and other Cir-
 "cumstances, we shall recede from nothing we formerly ex-
 "pressed in that Answer to your Order; otherwise, we must
 "declare us all the World, that we are not satisfied with, or
 "shall ever allow our Subjects to be bound by, your Printed
 "Votes of the fifteenth or sixteenth of this Month; or that
 "under pretence of declaring what the Law of the Land is,
 "you shall, without Us, make a new Law, which is plainly
 "the case of the Militia, and what is this but to introduce an
 "Arbitrary way of Government?
 "CONCERNING *Bye's* Speech, you will have found, by
 "what the Lord *Compton* and Mr *Baynton* brought from us
 "in Answer to that Message they brought to us, that, as yet,
 "we rest nothing satisfied, in that particular.
 "As for the Seditious Pamphlets and Sermons, We are
 "both sorry and ashamed (in so great variety, and in which
 "our Rights, Honour, and Authority, are so insolently slight-
 "ed and vilified, and in which the Dignity and Freedom of
 "Parliaments is so much invaded, and violated) it should be
 "asked of us to Name any. The mentioning of the Protes-
 "tation protested, the Apprentices Protestation, *To your*
 "*Trusts O'ficial*, or any other, would be too great an excule
 "for the rest. If you think them not worth your enquiry,
 "we have done. But we think it most strange to be told,
 "that our denial of a Guard (which we yet never denied, but
 "granted

"granted in another manner, and under a Command at that
 "time most accustomed in the Kingdom) or the denial of
 "any thing else (which is in our Power legally to deny)
 "which in our understanding, of which God hath fairly given
 "us some use, is not fit to be granted, should be any excule
 "for so dangerous a Concourse of People; which, not only
 "in our apprehension, but, we believe, in the interpreta-
 "tion of the Law it self, hath been always held most Tumul-
 "tuous, and Seditious. And we must wonder, what, and
 "whence come the Instructions and Informations, that those
 "People have, who can so easily think themselves obliged by
 "the Protestation to Assemble in such a manner for the de-
 "fence of Privileges, which cannot be so clearly known to
 "any of them, and so negligently pass over the consideration,
 "and defence of our Rights, so beneficial and necessary for
 "themselves, and scarce unknown to any of them; which by
 "their Oaths of Allegiance and Supremacy, and even by the
 "same Protestation, they are at least equally obliged to de-
 "fend. And what interruptions such kind of Assemblies may
 "be to the freedom of future Parliaments (if not feasonably
 "discouraged and suppressed) We must advise you to
 "consider; as likewise, whether both our Rights and Powers
 "may not by such means be usurped, by hands not trusted by
 "the Constitution of this Kingdom. For our Guard, we re-
 "fer you to our Answer to your Declaration.
 "By that Question of violating your Laws, by which we
 "endeavour'd to express our care, and resolution to observe
 "them, we did not expect, you would have been invited to
 "have looked back for many years, for which you have had
 "so ample reparation; neither looked we to have been re-
 "proached with the Actions of our Ministers then against
 "the Laws, whilst we express so great Zeal for the present
 "defence of them; it being our Resolution, upon observa-
 "tion of the mischief which then grew by Arbitrary Power
 "(though made plausible to us by the suggestions of Necessity
 "and imminent Danger, and take you heed, you fall not into
 "the same error, upon the same suggestions) hereafter to keep
 "the Rule our self, and to our Power require the same
 "from all others. But above all, we must be most sensible
 "of what you cast upon us for recital of those good Bills,
 "you cannot deny. We have denied any such designs; and as
 "God Almighty must judge in that point between us, who
 "knows our upright intentions at the passing those Laws, fo
 "in the mean time we defy the Devil to prove, that there
 "was any design (with our Knowledge, or Privy) in or
 "about the time of passing those Bills, that had it taken ef-
 "fect, could have deprived our Subjects of the fruit of them.
 "And

45 And therefore we demand full reparation in this point, that
46 we may be cleared in the sight of all the World, and chiefly
47 in the Eyes of our Loving Subjects, from so notorious and false
48 an Imputation, as this is.

49 We are far from denying what you have done; for we
50 acknowledge the charge our People hath sustain'd in keep-
51 ing the two Armies, and in relieving *Prussia*; of which
52 we are so sensible, that in regard of those great burthens
53 our People hath undergone, we have, and do piously
54 suffer those extreme Periodical Wants, as our Predecessors
55 have been fildom put to, rather than we would press upon
56 them; which we hope in time, will be considered on your
57 parts.

58 In our offer of a general Pardon, our intent was to con-
59 cieve and secure the general condition of our Subjects, con-
60 sidering that, in these times of great distractions, the good
61 Laws of the Land have not been enough observed; but it is
62 a strange World, when Princes proffered Favours are count-
63 ed Reproaches; yet if you like not this our offer, we have
64 done.

65 CONCERNING any discourses of Foreign Forces,
66 though we have given you a full Answer in ours to your last
67 Declaration, yet we must tell you, we have neither to fill
68 an opinion of our own Merit, or the Affections of our
69 poor Subjects, as to think our self in need of any Foreign
70 Forces to preserve us from Oppression; and we shall not
71 need for any other purpose: but are confident, through
72 God's Providence, not to want the good Will and As-
73 sistance of the whole Kingdom, being resolv'd to build upon
74 that sure Foundation, the Law of the Land; and we take
75 it very ill, that general discourses between an unknown
76 Person and a Mariner, or inferences upon Letters, should
77 be able to prevail in matters so improbable in themselves,
78 and Scandalous to us; for which we cannot but likewise
79 seek Reparation, not only for the vindication of our own
80 Honour, but also thereby to settle the minds of our Sub-
81 jects, whose Fears and jealousies would soon vanish, were
82 they not fed and maintained by false and malicious Rum-
83 ours as these.

84 For our return to our Parliament, We have given you
85 a full Answer in ours to your Declaration; and you ought
86 to look on us as not Come, but Driven (we say not By
87 you, yet) From you. And if it be not so easy for you to
88 make our Residence in *London* so safe, as we could desire,
89 we are and will be contented, that our Parliament be Ad-
90 journ'd to such a place, where we may be fitly and safely
91 with you. For though we are not pleas'd to be at this dis-
92 tance

93 stance, yet you are not to expect our Presence, until you
94 shall both secure us concerning our just Apprehensions of
95 Tumultuary Intolerances, and likewise give us satisfaction for
96 those insupportable and insolent Scandals, that are rais'd
97 upon us.

98 To conclude, as we have or shall not refuse any agree-
99 able way to Justice or Honour, which shall be offer'd to us
100 for the besting a right understanding between us; so we
101 are resolv'd that no illegals or necessities, to which we
102 may be driven, shall ever compel us to do that, which the
103 Reason and understanding that God hath given us, and our
104 Honour and Interest, with which God hath trusted us for
105 the good of our Posterity and Kingdoms, shall render un-
106 pleasant and grievous to us. And we assure you, how
107 earnestly forever you are pleas'd to value the discharge of our
108 Publick Duty, we are so Conscious to our self of having
109 done our part since this Parliament, that in whatsoever
110 Condition we now stand, we are confident of the conti-
111 nu'd Protection from Almighty God, and the constant Gra-
112 titude, Obedience, and Affection from our People. And
113 we shall trust God with all.

114 THESE quick Answers from the King gave them very
115 much trouble, and made it evident to them, that he would
116 no more be Swagger'd into Concessions that he thought un-
117 reasonable, or persuaded to them by general Promises, or
118 an implicit Confidence in their future Modesty; but that he
119 demanded reparation for the breach of his Privileges, and so
120 fought with them with their own Weapons, troubled them
121 much more; apprehending that, in a short time, the People
122 might be persuaded to believe, that the King was in the right,
123 and had not been well deal'd with: and though some few,
124 who thought themselves too far engag'd to retire, were glad
125 of the sharpness of these Paper-Skirmishes, which they be-
126 lieved made the wound still wider, and more incurable; yet
127 the Major part, which was induc'd to joy with them in
128 the Confidence that the King would yield, and that their
129 boldness and importunity in asking, would prevail with his
130 Majesty to consent, withed themselves fairly untrungled; and
131 I have since heard many of the fiercest Concurrers, and who
132 have ever since kept them Company, at that time profes-
133 s, that if any expedient might be found to reconcile the pre-
134 sent difference about the Militia, they would no more Ad-
135 demure upon Demands of the like Nature: and the Earl of
136 *Essex* himself was startled, and confest to his Friends, that
137 he desired a more moderate proceeding should be in Parli-
138 ament; and that the King, who had given so much, should
139 receive some satisfaction. But those of the Court, who
140 thought

thought their faults to their Matter most unpardonable, could not endure that the Youngest Courtier, should be the Eldert Convert; and therefore, by repaying what the King and Queen had said of him heretofore, and by fresh Intelligence, which they procured from *Tork*, of what the King then thought of him, they perswaded him, "That his Condition was too deperate to recede; and all Men were perswaded that this fleshly department of the King, proceeded from some new evil Counsellors, who would be siffion Destroyed at Discovered; and that then they would fo curry themselves, that the King should owe his Greatness, and his Glory (for they ill said, "He should excoil all his Predecessors in both) to their formed Councils and Actvury; and not to the whippers of those who thought to do his busines without them. And I was so perswaded that even then, and I was at that time no stranger to the Persons of most that Governed and a diligent observer of their Carriage, they had rather a design of making themselves powerful with the King and great at Court, than of lessening the Power of the One, or reforming the Discipline of the Other: but, no doubt, there were some few in the number that looked further; yet by pretending that, kept up the Metal of Writing, and inclined them for their Honour to new Declarations.

The King found himself at some ease, and most Persons of Quality of that great County, and of the Counties adjacent, returned to him, and many Persons of Condition from *London*, and those parts, who had not the Courage to attend upon him at *White-Hall*, so that the Court appeared with some Lustre. And now he began to think of executing some of those Resolutions, which he had made with the Queen before her departure; One of which was, and to be fill done, the removing the Earls of *Essex* and *Holland* from their Offices in the Court, the one of Chamberlaine, the other of Geom of the Stole, which hath the reputation and benefit of being first Gentleman of the Bed-Chamber. Indeed no Man could speak in the justification of either of them, yet no Man thought them equally culpable. The Earl of *Holland* was a Person nearly of the King's, and his Father's Creation; raised from the Condition of a private Gentleman, a Younger Brother of an Extraction that lay under a great blemish, and without any Fortune, to a great height by their meer Favour, and Bounty. And they had not only adord'd them with Titles, Honours, and Offices, but enabled them to support those in the highest Lustre, and with the largest Expence; and the King had drawn many inconveniences, and great disadvantages, upon himself and his Service, by his preferring his own some Trolls, which Others did not only think themselves

but really were, worthier of; but especially by indulging his so far in the rigorous Execution of his Office of Chief Justice in *Eyre*, in which he brought more prejudice upon the Court, and more discontent upon the King, from the most considerable part of the Nobility and Gentry in *England*, than proceeded from any one Action, that had its rise from the King's Will and Pleasure, though it was not without some Warrant from Law; but having not been practised for some hundreds of Years, was looked upon as a terrible Innovation in Execution upon Persons, who knew not that they were in any fault; nor was any imputed to them, but the Original sin of their Fore-fathers, even for which they were obliged to pay great Penalties and Ranfoms. That such a Servant should suffer his Zeal to lessen and decay towards such a Master, and that he should keep a Title to lodge in his Bed-Chamber, from whose Court he had, upon the matter withdrawn himself, and adhered to, and siffited those, who affronted and contemned his Majesty so notoriously, would admit of a manner of Interposition and Excoile.

LESS was to be objected against the Earl of *Essex*, who as he had been, all his Life, without obligations from the Court, and believ'd he had undergone oppression there, so he was, in all respects, the same Man he had always professed himself to be, when the King put him into that Office; and in repairing of which, many Men believ'd, that he rather gratified the King, than that his Majesty had obliged him in contring it; and it had been, no doubt, the chief reason of taking the Staff in his hand, because in that Conjancture no other Man, who would in any degree have appeared worthy of it, had the Courage to receive it. However having taken the Charge upon him, he ought, no doubt, to have taken all the Master's Concernments more to Heart, than he had done; and he can never be excused for staying in *White-Hall*, when the King was with that Courage driven from thence, and for refusing to behold the Triumph of the Members return to *Westminster*, rather than to attend his Majesty's Person in so great perplexity to *Hampton-Court*; which had been his duty to have done, and for failing wherein no other excoile can be made, but that, after he had taken to fill a Resolution to have raised upon his Majesty thither, that he had dressed himself in his Travelling Habit, he was diverted from it by the Earl of *Holland*, who ought to have accompanied him in the Service, and by his aversment, "That if he went, he should be siffimated; which it was not possible should have ever been so much as thought of.

NOTWITHSTANDING all this, the Persons trusted by his Majesty and remaining at *London*, had no sooner notice of it

it (which his Majesty sent to them, that he might be advise the best way of doing it) but they did all they could to disswade the pursuing it. They did not think it a good Conjunction to make those two Persons desperate; and they knew that they were not of the Temper and Inclinations of those who had too much Credit with them, nor did desire to drive things to the utmost Extremities, which could never better their Conditions; and that they did both rather desire to find any Expedients, by which they might make a life and an honourable Retreat, than to Advance in the way they were engaged in. But the Argument they chiefly insisted on to the King, was, "That being depriv'd of their Offices, they would be able to do more mischief, and ready to embark themselves with the most desperate Persons, in the most desperate Attempts; which fall out accordingly. And there is great reason to believe, that if that Resolution the King had taken, had not been too obstinately pursued at that time, many of the mischiefs, which afterwards fell out, would have been prevented; and, without doubt, if the Seal had remained still in the hands of the Earl of Essex, by which he was Charged with the Defence and Security of the King's Person, he would never have been prevailed with to have taken upon him the Command of that Army, which was afterwards raised against the King, and with which so many Battles were Fought. And there can be as little doubt in any Man, who knew well the Nature and Temper of that Time, that it had been very difficult, if not utterly impossible, for the two Houses of Parliament to have raised an Army then, if the Earl of Essex had not consented to be General of that Army.

But the King was inexorable in the point; He was oblig'd by promise to the Queen at parting, which he would not break; and her Majesty had Contracted for great an indignation against the Earl of *Holland*, whose ingratitude indeed towards Her was very odious, that she had said, "She would never live in the Court, if He kept his place. And for the King sent an Order to *Littleton* the Lord Keeper of the great Seal, "That he should receive the Staff and Key from the One, and the Other, and receive them into his Custody. The Keeper trembled at the Office, and had not Courage to undertake it. He went presently to the Lord *Falkland*, and desired him to assist him in making his excuse to the King. He made many professions of his Duty to the King, "who, he hoped, would not Command him in an Affair so unjustly able to the Office he held under him: that no Keeper had been employed in such a Service; that if he should execute the Order he had receiv'd, it would in the first place be a Vote a breach of Privilege: in him, being a Peer; and the

House would commit him to Prison, by which the King would receive the greatest affront; though He should be sav'd; whereas the thing it self might be done by a more proper Officer, without any inconvenience.

How weaksoever the Reasons were, the Passion was strong, and the Lord *Falkland* could not refuse to convey his Law to the King, which contained his Answer in his own words, with all the imaginable professions of Duty and Zeal for his Service. How illsoever his Majesty was satisfied, he forbore business, would not be done that way; and therefore he writ immediately a Letter, all in his own hand, to the Lord *Holland*; in which with some gracious expressions of excuse, in parting that work upon Him, he Committed him "to require the surrender of the Ensigns of their Offices from those two Earls. The Lord *Falkland* was a little troubled in receiving the Command: They were Persons from whom he had always receiv'd great Civilities, and with whom he had much Credit; and this harsh Office might have been more honourably, and as Effectually perform'd by a Gentleman there, is the same Staff had been demanded before from the Earl of *Penbrooke*, within less than a Year. However, he would make no excuse, being a very punctual and exact Person in the performance of his Duty; and so went to both of them, and met them coming to the House, and imparted his charge to them: They desired him very civilly, "that he would give them leave to confer a little together, and they would, within half an hour, send for him into the House of Commons; whither he went, and they, within less time, he to him to meet them in St *Thomas Cotton's* Garden (a place adjacent, where the Members of both Houses used frequently to walk) and there with very few words, they delivered the Staff and the Key into his hands, who immediately shew'd them to his Lodgings; and They went up to the House of Peers; and presently both Houses took notice of it, and with Passion, and bitter Expressions against the evil Counsellors, who had given his Majesty that Counsel, they concurred in a Vote, "that whatsoever refused to accept of either of those Offices, should be reputed an Enemy to his Country; so then they proceeded with more impetuosity in the business of the Militia, and all other matters which most trench'd upon the King's Authority.

WHILST they were so eager in pursuit of the Militia, and so press'd the necessity so imminent, that they could not defer the consideration thereof till it might be Formally, and Regularly settled by Bill, they had their Eye upon another Militia, the Royal Navy; without recovering of which to their own Power (though they were satisfy'd by the pulse of the People, that

that they would joyn with them, and be generally obedient to their Commands: they had no mind to venture upon the execution of their Land Ordinance. And therefore, in the beginning of the Spring, when the Fleet for that Year was provided, after they had excepted against such Persons to be Captains of Ships, as they thought not devoted to them (as is before mentioned) they sent a formal Message to the Lords, that the Earl of *Northumberland* Lord Admiral, might be moved to constitute the Earl of *Warwick* his Admiral of the Fleet for that Years Service, being a Person of such Honour and Experience, as they might safely Conside in him; and that the Earl of *Warwick* might be desired to undertake that Service. The Lords thought fit that the King's approbation might be first desired, before it was recommended to the Earl of *Northumberland*; but the Commons thought that superfluous, since the Officers of the Fleet were absolutely in the Earls disposal; and therefore refused to send to the King, but of Themselves sent to both the one Earl and the other; and the Earl of *Warwick*, being well pleased with the Trust, very frankly, without waiting the King's consent, declared that he was ready to undertake the employment. But this being so publicly agitated, the King could not but take notice of it; and finding that the business should not be propelled to him, thought it necessary, to signify his pleasure in it, that to at least the Lord Admiral might not pretend innocence, if ought should be done by his diffidence; and therefore, he appointed Mr Secretary *Nicholas* to write to the Earl of *Northumberland*, that his Majesty expected that *St John Pennington* should Command that Fleet, as he had done two or three Years before. This Letter being communicated to both Houses, and the Lord Admiral being thereby upon the disadvantage of a Single consent with the King, the House of Commons, rather out of kindness and respect to the Earl, than of Duty to the King, Condescended to joyn with the Lords in a Message to his Majesty; which they sent not by Members of their own, but directed the Lord Keeper to inclose it in a Letter to the Secretary attending the Kings, and to send the same to *York*; which he did accordingly. The Message was:

A Message from our House in the King's Name.
38. 1544.

"That we the Lords and Commons, in this present Parliament assembled, having found it necessary to provide, and set to Sea, a strong and powerful Navy for the Defence of this Kingdom against Foreign force, and for the Security of his Majesty's other Dominions, the Charge whereof was to be born by the Common-wealth: and taking notice of the indisposition of the Lord Admiral, which disabled him, at that time, for Commanding the Fleet in his own Person, did

thereupon recommend unto his Lordship the Earl of *Warwick*, a Person of such Quality and Abilities, as in whom they might best Confide, to supply his Lordships room for his Employment; and understanding that his Majesty hath since signified his Pleasure concerning that Command for *St John Pennington*, they said, they did hold it their Duty to represent to his Majesty the great danger, and mischief the Common-wealth was like to sustain by such interruption; and therefore did humbly beseech his Majesty, that the Noble Person, recommended by both Houses of Parliament for this Service, might be no longer detained from us, out of any particular respect to any other Person whatsoever.

The same day that this Message came to his Majesty, he dispatched an Answer to the Lord Keeper; in which he told *The Kings* *Answer.* That he wonder'd both at the Form, and Matter of that inclosed Paper he had sent to him, in the Name of both Houses of Parliament: It being neither by the way of Petition, Declaration, or Letter; and for the Matter, he believ'd, it was the first time, that the Houses of Parliament had taken upon them the Nomination, or Recommendation of the chief Sea-Commander; but it added to the wonder, that *St John Pennington* being already appointed by Him for that Service, upon the Recommendation of his Admiral, and no fault so much as alledged against him, another should be recommended to him. Therefore, he said, his Resolution upon that point was, that he would not alter him, whom he had already appointed to Command that Years Fleet; whose every ways Sufficiency was so Universally known, the which he was confident his Admiral, if there should be occasion, would make most evident; against whose testimony he supposed his Parliament would not except. And though there were yet None appointed, or the said *St John*, through some accident, not able to perform the Service; yet, he said, the men of that profession were so well known to him, besides many other reasons, that (his Admiral excepted, because of his place) recommendations of that kind would not be acceptable to him.

This Answer was no other than they expected, though they seem'd troubled at it, and pretended that they had many things of Misdemeanour to object against *St John Pennington*, least such matters as would render him incapable of that Trust; the greatest of which was that he had convey'd the *Lord Digby* over Sea; though they well knew (as is before mentioned) that he had the King's Warrant and Command for that purpose; and therefore moved the Lords that he might be sent for to be examined upon many particulars: and in

the mean time, whilst they caus'd him to attend their lawsuit to be examined, they proceeded in hisuing the Earl of *Warwick* to make himself ready for the Service, who made no scruple of undertaking it; and the Earl of *Northumberland* receiving the Order, and Desire of both Houses ^{to} grant his Commission to him to be Admiral of the Fleet, and did accordingly; and the two Houses in the mean time, without any further thought of procuring the King's Consent, preparing means to satisfy his Majesty for the Necessity, or Convenience of their proceeding.

MANY Men, especially they who at a distance observ'd and discern'd the Difficulties the King was like to Encounter, wonder'd that upon so apparent a breach of Trust, and act of Undutifulness, his Majesty did not at that time revoke the Lord Admirals Commission, which was but during pleasure; and so put that fore Guard of the Kingdom, his Navy, under such a Command as he might depend upon. But the truth is, it was not Then Counsellable; for (besides that it was easier to Relieve, than it was fit to remove the Earl of *Northumberland*, than to find a Man competent for the place) that way it might have been possible to have prevented the going out of any Fleet to Sea, which would have confirm'd the frantick Jealousies of bringing in Foreign Forces; but not have reduced to his own Obedience.

THEY had, by degrees, order'd the Collection of Tonnage and Poundage, by passing Bills for six weeks and two months at a time, and putting those, who should Receive or Pay those Duties, otherwise than they were granted by those Bills, into a Premunure; and so terrify'd the old Customers, that the King had no other means of setting out his Fleets, than by the Monies arising by the Customs, which they absolutely dispos'd of; and at that time had Contracted with the Victualler, made the Ships ready, and hired many Merchants Ships to join in that Fleet for the Guard of the Seas. And whilst this matter of the Admirals was in suspense, they pass'd the former Bill of Tonnage and Poundage to expire, and did not, till the very Night before, pass a new Bill; which could not have the Royal Assent till many days after, the King being then at *Torke*. Yet the House of Commons, to save all danger of the Premunure, on the 23th of *March*, being the very day that the former Bill expired, sent an Order to all the Collectors of the Customs, many of which could not receive it in ten days after;

THAT at the new Bill being pass'd by both Houses for the continuance of those payments until the third day of *May* (which could not yet receive the Royal Assent, in regard

of the remoteness of his Majesty's Person from the Parliament) which Monies to be collected by that Bill were to be employ'd in the necessary Guarding of the Seas, and Defence of the Common-wealth: It was therefore order'd by the Commons in Parliament, that the several Officers belonging to the Custom House, both in the Port in *London*, and the out Ports, should not permit any Merchant or other to Lade, or Unlade any Goods, or Merchandizes, before such Persons do make due Entries thereof in the Custom House. And it was declared also by the said Commons, that such Officers, upon the respective Entry made by any Merchant as aforesaid, should intimate to such Merchant, that it was the advice of the Commons, for the better care of the said Merchants, and in regard the respective Duties would relate, and become due as from that day; that the said Merchants upon Entry of their Goods, as usually they do, when a Law was in force to that purpose, would deposit so much Money as the several Customers would amount unto, in the hands of such Officers, to be by them accounted to his Majesty, as the respective Customs due by the said Bill, when the said Bill should have the Royal Assent; or otherwise, his Majesty reserving the passing thereof, the said Monies to be returned, upon demand, unto the several Merchants respectively.

By which Order, which was a more absolute Dispensation for a Premunure, than ever any *Non-obstante* granted by the Crown, the Customs were as frantick, and fully paid, as in an Act of Parliament had been pass'd to that purpose; and as soon as the Commission could be sent, and returned from *Torke*, the Act was pass'd. But no doubt they had a further design in passing the Bill totally to expire, before they prepared a new One, than at that time was apprehended; and intended, under such a Popular necessity, which seem'd to be occasion'd by the King's absence, to bring their own Orders in such a reputation, that in another necessity which they should Declare, they might by the Precedent of this, which was the only Indemnity all those Merchants who paid, and the Officers who receiv'd, Customs, had for the preservation of their Estates, be currently and absolutely obeyed and submitted to.

By this it appears the King could not at that time, with convenience or safety to his Affairs, displace the Earl of *Northumberland*; and He believ'd, if his occasions should hereafter require it, that the Time would be much more feasible, when the Fleet was at Sea; and the Thing it self more practicable; which was a true conclusion. However, he express'd so much dislike against the Earl of *Warwick's* Vol. I. Part. II h Com.

Commanding that Fleet, that he was not willing that any Officers which he valued, should take employment under him; which he had shortly after cause to repent. For, by this means, the Vice-Admiral, which was assign'd to Captain Cartwright, the Controller of the Navy, who hath since sufficiently testify'd how advantageously to his Majesty he would have managed that Charge, upon His refusal (which was occasioned by intimation from his Majesty, as shall be hereafter mentioned) was Confer'd upon *Batten*, an obscure Fellow; and, though a good Sea-man, unknown to the Navy, till he was, two or three Years before, for money, made Surveyor, who executed it ever since with great animosity against the King's Service, of which more hereafter.

BEING, by this means, secure at Sea, they proceeded with more vigour at Land; and, though they thought it not yet seasonable to execute their Ordinance for the Militia with any Form and Puny, they directed, Underhand, their Agents and Emiffaries, that the People, of Themselves, should choose Captains and Officers, and Train under the name of Volunteers; which begun to be practis'd in many places of the Kingdom; but only in those Corporations, and by those Inferiour People, who were notorious for Faction, and Schism in Religion. The King's Declarations, which were now carefully published, gave them some trouble, and made great impression, in Sober Men, who were moved with the Reason, and in such Men, who were thir'd at the Commands in them. But that Clause in the King's Answer to their Declaration, presented to him at *New-Market*, in which He told them, "That if they had not been inform'd of the seditious words used, and the circumstances of the Tumults, and would appoint some way for the examination of them, that he would require some of his Learned Council to attend with such Evidence as might satisfy them, troubled them much more. For if there were still so much Courage left in the King's Council, that they durst appear to inform against any of those proceedings, which They favoured, they should find Men grow more afraid of the Law than of Them; which would destroy all their designs. Therefore they Resolv'd to proceed with all expedition, and severely against the Attorney General for his Treasons and Perjurment upon their Privileges, in the Accusation of the five Members, and the Lord *Kombolton*: of the circumstances of which Proceeding, and Judgement thereupon, being as extraordinary, and as distant from the Rules of Justice, at least of practice, as any thing that then happen'd, it will not be amiss to set down two or three particulars.

SHORTLY after they had Impeach'd him (which is mentioned

tioned before) and the King had found it necessary to give over any protection against the Others, his Majesty being desirous now he had freed Them, that they should free His Attorney, writ a Letter from *Exeter*, when he was in his way to *Tork*, to the Lord Keeper; in which he told him, that the Articles, which had been preferred against the Members, were, by Himself, delivered to his Attorney General engraven in Paper; and that he had then commanded him to accuse those Persons, upon those Articles of High Treason, and other Misdemeanours; and, in His Name to desire a Committee of Lords might be appointed to take the examination of such Witnesses as should be produced, as formerly had been done in cases of like nature, according to the Justice of the House. And his Majesty did further declare, that his said Attorney did not advise or contrive the said Articles, nor had any thing to do with, or in advising, any breach of Privilege that followed after. And for what he did in obedience to His Commands, he conceived he was bound by Oath, and the duty of his Place, and by the Trust reposed in him by his Majesty, so to do; and that if he had refused to obey his Majesty therein, his Majesty would have question'd him for breach of Oath, Duty, and Trust; but now having declared that he found cause wholly to desist from proceeding against the Persons accused, he had commanded him to proceed no further therein, nor to produce, nor discover any Proof concerning the same.

THOUGH this Testimony of his Majesty's clearly absolved him from the Guilt, with which he was charged, yet it rather hasten'd the Trial, and sharpen'd the edges, that were been enough against him; and the day of Trial being come, when the Members of the Commons, who were appointed for the Prosecution, found that Counsel was ready (which had been signified by the Lords) for the defence of the Attorney General, they protest'd, that they would admit no Council; that it was below the dignity of the House of Commons to plead against Fee'd Council; that whoever was preferred to be of Counsel with a Person accused by the Commons of *England*, should be taught better to know his duty, and should have cause to repent it. The Lords seem'd much moved with this reproach, that their Acts of Justice should be question'd, and the Council, which had been justly, and regularly assign'd by them, should be threaten'd for submitting to Their Order. But that which troubled them most, was, that the Council, which was assign'd by them, upon this reprehension, and threat of the Commons, positively refused to meddle further in the business, or to make any Defence for the Attorney. Hereupon, they put off the Trial,

and commit to the Tower of London *St Thomas Bealingfield*, and *St Thomas Gardiner*, for their contempt in refusing to be of Council with the Attorney upon their Allegement: standers by looking upon the Justice of Parliament with less reverence, to see the Subject, between the contrary story, and opposite Commands of both Houses (the difpliance of either being inapplicable) punished and imprisoned for doing, by One, what he was strictly inhibited from doing by the Other.

How ever, this difference gave only respite for some days to the Attorney, who was quickly again called before his Judges. To what was passionately and unreasonably objected against him, ⁴ of breach of Privilege and Scandal, he confidently alledged ⁵ the Duty of his place; that his Master's Command was Warrant for what he had done; and that ⁶ he had been justly punishable if he had refused to do it, ⁷ when Commanded; that there had never been a Pretence of Privilege in Case of Treason, the contrary whereof was not only unfeigned by the Law, but had been by Treason itself, as testified, in a Petition delivered by them in the beginning of this King's Reign, upon the imprisonment of the Earl of Arundel; in which it was acknowledged, that the Privilege of Parliament extended not to Treason, Felony, or refusal to find Sureties for the Peace; that he had no reason to suspect the executing the Duty of his place would have been imputed to him for any Treason, since the very same thing he had now done, and of which he stood accused, was done, in the first year of this King's Reign, by *St Robert Heath*, the then Attorney General; who exhibited Articles of High Treason before their Lordships, against the Earl of *Bristol*, which was not then understood to be any breach of Privilege; and therefore, having found a Precedent, most of their Lordships being then Judges, he hoped he should be held excusable for not being able to discern that to be a crime, which they had yet never declared to be so. The undeniable reasons of his Defence (against which nothing was replied, ⁸ but the inconvenience and mischief, which would attend a Parliament, if the Members might be accused of High Treason without their consent) prevailed so far with the Major part of the House of Peers, though the Prosecution was carried on with all imaginable illsuccess, and vengeance by the House of Commons, and entertained by those Peers, who were of that Party, as a matter of vast concernment to all their hopes, that the Questions being put, whether he should be deprived of his place of Attorney? whether he should be Fined to the King? whether he should pay Damages to the Persons accused? and whether he should be committed to the Tower? which were the several

several parts of the Sentence, which many of the Lords had predicted he should undergo, the Negative prevailed in every one of the Particulars; so that the Attorney was understood by all Men, who understood the Rules and Practice of Parliament, to be absolutely absolved from that Charge and Imprisonment, by the Judgement of the House of Peers.

THE House of Commons expressed all possible resentment, and declared ⁹ that they would not rest fairly'd with the Judgement; and some Lords, even of those who had acquitted him, were very desirous to find out an Expedient, whereby the House of Commons might be compounded with; and it was believed, that the Attorney himself was much displeas'd with the torrent of Malice and Prejudice, which the House of Commons seem'd now to threaten him with; conceiving, ¹⁰ that He and his Office now Triumphed over the whole Body, and not over six Members only; and therefore, after some days, the House of Peers considering, ¹¹ that his discharge was but Negative, that he should not be punished in this and that degree; and that he had no Absolution from the Crimes, with which he was charged, proceeded to a new Judgement (contrary to all course and practice of Parliament, or of any Judicial Court) and complying with all their other Votes, Ketsell'd, by way of Judgement upon him, ¹² That he should be disabled from ever being a Parliament Man; incapable of any place of Judicature, or other Preferment, than of Attorney General; which they could not deprive him of, by reason of the former Vote: and ¹³ that he should be committed to the Prison of the Fleet. Which Sentence was with all Formality pronounced against him, and he committed to the Fleet accordingly: with which Sentence the Commons were no more satisfy'd than with the Former; some of them looking that their Favourite, the Solicitor, should have the place of Attorney; Others, that the Accused Members should receive ample Damages by way of reparation; without which they could not think themselves secure from the like Attempts.

HAVING, by this extraordinary and exemplary proceeding, fortify'd their Privileges against such Attempts, and secured their Persons from being Accused, or proceeded against by Law, they used no less severity, against all those who presumed to question the justice, or prudence of their Actions, especially against those, who, following the Method that had done so much hurt, drew the People to Petition for that which they had no mind to grant; and in this prosecution they were not less severe, and vengeant, than against the highest Treason could be imagined.

UPON the Petition mentioned before, that was framed

Hh 3 in

and commit to the Tower of London *St Thomas Beakingfield*, and *St Thomas Gardiner*, for their contempt in refusing to be of Council with the Attorney upon Their Allegement: Banders by looking upon the justice of Parliament with less reverence, to see the Subject, between the contradictory, and opposite Commands of both Houses (the displeasure of either being inapporitable) punished and imprisoned for doing, by One, what he was expressly inhibited from doing by the Other. However, this difference gave only respite for some days to the Attorney, who was quickly again called before his Judges. To what was passionately and unreasonably objected against him, ⁴⁰ of breach of Privilege and Scandal, he consistently alledged ⁴¹ the Duty of his place; that his Master's Command was Warrant for what he had done; and that ⁴² he had been justly punishable if he had refused to do it, when Commanded; that there had never been a Preence of Privilege in Case of Treason, the contrary whereof was not only understood by the Law, but had been by Them selves contended, in a Petition delivered by them in the beginning of this King's Reign, upon the imprisonment of the Earl of *Strand*; in which it was acknowledged, that the Privilege of Parliament extended not to Treason, Felony, or refusal to find Sureties for the Peace; that he had no reason to suspect the executing the Duty of his place would have been imputed to him for any Treipsis, since the very same thing he had now done, and of which he stood accused, was done, in the first year of the King's Reign, by *St Robert Heald*, the then Attorney General; who exhibited Articles of High Treason before their Lordships, against the Earl of *Bristol*, which was not then understood to be any breach of Privilege; and therefore, having for that a Precedent, most of their Lordships being then Judges, he hoped he should be held excusable for not being able to discern that to be a crime, which they had yet never declared to be so. The undeniableness of his Defence (against which nothing was replied, ⁴³ but the inconvenience and mischief, which would attend a Parliament, if the Absenters might be accused of High Treason without their consent) prevailed for with the Major part of the House of Peers, though the Prosecution was carried on with all imaginable sharpness, and vehemence by the House of Commons, and entertained by those Peers, who were of that Party, as a matter of vast concernment to all their hopes, that the Questions being put, whether he should be deprived of his place of Attorney? whether he should be Fined to the King? whether he should pay Damages to the Persons accused? and whether he should be committed to the Tower? which were the

several

several parts of the Sentence, which many of the Lords had pressed he should undergo, the Negative prevailed in every one of the Particulars; so that the Attorney was understood by all Men, who understood the Rules and Practice of Parliament, to be absolutely absolved from that Charge and Impeachment, by the Judgement of the House of Peers.

The House of Commons expressed all possible resentment, and declared ⁴⁴ that they would not rest satisfied with ⁴⁵ the Judgement; and some Lords, even of those who had acquitted him, were very desirous to find out an Expedient, whereby the House of Commons might be compounded with; and it was believed, that the Attorney himself was much and it was believed, that the Attorney himself was much shaken with the torrent of Malice and Prejudice, which the House of Commons seem'd now to threaten him with; conceiving, ⁴⁶ that He and his Office now Triumphed over the whole Body, and not over six Members only; and therefore, after some days, the House of Peers considering, ⁴⁷ that his discharge was but Negative, that he should not be punished in this and that degree; and that he had no Abolition from the Crimes, with which he was charged, proceeded to a new Judgment (contrary to all course and practice of Parliament, or of any Judicial Court) and complying with all their other Votes, Retolv'd, by way of Judgement upon him, ⁴⁸ That he should be disabled from ever being a Parliament Man; incapable of any place of Judicature, or other Pre-ferment, than of Attorney General; which they could not deprive him of, by reason of the former Vote: and ⁴⁹ that he should be committed to the Prison of the Fleet. Which Sentence was with all Formality pronounced against him, and he committed to the Fleet accordingly: with which Sentence the Commons were no more satisfied than with the Former; some of them looking that their Favourite, the Solicitor, should have the place of Attorney; Others, that the Accused Members should receive ample Damages by way of reparation; without which they could not think themselves secure from the like Attempts.

However, by this extraordinary and exemplary proceeding, fortified their Privileges against such Attempts, and secured their Persons from being Accused, or proceeded against by Law, they used no less severity, against all those who presumed to question the justice, or prudence of their Actions, especially against those, who, following the Method that had done so much hurt, drew the People to Petition for that which they had no mind to grant; and in this prosecution they were not less severe, and vehement, than against the highest Trespass could be imagined.

From the Petition mentioned before, that was framed

Hh 3 in

in *London* against their setting the Militia, they committed one *George Binion*, a Citizen of great Reputation for Wealth and Wisdom, and who was indeed a very Suber Man. After he had lain some time in Prison, the Lords, according to Law, Bail'd him; but the Commons cited him the next day to be re-committed, and prefer'd an Impachment against him, for no other Crime but ⁴ "saying and contriving that Petition. The Gentleman defended himself, " that it was al-
⁴ ways held, and so publicly declared this Parliament, to be
⁴ "Lawful, in a modest way, to Petition for the removal, or
⁴ "prevention of any Grievance: that observing very many Petitions to be delivered, and received, for the setting the Mi-
⁴ "litia, in an other way than was then agreeable to the Law,
⁴ "or had been practiced, and conceiving that the same would
⁴ "prove very prejudicial to the City of *London*, of which he
⁴ "was a Member, he had join'd with many other Citizens,
⁴ "of known Ability and Integrity, in a Petition against so great
⁴ "an inconvenience; which, he presumed, was Lawful for
⁴ "him to do. How reasonable soever this Defence was, the
⁴ "House of Peers adjudg'd him "to be Disfranchised, and in-
⁴ "capable of any Office in the City; to be committed to the
⁴ "Common Goal of *Chelmsford* (for his Reputation was so great
⁴ "in *London*, that they would not trull him in a City Prison)
⁴ "and Fin'd him three Thousand pound.

ABOUT the same time, at the General Assizes in *Kent*, the
 Justices of Peace, and principal Gentlemen of that County,
 prepar'd a Petition to be presented to the two Houses, with
 a desire, " that the Militia might not be otherwise exercised
⁴ "in that County, than the known Law permitted: and that
⁴ "the Book of Common-Prayer, established by Law, might be
⁴ "observed. This Petition was Communicated by many to
 their Friends, and Copies thereof sent abroad, before the Sub-
 scription was ready: whereupon the House of Peers took no-
 tice of it, as tending to some Commotion in *Kent*; and, in
 the Debate, the Earl of *Broghil* taking notice, " that he had
⁴ "seen a Copy of it, and had had some Conference about it with
⁴ "Judge *Stall*, who was then Judge of Assize in *Kent*, and
 newly return'd out of his Circuit, both the Earl and Judge,
 for having but seen the Petition, were presently committed
 to the Tower; and a Declaration published, " That none
⁴ "should presume to deliver that, or the like Petition, to either
⁴ "House. Notwithstanding which, some Gentlemen of *Kent*,
 with a great number of the Substantial Inhabitants of that
 County, came to the City; which, upon the Alarm, was put
 in Arms; strong Guards plac'd at *London* Bridge, where the
 Petitioners were disarm'd, and only some few suffer'd to pass
 with their Petition to *Wyfoungers*; the rest forc'd to return
 to

to their Country. And, upon the delivery thereof to the
 House of Commons (though the same was very modest, and
 in a more dulc'd Dialect than most Petitions delivered to
 them) the bringers of the Petition were sharply reprehend-
 ed; two or three of them committed to several Prisons; the
 principal Gentlemen of the County, who had Subscribed and
 Advis'd it, sent for as Delinquents; Charges, and Articles of
 Impachment, drawn up against them; and a Declaration
 published, " That whosoever should henceforth Advise, or
⁴ "Contrive the like Petitions, should be proceeded against, as
⁴ "Enemies to the Common-wealth. So unable, and differnt
 were their Tempers, and reception of those modest Adres-
 ses, which were for Duty and Obedience to the Laws esta-
 blished; and those which press'd, and brought on Alteration
 and Innovation. But that injustice gave great Life, and in-
 couragement to their own Profelytes; and taught others to
 know that their being Innocent would not be long easy or
 safe; and this kind of Justice extended it self in the same
 measure to their own Members, who oppos'd their irregu-
 lar determinations; who, besides the Agony and Vexation of
 having the most plain Reason, and counsel'd Law, reject'd,
 and over-ruled with contempt and noise, were lysable to all the
 Personal Reproaches and Discouragement, that Pride and
 Pettulency of the other Party, could lay upon them; and were
 sometimes imprison'd and disgrac'd, for freely speaking their
 Opinions, and Conscience in Debate.

ALL sorts of Men being thus terrify'd, the Commons re-
 member'd, that a great Magazine of the King's Ammunition
 lay still at *Hull*; and thought that Town was in the Custody
 of a Colonel of their own, yet they were not willing to ven-
 ture to great a Treasure to near the King, who continued at
York, with a great retort of Persons of Honour and Quality
 from all parts; and therefore they Resolv'd, under pretence
 of supplying *Ireland*, to remove it speedily from thence; and
 mov'd the Lords, " to joy'n with them in an Order to that
⁴ "purpose. The Lords, who proceeded with less Fury, and
 more Formality, desired " that it might be done with the
⁴ "King's Consent. After a long Debate, the one thinking they
 Merited much by that Civility, the other contented to gratify
 those in the Ceremony, who, they knew, would in the end
 Concur with them, a Petition was agreed upon to be sent to
 his Majesty; in which, that he might the sooner yield to
 them in this matter, they Resolv'd to remember him of that,
 which, they thought, would reflect on him with the People,
 and to " move him to take off the Reprieve from the six
⁴ "Priests, which is before mentioned. And so they sent
 their Petition to him, telling him, " That they found the Stores
 H h 4 " of

A Division from the rest of the Magazine from Hull.
 of Armes, and Ammunition in the Tower of *London* much diminished; and that the necessity for supply of his Kingdom of *Ireland* (for which they had been issued from thence) daily increased; and that the occasion, for which the Magazine was placed at *Hull*, was now taken away; and considering it would be kept at *London* with less Charge, and more Safety, and Transported thence with much more convenience for the Service of the Kingdom of *Ireland*; they therefore humbly prayed, that his Majesty would be graciously pleased to give leave, that the said Armes, Cannon, and Ammunition, now in the Magazine of *Hull*, might be removed to the Tower of *London*, according as should be directed by both his Houses of Parliament: And whereas six Priests, then in *Newgate*, were condemned to dye, and by his Majesty had been Reprieved, they humbly prayed his Majesty to be pleased, that the said Reprieves might be taken off, and the Priests executed according to Law. To which Petition his Majesty immediately returned Answer in these words:

His Majesty's Answer.
 We rather expected, and have done long, that you should have given Us an account, why a Garrison hath been placed in our Town of *Hull*, without our Consent, and Soldiers Billeted there against Law, and express words of the Petition of Right, than to be moved, for the avoiding of a needless Charge you have put upon your selves, to give our Consent for the removal of our Magazine and Munition, our own proper Goods, upon such general Reasons as indeed give no satisfaction to our Judgment: And since you have made the business of *Hull* your Argument, We would gladly be informed, why our own inclination, on the general Rankour of the designs of Papists in the Northern Parts, was not thought sufficient ground for us to put a Perion of Honour, Fortune, and unblemished Reputation, into a Town and Fort of our own, where our own Magazine lay; and yet the same Rumour be Warrant enough for you to commit the same Town and Fort, without our Consent, to the hands of *St John Hothams*, with a power unagreeable to the Law of the Land, or the Liberty of the Subject.

And yet of this, in point of Right, or Privilege, for since we are not without Privilege too, we have not all this while complained: and being content that the place, whatsoever discourse there is of Publick or Private Infringements to the contrary, shall be speedily given up, if we shall require it, we shall be contented to dispose our Munition there, as we have done in other places, for the Publick ease and benefit, as, upon particular advice, we shall

shall find convenient; though we cannot think it fit, or consent, that the whole Magazine be removed together. But when you shall agree upon such proportion, as shall be held necessary for any particular Service, we shall sign such Warrants as shall be agreeable to Widom and Reason; and if any of them be deliv'd for *Ulster*, or *Leinster*, you know well the Conveyance will be more easy, and convenient from the place they are now in. Yet we must tell you, that if the Fears are so great from the Papists at home, or of Foreign Force, as is pretended, it seems strange that you make not provision of Armes, and Munition, for defence of this Kingdom, rather than seek to carry any more from hence, without some course taken for supply, especially, if you remember your Engagement to our *Scottish* Subjects, for that proportion of Armes, which is contained in your Treaty. We speak not this, as not thinking the sending of Armes to *Ireland* very necessary, but only for the way of the provision. For you know what great quantities we have Assign'd out of our several Stores, which, in due time, we hope, you will see replenish'd. For the Charge of looking to the Magazine at *Hull*, as it was undertaken Voluntarily by you at first, and, to say no more, Unnecessarily; so you may free our good People of that Charge, and leave it to Us to look to, who are the proper Owner of it. And this, we hope, will give you full satisfaction in this point, and that we do not, as you have done in the business of the Militia, send this Message out of Compliment, and Ceremony, resolving to be your own Carvers at last. For we must tell you, if any Attempe shall be made or given in this matter, without our Consent or Approbation, we shall esteem it as an Act of Violence against us; and declare it to all the World, as the greatest Violation of our Right, and breach of our Privilege.

CONCERNING the six Priests condemn'd, it is true, they were Reprieve'd by our Warrant, we being inform'd that they were, by some restraint, disabled to take the benefit of our former Proclamation; since that, we have issued out another, for the due Execution of the Laws against Papists; and have most solemnly promis'd, in the word of a King, never to pardon any Priest, without your Consent, which shall be found guilty by Law; desiring to banish these, having herewith sent our Warrant to that purpose, if, upon second thoughts, you do not disapprove thereof. But if you think the Execution of these Perions so very necessary to the great, and pious work of Reformation, we refer it wholly to you; declaring hereby, that upon such your Resolution signify'd to the Ministers of Justice, our

Warrant

"Warrant for their Reprieve is determined, and the Law to
 "have the courfe. And now let us ask you (for we are
 "willing to husband time, and to difpatch as much as may
 "be under one Message; God knows the diftractions of
 "this Kingdom were a profent Remedy) will there never be
 "a time to Offer to, as well as to ask of us? We will pro-
 "pofe no more particulars to you, having no luck to please,
 "or to be understood by you; take your own time for what
 "concerns our particular: but be fure you have an early,
 "if poffibly Care of the Publick; that is, of the only Rule that
 "preferves the Publick, the Law of the Land; preserve the
 "Dignity and Reverence due to that. It was well faid in
 "a Speech, made by a private Perfon; it was Mr *Pyles*'s
 "Speech againft the Earl of *Stratford*, but published by Order
 "of the Houfe of Commons this Parliament: the Law is that,
 "which puts a difference betwixt Good and Evil, betwixt
 "Juft and Unjuft. If you take away the Law, all things will
 "fall into a Confufion, every Man will become a Law unto
 "himfelf, which, in the depraved Condition of Human Na-
 "ture, muft needs produce many great Inconveniences. Juft
 "become a Law, and Envy will become a Law; Covetouf-
 "nefs and Ambition will become Laws; and what dictates,
 "what defires, fuch Laws will produce, may eafily be di-
 "cerned. So faid that Gentleman, and much more, very
 "well, in defence of the Law, and againft Arbitrary Power.
 "It is worth looking over, and confidering: and if the moft
 "Zealous Defence of the true Proteftant profefion, and the
 "moft Relolv'd Protection of the Law, be the moft neceffary
 "duty of a Prince, we cannot believe this miserable diftance,
 "and mifunderftanding, can be long continued between us;
 "we having often, and earnestly declared them to be the
 "chiefest defires of our Soul, and the End and Rule of all
 "our Actions. For *Ireland*, we have fufficiently, and we
 "hope fatisfactorily, expreffed to all our Good Subjects our
 "hearty fenfe of that faid bufinefs, in our feveral Messages on
 "that Argument, but efpically in our laft of the eighth of
 "this Month, concerning our Refolution for that Service;
 "for the Speedy, Honourable, and full performance whereof,
 "we conjure you to yield all poffible affiftance, and preft
 "advise.

This Answer was receiv'd with the ufual circumftances
 of trouble and difcontent, the taxing of evil Counfellors, and
 Malignant Perfons about the King; and that Clause about the
 Condemn'd Priests exceedingly difpleas'd them; for by the
 King's reference of the matter entirely to them, he had re-
 moved the scandal from Himfelf, and laid it at Their doors;
 and though they were well content, and desirous, that they
 should

should have been Executed by the King's Warrant for taking
 of his own Reprieve (whereby they fhould have made him
 retract an Act of his own Mercy, and undeniably within his
 own Power; and thereby have kiffed much of the Devotion
 of that People to him, when they fhould have feen him quit
 his Power of preferving them in the leaft degree) yes; for
 many reafons, they were not willing to take that harfh part
 upon Themfelves; and fo thofe Condemn'd Priests were no
 more profecuted, and were much later under that Reference
 for their Execution, than they could have been, at that time,
 by a Pardon under the Great Seal of *England*. For the other
 part of the Answer concerning the Magazine, it made no
 paffage with them, but within fews days after, they fent a
 Warrant to their own Governour, Sr *Tobias Holtbam*, to deliver
 it; and to their own Admirall, the Earl of *Warwick*, to transf-
 fer it to *London*; which was, notwithstanding the King's in-
 terdiftion, done accordingly. But they had at that time another
 Message from the King, which was refer'd to in the laft
 Clause of that Answer, and came to their hands fome few days
 before, that gave them fome ferious trouble and apprehenfion;
 the grounds and reafons of which were thefe:

THE King finding, that notwithstanding all the profef-
 fions, and proteltations he could make, the bufinefs of *Ire-
 land* was ftill unrefolvably objected to him, as if he were
 not cordial in the fuppreffing that Rebellion, fent a Message
 to both Houfes:

"THAT being griev'd at the very Soul for the Calamities the M. of the P.
 "of his Good Subjects of *Ireland*, and being moft tenderly Message to
 "fenfible of the faile, and fcandalous Reports difperst a- both Houfes;
 "mongft the People concerning the Rebellion there; which Apr. 11. 1649
 "not only wounnded his Majesty in Honour, but likewife Message to
 "greatly retarded the Reducing that unhappy Kingdom, and the P. of Ire.
 "multiply'd the diftractions at Home, by weakening the mu-
 "tual Confidence between Him, and his People: cur of his
 "Pious Zeal to the Honour of Almighty God, in eftablifhing
 "the true Proteftant Profefion in that Kingdom, and his
 "Princely Care for the good of all his Dominions, he had
 "firmly resolv'd to go with all convenient fpeed into *Ireland*,
 "to Chaffe thofe wicked and deteftable Rebels, odious to
 "God, and all Good Men; thereby to fertle the Peace
 "of that Kingdom, and the Security of This, that the very
 "name of Fears and Jealoufies might be no more heard of
 "amongft them.

AND He faid, as he doubted not, but his Parliament
 would cheerfully give all poffible Affiftance to this good
 Work, to be repaired there, and all his Loving Subjects, to
 believe, that he would, upon thofe Confiderations, as ear-
 nelly

nefly pursue that Design, not declining any hazard of his Person in performing that duty, which he ow'd to the defence of God's true Religion, and his distressed Subjects, as he Undertook it for those only ends; to the sincerity of which profession, he cued God to Witness, with this further assurance, that he would never confide, upon whatsoever pretence, to a Toleration of the Popish Profession there, or the Abolition of the Laws now in force against Popish Reculants in that Kingdom.

His Majesty further advertised them, that, towards this Work, he intended to raise forthwith, by his Commissioners in the Counties near *Woff- Chester*, a Guard for his own Person (when he should come into *Ireland*) consisting of two thousand Foot, and two hundred Horse, which should be Arm'd at *Woff- Chester*, from his Magazine at *Holl*; at which time, he said, all the Officers, and Soldiers, should take the Oaths of Supremacy, and Allegiance; the Charge of raising, and paying whereof, he desired the Parliament to add to the former Undertakings for that War; which he would not only well accept, but, if their Pay should be found too great a burthen to his good Subjects, he would be willing by the advice of his Parliament, to Sell, or Pawn, any of his Parks, Lands, or Houses, towards the supplies of the Service of *Ireland*. With the addition of these Levies to the former of *England* and *Scotland*, agreed upon in Parliament, he said, he hoped to appear in that Action, that by the Assistance of Almighty God, that Kingdom, in a short time, might be wholly reduced, and restored to Peace, and some measure of Happiness; whereby he might cheerfully return, to be welcome'd Home with the Affections and blessings of all his good *English* People.

TOWARDS this good Work, he said, as he had lately made dispatches into *Scotland*, to quicken the Levies there for Officers, so he heartily wish'd, that this Parliament would give all possible Expedition to those, which they had resolv'd for *Woff- Chester* and *con-woy*, and hoped the encouragement which the Adventurers, of whose interests he would be always very careful, would hereby receive, would raise a full Sum of Money for the doing thereof. He told them, that out of his earnest desire to remove all occasions, which could unhappily multiply misunderstandings between him and his Parliament, he had likewise prepar'd a Bill to be offer'd to them by his Attorney concerning the Militia; and whereby he hoped, the Peace and Safety of the Kingdom might be fully secur'd to the general satisfaction of all Men, without Violation of his Majesty's just Rights, or prejudice to the Liberty of the Subject. If this should be thankfully

receiv'd, he said, he should be glad of it; if refused, he would call God, and all the World, to judge on Whose part the default was; only he required, if the Bill should be approv'd of, that if any Corporation should make their Lawful Rights appear, they might be receiv'd to them. He said, before he would part from *England*, he would take all due care to entrust such Persons with such Authority in his absence, as he should find to be requisite for the Peace and Safety of the Kingdom, and the happy progress of the Parliament.

They neither before nor after ever receiv'd any Message from his Majesty, that more discompos'd them; and so much the more, because that which gave them most Unbrave, could not be publicly and fairly avow'd by them. For though, to those who had a due reverence to the King's Person, and an impatient desire, that all misunderstandings might be compos'd, they urg'd "the hazard, and danger to his Majesty's Person, in such an Expedition, and the increase of Jealousies and Distractions, that would ensue in this Kingdom by his Absence; and to others, who from the barbarity, inhumanity, and unheard of cruelty, exercised by the Rebels in *Ireland* upon the *English* Protestants (of which they every day receiv'd fresh and bleeding evidence) had contracted a great animosity against that whole Nation, and were perswaded that the work of Expiration was not so difficult as in truth it was; and to the Adventurers, who had disburs'd great sums of Money, and had digested a full Assentance of Ample Recompence by Confiscations, and Forfeitures; "that by this Voyage of the King, a Peace would be in a short time concluded in that Kingdom, to their great disadvantage and damage; yet the true Reasons, which surpris'd and surpris'd them, were, that hereby the managing the War of *Ireland* would be taken out of their hands, and so, instead of having a Nursery for Soldiers of their own, which they might employ as they saw occasion; and a power of raising what Money they pleas'd in this Kingdom under that Title, which they might dispose, as they found most fit for their affairs; the King would probably in a short time recover one entire Kingdom to his Obedience, by which he might be able to preserve the Peace of the other two. However, working by several impressions upon several Affections, they found it no difficult thing to perswade, almost an Unanimous, aversion from approving the Journey; they who usually oppos'd their advice, not enduring to think of staying in *England*, where the power, at least for a time, would be in Them, whose Government, they knew, would be terrible when his Majesty should be in *Ireland*. Upon this they dispatched

dispatched a Missive to the King, in which they told him;

*The Answer
of both Houses
to the Ma-
jesty's Mes-
sage of the
16th of Fe-
bruary 1642.
in the Par-
liament at Lon-
don, April
28. 1642.*

"That the Lords and Commons in Parliament had duly considered the Message, receiv'd from his Majesty, concerning his purpose of going into *Ireland* in his own Person to prosecute the War there, with the bodies of his *English* Subjects, Levied, Transported, and mainin'd at their Charge; which he was pleas'd to propound to them, not as a matter wherein he desired the advice of his Parliament, but as already firmly Resolv'd on, and forthwith to be put in Execution, by granting out Commissions for the Levying of two thousand Foot, and two hundred Horse, for a Guard for his Person when he should come into that Kingdom; wherein they said, they could not but, with all reverence and humility to his Majesty, observe, that he had declin'd his Great Council, the Parliament, and vari'd from the usual Course of his Royal Predecessours; that a business of so great Importance concerning the Peace and Safety of all his Subjects, and wherein they have a special interest, by his Majesty's promise, and by those great sums, which they had disburs'd, and for which they stood engaged, should be concluded, and undertaken without their advice: whereupon, they said, they held it their duty to declare, that if, at that time, his Majesty should go into *Ireland*, he would very much endanger the safety of his Royal Person, and Kingdoms, and of all other States professing the Protestant Religion in *Christendom*, and make way to the execution of that cruel, and bloody design of the Papists, every where to root out and destroy the Reform'd Religion; as the *Irish* Papists had already in a great part, effected in that Kingdom; and, in all likelihood, would quickly be attempted in other places, if the consideration of the strength, and union of the two Nations of *England* and *Scotland*, did not much hinder, and discourage the execution of any such design. And that they might manifest to his Majesty the danger and misery, which such a Journey and Enterprize would produce, they presented to his Majesty the reasons of that their humble opinion and advice;

1. "His Royal Person would be subject, not only to the casualty of War, but to secret Practices and Conspiracies; especially his Majesty continuing his profession to maintain the Protestant Religion in that Kingdom, which the Papists were generally bound by their vow to extirpate.

2. "It would exceedingly encourage the Rebels; who did generally profess and declare, that his Majesty did favour and allow their proceedings, and that this Insurrection was undertaken by the Warrant of his Commission; and it

"would make good their expectation of great advantage, by his Majesty's presence at that time, of so much distraction in this Kingdom, whereby they might hope the two Houses of Parliament would be disabled to supply the War there; especially there appearing less necessity of his Majesty's Journey at that time, by reason of the manifold Successes, which God had given against them.

"It would much hinder, and impair the means whereby the War was to be supported, and increase the Charge of it, and in both these respects make it more insupportable to the Subject; and this, they said, they could confidently affirm; because many of the Adventurers, who had already subscribed, did, upon the knowledge of his Majesty's intention, declare their Resolution not to pay in their Money; and others, very willing to have subscribed, do Now profess the contrary.

4. "His Majesty's absence would necessarily very much interrupt the proceedings of Parliament; and deprive his Subjects of the benefit of those further Acts of Grace and Justice, which they should humbly expect from his Majesty for the establishing a perfect Union, and mutual Confidence between his Majesty and his People, and procuring and confirming the property, and happiness of both.

5. "It would exceedingly increase the Fears and Jealousies of his People; and render their doubts more probable of some Force intended; by some evil Counsellors near his Majesty, in opposition of the Parliament, and favour of the Malignant Party of this Kingdom.

6. "It would bereave his Parliament of that advantage, whereby they were induced to undertake that War, upon his Majesty's promise that it should be managed by their advice; which could not be done, if his Majesty, contrary to their Counsellors, should undertake to order, and govern it in his own Person.

"UPON which, and divers other reasons, they said, they had Resolved, by the full and concurrent Agreement of both Houses, that they could not, with discharge of their duty, consent to any Levies or raising of Soldiers to be made by his Majesty, for that his intended expedition into *Ireland*; or to the payment of an Army, or Soldiers there, but such as should be employed, and governed according to their advice, and direction: and that, if such Levies should be made by any Commission of his Majesty's, not agreed to by both Houses of Parliament, they should be forced to interpret the same to be rais'd to the Terror of his People, and Disturbance of the Publick Peace; and did hold themselves bound, by the Laws of the Kingdom, to

apply the Authority of Parliament to suppress the same.
 AND, they said, they did further most humbly declare,
 that if his Majesty should by ill Counsel be perswaded to go,
 contrary to that advice of his Parliament (which they hop-
 ed his Majesty would not) they did not, in that case, hold
 themselves bound to submit to any Commissioners, which
 his Majesty should choose; but did Resolve to Preserve
 and govern the Kingdom; by the Counsel and Advice of
 Parliament, for his Majesty and his Posterity, according
 to their Allegiance, and the Law of the Land; wherefore,
 they did most humbly pray, and activate his Majesty, to de-
 sist from that his intended passage into Ireland, and from
 all preparation of men and Armes tending thereunto; and
 to leave the managing of that War to his Parliament, ac-
 cording to his promise made unto them, and his Commis-
 sion granted under his Great Seal of England, by advice of
 both Houses; in protection whereof, by God's blessing,
 they had already madea prosperous entrance, by many de-
 featsof the Rebels, whereby they were much weakened and
 dishearted; and had no probable means of subsistence, if
 the proceedings of the two Houses were not interrupted by
 that interposition of his Majesty's Journey: but they hop-
 ed, upon good grounds, that, within a short time, without
 hazard of his Person, and so much dangerous confusion in
 his Kingdoms, which must needs ensue, if he should pro-
 ceed in that resolution, they thought he was enabled fully to
 vindicate his Majesty's Right, and Authority in that King-
 dom; and punish those horrible, outrageous cruelties, which
 had been committed in the murdering, and spoiling so
 many of his Subjects; and to bring that Realm to such a
 condition, as might be much to the Advantage of his Ma-
 jesty and the Crown, and the Honour of his Government,
 and Contentment of his People: for the better and more
 speedily effecting whereof, they did again renew their hum-
 ble desires of his return to his Parliament; and that he
 would please to reject all Councils, and Approbations,
 which might any way derogate from the faithfulness, and
 Allegiance, which, in truth and sincerity, they had always
 born and professed to his Majesty, and should ever make
 good, to the uttermost, with their Lives and Fortunes.
 To this Petition (the Matter whereof finding a general
 concurrence, there was the less Debate, and Contradiction
 upon the Manner of expression) being sent to the King to
 York; and, in the mean time, all preparations being suspended
 for the necessary relief for Ireland, insomuch as with the
 Votes (which were presently printed) against the King's
 Journey, there was likewise an Order printed to discourage

the Adventurers from bringing in their Money; the which,
 though it had no approbation from either House, and seem'd
 to be angrily interpreted by them, and the Printer was or-
 der'd to be bound out and punished, yet did wholly stop that
 Service; and by the no-enquiry, or punishment of that bold-
 ness, appear'd to be done by design) his Majesty specify re-
 turned this Answer.

THAT he was so troubled, and affrighted to find that
 unexpected reception, and misunderstanding of his Message,
 concerning his Irish Journey, that (being so much disap-
 pointed of the Approbation, and thanks he look'd for to land,
 that Declaration) he had great cause to doubt, whether it
 were in his power, to say, or do any thing, which would
 not fall within the like interpretation: but he said, as he
 had, in that Message, called God to Witness the sincerity
 of the profession of his only ends for the undertaking that
 Journey; so he must Appeal to all his good Subjects, and
 the whole world, whether the reasons alleged against that
 Journey, were of Weight to satisfy his understanding; or
 the Council, profess'd to dissuade him from it, were full of
 that Duty, as was like to prevail over his Affections: For
 the resolving of so great a business without the Advice of his
 Parliament, he said, he must remember them, how often,
 by his Message, he made the same offer, if they should ad-
 vice him therunto; to which they never gave him the least
 Answer; but, in the late Declaration, told him, that they
 were not to be satisfy'd with Words: so that he had reason
 to conceive, they rather avoided, out of regard to his Per-
 son, to give him Counsel to run that hazard, than that they
 disapproved the inclination. And, he asked them, what
 greater comfort, or security the Protestants of Christendom
 could receive, than by seeing a Protestant King venture, and
 engage his Person for the Defence of That Religion, and
 the Suppression of Popery? to which he solemnly protest'd,
 in that Message, never to grant a Toleration, upon what
 pretence soever, or any abolition of any of the Laws There
 in force against the Professors of it. And, he said, when
 he considered the great calamities, and unheard of cruelties,
 his poor Protestant Subjects in that Kingdom had under-
 gone for the space of near, or full six Months; the growth
 and increase of the strength of those barbarous Rebels; and
 the evident probability of foreign supplies, if they were
 not speedily suppressed; the very slow succours hitherto
 sent them from hence; that the Officers of several Regi-
 ment, who had long time been allowed entertainment
 from them for that Service, had not rais'd any supply, or
 succour for that Kingdom; that many Troops of Horse had

long lain near *Cobler* unreported; that the Lord Lieutenant of *Ireland*, on whom he relied principally for the conduct, and managing of Affairs there, was still in this Kingdom, notwithstanding his Majesty's earnest expostions, that he should repair to his Command; and when he considered the many and great scandals raised upon himself by report of the Rebels, and not sufficiently dis-outraged here, notwithstanding to many professions of his Majesty; and had seen a Book, lately printed by the Order of the House of Commons, entitled a Remembrance of divers remarkable passages concerning the Church and Kingdom of *Ireland*, wherein some Examinations were set down (how improbable or impossible soever) which might make an impression in the minds of many of his weak Subjects: And lastly, when he had duly weighed the dishonour that would perpetually lie upon this Kingdom, if full and speedy relief were not dispatched thither; his Majesty could not think of a better way to discharge his Duty to Almighty God, for the defence of the true Protestant Religion, or to manifest his Affection to his three Kingdoms, for their preservation, than by engaging his Person in that expedition, as many of his Royal Progenitors had done, even in Foreign Parts, upon causes of less importance and piety, with great Honour to themselves, and Advantage to this Kingdom. And therefore, he expected at least Thanks for such inclination.

For the danger to his Person, he said, he conceived it necessary, and worthy of a King, to adventure his Life to preserve his Kingdoms; nay, it could it be imagined that he would sit still, and suffer his Kingdoms to be lost, and his good Protestant Subjects to be Massacred, without exposing his own Person to the utmost hazard for their relief and preservation; his life, when it was most precious, being nothing so precious to him, as it was, and should be, to govern and preserve his People with Honour, and Justice.

For an encouragement to the Rebels, because of the Reports they raised, he said, he could not conceive, that the Rebels were capable of a greater error, than by the Presence of their Lawful King, in the head of an Army, to chastise them. Besides, it would be an unpeakable advantage to them, if any report of theirs could hinder him from doing any thing, which were fit for him to do, if such report were not raised: that would quickly teach them, in this jealous age, to prevent, by such reports, any other Persons coming against them, whom they had no mind should be employ'd.

He it told them, that he marvelled, that the Adventurers, whose

whose advantage was a principal motive (next the reasons before mentioned) to him, should so much mistake his purpose; whose interest he conceived must be much improved by the expedition he hoped, by God's blessing, to use in that Service; that being the most probable way for the speedy Conquest of the Rebels, their Lands were sufficiently secured by Act of Parliament.

He told him, he thought himself not kindly off, that the addition of so few Men to their Levies (for a Guard to his Person in *Ireland*) should be thought fit for their refusal; and much more, that having used so many cautions in that Message, both in the smallest of the number; in his having raised none, until their Answer; in their being so to be raised only near the place of shipping; in their being There to be arm'd, and that not till they were ready to be shipped; in the provision, by the Oaths, that none of them should be Papists (all which were sufficient to destroy all grounds of Jealousy of any Force intended by them in opposition to the Parliament, or favour to any Malignant Party) any suspicion should, notwithstanding, be grounded upon it.

Neither, he said, could it be understood, that when he recommended the managing of that War to them, he intended to exclude himself, or not to be concerned in their Councils, that if he found any Expedient (which, in his conscience and understanding, he thought necessary for that great work) he might not put it in practice. He told them, he looked upon them as his great Council, whose advice he always had, and would, with great regard and deliberation, weigh and consider; but he looked upon himself as neither deprived of his Understanding, or devoted of any Right he had, if there were no Parliament sitting.

He said, he call'd them together, by his own Writ and Authority (without which they could not have met) to give him faithful Council about his Great Affairs; but he resign'd not up his own Interest, and Freedom; he never subjected himself to their absolute Determination; He had always weigh'd their Councils, as proceeding from a Body intrusted by him; and when he had dissent from them, he had returned them the reasons, which had prevailed with his conscience and understanding, with that Candour, which a Prince should use towards his Subjects; and that Affliction, which a Father could express to his Children. What application had been used to rectify his Understanding by Reasons, or what Motives had been given to persuade his Affliction, he would leave all the world to judge. And then, he said, he must tell them, howsoever a Major part
I i z might

might bind Them in matter of opinion, he held Himself (and he was sure the Law and Constitution of the Kingdom had always held the same) as free to dissent, till his Reason was convinced, for the General Good, as if they had dithered No opinion.

For his Journey self, he told them the circumstances of their Petition were such, as he knew not well what Answer to return, or whether he were best to give Any; that part which pretended to carry Reason with it, did no way satisfy him; the Other, which was rather Reprehension and Menace, than Advice, could not flagger him. His Answer therefore was, that he should be very glad to find the work of Ireland to easy, as they seem'd to think it; which did not so appear by any thing known to him, when he sent his Messages: and though he would never refuse, or be unwilling, to venture his Person, for the Good and Safety of his People, he was not so weary of his life, as to hazard it Imprudently; and therefore, since they seem'd to have received Advertisements of some late, and great success in that Kingdom, he would stay some time to see the event of those, and not pursue his resolution till he had given them a second notice: but, if he found the miserable condition of his poor Subjects of that Kingdom were not speedily relieved, he would, with Gods Assistance, visit them with such Succours, as his Particular credit and interest could supply him with, if They refused to Joyn with him. And he doubted not but the Levies he should make (in which he would observe particularly the former, and all other customs, as might best prevent all Fears and Jealousies; and to use no Power but what was Legal) would be so much to the satisfaction of his Subjects, as no person would dare presume to resist his Commands; and if they should, at their Peril be it. In this mean time, he hop'd his forwardness, so remarkable to that Service, should be notorious to all the World; and that all scandalls laid on him in that business, should be clearly wiped away.

He told them, he had been so careful that his Journey into Ireland should not interrupt the proceedings of Parliament, nor deprive his Subjects of any Acts of Justice, or further Acts of Grace for the real benefit of his People, that he had made a free offer of leaving such power behind, as should not only be necessary for the Peace and Safety of the Kingdom, but fully provide for the happy progress of the Parliament: and therefore he could not but wonder, since such power had been always left here, by Commission, for the Government of this Kingdom, when his Progenitors had been out of the same, during the sitting of Parliaments;

ments; and since themselves desired that such a power might be left here by his Majesty, at his last going into Scotland; what Law of the Land they had now found to dissent with them from submitting to such Authority, legally derived from him, in his absence; and to enable them to govern the Kingdom by their own meer Authority.

For his return to London, he said, he had given them a full Answer in his late Declaration, and Answers that he knew not what to add to, if they would not provide for his Security with them, nor agree to remove to another place, where there might not be the same danger to his Majesty. He told them, he expected, that (since he had been so particular in the causes and grounds of his Fears) they should have sent him word, that they had published such Declarations against future Tumults and unlawful Assemblies, and taken such Courses for the suppressing Seditious pamphlets and Sermons, that his Fears of that kind might be laid aside, before they should press his return.

To conclude, he told them, he could wish, that they would, with the same strictness and severity, weigh and examine their Messages, and Expressions to him, as they did those they received from him. For he was very confident, that if they examined his Rights and Privileges, by what his Predecessors had enjoyed; and their own Duties, by the usual courses observed by their Ancestors; they would find many Expressions in that Petition, warranted only by their own Authority; which indeed he forbore to take notice of, or to give Answer to, lest he should be tempted, in a just indignation, to express a greater passion, than he was yet willing to put on. God in his good times, he hoped, would so inform the hearts of all his Subjects, that he should recover from the mischief, and danger of that disorder; on whose good pleasure, he said, he would wait with all Patience, and Humility.

From this time the purpose was never resumed of his Majesty's Personal Expedition into Ireland, and so they were freed from that apprehension. The truth is, that Counsel for his Majesty's Journey into Ireland was very suddenly taken, and communicated to very few, without consideration of the objections, that would naturally arise against it; and was rather resolv'd as a probable Stratagem, to compulse the two Houses to a better Temper and Sobriety, upon the Apprehension of the King's absence from them, and the inconveniences that might thence ensue, than sufficiently considered and digested for Execution. For none were more violent against it than they who served the King most faithfully in the Houses; who, in the King's absence, and after such a

Grant of the Militia, as was then offer'd, looked upon themselves as sacrific'd to the Pride and Fury of those, whose inclinations, and temper had begun the Contusions they complain'd of. But if it had been so nicely weigh'd and consider'd, and King to be dispos'd, that it might have been excus'd, and the Men had taken a fit Council, and Resolv'd about him, it would at that time, have been no hard matter speedily to have reduc'd *Ireland*; and by the Reputation, and Authority of that, the other two Kingdoms might have been contain'd within their proper bounds. But, as it fell out, the Overture prov'd disadvantageous to the King, and gave the other Party new cause of Triumph, that they had plainly Threaten'd him out of what he pretended to have firmly resolv'd to do; which disadvantage was improv'd by the other Proposition, that attend'd it, concerning the Militia. For the Bill, sent by the King upon that Argument, brought the business again into Debate; and, though nothing was concluded upon it, the King was a lotter by the Popularity which got to it, as he fear'd it should have been, when he saw his Journey into *Ireland* desperate; upon the supposition of which, he had only made that tender.

The Bill sent by the King, and refer'd to the House of Peers, by the Attorney General, granted the Militia, for one year, to the Persons first nominat'd by the Houses in their Ordinances to his Majesty; and made those Persons, in the Execution of that Trust, subject to the Authority of his Majesty, and the two Houses jointly, whilst his Majesty was within the Kingdom; and, in his absence, of the two Houses only. What alterations, and amendments they made in it, before they remitt'd it again for the Royal Assent, will best appear by the King's Answer, which he sent to them at the time of his refusal to pass it; which was,

THAT he had, with great deliberation and patience, weigh'd and consider'd (as it concern'd him much to weigh the consequences of every Law before he pass'd it) their Bill lately sent to him for the setting the Militia; and though it had not been usual to give any reason for the refusal to pass any Bill, it being absolutely in his power to pass, or not to pass any Act sent to him, if he conceiv'd it prejudicial to himself, or inconvenient to his Subjects, for whom he was trust'd, and most one day give an account; yet, in that business of the Militia, which, being misund'stood amongst his good Subjects, had been us'd as an Argument, as if he were not Vigilant enough for the Publick Safety; and lest he should be thought less Constant in his Resolutions, and that Bill to be the same he had sent to them, he thought fit to give them, and all the World, particular satisfaction,

satisfaction, why he could not, ought not, mult not pass that Bill, being the first publick Bill he had refus'd this Parliament; and therefore, he told them, he must complain, that having express'd himself so clearly and particularly to them in that point, they should press any thing upon him, which they could not but foresee he must refuse; except he departed from those Resolutions, ground upon so much reason, he had so earnestly before acquainted them with, and against which they had not given one Argument to satisfy his judgement.

HE told them, he was pleas'd, they had declin'd the unwarrantable course of their Ordinance (to the which, he was confident, his good Subjects would never have yielded their consent) and chos'n that only right way of imposing upon the People, which he would have allow'd but for the Reasons following:

HE said, he had refus'd to consent to their Ordinance, as for other things, so for that the power was put into the Persons nominat'd therein by direction of both Houses of Parliament, excluding his Majesty from any power in the disposition, or execution of it together with them: He had then advis'd them, for many Reasons, that a Bill should be prepar'd; and after in his Answer of the 26th of *March* to the Petition of both Houses, he had told them, if such a Bill should be prepar'd with that due regard to his Majesty, and care of his People, in the limitation of the power, and other circumstances, he should recede from nothing he formerly express'd.

WHAT he pass'd (enough to have discourag'd him from being further Sollicitous in that Argument) after his full and gracious Answers, he was content to forget. When he resolv'd on his Journey into *Ireland*, so that by reason of his absence, there might be no want of setting that power, besides complying with their Fear; he sent, together with a Message of that his purpose, a Bill for letting the power for a Year; hoping in that time to return to them, and being sure that, in much less time, they might do the business, for which at first they seem'd to desire this; which was, that they might securely consider his Message of the 28th of *January* last. By that Bill, which he sent, he consented to those Names they propos'd in their Ordinance, and to the limitation of the power; provided, that himself should not be able to execute any thing but by their advice; and, when he should be out of the Kingdom, the sole Execution to be in them; with many other things, of so Arbitrary, and uncircumscrrib'd a power, that he should not have consented to, but with reference to the absence of his own

Perfon out of the Kingdom; and thought it more fuffe-
able, in refpect the time was but for a Year. Whether that
Bill, they had fent to him to pafs, were the fame, the World
would judge.

He faid, they had, by that Bill tender'd to his Majefty,
without taking notice of him, put the Power of the whole
Kingdom, the Life and Liberties of the Subjects of all de-
grees, and qualities, into the hands of particular Men, for
two Years. He asked them, if they could imagine he would
truft fuch an Abfolute Power in the hands of particular
Perfons, which he had refus'd to commit to both Houfes
of Parliament? Nay, if the Power it felf were not too Ab-
folute, too Unlimited, to be committed into any private
Hands? Whether Sr *John Holt*'s high Insolence fhew'd
him not, what he might expect from any Exorbitant Legal
Power, when he, by a Power not warrantable by Law, durft
venture upon a Prefumable difobedience? But his Majefty
would willingly know, and indeed fuch an account in ordi-
nary Civilty, he faid, he might have expected, why he
was, by that Act, abfolutely Excluded from any Power, or
Authority, in the Execution of the Militia. He faid, fure
their Fears and Jealoufies were not of fuch a Nature, as
were capable of no other Remedy, than by leaving him no
Power in a point of the greateft Importance; in which God,
and the Law, had trufted him Solely, and which he had
been contented to Share with them by his own Bill, by
putting it, and a Greater, into the hands of particular Sub-
jects. He asked them, what all Chriftian Princes would
think of him, after he had paffed fuch a Bill? How they
would value his Sovereignty? And yet, he faid, fure His
Reputation with Foreign Princes was fome ground of their
Security. Nay, he was confidant, by that time they had
thoroughly confider'd the poffible confequence of that Bill,
upon Themfelves, and the reft of his good Subjects, they
would all give him Thanks for not confenting to it; find-
ing their Condition, if it fhould have paffed, would not
have been to pleafing to them. He told them, he hoped
that Animadverfion would be no breach of their Privileges.
In that trough of bufinefs and diftemper of Affections, it
was poffible, fecond thoughts might prefernt fomewhat to
their Confiderations, which efcap'd them before.

He remember'd them, that he had paffed a Bill, this Par-
liament, at their entreaty, concerning the Captives of *Al-
ger*, and waved many objections of his own to the con-
trary, upon information that the bufinefs had been many
Months confider'd by them; whether it prov'd fuitable to
their intentions, or whether they had not, by fome private
Orders,

Orders, fufpended that Act of Parliament upon view of the
mistakes, themfelves beft knew; as likewife, what other
great alterations they had made upon other Bills, paff'd this
Session. He told them, he could not pafs over the putting
their Names out of that Bill, whom before they had re-
commended to him in their Ordinance, not thinking fit, it
feem'd, to truft thofe who would obey no Guilt but the
Law of the Land (he imagin'd they would not with he
fhould in his estimation of others follow that their Rule)
and the leaving out, by fpecial provision, the prefent Lord
Mayor of London, as a Perfon in their difavour; whereas,
he faid, he muft tell them, his demeanour had been fuch,
that the City, and the whole Kingdom, was beholding to
him for his example.

To conclude, he faid, he did not find himfelf poffeff'd
of fuch an excels of Power, that it was fit to transfer, or con-
fent it fhould be in other Perfons, as was directed by that
Bill; and therefore, he fhould rely upon that Royal Right
and Jurisdiction, which God, and the Law had given him,
for the fuppreffing of Rebellion, and refifting Foreign In-
vaifion; which had prefer'd the Kingdom in the time of
all his Ancestors, and which, he doubted not, but he fhould
be able to execute. And, not more for his own Honour
and Right, than for the Liberty and Safety of his People, he
could not confent to pafs that Bill.

Though no Sober Man could deny the reafonablenefs of
that Answer, and that there was indeed fo great a difference
between the Bill fent by his Majefty, and that propos'd to
him from the two Houfes, that it could not foberly be imag-
ined he would confent to it; yet, it had been better for his
Majefty, that the firft Overture from himfelf had never been
made; it giving new life, fpirit, and hopes to them; and
by making the People believe (who underftood not the dif-
ference, and knew not the King's Pleafure, fignify'd by both
Houfes of Parliament, was in effect the Pleafure of both
Houfes without the King) that his Majefty now refus'd to con-
fent to what himfelf had offer'd, and propos'd; with his
own Party (for fo thofe began now to be call'd, who pref-
er'd their Duty, and Allegiance entire) was as much trou-
bled to find fo Sovereign a Power of the Crown offer'd to be
turd with to the two Houfes, as was tender'd to them by
the King's own Bill; and that it was poffible for his Majefty
to recede from his firft Refolves, even in a point, that
would not naturally admit of the leaft divifion, or dimi-
nution.

The King, being well pleas'd that he had gone through
one of his Refolutions, and not much troubled at the angue
it

it had produced, and finding his Court full of Persons of Quality of the Country, who made all expressions of Affection and Duty, which they thought would be most acceptable to him, resolv'd to undertake another Enterprize, which was of more importance, and which in truth was the sole motive of his Journey into thofe parts. The great Magazine of Armes and Ammunition, which was left upon the disbanded the Army, remained still at *Holl*, and was a nobler proportion than remained in the Tower of *London*, or all other his Majesty's Stores; and there had been formerly a purpose to have secured the same by the Earl of *New-Castle*. Preference there, which had been disappointed, as hath been before mention'd, and *St John Holham* sent thither to look to it: who was now there only with one of the Companies of the Train'd-bands; and so the King resolv'd that he would Himself make a Journey thither, with his own usual Train; and being there, that he would stay there, till he had secur'd the place to him. This was his purpose, which he conceal'd to that degree, that very few about him knew any thing of it.

AS SOON as it was known that his Majesty meant to reside in *Tork*, it was easily suspected, that he had an Eye upon that Magazine; and therefore they made an Order in both Houses, "That the Magazine should be remov'd from *Holl* to the Tower; and Ships were making ready for the Transportation; so that his Majesty could no longer defer the execution of what he design'd. And, being perswaded, by some who believ'd themselves, that if he went thither, it would neither be in *St John Holham's* Will, nor his Power, to keep him out of that Town; and that, being possess'd of so considerable a Post, and of the Magazine there, he should find a better temper towards a Modest and Dutiful Treaty; his Majesty took the opportunity of a Petition presented to him by the Gentlemen of *Tork-shire* (who in truth were much troubled at the Order for removing the Magazine from *Holl*), and were ready to appear in any thing for his Service) in which, "They desired him to cast his Eye, and "Thoughts upon the safety of his own Person, and his Princely "Issue, and that whole County; a great means whereof, "they said, did consist in the Armes, and Ammunition at "Holl, placed there by his Princely care and charge; and "since upon general apprehensions of dangers from Foreign "Parts, thought fit to be continued: and they did very earnestly beseech him, that he would take such course, that it might still remain there, for the better securing thereof, and "the rest of the Northern parts. Hereupon, he resolv'd to go thither himself; and, the night before, he sent his Son the Duke of *Tork*, who was lately arriv'd from *Richmond*, accompanied

accompanied with the Prince Elector, thither, with some other Persons of Honour, who knew no more, than that it was a Journey given to the Treasurer, and Curiosity of the Duke. *St John Holham* receiv'd them with that Duty, and Civility that became him. The next morning early, the King took Horse from *Tork*; and, attended with two or three hundred of his Servants, and Gentlemen of the Country, rode thither; and, when he came within a Mile of the Town, sent a Gentleman to *St John Holham*, "to let him know that the King would that day Dine with him; with which he was strangely surpris'd, or surpris'd to be so.

THE Man was of a fearful nature, and perplexed understanding, and could better resolve upon deliberation than on suddenness; and many were of opinion, that if he had been prepar'd secretly before hand, and in confidence, he would have conform'd to the King's Pleasure; for he was Master of a Noble Fortune in Land, and Rich in Money; of a very ancient Family, and well Allied; his Affections to the Government very good; and no Man less desir'd to see the Nation involv'd in a Civil War, than He: and, when he accept'd this Employment from the Parliament, he never imagin'd it would engage him in Rebellion; but believ'd, that the King would find it necessary to comply with the Advice of his two Houses, and that the preferring that Magazine from being possess'd by him, would likewise prevent any possible access into Armes. He was now in great Confusion; and calling some of the chief Magistrates, and other Officers to prefer to Consult, they perswaded him, not to suffer the King to enter into the Town. And his Majesty coming within an hour after his Meeting, found the Gates shut, and the Bridges drawn, and the Walls Mann'd; all things being in a readiness for the reception of an Enemy. *St John Holham* himself from the Walls, with several professions of Duty, and many expressions of Fear, telling his Majesty "that he durst not open the Gates, being intrusted by the Parliament; the King told him, "that he believ'd he had no Order from the Parliament to shut the Gates against him, or to keep him out of the Town. He replied, "that his Train was so great, that if it were admitted, he should not be able to give a good account of the Town. Whereupon the King offer'd "to enter with twenty Horse only, and that the rest should stay without. The which the Other refusing, the King desired "to come to him, that he might confer with him, upon his Princely word of safety, and liberty to return. And then he excus'd himself likewise from that, his Majesty told him, "that as this Act of his was unparalleled, so it would produce some notable Effect; that it was not possible for

“him to sit down by such an Indignity, but that he would immediately Proclaim him Traitor; and proceed against him as such; that this Disobedience of his would probably bring many Miferies upon the Kingdom, and much loss of Blood; all which might be prevented, if he perform'd the Duty of a Subject; and therefore advised him to think of Calamities, which must lie all upon his Conscience. The Gentleman, with much distraction in his looks, talked confidently of the “Trust he had from the Parliament; then fell on his knees, and withed, “that God would bring Confusion upon Him, and His, if he were not a Loyal and Faithful Subject to his Majesty; but, in conclusion, plainly denied “to suffer his Majesty to come into the Town. Whereupon the King caused him immediately to be Proclaim'd a Traitor; which the Other receiv'd with some expressions of Uncharitableness and Contempt. And so the King, after the Duke of York, and the Prince Elector, with their Retinue, were come out of the Town, where they were kept some hours, was forced to retire that night to Beverly, four Miles from that place; and the next day returned to York, full of Trouble, and Indignation for the Affront he had receiv'd; which He forelaw would produce a very great deal of Mischief.

The King's Message to the two Houses for removing Hull.

THE King sent an Express to the two Houses with a Message, declaring what had pass'd; and “that St John Holborn had justifi'd his Treason and Dilloyalty, by pretence of an “Order and Trust from Them, which as it could not prove, so, his Majesty was confident, They would not own; but would be highly sensible of the Scandal he had laid upon Them, as well as of his Disloyalty to his Majesty. And therefore he demanded Justice of them against him according to Law. The Houses had heard before of the King's going out of York thither, and were in terrible apprehension that he had possess'd himself of the Town; and that St John Holborn (for they were not confident of him, as of a Man of their own Faith) by Promises or Menaces, had given up the place to Him; and, with this apprehension, they were exceedingly dejected; but when they heard the truth, and found that Hull was still in their hands, they were equally exalted, magnifying their truly Governour's Faith, and Fidelity against the King. In the mean time, the Gentlemen of the North express'd a marvellous sense and passion on his Majesty's behalf; an offer'd to raise the Force of the County to take the Town by Force. But the King chof, for many Reasons, to send again to the Houses another Message, in which he told them,

“THAT AT

“THAT He was for much concern'd in the undutiful Affront (an Indignity all his good Subjects must disdain in his behalf) he had receiv'd from St John Holborn at Hull, that he was impatient till he receiv'd Justice from them; and was compell'd to call again for an Answer, being confident, however they had been so careful, though without his consent, to put a Garrison into that his Town, to secure it, and his Magazine against any Attempt of the Papists, that they never intended to dispose, and maintain it against Him, their Sovereign. Therefore, he requir'd them forthwith (for the business would admit no delay) to take some speedy course, that his said Town and Magazine might be immediately deliver'd up unto him; and that such severe exemplary proceedings should be against those Persons, who had offer'd that insupportable Affront and Injury to him, as by the Law was provided; and, till that should be done, he would intend no business whatsoever, other than the business of Ireland. For, he said, if he were brought into a condition so much worse than any of his Subjects, that whilst they all enjoy'd their Privileges, and might not have their Professions disturb'd, or their Titles question'd, He only might be spoil'd, thrown out of his Towns, and his Goods taken from him, it was time to examine how he had lost those Privileges; and to try all possible ways, by the help of God, the Law of the Land, and the Affection of his good Subjects to recover them; and to vindicate himself from those Injuries; and, if he should miscarry therein, he should be the first Prince of this Kingdom, which had done so, having no other end but to defend the true Protestant Religion, the Law of the Land, and the Liberty of the Subject; and he desired God to deal with him, as he continued in those Resolutions.

INSTEAD of any Answer to his Majesty upon these two Messages, or sadly considering how this breach might be made up, they immediately publish'd (together with a declaration of their former resolutions of the Papists's of the Malignance of the Lord Digby's Letter intercept'd; of the Earl of Newcastle's being sent thither, upon which they had first sent down a Governour, and put a Garrison into Hull) several Votes and Resolutions, by which they Declared,

“THAT St John Holborn had done nothing, but in obedience to the Command of both Houses of Parliament, and that the Declaring of him a Traitor, being a Member of the House of Commons, was a high breach of the Privilege of Parliament, and being without due process of Law, was against the Liberty of the Subject, and against the Law of the Land,

AND

AND hearing at the same time, that a Letter coming from *Hull* to them the night after the King's being there, had been intercepted by some of his Majesty's Servants, they declare that all such inere pring of any Letters sent to Them, was a high breach of the Privilege of Parliament, which by the Laws of the Kingdom, and the Prostitution, they were bound to defend with their Lives, and their Fortunes, as to bring the Violator thereof to condign Punishment. They they order'd, that the Sheriffs, and Justices of the Peace, the Counties of *York*, and *Lincoln*, and all others his Majesty's Officers, should suppress all Forces, that should be raised or gathered together in those Counties, either to force the Town of *Hull*, or stop the passages to, and from the same, or in any other way to disturb the Peace of the Kingdom. All which Votes, Orders, and Declarations, being printed, and diligently dispersed throughout the Kingdom before any Address made to his Majesty in Answer of his Messages, and coming to his View, the King published an Answer to this

The Major
of the
Hall.

Speech his gracious Messages to both Houses of Parliament, demanding Justice for the high and unheard of affront offer'd unto him, at the Gates of *Hull*, by *St John Holburn*, were not thought worthy of an Answer; but that instead thereof, they had thought fit, by their printed Votes, to own and avow that unparalleled Act to be done in obedience to the Command of both Houses of Parliament (though at that time he could produce no such Command) and, with other Resolutions against his proceedings there, to publish a Declaration concerning that business, as an Answer to the People, and as if it intercours'd with his Majesty, and for his satisfaction, were now to no more purpose; though he knew that Course of theirs to be very unfittable to the modesty, and duty of Former times, and unwarrantable by any Precedent, but what themselves had made; yet, he was not unwilling to joyn issue with them in that way, and to let all the world know, how necessary, just, and Lawful all his proceedings had been in that point, and that the Defence of those proceedings, was the Defence of the Law of the Land, of the Liberty, and Property of the Subject; and that by the same Rule of Justice which was now offer'd to him, all the Private interest, and Title of all his good Subjects to all their Lands and Goods, was confounded and destroyed. He rememb'r'd them, that *Mr Pym* had said in his Speech against the *Earl of Strafford* (which was published by Order of the Common House) the Law is the safeguard, the Custody of all private Interest, your Honours, your Lives, your Liberties,

and Estates are all in the keeping of the Law; without this every Man hath a like Right to any thing. And he said, he would fain be Answer'd what Title any Subject of his Kingdom had to His House and Land, that He had not to his Town of *Hull*? Or what right any Subject had to his Money, Plate, or Jewels, that his Majesty had not to his Magazine, and Munition there? If he had ever such a Title, why had he would know, when he Lost it? And if that Magazine and Munition, bought with his own money, were ever His, when and how that Property went out of Him? He very well knew the great and unlimited power of a Parliament; but he knew as well, that it was only in that sense, as He was a Part of that Parliament; without Him, and against His consent, the Votes of either or both Houses together, must not, could not, should not (if he could help it, for the Subjects sake, as well as his own) forbid any thing that was enjoy'd by the Law, or enjoy any thing that was forbidden by the Law. But in any such alteration, which might be for the Peace, and Happiness of the Kingdom, he had not, should not refuse, to consent. And he doubted not, but that all his good Subjects would easily discern, in what a miserable Insecurity and Confusion, they must necessarily and inevitably be, if Defects might be alter'd; Purchas'd avoided; Assistance and Conveyances cancelled; the Sovereign Legal Authority despis'd, and resisted by Votes, or Orders of Either, or both Houses. And this, he said, he was sure, was his Case at *Hull*; and as it was His this day, by the same Rule, it might be theirs to Morrow.

AGAINST any desperate Design of the Papists, of which they discour'd so much, he had sufficiently exprest his Zeal, and Intentions; and should be as forward to advance his own Life, and Fortune, to oppose any such designs as the meanest Subject in his Kingdoms.

FOR the Malignant Party, he said, as the Law had not, to his knowledge, defin'd their condition, so neither House had Present'd them to his Majesty, under such a Notion, as he might well understand, whom they intend'd; and he should therefore only enquire after, and avoid the Malignant Party, under the Character of Persons deflected to the Peace, and Government of the Kingdom, and such who, neglecting and despising the Law of the Land, had given themselves other Rules to walk by, and so dispens'd with their Obedience to Authority; of those Persons, as destructive to the Common-wealth, he should take all possible caution.

WHY any Letters intercepted from the Lord *Digby*, wherein He mention'd a retreat to a place of Safety, should

hinder him from visiting his own Fort, and how he had
 appointed any ways of Accommodation with his Parliament,
 and what ways, and Overtures had been offer'd in any way
 or like any desire of such Accommodation; or whether his
 Message of the twentieth of January last, so often in vain
 pressed by him, had not sufficiently expressed his earnest de-
 sire of it, he said, all the world should judge; neither was
 it in the power of any Persons to incline him to take Arms
 against his Parliament, and his good Subjects; and miser-
 ably to embroil the Kingdom in Civil Wars. He had given
 sufficient Evidence to the world how much his Affection
 abhorred, and how much his heart did bleed at, the appre-
 hension of a Civil War. And, he said, God and the World
 must judge, if his Care and Industry were not, only to de-
 fend and protect the Liberty of the Subject, the Law of the
 Kingdom, his own just Rights (part of that Law) and his
 Honour much more precious than his Life: and if, in op-
 position to these, any Civil War should arise, upon Whole
 account the Blood, and Destruction that must follow, must
 be call'd: God, and his own Conscience, told him, that He
 was clear.

For Captain Leg's being sent heretofore to Hull, or for
 the Earl of New-Castle's being sent thither by his Warrant
 and Authority, he said, he had asked a question long ago
 in his Answer to both Houses concerning the Magazine at
 Hull, which, he had cause to think, was not easy to be An-
 swer'd; Why the general Rumour of the design of Papists,
 in the Northern Parts, should not be thought sufficient
 ground for his Majesty to put such a Person of Honour,
 Fortune, and unblemish'd Reputation, as the Earl of New-
 Castle was known to be, into a Town and Fort of his own,
 where his own Magazine lay; and yet the same Rumour
 be warrant enough to commit the same Town and Fort,
 without his consent, to the hands of *St John Hobbes*, with
 such a power as was now too well known, and understood?
 How his refusal to have that Magazine remov'd, upon the
 Petition of both Houses, could give any advantage against
 him, to have it taken from him, and whether it was a Re-
 fusal, all men would easily understand, who read his An-
 swer to that Petition; to which, it had yet not been thought
 fit, to make any Reply.

For the Condition of those Persons, who presented the
 Petition to him at York (whom that Declaration call'd, some
 few ill Affected Persons about the City of York) to continue
 the Magazine at Hull; he said, he made no doubt,
 but that Petition would appear to be acted, both in Num-
 ber, and Weight, by Persons of Honour and Integrity, and
 much

much more convenient with the Affections of the whole
 Country, than most of those Petitions, which had been re-
 ceiv'd with so much Content, and Approbation. And for
 the Presumption of interposing Their advice, his Majesty
 the more wonder'd at that exception, when such encourage-
 ment had been given, and Thanks declar'd to Multitudes
 of mean, unknown People, Apprentices, and Porters, who
 had accompanied Petitions of very strange Natures.

For the manner of his going to Hull, he said, he had
 clearly set forth the same, in his Message to both Houses
 of that business; and for any Intelligence given to *St John
 Hobbes* of an intention to deprive Him of his Life, as he
 knew there was no such intention in him, having given
 him all possible Assurance of the same, at his being there,
 so he was confident, no such Intelligence was given, or if
 it were, it was by some Villain, who had sought but Mi-
 lice, or Design to fright him from his due Obedience; and
St John Hobbes had all the reason to assure himself, that
 his Life would be in much more danger by refusing to ad-
 mit his King into his own Town and Fort, than by yield-
 ing him that Obedience, which he ow'd by his Oaths of
 Allegiance and Supremacy, and the Protestation, which he
 knew was due and warrantable, by the Laws of the Land.
 For the Number of his Attendants, though that could be
 no Warrant for such a disobedience in a Subject, he said,
 it was well known; as his Majesty has expressed in his
 Message to both Houses, to which Credit ought to have
 been given) that he offer'd to go into the Town with
 twenty Horse only, his whole Train being Unarm'd; and
 whoever thought that too great an Attendance for his
 Majesty, and his two Sons, had fare an intimation to bring
 him to a meaner Retinue, than they would yet allow.

Here then, he said, was his Case, of which all the
 World should judge: his Majesty endeavour'd to visit a
 Town, and Fort of his own, wherein his own Magazine
 lay; a Subject, in defiance of him, shuts the Gates against
 him; with Armed Men retells, denies, and opposes his En-
 trance; tells him, in plain terms, he should not come in.
 He said, he did not pretend to understand much Law, yet in
 the point of Treason, he had had much Learning taught him
 in the Parliament; and if the sense of the Statute of the 13th
 Year of *Edward the III. Chap. 2.* were not very differing
 from the Letter, *St John Hobbes's* Act was no less than
 Plain High Treason: and he had been contemptibly stupid,
 if he had after all these circumstances of grace and Favour
 then bestow'd to him, made any Scruple, to proclaim him
 Traitor. And whether he were so, or no, if he would
 Vol. I. Part 2. K k "rendr

render himself, his Majesty would require no other Trial, than that which the Law had appointed to every Subject, and which he was confident he had not, in the least degree, violated in those proceedings; no more than he had done of the Privilege of Parliament, by endeavouring, in a just way, to challenge his Own unconditionall Privileges. So that, in such a Case, the declaring him Traitor, being a Member of the House of Commons, without process of Law, should be a breach of Privilege of Parliament (of which he was sure none extended to Treason, Felony, or breach of Peace) against the Liberty of the Subject, or against the Law of the Land, he must have Other Reasons than bare Votes. He said, he would know if *St John Hotham* had, with the Forces by which he kept him out of his Town of *Hull*, pursued him to the Gates of *Tork*, which he might as legally have done, whether his Majesty must have payed from declaring him Traitor till Process of Law might have issued against him? Would Fears and jealousies dispense with necessary, and real Forms? And must his Majesty, when actual War is levied upon him, observe Forms which the Law itself doth not enjoy? The Case, he said, was truly flat, and let all the World judge (unless the mere sitting of a Parliament did suspend all Laws, and his Majesty was the only Person in *England* against whom Treason could not be committed) Where the fault was; and whatsoever course he should be driven to for the Vindication of that his Privilege, and for the Recovery and Maintenance of his known undoubted Rights, he doth promise, in the presence of Almighty God, and as he hopes for his Blessing in his Success, that he would, to the utmost of his power, defend and maintain the true Protestant profession, the Law of the Land, the Liberty of the Subject, and the just Privilege, and Freedom of Parliament.

For the Order of Assistance given to the Committee of both Houses, concerning their going to *Hull*, he said, he should say no more, but that those Persons, named in that Order, he presumed, would give no Commands, or his good Subjects Obey other, than what were warranted by the Law (how large and unlimited soever the Directions are, or the Instructions might be) Far to that Rule he should apply his own Actions, and by it, require an Account from other men; and that all his good Subjects might the better know their duty in matters of this Nature, he would them carefully send the Statute of the 11th Year of King *Henry VII. c. 1.* He said, he would conclude with *M. Pym's* own words: If the Prerogative of the King overwhelm the Liberty of the People, it will be

turn'd

turn'd to Tyranny; if Liberty undermine the Prerogative it would grow into Anarchy, and fo into Confusion.

But it is their Declaration, Vow, and Orders in the justification of *St John Hotham*, for his better Encouragement, and for a ground of his Son's residence at *Hull*, in whom they had in truth a firmer Confidence than in the Father, they Order'd, That if, by any Force or Accident, *St John Hotham* should lose his Life, or Otherwise die in that Service; that his Son should succeed him in the Government; and having thus declar'd themselves, they thought fit at last to send some particular Answer to the King upon that business which they were the rather inclin'd to do, that under that which they might send down a Committee of their own to reside at *Tork*; whereby they might receive constant Animadversions of what happen'd, and what was design'd, and their Friends, and Dependents in that large, Populous, and Rich County, by the better confirm'd in their Affections, and Devotions to them; and, to that purpose, they sent down the Lord *Howard of Effring*, the Lord *Fairfax*, *St Hugh Cholmely* (a fast friend to *St John Hotham*) *St Philip Stapleton*, who had likewise married *Hotham's* Daughter, and *St Henry Cholmely*, who presented their Answer in writing to his Majesty; the which, being of a Modest unstat, and a Dial & higher; and rougher than even themselves had yet us'd, I have thought fit to insert in the same words it was deliver'd; thus.

The most humble Answer of the Lords and Commons in Parliament to two Messages from your Sacred Majesty concerning St John Hotham's refusal to give your Majesty entrance into the Town of Hull.

YOUR Majesty may be pleas'd to understand, that We, the Assent of your Great Council, finding manifold evidences of the wicked Counsels, and Practices of some in near Truill, and Authority about You, to put the Kingdom into a Commission, by drawing your Majesty into places of strength, two Messages remote from your Parliament, and by exciting your People to Comotions, under pretence of Saving your Majesty from against your Parliament, lest this Malignant Party, by the advantage of the Town, and Magazine at *Hull*, should be enabled to go through with their mischievous Intentions, and in discharge of the great Truth that lies upon us, and by that Power which in Cases of this Nature resides in the Command the Town of *Hull* to be secured by a Garrison of the adjoining Train'd-bands, under the Government of *St Stephen Hotham*; requiring him to keep the same for the Service of your Majesty and the Kingdom: wherein We have

K E 2 done

Truill

done nothing contrary to your Royal Sovereignty in that Town, or Legal Property in the Magazine.

UPON consideration of *St John Herbert's* proceeding at your Majesty's being there, We have upon very good ground, adjudged, that he could not discharge the Trust, upon which, nor make good the end, for which he was placed in the Guard of that Town and Magazine, if he had let in your Majesty with such Counciliers, and Company as were then about you.

WHEREFORE, upon full Resolution of both Houses, We have declared *St John Herbert* to be clear from that odious Crime of Treason; and have avowed, that he hath therein done nothing but in obedience to the Command of both Houses of Parliament; assuring our selves that, upon mature Deliberation, your Majesty will not interpret his obedience to such Authority to be an Assent to your Majesty, or to be of that Nature, as to require any Justice to be done upon him, or satisfaction to be made to your Majesty: but that you will see just cause of joyning with your Parliament, in preserving and securing the Peace of the Kingdom; supporting this wicked and Malignant Party; who, by false colours, and pretensions of maintaining your Majesty's Prerogative against the Parliament (wherein they fully agree with the Rebels in *Ireland*) have been the causes of all our Distempers, and Dangers.

FOR prevention whereof We know no better remedy, than setting the Militia of the Kingdom, according to the Bill, which We have sent your Majesty, without any intention of deserting, or declining the validity, or observance of that Ordinance, which pass both Houses, upon your Majesty's former refusal; but We still hold, that Ordinance to be effectual by the Laws of this Kingdom. And We shall be exceeding glad, if your Majesty by approving thereof just, dutiful, and necessary proceedings, shall be pleased to entertain such Councils, as We assure our selves, by God's blessing, will prove very advantageous for the Honour, and Greatness of your Majesty; the Safety, and Peace of your People; amongst which, We know none more likely to produce such good effects, than a Declaration from your Majesty of your purpose to lay aside all thoughts of going into *Ireland*, and to make a speedy return into these parts, to be near your Parliament. Which as it is our most humble desire, and earnest Petition, so shall it be seconded with our most dutiful Care for the Safety of your Royal Person, and constant Prayers, that it may prove Honourable, and successful, in the Happiness of your Majesty, and all your Kingdoms.

T O

TO this Answer, with all formality delivered to his Majesty by the Committee, the King return'd a quick Reply:

THAT he had been in good hope, that the reason, why they had so long deferred their Answer to his Majesty, concerning *Hull*, had been; that they might the better have given him satisfaction therein, which now added the more to his Astonishment, finding their Answer, after so long a silence, to be of that nature, which could not but rather increase, than diminish the present distractions, if constantly adher'd to by the Parliament. He asked them, whether it was not too much, that his Town of *Hull* had a Garrison put into it, to the great Charge of the Country, and inconvenience to the poor Inhabitants; without his Consent and Approbation, under colour at that time of Foreign Invasion, and Apprehensions of the Popish Party; but that now the reasons thereof should be enlarged with a Scandal to his Majesty, and his faithful Servants, only to bring in the more specious Pretence for the avowing *St John Herbert's* Insolence, and Treason?

HE said, he had often heard of the great Trust, that by the Law of God and Man, was committed to the King for the Defence, and Safety of his People; but as yet he never understood, what Trust or Power was committed to either, or both Houses of Parliament, without the King; They being summon'd to Council, and Advise the King. But by what Law or Authority, they possess themselves of his Majesty's Right and Inheritance, he was confident, that as they had not, so they could not have. He told them, that he had not hitherto given the least interruption to Publick Justice; but they, rather than suffer one of their Members, to come so much as to a legal Trial for the highest Crime, would make use of an Order of Parliament to countenance Treason, by declaring him free from that guilt, which all former Ages never accounted other; and that without so much as enquiring the opinion of the Judges; for he was confident, they would have mentioned their opinion, if they had asked it.

THEREFORE he expected, that upon further, and better consideration of the great, and necessary consequence of a business of *Hull*, and seriously weighing, how much it did concern the Peace, and Quiet of the Kingdom, they would, without further instance from his Majesty, give him full, and speedy Justice against *St John Herbert*. And, he said, he would leave all his good People to think, what hope of Justice there was left for them, when they Refused, or Delayed to give their own Sovereign satisfaction, And, as he had already said, till that should be done, he would in-

K k 3

“tend no business whatsoever other than that of Ireland.
 “AND he said, he likewise expected that they would not
 “put the Militia in execution, until they could shew him
 “by what Law they had Authority to do the same, without
 “his Consent; or if they did, he was content, that he should
 “suffer much more obloquy according to Law, than they
 “should do against Law. And he should (seem all those,
 “who should obey them therein, to be disturbers of the Peace
 “of the Kingdom; and would, in due Season, call them to a
 “Legal account for the same.

“CONCERNING his return, he told them, he never heard
 “that the standing of a King’s Government, and his faith-
 “ful Servants, the refusing of him Justice, and in a Case of
 “Treason, and the seeking to take away his undoubted and
 “Legal Authority, under the pretence of putting the King-
 “dom into a posture of Defence, were Arguments to induce a
 “King to come near, or hearken to his Parliament.

THE King dispatched this Answer the sooner, that the
 Country might be freed from the Impression, the Presence and
 Activity of the Committee made in them; but when he deli-
 ver’d it to them, and required them to make all convenient
 hast with it to the Houses, they told him, “They would
 “find it by an Express, but that themselves were required,
 “and appointed still to reside at York. The King told them,
 “that he liked not such Supervisors near him, and would
 “send them to be very careful in their carriage, that the Country
 “was wisely then very well affected; and if he found any
 “declension, he well knew to whom to impute it; and
 “should be compelled to proceed in another manner against
 “them, than, with reference to their Persons (for they were
 “all then reputed Moderate Men, and had not been thought
 “difficult to the Government of Church, or State) he should
 “be willing to do. They Answer’d with a full confidence,
 “that they should demean themselves according to their In-
 “structions; and would perform the Trust reposed in them
 “by the two Houses of Parliament. Yet such was the tickli-
 “ness of the King’s Condition, that, though it was most Evi-
 “dent that their coming, and staying there was to pervert, and
 “corrupt the Loyalty, and Affections of those parts, and to in-
 “fuse into them Inclinations contrary to their Allegiance, it was
 “not thought Countenance at that time, either to commit them
 “to Prison, or to expell them from that City, or to inhibit them
 “the freedom of his own Court, and Presence; and so they conti-
 “nued, for the space of above a Month, in York, even in de-
 “fiance of the King.

THE Militia was the Argument, which they found most
 deceitful impression in the People, being totally ignorant what

it was, or what the consequence of it might be; and so be-
 lieving whatsoever they told them concerning it. And there-
 fore they Resolv’d to drive that Nail home; and though, for
 want of their Imminent Danger, and during the time of the
 King’s Treaty, and Overture of a Bill, they had forbore the
 execution of their Ordinance; yet the frequent Murders of Vo-
 luntaries without Order, almost in all Countries, by the bare
 Authority of their Votes, gave them sufficient Evidence how
 open the People were to their Commands; at least how unpre-
 pared Authority was to resist, and oppose them: and there-
 fore, after the King had displaced their two Favourites, and
 had refused to let the King come into the Town of Hull,
 They had justify’d him for so doing, they prepared a Declara-
 tion of the Lords and Commons upon that matter; in which
 they said,

“THAT holding it necessary for the Peace, and Safety of the Dominions
 “of the Kingdom, to settle the Militia thereof, they had, for the
 “purpose, prepared an Ordinance of Parliament, and with
 “all humility had presented the same to his Majesty for his
 “Royal Assent. Who, notwithstanding the faithful Advice
 “of his Parliament, and the several Reasons offer’d by them,
 “of the necessity thereof for the securing of his Majesty’s Per-
 “son, and the Peace and Safety of his People, did refuse to
 “give his Consent, and thereupon, they were necessitated,
 “in discharge of the Trust reposed in them, as the Repre-
 “sentative Body of the Kingdom, to make an Ordinance,
 “warranted thereunto by the Fundamental Laws of the Land;
 “that his Majesty, taking notice thereof, did, by several Mes--
 “sages, invite them to settle the same by Act of Parliament;
 “affirming in his Message sent in Answer to the Petition of
 “both Houses, presented to his Majesty at York, March 26.
 “that he always thought it necessary the same should be set-
 “tled; and that he never denied the thing, only denied the
 “Way; and for the Matter of it, took exception only to the
 “Preface, as a thing not standing with his Honour to com-
 “mit to; and that himself was excluded in the Execution,
 “and for a time unlimited; whereupon the Lords and Com-
 “mons, being desirous to give his Majesty all satisfaction that
 “might be, when his Majesty had pleased to offer them a Bill ready
 “drawn, had, for no other cause, than to manifest their
 “hearty Affection to comply with his Majesty’s desires, and
 “obtain his consent, entertained the same, in the mean time
 “no way declining their Ordinance; and to express their earnest
 “Zeal

Zeal to correspond with his Majesty's desires (in all things that might consist with the Peace, and Safety of the Kingdom, and the Trust reposed in them) did pass that Bill, and therein omitted the Preamble inserted before the Ordinance; limited the time to less than two Years; and confined the Authority of the Lieutenantes to these three particulars, Namely, Rebellion, Infurrection, and Forreign Invasions; and return'd the use of his Majesty for his Royal Assent: but all these expressions of Affection and Loyalty, all those desires, and earnest endeavours to comply with his Majesty, had, to their great grief and sorrow, produced no better Effects than an absolute denial, even of that which his Majesty by his former Messages, as they conceived, had promised: the Advice of evil and wicked Councils receiving still more Credit with him, than that of his Great Council of Parliament in a matter of so high Importance, that the Safety of his Kingdom, and Peace of his People, depended upon it.

But now, what must be the exceptions to that Bill? Not any sure that were to the Ordinance; for a care had been taken to give satisfaction in all those particulars. Then the exception was, because that the disposing and execution thereof was refer'd to both Houses of Parliament, and his Majesty excluded; and now that, by the Bill, the Power and Execution was ascertain'd, and reduced to particulars, and the Law of the Realm made the Rule thereof, his Majesty would not trust the Persons. The Power was too great, too unlimited, to trust them with. But what was that Power? Was it any other, but, in express terms, to suppress Rebellion, Infurrection, and Forreign Invasion? And who were those Persons? Were they not such as were nominated by the Great Council of the Kingdom, and Assented to by his Majesty? And was it too great a Power, to trust those Persons with the suppression of Rebellion, Infurrection, and Forreign Invasion? Surely, they said, the most wicked of them who advised his Majesty to that Answer, could not be forgott, but that it was necessary for the safety of his Majesty's Royal Person, and the Peace of the Kingdom, such a Power should be put in some hands; and there was no pretence for exception to the Persons. They said, his Majesty had, for the space of above fifteen years together, not thought a Power, far exceeding that, to be too great to intrust particular Persons with, to whose Will the Lives, and Liberties of his People, by Martial Laws, were made Subject; for such was the Power given Lord Lieutenantes, and Deputy Lieutenantes, in every County of this Kingdom, and that without the consent of the People, or Authority

of Law. But now in case of extreme Necessity, upon the advice of both Houses of Parliament, for no longer space than two years, a lesser Power, and that for the safety of King and People, was thought too great to trust particular Persons with, though named by both Houses of Parliament, and approved by his Majesty himself: and surely, if there were a necessity to settle the Militia (which his Majesty was pleas'd to confess) the Persons could not be intrusted with less Power than that, to have it at all effectual. And the Precedens of former Ages, when there happen'd a necessity to raise such a Power, never frighten'd that Power to a narrower compass; witness the Commissions of Array in several Kings Reigns, and often issued out by the Consent and Authority of Parliament.

The Lords and Commons therefore, intrusted with the Safety of the Kingdom, and Peace of the People (which, they call'd God to witness, was their only aim) finding themselves denied those their so necessary and just Demands, and that they could never be discharged before God or Man, if they should suffer the Safety of the Kingdom, and Peace of the People, to be expos'd to the Malice of the Malignant Party at Home, or the Fury of Enemies Abroad; and knowing no other way to encounter the imminent, and approaching Danger, but by putting the People into a fit posture of Defence, did Resolve to put their said Ordinance in present execution; and did require all Persons in Authority, by vertue of the said Ordinance, forthwith to put the same in execution, and all others to obey it, according to the Fundamental Laws of the Kingdom in such cases, as they tender'd the upholding of the true Protestant Religion, the Safety of his Majesty's Person, and his Royal Power, the Peace of the Kingdom, and the Being of this Common-wealth. This Declaration (being in Answer to a Message from his Majesty) was Printed, and, with the usual care and dexterity, dispers'd throughout the Kingdom, without so much as sending it to the King; and, thereupon, Warrants and Directions issued into all parts, for the Exercising the Militia.

This being the first Declaration they had in plain terms published against the King, without ever communicating it, or presenting it to him, as they had done all the rest, his Majesty was the more troubled how to take notice of it, but conceiving it necessary to apply some Antidote to this Poison, the violent operation whereof he had reason to apprehend, he published a Declaration by way of Answer to that Declaration, in which he said,

THAT

*The King's
Declaration
in Answer
to the
going
De-
claration.*

"THAT he very well understood, how much it was be-
low the High and Royal Dignity (wherein God had placed
him) to take notice of, much more to trouble himself
with Answering, those many Scandalous, Seditious Pam-
phlets, and Printed Papers, which were scatter'd, with such
great licence throughout the Kingdom (notwithstanding
his Majesty's earnest desire, fo often in vain press'd, for a
Reformation) though he found it evident, that the minds
of many of his weak Subjects, had been, and still were pos-
sessed by those means; and that so general a terror had
possessed the minds and hearts of all Men, that whilst the
Pretles swarm'd with, and every day produced, new Tracts
against the established Government of the Church and State,
most Men wanted the Courage, or the Conscience to write,
or the opportunity and encouragement to publish such
composted, seditious Animadversions, as might either pre-
ferre the minds of his good Subjects from such infection, or re-
store and recover them, when they were lo infected: but,
his Majesty said, he was contented to let himself fall to any
Office, that might undecieve his People, and to take more
pains that way by his own Pen, than ever King had done,
when he found any thing that seem'd to carry the Repa-
ration, and Authority of either, or both Houses of Parlia-
ment, and would not have the same refused, and dispa-
r'd by Vulgar and Common Pens, till he should be throughly
informed whether those Acts had in truth that Counte-
nance and Warrant, they pretend: which regard of his,
his Majesty doubted not but, in time, would recover that
due Reverence (the silence whereof he had too much rea-
son to complain of) to his Person and his Messages, which
in all Ages had been paid, and, no doubt, was due to the
Crown of England.

"He said, he had therefore taken notice of a Printed Pa-
per, Entitled a Declaration of both Houses, in Answer to
his last Message concerning the Militia, published by Com-
mand; the which he was unwilling to believe (both for
the matter of it, the expressions in it, and the manner of
publishing it) could refile from the consent of both Houses:
neither did his Majesty know by what Lawful Command,
such Uncomely, Irreverent mention of Him could be
published to the World: And, though Declarations of
that kind had of late, with too much boldness, broken in
upon his Majesty, and the whole Kingdom, when ones
or both Houses had thought fit to communicate their Coun-
sels, and Resolutions to the People; yet, he said, he was
unwilling to believe, that such a Declaration as that could
be published in Answer to his Message, without vouchsafing

"at least to send it to his Majesty as their Answer. Their
business, for which they were met by his Writ and Autho-
rity, being to Counsel him for the good of his People,
not to write against him to his People; nor had any con-
sent of his Majesty for their long continuing together any-
thing them to do any thing, but what they were first fam-
ond by his Writ to do. At least he would believe,
though misund'ring and jealousy (the Justice of God,
he said, would overtake the Fomenters of that jealousy,
and the Promoters and Contrivers of that misund'ring)
might produce, to say no worse, those very un-
oward Expressions, that if those Houses had contrived that
Declaration as an Answer to his Message, they would have
vouchsaf'd some Answer to the Questions propos'd in his,
which, he profess'd, did, and must evidently prevail over
his understanding; and in their Wisdom and Gravity, they
would have been sure to have stated the matters of Fact, as
(at least to ordinary understandings) might be unques-
tionable; neither of which was done by that Declaration.

"His Majesty desired to know, why he was by that Act
absolutely excluded from any Power, or Authority in the
execution of the Militia; and, he said, he must appeal to
all the World, whether such an Attempt, were not a great-
er and juster ground for Fear and Jealousy in Him, than
any one that was avow'd for these Distrustive Fears and
Jealousies which were so publicly own'd, almost, to the
ruin of the Kingdom. But his Majesty had been told, that
he must not be jealous of his Great Council of both Houses
of Parliament: He said, he was not, no more than they
were of his Majesty, their King; and hitherto they had not
avow'd any Jealousy of, or Distinction to his Person; but
imputed all to his evil Counsellors, to a Malignant Party,
that was not of their minds; so his Majesty did (and, he
said, he did it from his Soul) profess no Jealousy of his Par-
liament, but of some Turbulent, Seditious, and Ambitious
Natures; which, being not so clearly discern'd, might have
an influence even upon the Actions of both Houses: and
if that Declaration had pass'd by that consent (which he
was not willing to believe) he said, it was not impossible
but that the apprehension of such Tumults, which had driven
his Majesty from his City of London, for the Safety of his
Person, might make such impression upon other Men, not
able to remove from the danger, to make them Content,
or not to own a Dissent, in matters not agreeable to their
Conscience, or Understanding.

"He said, he had mention'd, in that his Answer, his dis-
like of putting their Names out of the Bill, whom before
they

they recommended to his Majesty, in their pretended Ordinance, and the leaving out, by special Provision, the present Lord Mayor of London; to all which the Declaration afforded no Answer; and therefore he could not suppose it was intended for an Answer to that his Message, which whosoever looked upon, would find to be in no degree Answer'd by that Declaration; but it inform'd all his Majesty's Subjects, after the mention with what humility the Ordinance was prepared, and presented to his Majesty (a matter very evident in the Petitions, and Messages concerning it) and his refusal to give his Consent, notwithstanding the several reasons offer'd, of the necessity thereof for the curing of his Person, and the Peace and Safety of his People (whether any such reasons were given, the weight of them, and whether they were not clearly and candidly Answer'd by his Majesty, the World would easily judge) that they were at last necessitated to make an Ordinance by Authority of both Houses, to raise the Militia, warranted thereunto by the Fundamental Laws of the Land. But his Majesty said, if that Declaration had indeed intended to have Answer'd him, it would have told his good Subjects what those Fundamental Laws of the Land were, and where to be found; and would, at least, have mention'd one Ordinance, from the first beginning of Parliaments to this present Parliament, which endeavour'd to impose any thing upon the Subject without the King's Consent, for as much as he said, all the enquiry he could make could never produce him one instance. And if there were such a Secret of the Law, which had lain hid from the beginning of the World to that time, and now was discover'd to take away the just, Legal Power of the King, he wished there were not some other Secret (to be discover'd when they pleased) for the ruin, and destruction of the Liberty of the Subject. For, he said, there was no doubt if the Votes of both Houses had any such Authority to make a new Law, it had the same Authority to repeal the old; and then, what would become of the long established Rights and Liberties of the King and Subject, and particularly of *Magna Charta*, which would be easily discern'd by the most ordinary Understanding.

He said, it was true, that he had (out of tenderness of the Constitution of the Kingdom, and care of the Law, which he was bound to defend, and being most assur'd of the unjustifiableness of the pretended Ordinance) invited, and desired both Houses of Parliament to seek whosoever should be fit of that nature by Act of Parliament. But was he therefore obliged to pass whatsoever should be brought

to him of that kind? He did say in his Answer to the Petition of both Houses presented to him at *Tork* the 30th of *March* last (and he had said the same in other passages before) that he always thought it necessary that the business of the Militia should be settled, and that he never denied the Thing, only denied the Way; and he said the same still; and that since the many Disputes and Votes upon Lords Lieutenants and their Commissions (which had not been begun by his Majesty, nor his Father) had discountenanced that Authority, which for many years together was happily looked upon with reverence, and obedience by the People, his Majesty did think it very necessary, that some wholesome Law should be provided for that business; but he had declared in his Answer to the pretended Ordinance, that he expected, that that necessary Power should be first invest'd in his Majesty, before he consented so transfer it to other men; neither could it ever be imagined that he would consent that a greater Power should be in the hands of a Subject, than he was thought worthy to be trusted with himself. And if it should not be thought fit to make a new Act or Declaration in the point of the Militia, he doubted not, but he should be able to grant such Commissions as should very legally enable those he trusted, to do all Offices for the peace and quiet of the Kingdom, if any disturbance should happen.

But it was said, he had been pleas'd to offer them a Bill ready drawn, and that they, to express their earnest Zeal to correspond with his desire, did pass that Bill; and yet all that expression of Affection and Loyalty, all that earnest desire of theirs to comply with his Majesty, produc'd no better effect than so absolute denial, even of what by his former Messages his Majesty had promis'd; and so that Declaration, he said, proceeded, under the pretence of mentioning evil and wicked Councils, to censure and reproach his Majesty in a Dislike, that, he was confident, his good Subjects would read, on his behalf, with much Indignation. But, his Majesty said, sure if that Declaration had pass'd the examination of both Houses of Parliament, they would never have affirm'd, that the Bill he had refused to pass, was the same he had sent to them, or have thought that his Message, wherein the difference, and contrariety between the two Bills, was so particularly set down, would be Answer'd with the bare Averring them to be one and the same Bill: not would they have declar'd, when his exceptions to the Ordinance, and the Bill, were so notoriously known to all, that care being taken to give satisfaction in all the particulars he had excepted against in the Ordinance,

"and whatever Authority had been granted by those Com-
 "missions, which had been kept in the old forms; the same
 "was determinable at his Majesty's pleasure; and he knew
 "not, that they produced any of those Calamities, which
 "might give his good Subjects cause to be so weary of them,
 "as to run the hazard of so much Mischief, as that Bill,
 "which he had refused, might possibly have produced.
 "For the Precedents of former Ages in the Commissions
 "of Array, his Majesty doubted not, but when any such had
 "issu'd out, that the King's consent was always obtain'd, and
 "the Commissions determinable at His pleasure; and then
 "what the extent of Power was, would be nothing applica-
 "ble to that Case of the Ordinance.
 "But whether that Declaration had refused his Majesty's
 "reasons for his refusal to pass the Bill, or no, it resolv'd,
 "and required all persons in Authority thereby to put the
 "Ordinance in present execution; and all Others to obey it
 "according to the Fundamental Laws of the Land. But, his
 "Majesty said, He, whom God had trusted to maintain and
 "defend those Fundamental Laws, which, he hoped, God
 "would bless to secure him, did declare, that there was no
 "Legal Power in either, or both Houses, upon any pretence
 "whatsoever, without his Majesty's consent, to Command
 "any part of the Militia of the Kingdom; nor had the like
 "ever been commanded by either, or both Houses, since the
 "first foundation of the Laws of the Land; and that the Execu-
 "tion of, or the Obedience to that pretended Ordinance,
 "was against the Fundamental Laws of the Land, against the
 "Liberty of the Subject, and the Right of Parliaments, and a
 "High Crime in any that should execute the same; and his
 "Majesty did therefore charge, and command all his loving
 "Subjects of what degree, or quality soever, upon their Al-
 "legiance, and as they tender'd the peace of the Kingdom,
 "from thenceforth not to Murther, Levy, or Array, or Sum-
 "mon, or Warn any of the Train'd bands to rise, Murther, or
 "March, by Virtue, or under Colour, of that pretended Or-
 "dinance; and to that Declaration, and Command of his Ma-
 "jesty, he said, he expected and required a full Submission,
 "and Obedience from all his loving Subjects, upon their Al-
 "legiance, as they would Answer the Contrary at their Pe-
 "nis, and as they tender'd the upholding of the True Pro-
 "testant Religion, the safety of his Person, and his Royal
 "Posterity, the Peace, and being of the Kingdom.
 "Notwithstanding these illus Declarations (infal-
 "sible Symptoms of sharper Actions) which were with equal
 "diligence dispersed by either side among the People, save that
 "the Agents for the Parliament took as much care to Suppress

"dinance, he had found New exceptions to the Bill; and yet
 "that very Declaration confess'd, that his exception to the
 "Ordinance was, that, in the disposing and execution there-
 "of, his Majesty was Excluded: and was not that an expres-
 "sion, in his Answer, for his refusal of the Bill; which
 "that Declaration would needs excuse?
 "But the Power was no other than to suppress Rebelli-
 "on, Insurrection, and Foreign Invasion: and the Person
 "trusted, no other than such as were nominated by the Great
 "Council of the Kingdom, and assented to by his Majesty
 "and they asked, if that were too Great a power to trust
 "those Persons with? Indeed, his Majesty said, which
 "so great Liberty was used in Voting, and Declaring men to
 "be Enemies to the Common wealth (a phrase his Majesty
 "scarcely understood) and in confining men for their Service,
 "and Attendance upon his Majesty's Person, and in his law-
 "ful Commands, great he'd must be taken into what hands
 "he committed such a Power to suppress Insurrection, and
 "Rebellion; and if Insurrection and Rebellion had found
 "other Definitions than what the Law had given, his Majesty
 "must be sure that no Lawful power should justify those De-
 "finitions: and if there were Learning found out to make
 "John Hotham's taking Arms against him, and keeping his
 "Majesty's Town and Fort from him, to be no Treason or
 "Rebellion, he knew not whether a new Discovery might
 "not find it Rebellion in his Majesty to Drive him
 "from such Arms, and to endeavour to recover what was
 "so taken from him; and therefore, he said, it concern'd him,
 "till the known Laws of the Land were allow'd to be Judge
 "between them, to take heed into what hands he committed
 "such power.
 "Besides, he asked, whether it could be thought, that
 "because he was willing to trust certain Persons, that he was
 "oblig'd to trust them in whatsoever they were willing to
 "be trusted? He said, no Private hands were fit for such a
 "Trust; neither had he departed from any thing, in the
 "least degree, he had offer'd or promised before; though He
 "might wish as much reason have withdrawn his Trust
 "from some Persons, whom before he had accepted, as They
 "had done from others, whom they had recommended. But
 "the power which he was charged to have committed to par-
 "ticular Persons, for the space of fifteen years, by his Com-
 "missions of Lieutenancy, it was notoriously known that it
 "was not a power created by his Majesty, but continued
 "very many years, and in the most happy times this King-
 "dom had enjoy'd, even those of his renowned Predeces-
 "sors, Queen Elizabeth, and his Father of happy memory;

the King's, as to Publish their own, whereas the King's desire was that they might be both impartially read and examin'd, and to that purpose always cauled those from the Parliament to be Printed with his own, They had the power and skill to persuade Men, who, but by that persuasion, could not have been Seduced, and without Seducing of whom they could have made but a very fery progress in mischief, ⁴⁶ which all would be well; that they were well assured that the King would, in the end, yield to what they desired; ⁴⁷ at least, that they should prevail for a good Part, if not for all, and that there should be no War: though themselves well knew, that the fire was too much kindled, to be extinguish'd without a flame, and made preparations accordingly. For the raising and procuring of Money (besides the vast Sums collected and contributed for *Ireland*, which they dispersed very liberally, the Supplies for that Kingdom, notwithstanding the importunity and complaint from thence, being not dispatch'd thither, both in quantity and quality, with that Expedition as was pretended) they sent out very strict Warrants for the gathering all those Sums of Money, which had been granted by any Bills of Subsidy, or Poll-Bill; in the collection of all which there had been great negligence, probably that They might have it the more at their own disposal in their Need; by which they now recover'd great Sums into their hands. For the raising of Men (though it was not yet time for them to strow the raising of an Army) besides the disposing the whole Kingdom to subject themselves to their Ordinance of the Militia, and, by That, listing in all places Companies of Volunteers, who would be ready when they were called, they made more half than they had done in the Levies of Men, both Horse and Foot, for the relief of *Ireland*, under Officers chosen, or approv'd by Themselves; and propos'd the raising of an Army apart, of six or eight thousand, under the Command of the Lord *Warrton* (a man very fall to them) for *Monmouth*, under the Duke of *Bucks* Adventurers Army, and to have no dependence upon, nor be subject to, the Lord Lieutenant of *Ireland*, but only receive Orders from the two Houses, and from a Committee appointed by them, which should be always with that Army; but the King, easily discerning the consequence of that design, refus'd to grant such a Commission as they desired; so that they were forc'd to be content, only with the advantage of New Exclamations against the King, ⁴⁸ for hindering the Supplies for *Ireland*, upon the occasion of his denial of that unreasonable Commission, and to proceed in their Levies the ordinary way; which they did, with great Expedition. To confirm and encourage the Factions and

Schismat-

Schismatical Party of the Kingdom, which thought the pace towards the Reformation was not brisk, and furious enough, and was with great difficulty contain'd in to slow a March, They had, a little before, published a Declaration:

THAT they intended a due, and necessary Reformation of the Government, and Liturgy of the Church, and to take away nothing in the One or the Other, but what should be Evil, and justly Offensive, or at least Unnecessary, and Barrenness; and, for the better effecting thereof, speedily to have consultation with Godly and Learned Divines; and, because that would never of it self attain the end fought therein, they would therefore use their utmost endeavours to establish Learned, and Preaching Ministers, with a good and sufficient maintenance throughout the whole Kingdom; wherein many dark Corners were miserably destitute of the means of Salvation, and many poor Ministers wanted necessary provision.

This Declaration, Printed, and appointed to be published by the Sheriffs in their several Counties, in all the Market Towns within the Kingdom of *England*, and Dominion of *Wales*, was not more intended to the hearing of those who were impatient for a Reformation (who in truth had so impute a Faith in their Leaders, that they expect'd another manner of Reformation than was publickly promised) than to the lulling those asleep, who began to be awake with the apprehension of that confusion, they apprehended from the practice and licence, they saw practis'd against the received Government, and Doctrine of the Church; and to be persuaded, that it was time to oppose that Current. And, in this project, they were not disappointed; for though this warily worded Declaration was evidence enough to Wise men, that they intended, and Logically comprehended, an Alteration as great, as has been since attempted, and made; yet to Lazy and Quiet men, who could not discern consequences, and were not willing to Anticipate their miseries, by suspending work: was to come than they felt, or saw in their Views, their fears were much abated, and the intentions of the Parliament seem'd not so bad, as they had been told by some that they were: and as this very Declaration of a due Reformation to be made of the Government of the Church, and the Liturgy, would, a year before, have given great Umbrage and Scandal to the People, when, generally, there was a due submission to the Government, and a singular reverence of the Liturgy of the Church of *England*; so Now, when there was a General fear and apprehension inculcated into them, of a purpose utterly to subvert the Government, and utterly to abolish the Liturgy, they thought the taking away nothing in Vol. I. Part. L I the

the One or the Other, but what should be Evil, and Justly offensive, or, at least, Unnecessary and Burthensome, was an easy Composition; and so, by degrees, they suffer'd themselves to be still prevailed on towards ends they extremely abhorred; and what at first seem'd Prophane and Impious to them, in a little time appear'd only Inconvenient; and what, in the beginning, they thought matters of Conscience and Religion, shortly after they looked upon, as somewhat rather to be with'd than positively Insisted on; and consequently not to be laid in the balance with the Publick Peace, which they would imagin to be endanger'd by opposing the sense that then prevail'd; and so, by Undervaluing many particulars (which they Truly esteem'd) as rather to be conferr'd to, than that the general should suffer, they Brought, or Suffer'd the Publick to be brought to all the sufferings it time underwent.

The Affinity of Dissension.

And now they shew'd what Consultation they meant to have with Godly and Learned Divines, and what Reformation they intended, by appointing the Knights and Burgesses to bring in the Names of such Divines for the several Counties, as they thought fit to constitute an Assembly for the framing a new Model for the Government of the Church, which was done accordingly; those who were true Sons of the Church, not so much as endeavouring the Nomination of Sober, and Learned Men, abhorring such a Reformation, as began with the Invasion, and Suppression of the Church's Rights in a Synod, as well known as *Magna Charta*: and if any well affected Member, not enough considering the scandal, and the consequence of that Violation, did Name an Orthodox, and well reputed Divine, to assist in that Assembly, it was Argument enough against him, that he was Nominated by a Person in whom they had no Confidence; and They only had reputation enough to Commend to this Consultation, who were known to desire the utter demolishing of the whole Fabrick of the Church: so that of about one hundred and twenty, of which that Assembly was to consist (though, by the recommendation of two or three Members of the Commons, whom they were not willing to displice, and by the Authority of the Lords, who added a small Number to those named by the House of Commons, a few very Reverend, and Worthy men were inserted; yet of the whole Number) they were not above Twenty, who were not declar'd, and avow'd Enemies to the Doctrine, or Discipline of the Church of England; some of them infamous in their lives and conversations; and most of them of very mean parts in Learning, if not of Scandalous Ignorance; and of no other reputation, than of malice to the Church of England; so that

that Convention hath not since produced any thing, that might not then reasonably have been expected from it.

BUT that which gave greatest power, and strength to their growing Faction, was the severity they us'd against all those of what Quality or degree soever, who oppos'd their Councils, and Proceedings. If any Lord, who had any place of Honour, or Trust from the King, concurr'd not with them, they made an Imputation into the whole passages of his Life; and if they could find no Fault, or no Faulty (for any Levity, or Indiscretion, serv'd for a Charge) to reproach him with, it was enough ¹⁴ that they could not Comide in him: so they threaten'd the Earl of *Portland*, who with extraordinary vivacity cross'd their Consultation, ¹⁵ that they would remove ¹⁶ him from his Charge and Government of the Isle of *Wexley* (which at last they did *de facto*, by committing him to Prison without so much as assigning a Cause) and to that purpose, objected all the Acts of good fellowship; all the waits of Powder, and all the waits of Wine, in the drinking of Healths; and other Acts of Jollity, whenever he had been at his Government, from the first hour of his entering upon it: so that the least inconvenience a man in their Disavour was to expect, was to have his Name and Reputation us'd, for two or three hours, in the House of Commons with what Licence and Virulency they pleas'd. None were persecuted with more rigour, than the Clergy; whereof whoever publickly, or privately, censur'd their Actions, or suspected their Intencions, was either committed to prison, or compelled to a chargeable and long Attendance, as inconvenient as Imprisonment. And this measure of proceeding was Equality, if not with more animosity, apply'd to those, who, in former times, had been looked upon by that Party with most reverence. On the contrary, whoever Concurr'd, or Voted, and Sided with them, in their extravagant conclusions, let the infamy of his former life, or present practice be what it would; his injustice and oppression never so scandalous, and notorious: He was receiv'd, countenanc'd, and proceed'd with marvelous demonstrations of Affection; so that, between those malicious demonstrations of Affection; so that, between those that Lov'd them, and those that Fear'd them, those that did not love the Church, and those that did not love some Churchmen; those whom the Court had oppress'd, and those who had help'd the Court to oppress Others; those who fear'd their Justice, and those who fear'd their Justice; their Party was grown over the Kingdom, but especially in the City, jolly Formidable.

In the mean time, the King omitted no opportunity to provide against the Storm he saw was coming; and, though he might not Yet own the apprehension of that danger he

Ll 2 really

really found himself to be neglected nor the provision of what he thought most necessary for his defence; he caused all his Declarations, Messages, and Answers, to be industriously communicated throughout his Dominions; of which he found good effects; and, by their reception, discovered that the People universally were not so irrecoverably poisoned, as he before had cause to fear: He caused private animations to be given, and insinuations to be made to the Gentry "that Their preference would be acceptable to him; and to those, who came to him, he used much gracious freedom, and expressed all possible demonstrations, that he was glad of their Attendance: so that, in a short time, the reform to York was very great; and, at least, a good face of a Court there.

Beyond the Seas, the Queen was intent to do Her part; and to provide that her good Company, as she heard was daily gather'd together about the King, should not be dissolved for want of Weapons to defend one another: and therefore, with as much secrecy, as could be used in those Cases, and in those places where she had so many Spies upon her, she caused, by the Sale or Fawling of her own, and some of the Crown Jewels, a good quantity of Powder and Armes to be in a readiness in *Holland*, against the time that it should be found necessary to transport it to his Majesty: so that both Sides, whilst they entertain'd each other with discourses of Peace (which always carried a tharpness with them, that whetted their appetite to War) provided for that War, which they would not be prevented.

HITHERTO the greatest Acts of Hostility, saving that at *Hull*, were perform'd by Votes, and Orders; for there was yet no wildness, formal execution of the Ordinance for the Militia, in any one County of *England*: for the appearance of Volunteers in some factious Corporations was rather Countenanced, than positively directed and enjoy'd by the Houses: and most places pretended an Authority, granted by the King in the Charters, by which those Corporations were erected, or continued: but now they thought it time to satisfy the King, and the People, that they were in Earnest (who were hardly perswaded, that they had in truth the courage to execute their own Ordinance) and Resolved, "as this "on the tenth of May, they would have all the Train'd "bands of *London* Muster'd in the Fields, where that exercise usually was perform'd; and accordingly, on that day, their own new Officer, Sergeant-Major-General *Shippon*, appear'd in *Finsbury* Fields, with all the Train'd bands of *London*, consisting of above eight thousand Soldiers, disposed into six Regiments, and under such Captains and Colonels, as they had cause to Confide in. At this first triumphant Muster,

the Members of both Houses appeared in groe; there being a Tent purposely set up for them, and an Entertainment at the Charge of the City to the value of near a thousand pounds; all Men presuming, that this example of *London*, with such Ceremony and solemnity, would be easily follow'd throughout the Kingdom; and many believing, they had made no small progress towards the end they aimed at, by having engag'd the very body of the City in a Gait equal to their own: for though they had before sufficient evidence of the Inclinations of the Mean, and Common People to them, and reasonable assurance, that those in Authority would hardly be able to contain them; yet, till this day, they had no instance of the Concurrence of the City in an Act expressly unlawful. But now they presumed all difficulties were over; and so sent their Directions to the Counties adjacent, speedily to execute the same Ordinance; and appointed all the Magazines of the several Counties of *England* and *Wales*, to such Custody, as their Lord Lieutenants, or their Deputy Lieutenants should appoint; and that not only the Counties should increase those Magazines to what proportionsoever they thought convenient, but that any private Persons, that were well Affected, should supply themselves with what Armes and Ammunition they pleased. By which means, besides the King's Magazines, all which were in their possession, they caused great quantities of all sorts of Armes to be provided, and disposed to such Places, and Persons, as they thought fittest to be trusted; especially in those Factious Corporations, which had List'd most Volunteers for their Service.

THE King now saw the Storm coming upon him; that (notwithstanding his Proclamation published against the Statutes, in which he set down the Laws and the execution of that Ordinance would be no less than High Treason) the Votes, and Declaration of both Houses "that those Proclamations were illegal, and that those Acts of Parliament could not Constitute the Acts, and Orders of both Houses (which the Subjects were, by the Fundamental Laws of the Kingdom, to obey) prevail'd so far, that obedience was given to them; that he was so far from being daily increased, and forced the Country to submit to such Commands, as they pleas'd to lay on them; and that so *John* Majesty to Recover *Hull*; he thought it, therefore, high time, by their example, to put himself into a posture of Defence; the Danger being much more imminent to his Majesty, than to those who had begot that Ordinance. Hereupon, at a

publick meeting of the Country, his Majesty declar'd, "that he was Resolv'd, in regard of the Publick Differences, and the Neighbourhood of *Hull*, to have a Guard for his Person; but of such Persons, and with such Circumstances, as should administer no occasion of Jealousy to the most Suspicious; and would the Gentlemen of Quality, who attended, to consider, and advise of the way: Who shortly after (notwithstanding the opposition given by the Committee, which still resided there; and the Factions Party of the Country, which was inflamed, and governed by them) expressed a great alacrity to comply with his Majesty's desire, in whatsoever should be propos'd to them; and a little, "that they thought a sufficient Guard was very necessary for the Security of his Majesty's Person. Hereupon, the King appointed such Gentlemen as were willing, to Lift themselves into a Troop of Horse, and made the Prince of *Wales* their Captain; and made choice of one Regiment of the Train'd bands, consisting of about six hundred, whom he caus'd, every *Saturday*, to be paid at his own Charge; when he had little more in his Coffers, than would defray the weekly Expence of his Table: and this Troop, with this Regiment, was the Guard of his Person; it being first declared by his Majesty, "that no Person should be suffer'd, either in the Troop, or the Regiment, who did not, before his Admission into the Service, take the Oaths of Allegiance, and Supremacy; that so he might be free from the scandal of entertaining Papists for his Security.

By this caution would not serve; the Fears and Jealousies were capable of no other Remedies, than such as were prescribed by those Physicians, who were practis'd in the Disease. Altho as the intelligence was arriv'd at *London*, that the King actually had a Guard (though the Circumstances were as well known that were us'd in the raising it) both Houses publish'd these three Votes, and dispers'd them:

1. "THAT it appear'd, that the King, seduced by wicked Council, intended to make War against the Parliament; who, in all their Consultations and Actions, had propos'd no other end unto themselves, but the cure of his Kingdoms, and the performance of all Duty, and Loyalty to his Person.

2. "THAT whensoever the King maketh War upon the Parliament, it is a breach of the Trust reposed in him by his People; contrary to his Oath, and tending to the Dissolution of the Government.

3. "THAT whosoever should Serve him, or Assist him in such Wars, are Traitors by the Fundamental Laws of the Kingdom; and have been so adjudged by two Acts of Parliament,

"Parliament, a *Rich. II.* and a *Henr. IV.* and ought to suffer as Traitors.

THESE lusty Votes they sent to the King to *Tork*, together with a short Petition, in which they told him,

"THAT his Loyal Subjects, the Lords and Commons in the two Parliaments did humbly represent unto his Majesty, that notwithstanding his frequent profusions to his Parliament, and the Kingdom, that his desire, and intention was only the preserving the true Protestant profession, the Laws of the *May* 25. Land, the Liberty of his People, and the Peace of the Kingdom; nevertheless, they perceiv'd with great grief, by his Speech of the twelfth of *May*, and the Paper, Printed in his Majesty's Name, in the form of a Proclamation, bearing date the fourteenth of *May*, and other Evidences, that, under colour of raising a Guard to secure his Person, of which Guard (considering the Fidelity, and Care of his Parliament) there could be no use, his Majesty did Command Troops, both of Horse and Foot to assemble at *Tork*; the very beginnings whereof were apprehended by the Inhabitants of that County to be an Abridgment, and Disturbance of his Leige Peoples, as appeared by their Petition presented to him; the continuing, and increasing of which Forces, was to his Parliament, and must needs be, a just cause of great Jealousy, and Danger to his whole Kingdom.

THEFORE, they did humbly beseech his Majesty to Disband all such Forces, as, by his Command, were assembled, and relying for his Security (as his Predecessors had done) upon the Laws, and Affections of his People, he would be pleas'd to desist from any further designs of that nature, contenting himself with his usual, and ordinary Guards; otherwise, they should hold themselves bound in duty towards God, and the Trust reposed in them by the People, and the Fundamental Laws, and Constitutions of the Kingdom, to employ their Care, and utmost Power to secure the Parliament, and to preserve the Peace, and Quiet of the Kingdom.

To this Petition, deliver'd publicly, and read with an equal concurrence, by their Leiger Committee, his Majesty Answer'd,

"THAT he could not but extremely wonder, that the causeless Jealousies concerning his Majesty, raised and fomented by a Malignant Party in the Kingdom, which desired nothing more than to snatch to themselves particular advantages out of a general Combustion (which means of advantage should never be minister'd to them by His fault, or seeking) should not only be able to seduce a Weak Party in the Kingdom, but seem to find so much Countenance

46 nance even from both Houses, as that his raising of a Guard,
 47 without further design than for the Safety of his Person, an
 48 Action so legal, in a manner so Peaceable, upon Causes so
 49 evident and necessary, should not only be looked upon,
 50 and Petition'd against by them, as a cause of Jealousy; but
 51 declared to be raising of a War against them, contrary to
 52 his former professions of his care of Religion, and Law;
 53 and he no less wonder'd, that That Action of his should be
 54 said to be apprehended by the Inhabitants of that County,
 55 as an Affrightment, and Disturbance to his People, having
 56 been as well receiv'd there, as it was every where to be
 57 justify'd; and (the pike of the general, not of a few fe-
 58 ducous parasculars) anim'd, and spred by that County, with
 59 that Loyal Affection and Alacrity, as was a most excellent
 60 example, set to the rest of the Kingdom, of their care of
 61 his Safety upon all occasions; and should never be forgotten
 62 by Him, nor, he hoped, by his Posterity: but should be
 63 ever past to them, in that, which is the proper expression
 64 of a Prince's gratitude, a perpetual, vigilant care to govern
 65 them justly, and to preserve the only Rule, by which they
 66 can be so govern'd, the Law of the Land; and, he said, he
 67 was confident, that if they were themselves Eye-witnesses,
 68 they would so see the contrary, as to give little present
 69 Thanks, and, hereafter, little Credit to their Informers;
 70 and, if they had no better information, and intelligence of
 71 the Inclinations, and Affections of the rest of the Kingdom,
 72 certainly the minds of his People (which to some Ends
 73 and Purposes, they did represent;) were but ill represent'd
 74 upon them.

75 He asked them, when they had for many Months toge-
 76 ther not contented themselves to rely for Security, as their
 77 Predecessors had done, upon the Affection of the People,
 78 but by their own single Authority had rais'd to themselves
 79 a Guard (and that sometimes of no ordinary Numbers,
 80 and in no ordinary Way) and yet all those Pikes, and Pro-
 81 tections, that Army, on one side, and the Navy, on the
 82 other, had not perswaded his Majesty to Command them
 83 to Disband their Forces, and to content themselves with
 84 their Ordinary, that was, no Guard; or work in him as
 85 opinion that they appear'd to levy War against him, or had
 86 any further designs; how it was possible, that the same Per-
 87 sons should be so apt to suspect, and condemn his Majesty,
 88 who had been so unapt, in the same matter, upon much
 89 more ground, to tax or suspect Them? This, he said, was
 90 his Case, notwithstanding the Care and Fidelity of his Par-
 91 liament: his Force was kept by Army'd Men against him; his
 92 proper Goods first detained from him, and then, contrary

46 to his Command, by strong hand offer'd to be carried away;
 47 in which, at once, all his Property, as a private Person; all
 48 his Authority, as a King, was wrested from him, and yet
 49 for him to secure himself in a Legal way, that *St. Johns Ho-*
 50 *use* might not by the same Forces, or by more, rais'd by
 51 pretence of the same Authority (for he daily rais'd some,
 52 and it was no new thing for him to pretend Orders, which
 53 he could not (then) continue the War, that he had Levied
 54 against his Majesty; and as well Imprison his Person, as de-
 55 stroy his Goods; and as well that him up in *York*, as that
 56 him out of *Hind*; was now said to be esteem'd a cause of
 57 great Jealousy to the Parliament, a raising a War against
 58 them, and of danger to the whole Kingdom: whilst these
 59 Injustices, and Indignities offer'd to him were countenanced
 60 by them, who ought to be most forward in his Vindica-
 61 tion, and their Punishment, in observation of their Oaths,
 62 and Trust reposed in them by the People, and to avoid the
 63 Dissolution of the present Government: Upon which Case,
 64 he said, the whole World was to judge, whether his Majesty
 65 had not reason, not wholly to relye upon the Care, and
 66 Fidelity of his Parliament, being so strangely blinded by
 67 Malignant Spirits, as not to perceive his Injuries; but to
 68 take some care of his own Person, and, in order to that, to
 69 make use of that Authority, which the Laws declar'd to be
 70 in his Majesty: and, whether that Petition, with such a
 71 threatening Conclusion, accompanied with more threatening
 72 Votes, gave him not cause, rather to increase, than to di-
 73 minish his Guards; especially, since he had seen, before the
 74 Petition, a Printed Paper dated the seventeenth of *May*,
 75 underwritten by the Clerk of the House of Commons,
 76 commanding in the name of both Lords and Commons, the
 77 Sheriffs of all Counties to raise the power of all their Coun-
 78 ties, to suppress such of his Subjects, as, by any of his Ma-
 79 jesty's Commands, should be drawn together, and put (as
 80 that Paper call'd it) in a posture of War; Charging all his
 81 Majesty's Officers, and Subjects to assist them in it, at their
 82 Peril. For though, he said, he could not suspect, that That
 83 Paper; or any bare Votes, not grounded upon Law or
 84 Reason; or Quotations of repeal'd Statutes, as those were
 85 of the *Rish*, 2. and *1 Hen.* iv. should have any ill influence
 86 upon his good People, who knew their Duties too well not
 87 to know that to take up Arms against those, who upon
 88 Legal Command of his Majesty, came together to a most
 89 Legall end (that was, his Majesty's Security, and Preserva-
 90 tion) were to Levy War against his Majesty; yet, if that
 91 Paper were really the Act of both Houses, he could not
 92 but look upon it, as the highest of Scorns and Indignities;
 93 First,

First, to issue our Commands of Force against him; and after those had appear'd useless, to offer, by Petition, to persuade him to that which that Force should have effected.

His Majesty said, he concluded his Answer to their Petition with a Counsel to them, that they would joy'n with him in executing Satisfaction for that unparalleled, and yet unpunish'd Action of *St John Holmans*; and that they would command his Fort, and Goods to be return'd to his own hands: that they would lay down all pretences (under presence of Necessity, or declaring what is Law) to make Laws without his Majesty, and, by consequence, but a Cipher of his Majesty: that they would declare effectually against Tumults, and call in such Pamphlets (punishing the Authors and Publishers of them) as Seditiously endeavour to dabble his Majesty from prosecuting his People, by weakening, by false Assertions and new false Doctrines, his Authority with them, and their Confidence in him: the particulars of which Tumults, and Pamphlets, he said, he would long since have taken care, his Learned Council should have been enabled to give in evidence, if, upon his former offer, his Majesty had receiv'd any return of encouragement from them in it: and, he said, if they did that, they would then, and hardly till then, persuade the World, that they had discharged their Duty to God, the Trust reposit in them by the People, and the Fundamental Laws, and Constitutions of the Kingdom; and employ'd their care, and utmost Power, to secure the Parliament (for, he said, he was still a part of the Parliament, and should be, till this well temper'd Monarchy was turn'd to a Democracy) and to preserve the Peace and Quiet of the Kingdom; which, together with the Defence of the Protestant Religion, the Laws of the Land, and his own just Prerogative (as a part of, and a defence to those Laws) had been the main end, which in his Consultations and Actions, he had propos'd to Himself.

I will be wonder'd at hereafter, that in a judging and discerning State, where Men had, or seem'd to have, their faculties of Reason, and Understanding at the height; in a Kingdom then unapt, and generally uninclin'd to War (how wantonlysoever it had since seem'd to throw away its Peace) those Men, who had the skill and cunning, out of forward and peevish humours and indispositions to contumacious Fears and Jealousies, and to animate and inflame those Particular Jealousies into the most prodigious, and the bloodiest Rebellion, that any Age, or Country ever brought forth; who very well saw, and felt that the King had not only, in a degree,

degree, wound himself out of that Labyrinth, in which, four Months before, they had involv'd him, with their Privileges, Fears, and Jealousies; but had even so well inform'd the People, that they began to question both their Logick and their Law, and to suspect, and censure the improvement, and gradation of their Fears, and the extent, and latitude of their Privileges; and that they were not only deas'd by the King, what they required, but that the King's Reasons of his death made very many conclude the unreasonableness of their demands: I say, it may seem strange, that these Men could entertain the hope, and confidence to obtrude such a Declaration, and Vote, upon the People, that the King did intend to make War against the Parliament; when they were so far from apprehending, that he would be able to get an Army to disturb them, that they were most assur'd, he would not be able to get Bread to sustain Himself three Months, without submitting all his Counsels to their Conduct, and Controlle; and that the offering to impose it, did not awaken the People to an indignation, which might have confounded them: for, besides their Presumption in endeavouring to Search, what the Scripture it self told them was Unsearchable, the Heart of the King; the very Law of the Land, whose defence they pretended, makes no conclusion of the invention of the meanest Subject, in a matter of the highest, and tenderest Consideration, even Treason it self against the Life of the King, without some overt, unlawful Act, from whence, and other circumstances, the ill intention may be reasonably made appear; and therefore, to declare that the King intended to make War against his Parliament, when he had neither Ship, Harbour, Armes nor Money, and knew not how to get any of them, and when he offer'd to Grant any thing to them, which they could pretend a justifiable reason for asking, was an undertaking of that Nature, that even the Almightyness of a Parliament might have despair'd to succeed in.

But, notwithstanding all this, they very well knew what they did, and understood what infinite advantage that Vote would (as it did) bring to them; and that a Natural way would never bring them to their unnatural end. The Power and Reputation of Parliament, they believ'd, would implicitly prevail over many; and amuse and terrify others from suspecting, or considering what they did; and upon what grounds they did it. The difficulty was, to procure the judgement of Parliament; and to incline those different Constitutions, and different Affections, to such a Concurrence, as the judgement might not be discredited, by the number of the Dissenters; nor wounded, or prejudg'd by the Reasons, and Arguments

Arguments given against it; and then, their judgements of the Cure being to be grounded upon the nature, and information of the Disease, it was necessary to confine, and contract their fancies and opinions within some bounds, and limits: the mystery of Rebellion challenging the same encouragement with other Sciences, to grow by; that there may be certain Postulates, some Principles and Foundations, upon which the main building may subsist. So, in the case of the Militia, an imminent danger must be first supposed, by which the Kingdom is in apparent hazard, and then the King's refusal to apply any remedy against that danger, before the two Houses would pretend to the Power of disposing that Militia: it being too ridiculous to have pretended the natural and ordinary Jurisdiction over it: but, in case of danger, and danger so imminent, that the usual recourse would not serve the turn, and for the saving of a Kingdom, which must otherwise be lost, many Good Men thought it was reasonable to apply a very Extraordinary prevention, without imagining such a supposition might possibly engage them in any Action, contrary to their own Inclinations; and, without doubt, very many who frankly Voted that imminent necessity, was induced to it, as an Argument, that the King should be therefore importun'd to consent to the Settlement; which would not have appear'd so necessary a Request, if the occasion had not been important; never suspecting, that it would have been improv'd into an Argument to them, to adventure the doing it without the King's consent. And it is not here unreasonable (how merry soever it may seem to be) as an instance of the Incongruity, and Inadvertency of those kind of Votes and Transactions, to remember that the first Resolution of the Power of the Militia being grounded upon a Supposition of an imminent necessity, the Ordinance first set up, from the Commons, to the Lords, for the execution of the Militia, expressed an *imminent* necessity; whereupon, some Lords, who understood the difference of the words, and that an eminent necessity might be supplied by the ordinary provision, which, possibly, an *imminent* necessity might not fully attend, desired a Conference with the Commons, for the Amendment: which, I remember, was at last, with great difficulty, consented to: many (who, I presume, are not yet grown up to conceive the difference) supposing it an unnecessary contention for a Word, and so yielding to them, for saving of time, rather than dispute a thing which to them seem'd of no great moment.

These, who contriv'd this Scene, never doubted, but after a Resolution what was to be done upon a Supposed necessity, they should easily, when they found it convenient, make

make that necessity Real. It was no hard matter to make the fearful apprehensions of dangers; and the Jealous, of designs; and they wanted not Evidence of all kinds; of Letters from abroad, and Discoveries at home, to make those apprehensions formidable enough; and then, though, before the Revolution, there was a great latitude in Law and Reason, what was Lawfully to be done, they had Now forejudged themselves, and Resolv'd of the Proper remedy except they would argue against the Evidence; which Usually would have been to discountenance, or undervalue some Person of notable reputation, or his Correspondence; and always to have oppos'd That that was of such an Allay, as, in truth, did we now discourse, if they had, in the most advantageous Article of their Jury, professed the raising an Army against the King, there was yet that reverence to Majesty, and that Spirit of Subjection and Allegiance in most Men, that they would have look'd upon it with Opposition, and Horror: but Descriptive Armes were more plausible Divinity, and if the King should commit such an Outrage, as to levy War against his Parliament, to destroy the Religion, Laws, and Liberty of the Kingdom, Good men were perswaded, that such a resistance might be made, as might preserve the Whole; and he that would have argued against this Thesis, besides the Impertinency of arguing against a supposition, that was not like to be Real, and in which the Corrupt consideration of Safety seem'd to bribe most Men, could never escape the censure of promoting Tyranny, and lawless Dominion. Then to importune Men to concur in the Declaration "of the King's Intention to make War against the Parliament, they were perswaded it might have a Good, and Could have no ill effect: the remedies, that were to be apply'd upon an Actual trying of War, were not justifiable upon the Intention; and in declaring this Intention, and the Dangers it carried with it, to the King himself, and to all those who should assist him, would be a probable means of reforming such Intention, and preventing the Execution. Inconveniences, it could produce none (for the disquieting, or displeasing the King was not pleas'd Intention;) if there were no progress in the supposition should stand upon it's Guard, and not be Surprised to it's confusion.

By these false, and fallacious Mediums, the clearness of Men's understandings were dazled; and, upon the matter, all their opinions, and judgements for the Future, captivated and preerogued by their own Votes, and Determinations. For, how easy a matter is it to make it appear to that man, who contented

“ their former Commands; should expect that their Warrants should be submitted to by those, who were waiting on the King, whose known legal Authority, severed from any thing that might be understood to relate to the Parliament, or its Privileges, they had so flatly contradicted and contemned, that the same day on which they received their Office ^{steps} from his Allegiance, and Duty of going to the King being inform'd, that the King had sent a Writ to Adjourn the Term (Midwinter Term) to *Tork* from *Windsor*, which, without all question, was in his power Legally to do, they declared, “ That the King’s removing of the Term to *Tork* “ from *Windsor*, being the Parliament, was illegal; and Order’d, “ that the Lord Keeper should not issue out any Writs, or Seal any Proclamation, to that purpose; which was by him observ’d accordingly, notwithstanding the King’s Command for the Adjournment.

WHERE their Officer came to *Tork* for the apprehension of the Delinquents, he found the same neglect: There of the Parliament, as was found Above of the King; and was so ill treated by those, whom he looked upon as his Prisoners, that, if the King’s extraordinary provision had not been made, the Maligner would scarce have return’d to have reported how uncurrent such Warrants were like to be in *Tork*, and how perilous such Voyages might prove to the Adventurers: But how amazed, or surpris’d lovers they seem’d with this new contradiction, it was no more than they looked for; for their Dilemma was, if their Maligner return’d with his Prize, all the rest to, and all the glory of *Tork* was determined; for no Man would repair thither, nor whence the bare Voting him a Delinquent would remove him with those other inconvenient Circumstances of Confiscation, and Imprisonment: If he return’d neglected and affronted, as they presumed he would, they had a new Reproach for the King, “ of protecting Delinquents against the Justice of Parliament, which would be a New breach of their Privileges, as Honour and Unpopularity, as had yet been made, and for the vindication whereof their Protestation would no less oblige them, than it had done on the behalf of the five Members. And such Votes they pass’d upon the returns of their Officers; and in readiness prepared two voluminous Declarations to the People, which they publish’d about the same time; and the One fill’d with all the reiterated Complaints, and inventions of Repetitions, of what had been done, or been Thought to have been done amiss in the whole Reign of the King, to render his Person odious, or unacceptable; the Other undervaluing his Royal Power, and declaring against it, to make his Authority despised, at least not Fear’d.

THE first was of the nineteenth of *May*, in which they declar’d,

“ THAT the infinite Mercy, and Providence of the Almighty God had been abundantly manifested, since the beginning of this Parliament, in great variety of Protections and Blessings; whereby he had not only delivered them from many wicked Plots and Designs, which, if they had taken effect, would have brought our King and Nation to the Kingdom; but, out of those Attempts, had produced divers evident and remarkable Advantages, to the furtherance of those Services, which they had been desirous to perform to their Sovereign Lord the King, and to the Church and State, in providing for the publick Peace, and Prosperity of his Majesty, and all his Realms; which, in the presence of the same All-seeing Deity, they protested to have been, and still to be, the only End of all their Counsels and Endeavours; wherein they had Resolv’d to continue freed, and enlarg’d from all Private and Personal respects, or Passions whatsoever.

IN which Resolution, they said, they were nothing discouraged, although the Heads of the Malignant Party disappointed of their Prey, the Religion and Liberty of the Kingdom, which they were ready to sell upon, and devoted before the beginning of this Parliament, had still profited by new Practices, both of force and subtilty, to recover the same again; for which purpose they had made several Attempts for bringing up the Army; they afterwards projected the false Accusation of the Lord *Kinsborough*, and the five Members of the House of Commons, which being in itself of an odious Nature, they had yet for fear provok’d with his Majesty, as to procure him to take it upon himself; but when the unchangeable Duty and Faithfulness of Parliament could not be wrought upon, by such a Fact as that, to withdraw any part of their Reverence and Obedience from his Majesty, they had, with much Art and Industry, advis’d his Majesty to suffer divers unjust Scandals, and Imputations upon the Parliament, to be published in his Name, whereby they might make it odious to the People, and, by Their help, destroy that, which hitherto had been the only means of their own Preservation.

FOR this purpose, they had drawn his Majesty into the Northern Parts far from the Parliament; that so false Rumours might have time to get Credit, and the just Defences of the Parliament find a more tedious, difficult, and disagreeous Access, after those false Imputations, and Slanders had been first rooted in the apprehension of his Majesty, and his Subjects; which more speedily to effect, they

" had caused a Prefs to be transported to *Tork*, from whence
 " several Papers, and Writings of that kind were conveyed to
 " all parts of the Kingdom, without the Authority of the
 " Great Seal, in an unusual and illegal manner, and without
 " the Advice of his Majesty's Privy Council; from the greater
 " and better part whereof having withdrawn himself, as well
 " as from his Great Council of Parliament, he was thereby ex-
 " posed to the wicked and unfaithful Councils of such, as had
 " made the Wisdom and Justice of the Parliament dangerous
 " to themselves; and that danger they labour'd to prevent by
 " hiding their own Guilt under the Name, and shadow of the
 " King; insinuating into him their own Fears, and, as much as
 " in them lay, aspersing his Royal Person and Honour with
 " their own Infamy; from both which it had always been as
 " much the Care, as it was the Duty, of the Parliament
 " to preserve his Majesty, and to fix the Guilt of all evil
 " Actions and Counsels upon those who had been the Au-
 " thors of them.

" AMONG their Writings of that kind, they said, The
 " the Lords and Commons in Parliament, had taken into
 " their considerations two printed Papers; the first containing
 " a Declaration, which they had receiv'd from his Majesty in
 " Answer to that which had been presented to his Majesty
 " from both Houses at *New-Market*, the ninth of *March* 1641.
 " the other, his Majesty's Answer to the Petition of both
 " Houses, presented to his Majesty the 26th of *March* 1641.
 " Both which were filled with harsh Censures, and caustic
 " Charges upon the Parliament; concerning which they held
 " it necessary to give Satisfaction to the Kingdom: seeing they
 " found it very difficult to satisfy his Majesty, whom, to their
 " great grief, they had found to be so engaged to, and sus-
 " tained by those misapprehensions, which evil Counsellers
 " have wrought in him, that their most humble and faithful
 " Remonstrances had rather irritated and embitter'd, than any
 " thing allay'd, or mitigated the sharp Expressions, which his
 " Majesty had been pleas'd to make in Answer to them; for
 " the manifestation whereof, and of their own Innocency, they
 " desired that all his Majesty's loving Subjects might take no-
 " tice of these Particulars:

" They knew no occasion given by them, which might
 " move his Majesty to tell them, that in their Declaration
 " presented at *New-Market*, there were some Expressions af-
 " fecting from the usual Language to Princes; neither did they
 " tell his Majesty, either in Words or in Effect, that if he
 " did not join with them in an Act, which he conceiv'd might
 " prove prejudicial and dangerous to himself, and the whole
 " Kingdom, they would make a Law without Him, and se-
 "

" pose it upon the People. That which they desired, they
 " said, was, that in regard of the Imminent Danger of the
 " Kingdom, the Militia, for the Security of his Majesty and
 " his People, might be put under the Command of such noble,
 " and faithful Persons, as they had all cause to Confide in:
 " and such was the necessity of this Preservation, that they de-
 " clared, that if his Majesty should refuse to join with them
 " therein, the two Houses of Parliament, being the supreme
 " Court and highest Council of the Kingdom, were enabled,
 " by their own Authority, to provide for the repelling of such
 " imminent and Evident Danger, not by any New Law of
 " their own making, as had been untruly suggested to his
 " Majesty, but by the most Ancient Law of the Kingdom, even
 " that which is fundamental and essential to the Constitution
 " and Subsistence of it.

" ALTHOUGH they never desired, they said, to encourage
 " his Majesty to such Replies as might produce any contesta-
 " tion between him and his Parliament, of which they never
 " found better effect, than loss of Time, and hindrance of the
 " Publick Affairs; yet they had been far from telling him of
 " how little value his Words would be with them, such as
 " when they were accompanied with Actions of Love, and
 " Justice. They said, he had more reason to find fault with
 " those wicked Counsellors, who had so often bereaved Him
 " of the Honour, and his People of the Fruit of so many gra-
 " cious Speeches which he had made to them, such as those
 " in the end of the last Parliament; that, on the word of a
 " King, and as he was a Gentleman, he would redress the
 " Grievances of his People, as well out of Parliament, as in it.
 " They asked, if the searching the Studies and Chambers, yea,
 " the Pockets of some, both of the Nobility and Commons, at
 " the very next day; the Committing of *Mr. Bellasis*, *St. Johns*,
 " *Habam*, and *Mr. Crew*; the continued Oppressions by Ship-
 " money, Coage and Conduct money; with the manifold in-
 " juring Violations of the Laws and Liberties of the Kingdom
 " (all which were the effects of evil Council, and abominably
 " declar'd in their Remonstrance of the State of the King-
 " dom) were Actions of Love and Justice, suitable to such
 " Words as those?

" As gracious was his Majesty's Speech in the beginning of
 " this Parliament; that he was Retolv'd to put himself freely
 " and clearly upon the Love, and Assistance of his English Sub-
 " jects. They asked whether his caustic Complaints and
 " jealousies, the unjust Imputations so often cast upon his
 " Parliament, his denial of their necessary Defence, by the Or-
 " dinance of the Militia, his dangerous absenting himself from
 "

"his Great Council, like to produce such a mischievous De-
 "cision in the Kingdom, had not been more suitable to other
 "Men's civil Councils, than to his own Words? Neither,
 "they said, had his latter Speeches been better used, and pre-
 "served by those evil, and wicked Councilors: Could any
 "Words be fuller of Love and Justice, than those in his An-
 "swer to the Message sent to the House of Commons, the 31st
 "of *Decemb* 1641. We do engage unto you solemnly the
 "Word of a King, that the Security of all, and every one of
 "you from Violence, is, and ever shall be, as much our Care,
 "as the Preservation of Us and our Children? And could any
 "Adions be fuller of Injustice and Violence, than that of the
 "Attorney General, in fully accusing the six Members of
 "Parliament, and the other Proceedings thereupon, within
 "three or four days after that Message? For the full view
 "whereof, they desired the Declaration made of those Pro-
 "ceedings might be perused; and by those Instances (they
 "could add many more) the World might judge who
 "served to be taxed with disavowing his Majesty's Words,
 "they who had, as much as in them lay, stand and fall; and
 "them with such foul Councils; or the Parliament, who his
 "ever manifested, with joy and delight, their humble Thank-
 "fulness for those gracious Words, and Actions of Love and
 "Justice, which had been conformable thereunto.
 "THE King, they said, had been pleased to Disavow the
 "having any such evil Council or Councilors as were mention-
 "ed in their Declaration, to his Knowledge; and they
 "held it their Duty humbly to Avow there were such, of
 "whom they must say, that all the ill things done of late in his
 "Majesty's name, had been done by Himself; wherein they
 "should neither follow the Direction of the Law, nor the ac-
 "cession of their own Hears, which was, as much as might
 "be, to clear his Majesty from all imputation of Misgovern-
 "ment, and to lay the fault upon his Ministers. The like
 "accusing of six Members of Parliament; the justifying the
 "Attorney in that false accusation; the violent coming into
 "the House of Commons; the denial of the Militia; the stop-
 "ping of Messages to both Houses, contrary to the customs of former
 "Kings; the long and remote Absence of his Majesty from
 "Parliament; the heavy and wrongful Taxes upon both
 "Houses; the cherishing and countenancing a discommodi-
 "ous Party in the Kingdom against them, were certainly the
 "of very evil Councils, apt to put the Kingdom into a Con-
 "fusion, to hinder the supplies of *Ireland*, and to countenance
 "the Proceedings and pretensions of the Rebels there; and
 "the Authors of these evil Councils, they conceived, must
 "needs be known to his Majesty; and they hoped
 "

"bearing with his Majesty, to have those discovered and
 "brought to the just Censure, would not so much wound his
 "Honour in the opinion of his good Subjects, as his labour-
 "ing to preserve and conceal them.

"AND whereas his Majesty had said, He could will that
 "his own immediate Actions which he avow'd, and his own
 "Honour might not be so roughly censured under the com-
 "mon Style of evil Councilors; they said, that they could
 "also heartily wish that they had not cause to make that Style
 "so common; but how often, and undutifully soever, those
 "wicked Councilors should fix their Dishonour upon the
 "King by making his Majesty the Author of those evil Ach-
 "tions, which were the effects of their own evil Councils,
 "They his Majesty's Loyal and Dutiful Subjects could use no
 "other Style, according to that Maxim of the Law, *the King*
 "*can do no wrong*; but if any ill were committed in matter
 "of State, the Council; if in matter of Justice, the Judges
 "must answer for it.

"THEY said, They had laid no Charge upon his Majesty,
 "which should put him upon that Apology, concerning his
 "arbitrary and zealous Affliction for the Protestant Profession;
 "neither did his Majesty endeavour to clear those in great re-
 "putation about him, by whom they had said that design
 "had been potently Carried on for divers years; and they
 "rather wished that the Mercies of Heaven, than the Judge-
 "ments, might be manifested upon them; but that there had
 "been such, there were such plentiful and frequent Evidences,
 "that they believ'd there was none, either Protestant or Pa-
 "pist, who had had any reasonable view of the Passages of
 "later Times, but, either in fear or hope, did expect a fa-
 "vourable issue of that Design.

"THEY said, They had no way transgressed against the
 "Act of Oblivion, by remembering the intended War against
 "*Scotland*, as a Branch of that Design to alter Religion by
 "those wicked Councils, from which God did then deliver
 "them, which they ought never to forget.

"THAT the Rebellion in *Ireland* was framed and che-
 "rished by the Popish, and Malignant Party in *England*, was
 "not only affirm'd by the Rebels, but, they said, might be
 "clear'd by many other proofs: the same Rebellious Prin-
 "ciples of pretended Religion, the same politick Ends were
 "apparent in both, and their malicious Designs and Practices
 "were mask'd, and disguis'd with the same false colour of
 "their earnest Zeal to vindicate his Majesty's Prerogative,
 "from the supposed oppression of the Parliament. How much
 "those Treacherous Pretences had been countenanced, by
 "some evil Council about his Majesty, might appear in this,
 "

"that the Proclamation, whereby they were declared Traitors, was to long writhe'd, as to the second of *January*;
 "though the Rebellion broke forth in *October* before, and
 "then no more than forty Copies appointed to be Printed;
 "with a special Command from his Majesty not to exceed that
 "number; and that none of them should be publish'd, till
 "his Majesty's Pleasure was further signify'd, as by the Warrant
 "appears, a true Copy whereof was annex'd to this Declaration;
 "so that a few only could take notice of it; which
 "was made more observable, by the late contrary Proceedings
 "against the *Sons*, who were in a very quick and sharp
 "manner Proclaim'd; and those Proclamations forthwith
 "dispersed, with as much diligence as might be, throughout
 "all the Kingdom, and order'd to be read in all Churches,
 "accompanied with Publick Prayers, and Execrations. As
 "other Evidence of favour and countenance to the Rebels in
 "some of Power about his Majesty, was this, that they had
 "put forth, in his Majesty's Name, a causeless complaint
 "against the Parliament, which speaks the same Language of
 "the Parliament which the Rebels do, thereby to rattle a
 "bell in Men's minds, that his Majesty's Affections were alienated,
 "as well as his Person was removed, from that his
 "Great Council. All which, they said, did exceedingly retard
 "the supplies of *Ireland*, and more advance the Proceedings
 "of the Rebels, than any Jealousy or Misapprehension
 "begotten in his Subjects, by the Declaration of the Rebels,
 "injunction of *Boycotts*, or Information of *Trypan*
 "*Whetsons*; so that, considering the present State and Temper
 "of both Kingdoms, his Royal Presence was far more
 "necessary here, than it could be in *Ireland*, for redemption
 "or protection of his Subject there.
 "AND whether there were cause of his Majesty's great
 "Indignation, for being reproach'd to have intended Power
 "or Threatning to the Parliament, they desired them to consider
 "who should read their Declaration, in which there
 "was no word tending to any such reproach; and certainly
 "they said, they had been more tender of his Majesty's
 "Honour in that point, than he, whatsoever he was, that did
 "write that Declaration; where, in his Majesty's Name, he
 "did call God to witness, he never had any such Thought,
 "or knew of any such Resolution of bringing up the Army;
 "which truly, they said, would seem strange to those, who
 "should read the Deposition of *Mr Goring*, the Information
 "of *Mr Piercy*, and divers other Examinations of *Mr Hilditch*,
 "*Mr Pollard*, and others; and other Examination of *Captain*
 "*Leg*, *St Jacob Ashley*, and *St John Comyers*; and considering
 "the condition and nature of the Petition, which was first
 "

"unto *St Jacob Ashley*, under the approbation of C. R. His
 "his Majesty had now acknowledged to be his own Hand;
 "and, being full of Scandal to the Parliament, might have
 "proved dangerous to the whole Kingdom, if the Army
 "should have interposed betwixt the King and them, as was
 "desired.
 "THEY did not affirm that his Majesty's Warrant was
 "granted for the Passage of *Mr Terry's* after the desire of
 "both Houses for restraint of his Servants; but only that he
 "did pass over, after that restraint, by virtue of such a Warrant.
 "They knew the Warrant bore date the day before
 "their desire; yet, they said, it seem'd strange to those, who
 "knew how great respect and power *Mr Terry's* had in Court,
 "that he should begin his Journey in such haste, and in Apparel
 "so unfit for Travel, as a black Sazim Suit, and white
 "Boots, if his going away was design'd the day before.
 "THIS Acculation of the Lord *Kimbolton*, and the five
 "Members of the House of Commons, was called a breach of
 "Privilege; and truly so it was, and a very high one, far
 "above any satisfaction that had been yet given: for, they
 "asked, how it could be said to be largely signify'd, so long
 "as his Majesty labour'd to preserve *Mr Attorney* from punishment,
 "who was the visible Actor in it? So long as his Majesty
 "had not only justify'd him, but by his Letter declar'd,
 "that it was his Duty to excuse them, and that he would have
 "punish'd him, if he had not done it? So long as those
 "Members had not the means of clearing their Innocency,
 "and the Authors of that malicious Charge were undiscov'rd,
 "though both Houses of Parliament had several times Petition'd
 "his Majesty to discover them, and that, not only upon
 "the grounds of Common Justice, but by Act of Parliament,
 "his Majesty was bound to do it? So long as the King refused
 "to pass a Bill for their discharge, alleging that the
 "Narrative in that Bill was against his Honour; whereby he
 "seem'd still to avow the Matter of that false and scandalous
 "Acculation, though he deferred the Prosecution, offering
 "to pass a Bill for their Acquittal; yet with intimation that
 "they must desert the avowing their own Innocency, which
 "would more wound them in Honour, than secure them in
 "Law? And in Vindication of that great Privilege of Parliament,
 "they did not know that they had invaded any Privilege
 "belonging to his Majesty, as had been alledg'd in that
 "Declaration.
 "BUT, they said, they looked not upon that only in the
 "notion of a breach of Privilege, which might be, though the
 "Acculation were true or false; but under the notion of a
 "heinous Crime in the Attorney, and all other Subjects, who
 "

had a Hand in it; a Crime against the Law of Nature, and against the Rules of Justice; that Innocent Men should be charged with so great an Offence as Treason, in the face of the highest Judiciary of the Kingdom, whereby their Lives and Estates, their Blood and Honour were endangered, without Witnesses, without Evidence, without all possibility of Reparation in a legal Courte; yet a Crime of such a Nature, that his Majesty's Command can no more Warrent, than it can any other Act of Injustice. These things which were evil in their own Nature, such as a false Testimony or false Accusation, could not be the subject of any Command, or induce any obligation of Obedience upon any Man, by any Authority whatsoever: therefore the Attorney, in that case, was bound to have refused to execute such a Command, unless he had some such Evidence or Testimony, as might have Warranted him against the Parties, and be lyable to make satisfaction if it should prove false; and it was sufficiently known to every Man, and adjudg'd in Parliament, that the King could be neither the Relator, Informer, or Witness. If it should rest as it was, without further satisfaction, no future Parliament could be safe, but that the Members might be taken and destroy'd, at pleasure; yea the very principles of Government, and Justice would be in danger to be dissolved.

They said, they did not conceive, that Numbers did make an Assembly unlawful, but when either the end, or manner of their carriage should be unlawful. Divers just occasions might draw the Citizens to Westminster; where many publick and private Petitions, and other Causes were depending in Parliament; and why that should be found more faulty in the Citizens, than the resort every day in the Term of great Numbers to the ordinary Courts of Justice, they knew not: that those Citizens were notoriously provoked, and assaulted at Westminster by Colonel *Lunsford*, Captain *Hyde*, and others, and by some of the Servants of the Arch-Bishop of *York*, was sufficiently proved; and that afterwards they were more violently wounded, and most barbarously mangled with Swords, by the Officers and Soldiers near *White-Hall*, many of them being without Weapons, and giving no cause of dissent, was likewise proved by several Testimonies; but of any Scandalous or Seditious Misdemeanours of theirs, that might give his Majesty good cause to suppose his own Person, or those of his Royal Consort or Children, to be in apparent danger, they had no proof ever offer'd to either House; and if there had been any complaint of this kind, it was no doubt the House would have been as forward to join in an Order, for the

suppressing of such Tumults, as they were, not long before, upon another occasion, when they made an Order to that purpose; whereas those Officers and Soldiers, which committed that Violence upon so many of the Citizens at *White-Hall*, were cherisht and foster'd in his Majesty's House; and when, not long after, the Common Council of *London* presented a Petition to his Majesty for Reparation of those Injuries, his Majesty's Answer was, without hearing the proof of the Complainers, that if any Citizen were wounded or ill entreated, his Majesty was confidently assur'd, that it happen'd by their own evil, and corrupt Demeanours.

They said, they hoped, it could not be thought contrary to the Duty and Willdom of a Parliament, if many contrary, and frequently reiterated, and renew'd Advertisements from *Rome*, *Venice*, *Paris*, and other Parts; if the Solicitations of the Pope's Nuncio, and their own discontented Fugitives, did make them jealous, and watchful for the safety of the State: and they had been very careful to make their expressions thereof so easy, and so plain to the Capacity and Understanding of the People, that nothing might justly flock with them, with Reflection upon the Person of his Majesty; wherein they appeal'd to the judgement of any indifferent Person, who should read and peruse their own words.

They said, they must maintain the ground of their Fears to be of that moment, that they could not discharge the Trust and Duty that lay upon them, unless they did apply themselves to the use of those means, to which the Law had enabled them in cases of that nature, for the necessary Defence of the Kingdom; and as his Majesty did graciously declare, that the Law should be the measure of his Power; so did they most heartily profess, that they should always make it the Rule of their Obedience. Then they observed, that there were certain Prudent Omissions in his Majesty's Answer; and said, that the next point of their Declaration, was, with much caution, artificially pass'd over by him who drew his Majesty's Answer; it being indeed the Foundation of all their Misery, and his Majesty's Trouble, that he was pleas'd to hear general Taxes upon his Parliament, without any particular Charge, to which they might give satisfaction; and that he had often conceived Displeasure against particular Persons, upon Misinformation; and although those Informations had been clearly proved to be false, yet he would never bring the Accusers to question; which did lay an impossibility upon honest Men of clearing themselves, and gave an encouragement to false, and unworthy Persons to trouble him with untrue and

groundless Informations. Three particulars they had mention'd in their Declaration, which the Penner of his Majesty's Answer had good cause to omit; the words suppos'd to have been spoken at *Kennington*; the pretended Article against the Queen; and the groundless Accusation of six Members of Parliament; there being nothing to be said in Defence, or Denial of any of them.

CONSIDERING his Majesty's desire to join with his Parliament, and with his faithful Subjects, in defence of Religion, and the Publick good of the Kingdom, they said, they doubted not he would do it fully, when evil Counsellors should be remov'd from about him; and until this should be, as they had shew'd before of words, so that they also say of Laws, that they could not secure themselves the Petition of Right, which had been follow'd with such an Inundation of illegal Taxes, that they had just cause to think, that the payment of eight hundred and twenty thousand pounds, was an easy burthen to the Commonwealth in exchange of them; and they could not but justly think, that if there were a continuance of such ill Counsellors, and Favour to them, they would, by some wicked device or other, make the Bill for the Triennial Parliament, and those other excellent Laws mention'd in his Majesty's Declaration, of less value than words. That excellent Bill for the continuance of this Parliament, they said, was necessary, that without it, they could not have rais'd so great Sums of Money for the Service of his Majesty and the Commonwealth, as they had done, and without which the ruin and destruction of the Kingdom, must needs have follow'd; and, they were resolv'd, the gracious favour of his Majesty, express'd in that Bill, and the advantage and security which thereby they had from being Dissolv'd, should not encourage them to do any thing, which otherwise had not been fit to have been done. And they were ready to make it good before all the World, that though his Majesty had pass'd many Bills very advantageous for the Subject, yet none of them had they bereav'd his Majesty of any just, necessary, or profitable Privilege of the Crown.

THEY said, they so earnestly desired his Majesty's Return to *London*, for that upon it, they conceived, depend'd the very Safety, and Being of both his Kingdoms; and therefore they must protest, that as for the time past, neither the Government of *London*, nor any Laws of the Land, had lost their Life and Force for his Security, so for the future they should be ready to do, or say any thing, that might stand with the Duty, or Honour of a Parliament, which might raise a mutual Confidence between his Majesty

and them, as they did will, and as the Affairs of the Kingdom did require.

THEY say, they said, the Answer to that, which was call'd his Majesty's Declaration, had led them. Now they came to that, which was entitl'd his Majesty's Answer to the Petition of both Houses, presented to him at *Tork* the 26th of *March* 1642. In the beginning whereof, his Majesty wilh'd, that their Privileges on all parts were to stand, that That way of Correspondency might be preserv'd with that Freedom, which had been us'd of old. They said, they knew nothing introduced by them, that gave any Impediment thereunto; neither had they affirm'd their Privileges to be broken, when his Majesty denied them any thing, or gave a Reason why he could not grant it; or that those, who advis'd such Denial, were Enemies to the Peace of the Kingdom, and Favourers of the Irish Rebellion; in which Assertion, that was turn'd to a general Assertion, which, in their Votes, was apply'd to a particular case; wherefore they must maintain their Votes, that to contradict that, which both Houses, in the Question concerning the Militia, had declared to be Law, and Command it should not be obeyed, is a high breach of Privilege, and that those, who advis'd his Majesty to absent himself from his Parliament, were Enemies to the Peace of the Kingdom, and justly to be suspected to be Favourers of the Rebellion in *Ireland*. The reasons of both were evident, because, in the First, there was as great a derogation from the Trust and Authority of Parliament; and, in the Second, as much advantage to the proceedings, and hopes of the Rebels, as might be; and they held it a very causeless Imputation upon the Parliament, that they had therein any way impeach'd, much less taken away the Freedom of his Majesty's Vote; which did not import a Liberty in his Majesty, to deny any thing how necessary soever for the Preservation of the Kingdom, much less a Licence to evil Counsellors, to advise any thing, though never so destructive to his Majesty and his People.

By the Message of the twentieth of *January*, his Majesty had propos'd to both Houses of Parliament, that they would, with all speed, fall into a serious Consideration of all those particulars which they thought necessary, as well for the upholding and maintaining of his Majesty's just, and Regal Authority, and for the settling his Revenue, as for the present and future establishing their Privileges; the free and quiet enjoying their Estates; the Liberties of their Persons; the Security of the true Religion, profess'd in the Church of *England*; and the settling of Ceremonies, in such

"a manner, as might take away all just Offence, and digest
 "it into one entire Body.
 "To that point of upholding, and maintaining his Royal
 "Authority, They said, nothing had been done to the pre-
 "judice of It, that should require any new Provision: To the
 "other of settling the Revenue, the Parliament had no way
 "abridg'd, or disorder'd his just Revenue; but it was true,
 "that much Waste, and Confusion of his Majesty's Estate, had
 "been made by those evil and unfaithful Ministers, whom
 "he had employ'd in the managing of it: whereby his own
 "ordinary Expences would have been disappointed, and the
 "Safety of the Kingdom more endanger'd if the Parliament
 "had not, in some measure, provided for his Household, and
 "for some of the Forts, more than they were bound to do:
 "and they were still willing to settle such a Revenue upon his
 "Majesty, as might make him live Royally, Plentifully, and
 "Safely; but they could not, in Wisdom, and Fidelity to the
 "Common-wealth, do that, till he should choose such Coun-
 "sellors and Officers, as might order and dispose it to the
 "Publick Good, and not apply it to the Ruin, and Destruc-
 "tion of his People, as heretofore it had been. But this
 "and the other matters concerning themselves, being worth
 "of great Importance, and full of Intricacy, would require
 "so long a time of Deliberation, that the Kingdom might
 "be ruin'd before they could effect them: Therefore they
 "thought it necessary, first to be Suitors to his Majesty, for
 "order the Militia, that, the Kingdom being secured, they
 "might, with more ease and safety, apply themselves to dis-
 "cuss of that Message, wherein they had been intrusted.
 "By his Majesty's denial of the Ordinance concerning the
 "same, because it would have been in vain for them to La-
 "bour in other things, and in the mean time, to leave them-
 "selves naked to the Malice of so many Enemies, both at
 "Home and Abroad; yet they had not been altogether negli-
 "gent of those things, which his Majesty had been pleas'd to
 "propound in that Message: They had agreed upon a Book
 "of Rates in a larger proportion, than had been granted to
 "any of his Majesty's Predecessors, which was a considerable
 "support of his Majesty's Publick Charge; and had likewise
 "prepared divers Propositions, and Bills, for Preservation of
 "their Religion and Liberties, which they intended shortly
 "to present to his Majesty; and to do whatsoever was fit for
 "them, to make up that unpleasant breach between his Ma-
 "jesty and the Parliament.

"WHEREAS divers exceptions had been taken concern-
 "ing the Militia; First, that his Majesty never denied the
 "Things, but accepted the Persons (except for Corporations)

"only that he denied the Way; to which they Answer'd,
 "That that Exception took off London, and all other great
 "Towns and Cities, which make a great part of the King-
 "dom; and for the Way of Ordinance, it is ancient, more
 "freely, more easily alterable, and in all these, and other re-
 "pects, more proper, and more applicable to the present oc-
 "casion, than a Bill; which his Majesty called, the good Old
 "Way of imposing upon the Subjects: It should seem, that
 "neither his Majesty's Royal Predecessors, nor their Ance-
 "stors, had heretofore been of that opinion: 37 Ed. iii.
 "they said, they found this Record, The Chancellor made
 "Declaration of the Challenge of the Parliament; the King
 "desires to know the griefs of his Subjects, and to redress
 "Enormities. The last day of the Parliament, the King de-
 "manded of the whole Estates, whether they would have such
 "things as they agreed on, by way of Ordinance, or Statute?
 "who Answer'd by way of Ordinance, for that they might
 "amend the same at their pleasures; and so it was.

"BUT his Majesty objected further, that there was some-
 "what in the Preface, to which he could not consent with
 "justice to his Honour and Innocence; and that thereby he
 "was Excluded from any power in the disposing of it. These
 "Objections, they said, might seem somewhat, but indeed
 "would appear nothing, when it should be consider'd, that
 "nothing in the Preamble laid any charge upon his Majesty,
 "or in the body of the Ordinance, that excludes his Royal
 "Authority in the disposing, or execution of it: But only it
 "was provided, that it should be signify'd by both Houses
 "of Parliament, as that Chancel, through which it would be
 "best derived, and most certainly to those ends for which it
 "was intended; and let all the World judge whether they
 "had not reason to insist upon it, that the strength of the
 "Kingdom should rather be order'd according to the Advice,
 "or Direction of the great Council of the Land, intrusted by
 "the King, and by the Kingdom, than that the safety of the
 "King, Parliament, and Kingdom, should be left at the devo-
 "tion of a few unknown Counsellors, many of them not in-
 "trusted at all by the King in any publick way, nor at all Com-
 "mited in by the Kingdom.

"THEY wished the Danger were not imminent, or not
 "still continuing, but could not conceive, that the long time
 "spent in that Debate was evidence sufficient, that there was
 "no such necessity or danger, but a Bill might easily have
 "been prepared; for, when many causes do concur to the
 "danger of a State, the interruption of any one might hinder
 "the execution of the rest, and yet the design be still kept
 "on foot, for better opportunities. Who knew, whether the

40 ill success of the Rebels in *Ireland* had not hinder'd the In-
 41 surrection of the Papists here? Whether the preference
 42 of the six Members of the Parliament, fully accused, had
 43 not prevented that Plot of the breaking the neck of this
 44 Parliament, of which they were informed from *France*,
 45 not long before they were accused? Yet since his Majesty
 46 had been pleas'd to express his pleasure rather for a Bill,
 47 than an Ordinance, and that he sent in one for that purpose,
 48 they readily entertain'd it; and, with some small and necessa-
 49 ry alterations, speedily pass'd the same. But contrary to
 50 the custom of Parliament, and their expectation, grounded
 51 upon his Majesty's own Invitation of them to that way, and
 52 other reasons manifest in their Declaration concerning
 53 the Militia, of the fifth of *May*, instead of the Royal Assent,
 54 they met with an absolute Refusal.

55 F O R their Votes of the fifteenth and sixteenth of *March*,
 56 they said, if the Matter of those Votes were according to
 57 Law, they hoped his Majesty would allow the Subjects to
 58 be bound by them, because he had said, he would make
 59 the Law the Rule of his power; and if the Question were,
 60 whether that were Law, which the Lords and Commons
 61 had once declar'd to be so, who should be the judge? Not
 62 his Majesty; for the King judge: not of Matters of Law,
 63 but by his Courts; and his Courts, though sitting by His
 64 Authority, expect'd not his Assent in Matters of Law: nor
 65 any other Courts; for they could not judge in that case,
 66 because they were Inferiour, no Appeal lying to them from
 67 Parliament, the judgment whereof is, in the eye of the Law,
 68 the King's judgment in his highest Court, though the King
 69 in his Person be neither present, nor assenting therunto.

70 The Votes at which his Majesty took exception were these:

1. T H A T the King's Absence so far remote from his Par-
 21 liament, was not only an Obstruction, but might prove a
 22 Destruction to the Affairs of *Ireland*.

2. T H A T when the Lords and Commons shall de-
 23 clare what the Law of the Land is, to have this not only que-
 24 rion'd and controverted, but contradicted, and a Command
 25 that it should Not be obeyed, was a high Breach of the Pri-
 26 vilege of Parliament.

3. T H A T those Persons, who advis'd his Majesty to ab-
 27 sent himself from the Parliament, are Enemies to the Peace
 28 of the Kingdom, and justly may be suspected to be favo-
 29 rers of the Rebellion in *Ireland*.

4. T H A T the Kingdom had been of late, and still was, in
 30 so imminent danger, both from Enemies abroad, and from
 31 a Populish

32 Populish and Discontented Party at home, that there was
 33 an urgent, and inevitable necessity of putting his Majesty's
 34 Subjects into a posture of Defence, for the safeguard both
 35 of his Majesty and his People.

36 T H A T the Lords and Commons, fully apprehending
 37 this Danger, and being sensible of their own Duty, to pro-
 38 vide a suitable Prevention, had, in several Petitions, advis'd
 39 themselves to his Majesty for the ordering, and disposing
 40 the Militia of the Kingdom in such a way, as was agreed
 41 upon, by the wisdom of both Houses, to be most effectual,
 42 and proper for the present Exigence of the Kingdom, yet
 43 could not obtain it; but his Majesty did, several times, re-
 44 fuse to give his Royal Assent therunto.

45 T H A T, in this case of extreme Danger and his Maje-
 46 sty's Refusal, the Ordinance of Parliament, agreed upon by
 47 both Houses, for the Militia, doth oblige the People, and
 48 ought to be obeyed, by the Fundamental Laws of this
 49 Kingdom.

50 B Y all which, they said, it did appear, that there had
 51 been no colour of that Tax, that they went about to in-
 52 troduce a new Law, much less to exercise an Arbitrary
 53 power, but indeed to prevent it: for this Law was sold
 54 as the Kingdom; that the Kingdom must not be without a
 55 means to preserve itself; which that it might be done with-
 56 out confusion, this Nation had intrusted certain Hands with
 57 Power to provide, in an orderly and regular way, for the
 58 Good and Safety of the Whole; which Power, by the Con-
 59 stitution of the Kingdom, was in his Majesty, and in his
 60 Parliament together: yet since the Prince, being but one
 61 Person, is more subject to accidents of Nature and Chance,
 62 whereby the Common-wealth may be deprived of the Fruit
 63 of that Fruit, which was, in part, reposed in him; in cases
 64 of such Necessity, that the Kingdom may not be enforced
 65 presently to return to its first Principles, and every man
 66 left to do what is right in his own Eyes, without either
 67 Guide or Rule; the Wisdom of this State hath intrusted
 68 the Houses of Parliament with a power to supply, what
 69 should be wanting on the part of the Prince, as is evident
 70 by the constant Custom, and Practice thereof, in cases of
 71 Nonage, natural Disability, and Captivity; and the like
 72 reason doth, and must hold for the exercise of the same
 73 Power in such cases, where the Royal Trust cannot be, or
 74 is not discharged, and that the Kingdom runs an Evident,
 75 and imminent Danger thereby; which Danger having been
 76 declar'd by the Lords and Commons in Parliament, there
 77 needs not the Authority of any Person or Court to affirm,

nor is it in the power of any Person or Court to revoke, the Judgment.

THEY said, they knew, the King had ways enough, in his ordinary Courts of Justice, to punish such seditious Pamphlets and Sermons, as were any ways prejudicial to his Rights, Honour, and Authority; and if any of them had been so insolently violated and viol'd, his Majesty's own Council and Officers had been too blame, and not the Parliament: They never had restrain'd any proceedings of this kind in other Courts, nor refus'd any fit complaint to them. The Protestation protest'd, had been referred by the Commons Houle to a Committee, and, the Author being not produced, the Printer committed to Prison, and the Book Voted by that Committee to be burnt; but *St Edward Dering*, who was to make that Report of the Votes of the Committee, neglected to make it. The Apprentices Protestation was never complain'd of; but the other seditious Pamphlet, *To your Tents O Israel*, was once question'd, and the full prosecution of it was not interrupted by any fault either Houle, whole forwardness to do his Majesty all right therein might plainly appear, in that a Committee of Lords and Commons was purposely appointed, to take such Informations as the King's Council should present concerning seditious Words, Practices or Tumults. Pamphlets or Sermons, tending to the derogation of his Majesty's Rights or Prerogative, and his Council had been enjoy'd by the Committee, to enquire and present them; who several times met thereupon, and received this Answer and Declaration from the King's Council, that they knew of no such thing as yet.

THEY said, if his Majesty had us'd the Service of such a One in penning that Answer, who understood the Laws and Government of this Kingdom, he would not have thought it Legally in his power to deny his Parliament a Guard, when they stood in need of it: since every ordinary Court hath it: neither would his Majesty, if he had been well inform'd of the Laws, have refus'd such a Guard as they desired, it being in the power of Inferiour Courts to command their own Guard; neither would he have imposed upon them such a Guard, under a Commander which they could not have Confid'd in; which is clearly against the Privileges of Parliament, and of which they found very dangerous effects; and therefore desired to have it discharged. But such a Guard, and so Commanded, as the Houses of Parliament desired, they could never obtain of his Majesty; and the placing a Guard about them, contrary to their desire, was not to grant a Guard to them, but in effect to

set one Upon them: all which consider'd, they believ'd, in the judgment of any Indifferent Persons, it would not be thought strange, if there were a more than ordinary reform of People to *Hypocrites*, of such as came willingly, of their own accord, to be Witnesses, and Helpers of the safety of them, whom all his Majesty's good Subjects are bound to defend from Violence, and Danger; or that such a Course as that (they carrying themselves quietly and peaceably, as they did) ought in his Majesty's apprehension, or could, in the interpretation of the Law, be held Tumultuary and Seditious.

THEY said when his Majesty, in that Question of Violation of the Laws, had express'd the observation of them indefinitely, without any limitation of Time, although they never fail, or thought any thing, that might look like a Repouch to his Majesty, yet they had reason to remember that it had been otherwise, lest they should seem to desert their former Complaints, and Proceedings thereupon; as his Majesty did seem but little to like or approve them; for though he did acknowledge here that great mischief, that grew by that Arbitrary Power than complain'd of; yet such were continually preferred and countenanced, as were Friends, or Favourers, or Related to the chief Authors and Adors of that Arbitrary Power, and, of those false colours, and suggestions of imminent danger, and necessity, whereby they did make it plausible unto his Majesty: and, on the other side, such as did appear against them were daily discountenanced, and disgrac'd: which whilst it should be so, they had no reason to believe the disease to be yet kill'd, and dead at Root, and therefore no Reason to bury it in Oblivion; and, whilst they believ'd the Spawns of those mischievous Principles cherish'd, and foster'd in that new generation of Councilors, Friends and Abettors of the former, or at least Concurring with them in their Malpractice against the proceeding of this Parliament, they could not think themselves secure from the like, or a worse danger.

THEY observ'd, the Penner of his Majesty's Answer bewor'd here an admonition upon the Parliament, bidding them take heed They fall not upon the same error, upon the same suggestions; but, they said, he might well have insur'd that, till he could have shew'd wherein they had exercised any power, otherwise than by the Rule of the Law, or could have found a more Authentick, or a Higher Judge in matters of Law, than the high Court of Parliament.

IT was declar'd, in his Majesty's Name, that he resolv'd to keep the Rule Himself, and, to his power, to require

“the fame of all others. They said, they must needs acknowledge, that such a resolution was like to bring much happiness, and blessing to his Majesty, and all his Kingdoms; yet, with humility, they must confess, they had not the Fruit of it in that Case of the Lord *Kinslow*, and the other five Members, accused contrary to Law, both Common and the Statute Law; and yet remained unsatisfy'd: Which Case had been remember'd, in their Declaration, as a strange and unheard of Violation of their Laws: But the Penner of that Answer thought fit to pass it over, hoping that many would read his Majesty's Answer, which had been so carefully dispersed, who would not read their Declaration.

“WHEREAS, after their ample thanks, and acknowledgements of his Majesty's favour in passing many good Bills, they had said, that truth and necessity enforced them to add this, that in, or about the time of passing those Bills, some Design or other had been on foot, which, if it had taken effect, would not only have deprived them of the Fruit of those Bills, but would have reduced them to a worse condition of confusion, than that wherein the Parliament found them: it was now told them, that the King must be made sensible of what they had cast upon him, for the requir'd of those good Bills; whereas, out of their usual tenderness of his Majesty's honour, they did not mention Him at all; but so injurious, they said, were those wicked Councils to the Name, and Honour of their Master and Sovereign, that as much as they could, they laid their own Infamy and Guilt upon His Shoulders.

“HERE, they observed, God also was called to witness his Majesty's upright intentions at the passing of those Laws; which, they said, they would not question, neither did they give any occasion for such a solemn Affirmation, as that was; the Devil was likewise desir'd to prove there was any design, with his Majesty's knowledge or consent, That might well have been spared; for they spoke nothing of his Majesty: but since they were so far tax'd, as to have it affirm'd, that they had laid a false, and notorious Imputation upon his Majesty, they thought it necessary for the just defence of their own Innocency, to cause the Oaths and Examinations, which had been taken, concerning the Design, to be published in a full Narration, for satisfaction of all his Majesty's Subjects; out of which they would now offer some few Particulars, by which the world might judge, whether they could proceed with more earnestness towards his Majesty, than they had done. *Mr. Goring* confess'd, that the King first asked him, whether he were engaged

“engaged in any Cabal concerning the Army? and commanded him to joyn with *Mr. Piery*, and *Mr. Jeremy*, and some others whom they should find at *Mr. Piery*'s Chamber; where they took the Oath of Secrecy, and then debated of a design propos'd by *Mr. Jeremy*, to secure the Tower, and to consider of bringing up the Army to London: and Captain *Leg* confess'd, he had received the draught of a Petition, in the King's presence; and his Majesty acknowledged it, was from his own Hand: and whosoever reads the Sum of that Petition, as it was proved by the Testimony of *St. Jacob Ashley*, *St. John Conyers*, and Captain *Leg*, will easily perceive some Points in it, apt to beget in them some Discontents against the Parliament. And could any man believe there was no Design in the Accusation of the Lord *Kinslow*, and the rest, in which his Majesty doth avow himself to be both a Commander, and an Actor? These things being so, it would easily appear to be as much against the Rules of Prudence, that the Penner of that Answer should entangle his Majesty in that unnecessary Apology, as it was against the Rules of Justice, that any Reparation from Them should be either yielded, or demanded.

“It was protest'd, in his Majesty's Name, that he is truly sensible of the Burthens of his People; which made them hope that he would take that course, which would be most effectual to ease them of those burthens, that was, to joyn with his Parliament in preserving the Peace of the Kingdom, which, by his Absence from them, had been much endanger'd; and which, by hindering the voluntary Assurances for the recovery of *Ireland*, and disabling the Subjects to discharge the great Tax imposed on them, was like to make the War much more heavy to the Kingdom. And for his Majesty's Wants, the Parliament had been no cause of them; They had not diminished his just Revenue, but had much eased his Publick Charge, and somewhat his Private, and they should be ready, in a Parliamentary way, to settle his Revenue in such an Honourable proportion, as might be answerable to both, when he should put himself into such a posture of Government, that his Subjects might be secure to enjoy his just Protection for their Religion, Laws, and Liberties.

“THEY said, they never refused his Majesty's gracious Offer, of a free and general Pardon, only they said, it could be no Security to their present Fears and Jealousies: and they gave a Reason for it; that those Fears did not arise out of any Guilt of their own Actions, but out of the evil Designs and Attempts of others; and they left the World to judge, whether They therein had deserved to have a Tax
N n 2
“and

and Exclamation? (That it was a strange World, when Princes proffer'd Favours were counted Reproaches : such were the words of his Majesty's Answer) who did esteem that Offer as an Act of Princely Grace and Bounty, which, since the Parliament began, they had hardly desired they might obtain, and did still hold it very necessary, and as advantageous for the generality of the Subject, upon whom the Taxes and Subsidies lie heaviest : but, they said, they saw, upon every Occasion, how unhappy they were in his Majesty's misapprehensions of their Words, and Actions.

THEY said, they were fully of the King's mind; as it was there declared, that he might rest so secure of the Affections of his Subjects, that he should not stand in need of Foreign Force to preserve him from Oppression; and were confident, that he should never want an abundant Evidence of the good Will, and Assistance of his whole Kingdom; especially if he would be pleased to hold to that gracious Resolution of building upon that sure Foundation, the Law of the Land; but why his Majesty should take it ill, that they, having received Informations so deeply concerning the safety of the Kingdom, should think them fit to consider of, they could not conceive; for although the Name of the Person was unknown, yet that which was more substantial to the probability of the report was known, that is, that he was servant to the Lord Digby, who, in his presumptuous Letter to the Queen's Majesty, and other Letters to Sir Lewis Dives, had intimated some wicked Proposition, suitable to that Information; but that this should require Reparation, they held it as far from Justice, as it was from Truth that they had mixed any Malice with those Rumours, thereby to feed the Fears and Jealousies of the People.

It was affirmed, that his Majesty was driven From them, but not By them; yet perchance, they said, hereafter, if there should be opportunity of gaining more credit, there would not be wanting who would suggest unto his Majesty, that it was done By them : and if his Majesty were driven from them, they hoped it was not by his own Fears, but by the Fears of the Lord Digby, and his Retinue of Cavaliers; and those no Fears of any Tumultuary violence, but of their just punishment for their manifold insolence, and intended violence against the Parliament : And this was expressed by the Lord Digby himself, when he told those Cavaliers, that the principal cause of his Majesty's going out of Town, was to free Them from being trampled in the Dirt: but of his Majesty's Person, there was no cause of Fear; in the greatest heat of the People's Indignation, after the

the Accusation, and his Majesty's violent coming to the House; there was no flew of any evil intention against his Royal Person; of which there could be no better Evidence than this, that he came the next day without a Guard into the City, where he heard nothing but Prayers and Petitions, no Threatenings, or irreverent Speeches, that might give him any just Occasions of Fear, that they had heard of; or that his Majesty expressed; for he staid near a week after at White-Hall, in a secure and peaceable Condition : whereby they were induced to believe, that there was no difficulty, or doubt at all, but his Majesty's residence near London might be as safe, as in any part of the Kingdoms. They said, they were most assured of the faithfulness of the City, and Suburbs; and for themselves, they should quicken the Vigour of the Laws, and Industry of the Magistrate, the Authority of Parliament, for the suppressing of all Tumultuary Insolence; whatsoever, and for the vindicating of his Honour from all insupportable and insolent Scandals, if any such shall be found to be raised upon him, as were mentioned in that Answer; and therefore they thought it altogether unnecessary, and exceeding inconvenient, to Adjourn the Parliament to any other place.

WHERE the desire of a good understanding betwixt the King and Parliament, was on both sides so earnest, as was there professed by his Majesty to be in Him, and they had sufficiently testify'd to be in themselves, it seem'd strange they should be, they said, so long asunder; it could be nothing else but evil and malicious Counsel in misrepresenting to them And as it should be far from them to take any advantage of his Majesty's supposed freights, as to desire, much less compel him to that, which his Honour or Interest might render unpleasant, or grievous to him; so they hoped, his Majesty would not make his own Un-derstanding or Reason the Rule of his Government; but would suffer himself to be assisted with a Wise and Prudent Council, that might deal faithfully betwixt Him and his People : and that he would remember, that his Resolutions did concern Kingdoms; and therefore ought not to be moulded by his own, much less by any Private Persons, which was not alittle proportionable to so great a Trust : And therefore they still desired and hoped, that his Majesty would not be guided by his own Understanding, as they think those Courts, Streights and Necessities, to which he should be advised by the Wisdom of both Houses of Parliament, which are the Eyes in the Politick Body, whereby his Majesty was, by the Constitution of the Kingdom,

to discern the differences of those things, which concern the Publick Peace and Safety thereof.

THEY said, they had given his Majesty no cause to say, that they did meanly value the discharge of his Publick Duty; whatsoever Acts of Grace or Justice had been done, they proceeded from his Majesty by the Advice and Counsel of his Parliament, yet they had and should always Answer them with constant Gratitude, and Obedience, and Affection; and although many things had been done, since his Parliament, of another nature, yet they should not cease to desire the continued Protection of Almighty God upon his Majesty, and most humbly Petition him to call from him all those evils, and contrary Councils, which had, in many particulars formerly mention'd, much detracted from the Honour of his Government, the Happiness of his own Estate, and Prosperity of his People.

AND having pass'd so many Dangers from abroad, so many Conspiracies at home, and brought on the Publick Work so far, through the greatest difficulties that ever stood in opposition to a Parliament, to such a degree of success, that nothing seem'd to be left in the way able to hinder the full Accomplishment of their Desires, and Endeavour for the Publick Good, unless God in his Justice did send a grievous Curse upon them, as to turn the strength of the Kingdom against it self, and to effect, that by their own Folly and Credulity, which the Power and Subtily of their Enemies could not attain, that was, to divide the People from the Parliament, and to make them servicable to the Ends, and Aimes of those who would destroy them: Therefore they desired the Kingdom to take notice of that ill and mischievous Plot of the Malignant Party, that was seld and profecuted in many parts of the Kingdom, under plausible notions of stirring them up to a care of preserving the King's Prerogative; maintaining the Discipline of the Church; upholding and continuing the Reverence, and Solemnity of God's Service; and encouraging of Learning: And, upon those grounds, divers mutinous Petitions had been framed in London, Kent, and other Counties; and sundry of his Majesty's Subjects, had been solicited to declare themselves for the King against the Parliament; and many false and foul Aspersions had been cast upon their Proceedings, as if they had been not only negligent, but averse in those Points; whereas they desired nothing more, than to maintain the purity and power of Religion, and to honour the King in all his just Prerogatives; and for encouragement and advancement of Piety and Learning, they had very earnestly endeavour'd, and still did,

to the utmost of their Power, that all Parishes might have Learned, Pious, and Sufficient Preachers, and all such Preachers, competent Livings.

MANY other Bills and Propositions, they said, were in preparation, for the King's Profit and Honour, the People's Safety and Prosperity; in the proceedings whereof, they were much hinder'd by his Majesty's Absence from the Parliament; which was altogether contrary to the use of his Predecessors, and the Privilege of Parliament, whereby their time was consumed by a multitude of unecessary Meetings, and their Innocency wounded by cauld and sharp Invectives; yet they doubted not but they should overcome all this at last, if the People suffer not themselves to be deceived with false and specious shews, and so drawn to betray Them to their own undoing, who had ever been willing to hazard the undoing of themselves, that they might not be betrayed, by their neglect of the Trust reposed in them: But if it were not possible they should prevail hereon, yet they would not fail, through God's Grace, still to persist in their Duties, and to look beyond their own Lives, Estates, and Advantages, as those who think nothing worth the enjoying without the Liberty, Peace, and Safety of the Kingdom; nor any thing too good to be hazarded in discharge of their Consciences, for the obtaining of it: And should always repose themselves upon the Protection of Almighty God, which, they were confident, would never be wanting to them (while they fought His Glory) as they had found it, hitherto, wonderfully going along with them, in all their Proceedings.

With this Declaration they published the Examinations of Mr Goring, Mr Perry's Letter to the Earl of Northumberland; which were the great Evidence they had of the Plot of bringing up the Army, to awe the Parliament; and several other Letters and Depositions, or rather such parts of Depositions, as contributed most to their purpose. For the truth is, as they never published, so much as to the Houses which were to Judge, many Depositions of Witnesses, whose Testimonies, in a manner, vindicated the King from those Aspersions, which they had a mind should stick upon him (for many such there were) so of those which they did publish, they left out many parts, which, being added, would either have obscured, or contradicted, or discredited much of that, out of which they made the People believe much to the King's discredit: And yet with all those ill Arts and Omissions, I presume many, who without passion do so read those Depositions (for they are in all hands to be read) do much marvel how such conclusions could result to his Majesty's disadvantage,

vantage, cut of the worst part of all that Evidence; which could not, naturally, carry that sense to which it was wrested. ABOUT this time (which I shall mention before the other Declaration, because it interven'd) there happen'd an Accident that gave them much trouble; and the more, because unlook'd for, by the Lord Keeper's quitting them, and resorting to *Tort*; by which the King got the possession of his own Great Seal; which by all Parties was, at that time, thought a most considerable advantage. The King was very much unsatisfy'd with the Lord Keeper *Lisleton*; who did not appear to assist for his Service as he expected, and, from the time of the Accusing the Members, had lost all his Vigour, and instead of making any opposition to any of their extravagant Debates, he had silently suffer'd all things to be carried; and had not only declined the performing the Office the King had enjoy'd him, with reference to the Earls of *Essex* and *Holland* (before mention'd) but very much complied with, and courted that Party of both Houses, which frequently resorted to him; and of late in a question, which had been put in the House of Peers, in the point of the Militia, he had given his Vote both against the King and the Law, to the infinite Offence and Scandal of all those who adhered to the King.

He was a Man of great Reputation in the profession of the Law; for Learning, and all other Advantages, which attend the most Eminent Men; he was of a very good Extraction from his Father; he was a handsome, and a proper Man, of a very graceful Presence, and notorious for Courage, which, in his Youth, he had manifested with his Sword; he had taken great pains in the hardest, and most curious part of the Law, as well as that which was more customary, and was not only very ready and expert in the Books, but exceedingly versed in Records, in studying and examining whereof, he had kept Mr *Stalen* company, with whom he had great friendship, and who had much assisted him; so that he was looked upon the best Antiquary of the Profession, who gave himself up to Practice; and, upon the meer strength of his own Abilities, he had raised himself into the first Rank of the Practitioners in the Common Law Courts, and was chosen Recorder of *London* before he was called to the Bench, and grew presently into the highest Practice in all the other Courts, as well as those of the Law. When the King looked more narrowly into his business, and found that he should have much to do in *Westminster-Hall*, he removed an old, useless, illiterate Person, who had been put into that Office by the favour of the Duke of *Buckingham*, and made *Lisleton* his Solicitor

Solicitor General, much to his Honour, but not to his Profit; the obligation of Attendance upon that Office, depriving him of much benefit he us'd to acquire by his Practice, before he had that relation. Upon the death of the Lord *Coventry*, *Finch* being made Keeper, he was made Chief Justice of the Common Pleas, then the best Office of the Law, and that which he was wont to say, in his highest Ambition, in his own private wishes, he had most desired; and it was indeed the Sphere in which he moved most gracefully, and with most advantage, being a Master of all that Learning and Knowledge, which that Place required; and an excellent Judge, of great Gravity, and above all suspicion of Corruption.

WHILEST he held this Place, he was by the favour of the Arch-Bishop of *Canterbury*, and the Earl of *Strafford*, who had a great esteem of him, recommended to the King to be called to the Council Table, where he kept up his good Name; and, upon the Lord *Finch's* leaving the Kingdom, in the beginning of the Parliament, he was thought, in many respects, to be the fittest to be entrusted in that Office; and, upon the desire of the Earl of *Strafford* after he was in the Tower, was Created a Baron, out of expectation that, by his Authority and Knowledge of the Law, he would have been of great use in restraining those extraordinary, and unwarrantable Proceedings; but, from the time he had the Great Seal, he seem'd to be out of his Element, and in some perplexity and irresolution in the Chancery itself, though he had great experience in the practice, and proceedings of that Court; and made not that dispatch, that was expected, at the Council Table; and in the Parliament he did not preserve any dignity; and appear'd so totally dispirited, that few Men shew'd any respect to him, but they who most opposed the King, who indeed did exceedingly apply themselves to him, and were with equal kindness received by him. This wonderful alteration in him, his Friends believed to have proceeded from a great sickness, which had seized upon him quickly after he was Created a Baron, inasmuch as every Man believed he would die; and by this means, he did not attend the House in some Months; and so perform'd none of those Offices toward the Earl of *Strafford*, the expectation whereof had been the sole Motive to that Promotion: From that time there did appear the same Man; but since there were other Causes for it, and he was possessed with some melancholy apprehensions, which he could not Master, and had no friends to whom he durst entirely communicate them.

Mr *Hyde*, one of those who was most trusted by the King in the House of Commons, and had always had a great respect for

for the Keeper, was as much troubled at his behaviour, as any Man; and using frequently to go to him, went upon that occasion; and with great freedom and plainness, told him, "how much he had lost the esteem of all Good Men, and that the King could not but be exceedingly dissatisfied with him; and discoursed over the matter of that Vote. Through he did not know, that the King did at that time put for a secret Trust in Mr Hyde, yet he knew very well, that the King had a very good opinion of him, and had heard his Majesty often, from the beginning of the Parliament, when the discourse happen'd to be of the Lawyers of the House, take an occasion from thence to mention Mr Hyde, as a Man of whom he heard very well; which the Keeper had many times taken notice of to him; and then he knew the Friendship that was between the Lord Falkland and Mr Hyde, and had heard the many Jealousies which were contracted, upon the great communication he had with the two new Counsellors; and so no doubt believed, that he knew much of the King's mind. So that as soon as he had enter'd upon this discourse, which he heard with all attention (they being by themselves in his Study, at Exeter House) He rose from his Chair, and went to the Door; and finding some Persons in the next Room, he had them to withdraw; and locking both the Door of that Room, and of his Study, he sat down himself, and making Mr Hyde sit down too, he began "giving him many thanks for his Friendship to him, which he said, he had ever esteem'd, and he could not more mournful the esteem he had of it and him, than by using that freedom again with him, which he meant to do. Then he lamented his own Condition; and that he had been preferred from the Common Pleas, where he knew both the Business and the Persons he had to deal with, to the other high Office he now he held, which obliged him to converse and traffick with another sort of Men, who were not known to him, and in Affairs, which he understood not, and had not one Friend among them, with whom he could confer upon any doubt, which occurred to him.

He spoke then of the unhappy state and condition of the King's business; how much he had been, and was still betrayed by Persons who were about him; and with all possible indignation against the proceedings of the Parliament; and said, "they would never do this, if they were not resolv'd to do more: that he knew the King too well, and observ'd the Carriage of particular Men too much, and the whole current of publick Transactions these last five or six Months, not to foresee that it could not be long, before there would be a War between the King and the two Houses; and of

the importance, in that Season, that the Great Seal should be with the King. Then he fell into many expressions of his Duty, and Affection to the King's Person, as well as to his high Degree: and "that no Man should be more ready, to perish with, and for his Majesty, than He would be; that the prospect he had of this necessity, had made him carry himself towards that Party with so much compliance, that he might be gracious with them, at least, that they might have no disturbit of him; which, he knew, many had endeavour'd to insule into them; and that there had been a consultation within few days, whether, in regard he might be sent for by the King, or that the Seal might be taken from him, it would not be best to appoint the Seal to be kept in some such secure place, as that there might be no danger of losing it; and that the Keeper should always receive it, for the execution of his Office; they having no purpose to disoblige him. And the knowledge he had of this consultation, and fear he had of the execution of it, had been the reason, why in the late Debate upon the Militia, he had given his Vote in such a manner, as, he knew, would make very ill impressions with the King, and many others who did not know him very well; but that, if he had not, in that Point, submitted to their opinion, the Seal had been taken from him that Night; whereas by this compliance in that Vote, which could only prejudice himself, and not the King, he had gotten so much into their Confidence, that he should be able to preserve the Seal in his own hands, till the King required it; and then he would be as ready to attend his Majesty with it.

Mr Hyde was very well pleas'd with this discourse; and asked him, "whether he would give him leave, when there should be a fit occasion, to assure the King, that he would perform this Service, when the King should require it? He desired, "that he would do so, and pass his Word for the performance of it, as soon as his Majesty pleas'd, and so they parted.

It was within very few days after, that the King, exceedingly displeas'd and provoked with the Keeper's behaviour, sent an Order to the Lord Falkland, "to require the Seal from him; in which the King was very positive, though he was not resolv'd to what had to commit it. His Majesty with'd them (for he always included the other Two in such references) to consider, "whether he should give it to the Lord Chief Justice Banks (against whom he made some objection himself) "or into the hands of Mr Selden; and so send their opinions to him. The Order was positive for requiring it from the present Officer, but they knew not

who to advise for a Successor. The Lord Chief Justice *Bass* appeared to be as much afraid, as the other; and not thought equal to that Charge, in a time of so much disorder; though otherwise he was a Man of great Abilities, and unblemish'd integrity; they did not doubt of *Mr Selden's* Affection to the King, but withal they knew him so well, that they concluded he would absolutely refuse the place, if it were offer'd to him. He was in years, and of a tender Constitution; he had for many years enjoy'd his ease, which he loved; was Rich; and would not have made a Journey to *Toré*, or have lain out of his own Bed, for any Preferment; which he had never affect'd.

BEING all Three of one mind, that it would not be fit to offer it to the one or the other; hereupon *Mr Hyde* told them the Conference he had with the Keeper, and the profession he had made; and was very confident, that he would very punctually perform it; and therefore propos'd, that "they might, with their Opinions of the other Persons, likewise advise his Majesty to suspend his Resolution concerning the *Let* of the Keeper; and rather to write kindly to him, to bring the Seal to his Majesty, instead of sending for the Seal itself; and call him off; and offer'd to venture his own Credit with the King, that the Keeper would comply with his Majesty's Commands. Neither of them were of his opinion; and he both no esteem of the Keeper, nor believed, that he would do to his Majesty, if he were sent for, but that he would do some trick to excuse himself; and therefore were not willing, that *Mr Hyde* should venture his Reputation upon it. He desired them then "to consider how absolutely necessary it was, that the King should first resolve into what hands to put the Seal, before he removed it; for that it could not be unemploy'd one hour, but that the whole Justice of the Kingdom would be put out of order, and draw a greater and a juster clamour, than had been yet: That there was as much care to be taken, that it should not be in the power of any Man to refuse it, which would be yet more prejudicial to his Majesty. He desired them above all, to weigh with, that the business confided only in having the Great Seal in the place where his Majesty resolv'd to be; and if the Keeper would keep his promise, and desired to serve the King, it would be unquestionably the best way; that the Seal and the Seal were both there: if, on the other side, he were not an Honest Man, and cared not for offending the King, he would then refuse to deliver it; and inform the Lords of it: who would justify him for his disobedience, and reward and cherish him; and he must then hereafter serve *These* turn; the mischief whereof would be greater, than could be easily

easily imagin'd; and his Majesty's own Great Seal should be every day us'd against him, nor would it be possible in many Months to procure a New one to be made.

THESE Objections appear'd of weight to them; and they resolv'd to give an account of the whole to the King, and to expect his Order: and both the *Lord Felland*, and *Mr Hyde*, went to his Majesty, and sent their Letters away that very Night. The King was satisfy'd with the Reasons, and was very glad that *Mr Hyde* was so confident of the Keeper; though, he said, "he remained still in doubt; and resolv'd "that he would, such a day of the Week following, send for the Keeper and the Seal; and that it should be, as had been advis'd, upon a Saturday Afternoon, as soon as the House of Lords should rise; because then no notice could be taken of it till Monday. *Mr Hyde*, who had continued to fee the Keeper frequently, and was confirm'd in the confidence of his Integrity, went now to him; and finding him firm to his Resolution, and of opinion, in regard of the high Proceedings of the Houses, that it should not be long defer'd; he told him, "that he might expect a Messenger the next Week, and that he should once more see him, when he would tell him the Day; and that he would then go himself away before him to *Toré*, with which he was much pleas'd, and it was agreed between the Three, that it was now time, that he should be gone (the King having sent for him some time before) after a day or two; in which time the Declaration of the nineteenth of May would be pass'd.

On the Saturday following, between two and three of the Clock in the Afternoon, *Mr Elliot*, a Groom of the Bed-Chamber to the Prince, came to the Keeper, and found him alone in the Room where he used to sit, and deliver'd him a Letter from the King in his own hand; wherein he required him, with many expressions of kindness and esteem, "to make halt to him; and if his indisposition (for he was often troubled with gravel and sharpness of Urine) "would not suffer him to make such halt upon the Journey, as the occasion required, that he should deliver the Seal to the Person who gave him the Letter; who, being a strong young Man, "would make such halt as was necessary; and that he might make his own Journey, by those degrees which his Health required. The Keeper was surpris'd with the Messenger, whom he did not like; and more when he found that he had seen the contents of the Letter, which, he hoped, would not have been communicated to any Man, who should be sent: He Answer'd him with much reservation, and when the other with bluntness, as he was no polite Man, demand'd the Seal of him, which he had not thought of putting out of his own hands;

hands; he Answer'd him, "that he would not deliver it in to any hands, but the King's; but presently recollecting himself, and looking over his Letter again, he quickly considered, that it would be hazardous to carry the Seal himself such a Journey; and that if by any pursuit of him, which he could not but suspect, he should be seized upon, the King would be very unhappily disappointed of the Seal, which he had reason for much to depend upon; and that his misfortune would be wholly imputed to his own fault and infidelity (which without doubt he should wish with his heart) and the only way to prevent that mischief, or to appear innocent in order to, was to deliver the Seal to the Person trusted by the King himself to receive it; and so, without telling him any thing of his own purpose, he delivered the Seal into his hands; who forthwith put himself on his Horse, and with wonderful expedition presented the Great Seal into his Majesty's own hands, who was infinitely pleas'd with it, and with the Messenger.

THE Keeper, that Evening, pretended to be indispos'd, and that he would take his rest early, and therefore that no body should be admitted to speak with him: and then he called Serjeant Lee to him, who was the Serjeant who waited upon the Seal, and in whom he had great Confidence, as he well might; and told him freely, "That he was resolv'd the next Morning, to go to the King, who had sent for him; "that he knew well, how much malice he should commit by it from the Parliament, which would use all the means they could to apprehend him; and he himself knew not how he should perform the Journey, therefore he put himself entirely into his hands; that he should cause his Horse to be ready against the next Morning, and only his own Groom to attend them, and he to guide the best way, and that he would not impart it to any other Person. The honest Serjeant was very glad of the Resolution, and cheerfully undertook all things for the Journey; and so sending the Harrier out of the Town, the Keeper put himself in his Coach very early the next Morning, and as soon as they were out of the Town, He and the Serjeant, and one Groom, took their Horses, and made to great a Journey that day, it being about the beginning of *June*, that before the end of the third day, he deliver'd the King's hand at *York*.

HE had purposely procur'd the House of Peers to be adjourn'd to a later hour, in the Morning for *Monday*, that it might be. *Sunday* pass'd without any Man's taking notice of the Keeper's being absent; and many who knew that he was not at his House, thought he had been gone to *Cambridge*, to his Country House, whither he frequently went on *Sundays*.

Monday night, and was early enough at the Parliament on *Monday* Morning; and to the Lords the more willingly consented to the later Adjournments for those days. But on *Monday* Morning, when it was known when, and in what manner he had left his House, the confusion in both Houses was very great; and they who had thought that their interest was to great in him, that they knew all his thoughts, and had valued themselves, and were valued by others, upon that account, hung down their heads, and were even distressed with shame: However they could not but conclude, that He was out of their reach before the Lords met; yet to fliew their indignation against him, and it may be in hope that his Intrigues would detain him long in the Journey (as no body indeed thought that he could have perform'd it, with that expedition) they issued out such a Warrant for the apprehending him, as had been in the case of the foulest Felon or Murderer; and Printed it, and caus'd it to be dispersed by Expresses, over all the Kingdom with great haste. All which circumstances both before, and after the Keeper's Journey to *York*, are the more particularly, and at large set down, out of justice to the memory of that noble Person; whose Honour suffic'd then much in the opinion of many, by the confident report of the Person, who was sent for, and receiv'd the Seal, and who was a loud and bold Talker, and desired to have it believed, that his Manhood had ravish'd the Great Seal from the Keeper, even in spite of his teeth; which, how impossible sooner in it self, found too much Credit; and is therefore cleared by this very true and punctual Relation, which in truth is due to him.

BUT the Trouble and Distraction, which at this time possessed them, was visibly very great; and their dejection such, that the same day the Earl of *Northumberland* (who had been of another temper) mov'd, "that a Committee might be appointed, to consider how there might be an Accommodation between the King and his People, for the Good, Happiness, and Safety of both King and Kingdom; which Committee was appointed accordingly.

THIS temper of Accommodation troubled them not long, nor Warmth and Vigour being quickly infused into them by the unbroken, and undaunted Spirits of the House of Commons; which, to shew how little they valued the Honour or Authority of the King, though supported by having now his Great Seal by him, on the 26th of *May* agreed on a new Remonstrance to the People; in which, the Lords concurring, they inform'd them,

THAT although the great Affairs of the Kingdom, and the miserable bleeding Condition of the Kingdom of *Ireland* The Parliament of Great Britain, 1642. afforded so many The Parliament of Great Britain, 1642.

afforded them little leisure, to spend their time in Declara-
 tions, and in Answers, and Replies, yet the Malicious
 Party about his Majesty taking all occasions to multiply Ca-
 lumnies upon the Houses of Parliament; and to publish
 sharp invectives, under his Majesty's Name against them
 and their proceedings (a new Engine they had invented to
 heighten the Distractions of this Kingdom, and to heighten
 and increase distrust, and dissention between the King, and
 his Parliament, and the People) they could not be so much
 wanting to their own Innocency, or to the duty of the
 Truth, as not to clear themselves from these false aspersions
 and (which was their chief care) to disabuse the People's
 minds, and open their Eyes, that, under the false shew
 and pretences of the Law of the Land, and of their own
 Rights, and Liberties, they may not be carried into
 Road way, that leadeth to the utter Ruin, and Subversion
 thereof. A late occasion that those wicked Spirits of dis-
 sension had taken to defame, and indeed to arraign the pro-
 ceedings of both Houses of Parliament, had been their
 Votes of the 28th of April, and their Declaration con-
 cerning the business of *Hall*, which because they put first,
 before they could send their Answer concerning that mat-
 ter unto his Majesty, those Mischievous Instruments of dis-
 sension, between the King, and the Parliament, and the Peo-
 ple, whose chief Labour, and Study, was to misrepresent the
 Actions to his Majesty, and to the Kingdoms, would not
 interpret this as an Appeal to the People, and a declining
 of all intercourse between his Majesty and them; as if they
 thought it to no purpose, to endeavour any more, to give
 his Majesty satisfaction; and, without expecting any thing
 from their Answer, under the Name of a Message from his Ma-
 jesty to both Houses, they themselves had indeed made an
 Appeal to the People, as the Message it self did in a man-
 ner grant to be, offering to join issue with them in that
 way, and in the nature thereof did clearly shew it self to
 be no other; therefore They would likewise Addressed their
 Answer to the Kingdom, not by way of Appeal (as they
 were charged) but to prevent them from being their own
 Executioners, and from being persuaded under false colours
 of defending the Law, and their own Liberties, to desert
 both with their own hands, by taking their Lives, Lib-
 erties, and Estates out of Their hands, whom they had cho-
 sen, and entrusted therewith, and resigning them up unto
 some evil Counsellors, about his Majesty, who could be the
 other foundation of their own greatness, but upon the Ruin
 of this, and, in it, of all Parliaments; and in Them, of the
 true Religion, and the Freedom of this Nation. And their

they said, were the Men that would persuade the People,
 that both Houses of Parliament, containing all the Peers,
 and representing all the Commons of England, would de-
 stroy the Laws of the Land, and Liberties of the People;
 wherein, besides the Truth of the whole, they themselves in
 their own particulars, had got an Interest of Honour,
 and Estate, that they hoped it would gain little Credit
 with any, that had the least use of Reason, that such, as must
 have to great a share in the Misery, should take so much
 pains in the procuring thereof; and spend so much time,
 and run so many hazards to make themselves Savers, and to
 destroy the property of their Estates. But that they might
 give particular satisfaction to the several Impatients cast
 upon them, they would take them in order, as they went
 and upon them in that Manner.

First, They were charged for the avowing that Act of
St John Hatham; which was term'd unparalleled, and of
 high, and unheard of Affront unto his Majesty, and as if
 they needed not to have done it; he being able, as was al-
 ledg'd, to produce no such Command of the Houses of Par-
 liament. They said, although *St John Hatham* had not an
 Order, that did express every Circumstance of that Case, yet
 he might have produced an Order of both Houses, which
 did comprehend this Case, not only in the clear Intention,
 but in the very Words thereof; which they knowing in
 their Consciences to be so, and to be most necessary for
 the Safety of the Kingdom, they could not but in Honour
 and Justice avow that Act of His; which, they were con-
 sistent, would appear to all the World to be so far from being
 an Affront to the King, that it would be found to have
 been an Act of great Loyalty to his Majesty, and to his
 Kingdom.

The next Charge upon them was, that instead of giving
 his Majesty satisfaction, they published a Declaration con-
 cerning that business, as an Appeal to the People, and as if
 their intercourse with his Majesty, and for his satisfaction,
 were now to no more purpose; which course was allegg'd to
 be very unagreeable to the Modesty and duty of former times,
 and not warrantable by any Precedents, but what Them-
 selves had made. They said, if the Penner of that Message
 had expected awhile, or had not expected that two Houses
 of Parliament (especially burthen'd, as they were at that
 time, with so many pressing, and urgent Affairs) should
 have moved as fast as himself, he would not have said, that
 Declaration was indeed an Answer to his Majesty; which
 they did dispatch with all the speed, and diligence they
 could, and had sent it to his Majesty by a Committee of both
 Houses:

House; whereby it appeared, that they did it not upon that ground, that they thought it was no more to any purpose, to endeavour to give his Majesty Satisfaction.

AND as for the Duty and Modesty of former times, from which they were said to have varied, and to want the War-rant of any Precedents therein, but what Themselfes had made: If they had made any Precedents this Parliament, they had made them for Politicity, upon the same, or better grounds of Reason and Law, than those were upon, which their Predecessors first made for Them: And as some Precedents ought not to be rules for them to follow, so none could be limits to bound their Proceedings; which might, and must vary, according to the different condition of Times.

And for that Particular, of setting forth Declarations for the satisfaction of the People, who had chosen, and entrusted them with all that was dearest to them: If there were no example for it, it was because there were never any Monitors before, that ever attempted to disquiet the People from a Parliament, or could ever harbour a thought that it might be effected. Were there ever such practices to poison the People with an ill apprehension of the Parliament? Were there ever such imputations, and scandals laid upon the Proceedings of both Houses? Were there ever so many, and so great breaches of Privilege of Parliament? Were there ever so many, and desperate designs of force and violence against the Parliament, and the Members thereof? If they had Done more than ever their Ancestors had Done, they said, they had Suffered more than ever They had Suffered; and yet, in point of Modesty and Duty, they would not yield to the best of former times; and they would put that in issue, whether the highest, and most unwarrantable Precedents of any of his Majesty's Predecessors, did not fall short, and much below, what had been done to them this Parliament? And on the other side, whether, if they should make the highest Precedents of other Parliaments their Patterns, there would be cause to complain of want of modesty, and duty in Them; when they had not so much as suffered such things to enter into their Thoughts, which all the world knew They put in Act?

ANOTHER Charge which was laid very high upon them, and which were indeed a very great Crime if they were found guilty thereof, was, that by avowing that Act of *St John Holborn*, they did, in consequence, countenance and destroy the title, and interest of all his Majesty's good Subjects to their Lands and Goods; and that, upon this ground; that his Majesty had the same Title to his Town of *Hull*, which any of his Subjects had to their Houses or Lands;

and the same to his Magazine and Munition there, than any Man had to his Money, Plate, or Jewels: And therefore that they ought not to have been disposed of, without, or against his Consent, no more than the House, Land, Money, Plate, or Jewels of any Subject ought to be, without, or against his Will.

HERE, they said, that was laid down for a Principle, which would indeed pull up the very foundation of the liberty, property, and interest of every Subject in particular, and of all the Subjects in general, if they should admit it for a truth, that his Majesty had the same right and title to his Towns, and to his Magazines (bought with the publick Moneys, as they conceived that at *Hull* to have been) that every particular Man hath to his House, Lands, and Goods. For his Majesty's Towns were no more his own, than his Kingdom was his own; and his Kingdom was no more his own, than his People are his own; and if the King had a property in all his Towns, what would become of the Subject's property in their Houses therein? and if He had a property in his Kingdom, what would become of the Subjects property in their Lands throughout the Kingdom? or of their Liberties, if his Majesty had the same right in their Persons, that every Subject hath in his Lands, and Goods? and what would become of all the Subjects interests in the Towns, and Ports of the Kingdom, and in the Kingdom itself, if his Majesty might sell, or give them away, or dispose of them at his pleasure, as a particular Man might do with his Lands, and with his Goods? This erroneous Maxim being infused into Princes, that their Kingdoms are their own, and that they may do with them what they will, as if their Kingdoms were for Them, and not They for their Kingdoms, was, they said, the Root of all the Subjects misery, and of the invading of their just Rights, and Liberties; whereas, indeed, they are only entrusted with their Kingdoms, and with their Towns, and with their People, and with the publick Treasure of the Commonwealth, and whatsoever is bought therewith; and, by the known Law of this Kingdom, the very Jewels of the Crown are not the King's proper Goods, but are only entrusted to him, for the use and ornament thereof: As the Towns, Ports, Treasure, Magazines, Offices, and the People of the Kingdom, and the whole Kingdom it self is entrusted unto him, for the good, and safety, and best advantage thereof: and as this Trust is for the use of the Kingdom, so ought it to be managed by the advice of the Houses of Parliament, whom the Kingdom hath trusted for that purpose; it being their duty to see it discharged according to the condition

and true intent thereof; and as much as in them lies, by all possible means, to prevent the contrary; which, if it had been their chief care, and only aim, in the dissolving of the Town and Magazine of *Hull* in such manner as they had done, they hoped it would appear clearly to all the world, that they had discharged their own Trust, and not invaded that of his Majesty, much less his Property; which, in that case, they could not do.

BUT admitting his Majesty had indeed a Property in the Town and Magazine of *Hull*, who doubted but that the Parliament may dispose of any thing, wherein his Majesty, or any Subject hath a right, in such a way, as that the Kingdom may not be exposed to Hazard, or Danger thereby? Which was their Care, in the dissolving of the Town and Magazine of *Hull*. And whereas his Majesty did allow this, and a greater power to a Parliament, but in that sense only, as he himself was a Part thereof; they appeal'd to every man's conscience, that had observed their proceedings, whether they disjoynd his Majesty from his Parliament, who had in all humble ways fought his concurrence with them, as in that particular about *Hull*, and for the removal of the Magazine there, so also in all other things; or whether those evil Councils about him, had not separated him from his Parliament; not only in distance of place, but also in the discharge of the joint Trust with them, for the Peace and Safety of the Kingdom in that, and some other Particulars.

THEY had given no occasion to his Majesty, they said, to declare with so much earnestness his resolution, that he would not suffer either, or both Houses by their Vote, without, or against his Consent, to enjoy any thing that was forbidden by the Law, or to forbid any thing that was enjoy'd by the Law, for their Votes had done no such thing: And as they should be very tender of the Law (which they did acknowledge to be the safeguard, and custody of all publick and private Interests) so they would never allow a few private Persons about the King, nor his Majesty himself in his own Person, and out of his Courts, to be judge of the Law, and that contrary to the judgment of the highest Court of Judicature. In like manner, that his Majesty had not refused to consent to any thing, that might be for the Peace and Happiness of the Kingdom, they could not admit it in any other sense, but as his Majesty taketh the measure of what will be for the Peace and Happiness of his Kingdom, from some few ill affected Persons about him, contrary to the Advice, and Judgment of his great Council of Parliament. And because the Advice of both Houses of Parliament had, through the suggestion

of evil Counsellors, been so much undervalued of late, and so absolutely rejected and refused, they said, they held it fit to declare unto the Kingdom, whole Honour and Interest was so much concern'd in it; what was the Privilege of the Great Council of Parliament herein; and what was the Obligation that lay upon the Kings of this Realm, to pass such Bills, as are offer'd to them by both Houses of Parliament, in the Name, and for the Good of the whole Kingdom, whereunto they stand engag'd both in Conscience, and justice, to give their Royal Assent: In Conscience, in regard of the Oath, that is, or ought to be taken by the Kings of this Realm at their Coronation, as well to confirm by their Royal Assent such good Laws, as the People shall choose, and to remedy by Law such inconveniences, as the Kingdom may suffer; as to keep, and proceed the Laws already in being; as may appear both by the Form of the Oath upon Record, and in Books of good Authority, and by the Statute of the 25 of *Edward* the III. Entitled, the Statute of Provisors of Benefices; the Form of which Oath, and the Clause of the Statute that concerneth it, are as followeth:

Rat. Parliament. H. IV. N. 17.
Forma juramenti soliti, & consueti præstari per Reges Angliæ in eorum Coronatione.

Servabis Ecclesiæ Dei, Cleroique, & Populo, pacem ex integro, & concordiam in Deo, secundum vires tuas?
Respondit, Servabo.

Facies fieri in omnibus iudiciis tuis æquum, & rectam justitiam, & discretionem in misericordia & veritate, secundum vires tuas?
Respondit, Faciam.

Concedis justas Leges, & consuetudines esse tenendas; & promittis per te eas esse protegendas, & ad honorem Dei corroborandas, quas Vulgus elegerit, secundum vires tuas?
Respondit, Concedo & Promitto.

Adjicianturque prædictis Interrogationibus quæ iusta fuerint, prænunciatique omnibus, confirmet Rex se omnia servaturum, sacramento super Altare præstito, coram cunctis.
At Clause in the premises of a Statute made the 5 Edw. III. Entitled, the Statute of Provisors of Benefices.

WHEREUPON the said Commons have prayed our said Lord

Lord the King; That fith the Right of the Crown of *England*, and the Law of the faid Realm is fuch, that upon the mifchiefs and damages, which happen to this Realm, He ought, and is bound by his Oath, with the accord of his People in his Parliament, thereof to make Remedy and Law, and in removing the mifchiefs, and damages which thereof enfue, that it may pleafe Him thereupon to ordain Remedy.

Ov^r Lord the King feing the mifchiefs and damages before mention'd, and having regard to the Statute made in the time of his faid Grandfather, and to the Caufes contained in the fame, which Statute holdeth always his force, and was never defeated, repealed, or annulled in any point, and by fo much he is bound by his Oath, to caufe the fame to be kept as the Law of his Realm, though that, by fuffurance and negligence, it hath been grievous attempted to the contrary: Alfo having regard to the feveral complaints made to him by his People, in divers his Parliaments holden heretofore, willing to ordain Remedy for the great damages, and mifchiefs which have happen'd, and daily do happen, to the Church of *England* by the faid Caufe:

¶ **H**EREBY, they faid, the Lords, and Commons claim it directly as the Right of the Crown of *England*, and of the Law of the Land, and that the King is bound by his Oath, with the accord of his People in Parliament, to make Remedy, and Law, upon the mifchiefs and damages, which happen to this Realm; and the King doth not deny it, although he take occasion from a Statute formerly made by his Grandfather, which was laid as part of the grounds of this Petition, to fix his Answer upon another branch of his Oath, and pretexts that which is claimed by the Lords and Commons; which he would not have done, if it might have been excepted again.

¶ **I**N Justice, they faid, they are obliged thereunto, in respect of the Trust reposed in them; which is as well to preserve the Kingdom by the making new Laws, where there fhall be need, as by observing of Laws already made; a Kingdom being, many times, as much expofed to ruin, for the want of a new Law, as by the violation of thofe that are in being: and this is fo clear a Right, that, no doubt, his Majesty would acknowledge it to be as due to his People, as his Protection. But how far forth he was obliged to follow the judgement of his Parliament therein, that is the Question. And certainly, besides the words in the King's Oath, referring unto fuch Laws as the People fhall choofe, as in fuch things which concern the Publick Weal and Good of the Kingdom, They are the moft proper judges, who

are sent from the whole Kingdom for that very purpose; fo they did not find, that fince Laws have paffed by way of Bills (which are read Thrice in both Houfes and Committed; and every part, and circumstance of them fully weighed, and debated upon the Commitment, and afterwards paffed in both Houfes) that ever the Kings of this Realm did deny them, otherwise than is exprest in their usual Answer, *Le Roy S'acquer*; which fignifies rather a fufpention, than a refusal of the Royal Assent. And in thofe other Laws, which are framed by way of Petitions of Right, the Houfes of Parliament have taken themselves to be fo far Judges of the Right claimed by them, that when the King's Answer hath not, in every point, been fully according to their desires, they have fill insisted upon their claim, and never rested fatisfy'd, till fuch time as they had an Answer according to their demand; as had been done in the late Petition of Right, and in former times upon the like occasions. And if the Parliament be Judge between the King and his People in the Question of Right (as by the manner in the claim in Petitions of Right, and by Judgements in Parliament, in cafes of illegal Impositions and Taxes, and the like, it appears to be) why fhould they not be fo alfo, in the Question of the Common Good, and Necessity of the Kingdom; wherein the Kingdom hath as clear a Right alfo to have the benefit, and remedy of Law, as in any thing whatsoever? And yet they did not deny, but that in Private Bills, and alfo in Publick Acts of Grace, as Pardons, and the like Grants of Favour, his Majesty might have a greater latitude of Granting, or Denying, as he fhould think fit.

¶ **A**LTHOUGH this consider'd, they faid, they could not but wonder, that the Contrivor of that Message conceive, the People of this Land to be fo void of Common fenfe, as to enter into fo a deep miftruff of thofe, whom they have, and his Majesty ought to repose fo great a Trust in, as to deprive of any security in their private Estates, by Defcents, Purchafes, Affurances, or Conveyances; unless his Majesty fhould, by His Vote, prevent the prejudice, they might receive therein by the Votes of both Houfes of Parliament; as if They, who are especially chofen, and entrusted for that purpose, and who themselves muft needs have fo great a fhare in all Grievances of the Subjects, had wholly cleft off all care of the Subjects Good, and his Majesty had solely taken it up; and as if it could be imagined, that They fhould, by their Votes, overthrow the Rights of Defcents, Purchafes, or of any Conveyance or Affurance, in whofe Judgement the whole Kingdom hath placed all their parti-

cular Interests, if any of them should be called in question
 in any of those cases; and that (as not knowing where to
 place them, with greater security) without any Appeal
 from Them to any other Person, or Court whatsoever.

By T H I S indeed they were very much to seek, how the Case
 of *Hull* could concern Defences and Punctures, or Conven-
 iences and Affurances; unless it were in procuring more se-
 curity to Men in their Private Interests, by the preserva-
 tion of the Whole from Confusion, and Destruction; and
 much less did they understand, how the Sovereign Power
 was resisted, and despised therein. Certainly no Command
 from his Majesty, and his High Court of Parliament (where
 the Sovereign Power resides) was disobeyed by *St John
 Elotham*; nor yet was his Majesty's Authority derived out
 of any other Court, nor by any legal Commission, or by
 any other way, wherein the Law had appointed his Ma-
 jesty's Commands to be deriv'd to his Subjects; and of what
 validity his Verbal Commands are, without any such stamp
 of his Authority upon them, and against the Order of both
 Houses of Parliament, and whether the not submitting
 thereunto, be a resisting and depriving of the Sovereign Au-
 thority, they would leave to all Men to judge, that do at all
 understand the Government of this Kingdom.

T H E Y acknowledged that his Majesty had made many
 expressions of his Zeal, and Intention against the desperate
 designs of the Papists; but yet it was also as true, that the
 Councils, which had prevail'd of late with him, had been
 little suitable to those Expressions, and Intentions. For
 what did more advance the open, and bloody design of the
 Papists in *Ireland* (wherose the secret Plots of the Papists
 here did, in all likelihood, depend) than his Majesty's ab-
 senting himself, in that manner that he did, from his Parlia-
 ment; and setting forth such sharp Invectives against them,
 notwithstanding all the humble Petitions, and other means,
 which his Parliament had address'd unto him, for his re-
 turn, and for his satisfaction concerning their proceedings?
 And what was more likely to give a rise to the designs of
 the Papists (wherof there were so many in the North, near
 to the Town of *Hull*) and of other Malignant, and ill Af-
 fected Persons (which were ready to join with them) or to
 the Attempts of Foreigners from abroad, than the continu-
 ing of that great Magazine at *Hull*, at this time, and con-
 trary to the desire and advice of both Houses of Parliament?
 So that they had too much cause to believe, that the Papists
 had still some way and means, whereby they had influ-
 ence upon his Majesty's Councils for their own advan-
 tage.

For

For the Malignant Party, they said, his Majesty neede
 not a definition of the Law, nor yet a more full Character
 of them from both Houses of Parliament, for to find them
 out, if he would please only to apply the Character, that
 himself had made of them, to those, unto whom it doth
 properly and truly belong. Who are so much disaffected to
 the Peace of the Kingdom, as they that endeavour to disaf-
 fect his Majesty from the Houses of Parliament, and per-
 suade him to be at such a distance from them, both in
 place and affection? Who are more disaffected to the Go-
 vernment of the Kingdom, than such as lead his Majesty
 away from hearkning to his Parliament; which, by the Con-
 fusion of the Kingdom, is his greatest and best Council;
 and perswade him to follow the malicious Councils of some
 private Men, in opposing and contradicting the wholesome
 Advice, and just Proceedings of that his most faithful
 Council, and highest Court? Who are they, that not only
 neglect and despise, but labour to undermine the Law un-
 der colour of maintaining it, but they that endeavour to de-
 stroy the Fountain and Conservatory of the Law, which is
 the Parliament? And who are they that set up other Rules
 for themselves to walk by, than such as were according to
 Law, but they that will make other Judges of the Law than
 the Law hath appointed; and so dispense with their Obe-
 dience to that, which the Law calleth Authority, and to
 their determinations and resolutions, to whom the judge-
 ment doth appertain by Law? For, when private Persons
 shall make the Law to be their Rule according to their own
 understanding, contrary to the judgement of those that are
 the competent Judges thereof, they set up unto themselves
 other Rules than the Law doth acknowledge. Who those
 Persons were, none knew better than his Majesty himself:
 And if he would please to take all possible caution of them,
 as destructive to the Common-wealth and himself, and
 would remove them from about him, it would be the most
 effectual means to compose all the Distractions, and to cure
 the Distempers of the Kingdom.

For the Lord *Digby's* Letter, they said, they did not
 make mention of it as a ground to hinder his Majesty from
 making his own Fort; but they appeal'd to the judgement of
 any indifferent Man, that should read that Letter, and com-
 pare it with the posture that his Majesty then did, and still
 doth, stand in towards the Parliament, and with the circum-
 stance of that late Action of his Majesty's going to *Hull*,
 whether the advisers of that Journey intended only a Visit
 of that Fort, and Magazine?

As to the ways and overtures of Accommodation, and the

1 the Message of the twentieth of *January* last, so often pre-
 2 sed, but still in vain, as was alleg'd: Their Answer was
 3 That although fo often as that Message of the twentieth
 4 *January* had been press'd, fo often had their Privileges been
 5 clearly infring'd, that a way and method of proceeding
 6 should be prescribed to them, as well for the settling of
 7 Majesty's Revenue, as for the presenting of their own Bi-
 8 lles (a thing which in former Parliaments had always been
 9 excepted against, as a breach of Privilege) yet, in respect
 10 to the matter contained in that Message, and out of their
 11 earnest desire to beg't a good understanding between
 12 Majesty and them, they allow'd down all matters of Ci-
 13 cumstance; and had ere that time presented the chief
 14 of their desires to his Majesty, had they not been interrump-
 15 t with continual Denials, even of those things that were ne-
 16 cessary for their present Security, and Subsistence; and had
 17 not those Denials been follow'd with perpetual Invectives
 18 against Them, and their Proceedings; and had not their
 19 Invectives been heap'd upon them to thicke one after another
 20 (who were in a manner already taken up wholly with the
 21 pressing Affairs of this Kingdom, and of the Kingdom of
 22 *Ireland*) that as they had little encouragement from thence
 23 to hope for any good Answers to their Desires, so they had
 24 not so much time left them to perfect them in such a man-
 25 ner, as to offer them to his Majesty.
 26 This was confid'd to be a Resolution most worthy of
 27 a Prince, and of his Majesty, to thar his Ears against an
 28 that would incline him to a Civil War; and to abhor the
 29 very apprehension of it. But they could not believe their
 30 mind to have been in them, that came with his Majesty to
 31 the House of Commons; or in them that accompany'd
 32 his Majesty to *Hampden-Court*, and appeared in a Warlike
 33 manner at *Kingston upon Thames*; or in divers of them,
 34 who followed his Majesty lately to *Hall*; or in them, who
 35 after drew their Swords in *Tork*, demanding, *Who would*
 36 *for the King*? nor in them that advis'd his Majesty to re-
 37 ceive *Sr John Hotham* a Traitor, before the Message was
 38 sent concerning that business to the Parliament, or to make
 39 Propositions to the Gentlemen of the County of *Tork* to as-
 40 sist his Majesty to proceed against him in a way of Force
 41 before he had, or possibly could receive an Answer from
 42 the Parliament, to whom he had sent to demand Justice of
 43 them against *Sr John Hotham* for that Fact: and if those
 44 Malignant Spirits should ever force them to defend their
 45 Religion, the Kingdom, the Privileges of Parliaments, and
 46 the Rights, and Liberties of the Subjects, with their Swords,
 47 the Blood, and Destruction that should ensue thereupon
 48 against Them.

1 must be wholly cast upon their Account; God, and their
 2 own Conscience told them, that they were clear; and they
 3 doubt not, but God, and the whole World would clear
 4 them therein.

5 FOR Captain *Leg*, they had not said that he was accus'd,
 6 or that there was any Charge against him, for the bringing
 7 up of the Army; but that he was employ'd in that busi-
 8 ness. And for that concerning the Earl of *New-Castle*, men-
 9 tion'd by his Majesty, which was said to have been asked
 10 long since, and that it was not easy to be Answer'd: They
 11 conceiv'd it was a Question of more difficulty, and harder
 12 to be Answer'd, why, when his Majesty held it necessary,
 13 upon the same grounds that first mov'd from the Houses of
 14 Parliament, that a Governour should be plac'd in that Town,
 15 *Sr John Hotham*, a Gentleman of known Fortune and In-
 16 tegrity, and a Person of whom both Houses of Parliament
 17 had express'd their Confidence, should be refus'd by his Ma-
 18 jesty; and the Earl of *New-Castle* (who, by the way, was fo
 19 far nam'd in the business of bringing up the Army, that al-
 20 though there was no ground enough for a Judicial Proceed-
 21 ing, yet there was ground of suspicion; at least his Reputa-
 22 tion was not left fo unblemish'd thereby, as that he should
 23 be thought the fittest Man in *England* for that Employment;
 24 of *Hall* should be sent down, in a private way from his
 25 Majesty to take upon him that Government? And why he
 26 should disguise himself under another Name, when he came
 27 thither, as he did? But whosoever should consider, together
 28 with those circumstances, that of the time when *Sr John Ho-*
 29 *tham* was appointed, by both Houses of Parliament, to take
 30 upon him that Employment, which was presently after his
 31 Majesty's coming to the House of Commons, and upon the
 32 retiring himself to *Hampden-Court*, and the Lord *Digby's* as-
 33 sembling of Cavaliers at *Kingston upon Thames*, would find
 34 reason enough, why that Town of *Hall* should be commit-
 35 ted rather to *Sr John Hotham*, by the Authority of both
 36 Houses of Parliament, than to the Earl of *New-Castle*, since
 37 from his Majesty in that manner that he was. And for the
 38 Power, that *Sr John Hotham* had from the two Houses of
 39 Parliament, the better it was known and understood, that
 40 they were confident the more it would be approved and justifi-
 41 ed, and as they did not conceive, that his Majesty's re-
 42 sistance to have that *Magazine* remov'd, could give any advan-
 43 tage against him to have it taken from him; and as no such
 44 thing was done, so they could not conceive, for what other
 45 Reason any should Counsel his Majesty, not to suffer it to be
 46 remov'd, upon the desire of both Houses of Parliament;
 47 except it were, that they had an intention to make use of
 48 it against Them.

THEY said, they did not except those that presented a Petition to his Majesty at *Towr*, for the continuance of the Magazine at *Hall*, in respect of their Condition, or in respect of their Number; because they were mean Persons, or because they were Few; but because they being but a few, and there being to many more in the County of a good Quality as themselves (who had, by their Petition to his Majesty, disavow'd that Act of theirs) that they should take upon them the Style of all the County, and Inhabitants of that County; and, under that Title, should presume to interpose their Advice contrary to the Votes of both Houses of Parliament: And, if it could be made to appear, that any of those Petitions, that are said to have been presented to the Houses of Parliament, and to have been of a strange nature, were of such a nature as that, they were content, that they were never receiv'd with their Consent and Approbation.

WHEREIN there was an intention to deprive *St John* *Hobham* of his Life, if his Majesty had been admitted in *Hall*; and whether the Information were such, as that he had ground to believe it, they would not bring into question, for that was not, nor ought to have been, the ground he doing what he did: Neither was the number of his Majesty's Attendants, for being more or fewer, much considerable in that Case; for although it were true, that if his Majesty had entered with twenty Horse only, he might happily have found means for to have forced the Entrance of the rest of his Train; who, being once in the Town, would not have been long without Arms; yet that was not the ground, upon which *St John Hobham* was to proceed; but upon the Admittance of the King into the Town at all, as to deliver up the Town and Magazine unto him, in to whomsoever he should give the Command thereof, without the Knowledge and Consent of both Houses of Parliament, by whom he was entrusted to the contrary: and his Majesty having declar'd, that to be his intention concerning the Town, in a Message that he sent to the Parliament, not long before he went to *Hall*; saying, that he did not doubt, but that Town should be deliver'd up to him, whensoever he pleas'd, as supposing it to be kept against him; and in like manner concerning his Magazine, in his Message of the 24th of *April*, wherein it is express'd, that his Majesty went thither, with a purpose to take into his hands the Magazine, and to dispose of it in such manner, as he should think fit: Upon those Terms, *St John Hobham* could not have admitted his Majesty, and have made good his Trust to the Parliament, though his Majesty would have

enter'd alone, without any Attendants at all of his own, or of the Prince or Duke, his Sons; which they did not will to be less, than they were, in their Number, but could heartily will that they were generally better in their Condition.

IN the close of that Message, his Majesty stat'd the Case of *Hall*; and thereupon infer'd, that the Act of *St John Hobham* was levying War against the King; and, consequently, that it was no less than High Treason, by the Letter of the Statute of the 25 *Edw. III. c. 2.* unless the sense of that Statute were very far differing from the Letter thereof.

IN the stating of that Case, they said, divers Particulars might be observ'd, wherein it was not rightly stat'd: As, 1. THAT his Majesty's going to *Hall*, was only an endeavour to Possess a Town, and Port of his: whereas it was intend'd to Possess himself of the Town, and Magazine there, and to dispose of them, as he himself should think good, without, and contrary to the Advice, and Orders of both Houses of Parliament; and, as clearly appear by his Majesty's own Declaration of his Intentions therein, by his Messages to both Houses, immediately before, and after that Journey. Nor could they believe, that any Man, who should consider the circumstances of that Journey to *Hall*, could think, that his Majesty would have gone thither at that time, and in that posture, that he was pleas'd to put himself in towards the Parliament, if he had intended only a Visit to the Town and Magazine.

IT was said to be his Majesty's own Town, and his own Magazine, which being understood in that sense, as was before express'd, as if his Majesty had a private Interest of Propriety therein, they could not admit it to be so.

WHICH was the main Point of all, *St John Hobham* was said to have that the Gates against his Majesty, and to have made resistance with Armed Men, in defiance of his Majesty; whereas it was indeed in obedience to his Majesty, and his Authority, and for his Service, and the Service of the Kingdom; for which use only, all that Interest is, that the King hath in the Town; and it is no further his to dispose of, than he useth it for that end: and *St John Hobham* being Commanded to keep the Town and Magazine, for his Majesty and the Kingdom, and not to deliver them up, but by his Majesty's Authority signified by both Houses of Parliament, all that was to be understood by those expressions, of his denying, and opposing his Majesty's entrance, and telling him in plain terms, that he should not come in, was only this, that he humbly desired his Majesty to forbear

his entrance, till he might acquaint the Parliament; and that his Authority might come signified to him by both Houses of Parliament, according to the Trust reposed in him. And certainly, if the Letter of the Statute of the 2^d Edw. III. c. 2. be thought to import this, That no War can be Levied against the King, but what is directed, and intended against his Person, or that every Levying of Arms for the defence of the King's Authority, and of his Kingdom, against the Personal Commands of the King opposeth thereto, though accompanied with his Presence, is Levying War against the King, it is very far from the Sense of that Statute; and so much the Statute it self speaks for the Sides the Authority of Book-Cases; Precedents of done Traitors condemn'd upon that interpretation thereof.) For if the Clause of Levying of War had been meant only against the King's Person, what need had there been thereof after the other branch of Treason, in the same Statute compassing the King's Death, which would necessarily have implied this? And because the former Clause doth imply this, it seems not at all to be intended in this latter branch, but only the Levying of War against the King, that is, against his Laws and Authority; and the Levying of War against his Laws and Authority, though not against his Person, is Levying War against the King, but the Levying of Force against his Personal Commands, though accompanied with his Presence, and not against his Laws and Authority, but in the maintenance thereof, is no Levying of War against the King, but for him.

HERE was then, they said, their Case: In a time of many successful Plots, and Designs of Force against the Parliament, and the Kingdom, in a time of probable Invasion from abroad, and that to begin at *Hull*, and to take the opportunity of seizing upon so great a Magazine there; in a time of so great distance and alienation of his Majesty's Affection from his Parliament; (and in Them from his Kingdom, which they represent) by the wicked suggestions of a few Malignant Persons, by whose mischievous Councils he was wholly led away from his Parliament, and the faithful Advices and Counsels: In such a time, the Lords and Commons in Parliament command *St John Holborn*, to draw in some of the Train-bands of the parts adjacent to the Town of *Hull*, for the securing that Town and Magazine for the Service of his Majesty, and of the Kingdom: of the safety whereof there is a higher Trust reposed in Them, than in any where else; and they are the proper Judges of the danger thereof.

THIS Town and Magazine being entrusted to *St John Holborn*

Holborn, with express Order not to deliver them up, but by the King's Authority signified by both Houses of Parliament; his Majesty, contrary to the Advice and Direction of both Houses of Parliament, without the Authority of any Court, or any Legal way, wherein the Law appoints the King to speak and command, accompanied with the same civil Council about him that he had before, by a Verbal command requires *St John Holborn* to admit him into the Town, that he might dispose of It, and of the Magazine there, according to his own, or rather according to the pleasure of those civil Councilors, who are still in so much credit about him; in like manner as the *Lord Digby* had continual recourse unto, and commences from, the Queen's Majesty in communicating his Traitorous conceptions, and suggestions to both their Majesties; such as those were concerning his Majesty's retiring to a place of Strength, and Declaring himself, and his own advancing his Majesty's Service in such a way better than Seas, and after that resorting to his Majesty in such a place of Strength; and divers other things of that nature, contained in his Letter to the Queen's Majesty, and to *St Lewis Diver*; a Person, that had not the least part in this late business of *Hull*, and was presently dispatched away into *Holland*, soon after his Majesty's return from *Hull*; for what Purpose, they left the world to judge.

UPON the refusal of *St John Holborn* to admit his Majesty into *Hull*, presently, without any notice of his Majesty, before his Majesty had sent up due process of Law, to the Parliament, he was proclaim'd Traitor; and yet it may be said, that therein was no violation of the Subject's Rights, nor any breach of the Law, nor of the Privilege of Parliament, though *St John Holborn* is a Member of the House of Commons; and that his Majesty must have better reasons, than bare Votes, to believe the contrary; although the Great Council of the Lords and Commons in Parliament, being the Great Council of the Kingdom, are the reason of the King, and of the Kingdom; yet these Votes, they said, did not want clear, and apparent reason for them; for it is solemly proclaiming him a Traitor signify any thing, it puts a Man, and all those that any way aid, assist, or adhere unto him, in the same condition of Traitors; and draws upon him all the consequences of Treason: And if that might be done by Law, without due process of Law, the Subject hath a proportion of Liberty thereby. And it is as little justifiable to a Man, that shall be exposed to such Penalties, by that Declaration of him to be Traitor, to say, he *have*

41 have a Legal Tryal afterwards, as it is to condemn a Man
 42 first, and try him afterwards. And if there could be a Ne-
 43 cessity for any such proclaiming a Man a Traitor without
 44 due process of Law, yet there was none in this case; his
 45 Majesty might as well have expected the judgement of
 46 Parliament (which was the right way) as he had inclin-
 47 ed to send to them to demand justice against *St John Eliot*.
 48 And the breach of Privilege of Parliament was as clear in
 49 this Case, as the subversion of the Subjects Common right.
 50 For, though the Privileges of Parliament, do not extend to
 51 those Cases, mention'd in the Declaration, of Treason, Ri-
 52 lous, and Breach of Peace, so as to exempt the Membrs
 53 of Parliament from punishment, nor from all manner
 54 of Process and Tryal, as it doth in other Cases; yet it doth Pri-
 55 vilege them in the Way, and Method of their Tryal and
 56 Punishment; and that the Parliament should have the Cause
 57 first brought before them, that they may judge of the Fact,
 58 and of the grounds of the Accusation; and how far for the
 59 manner of their Tryal may concern, or not concern the Pri-
 60 vilege of Parliament. Otherwise it would be in the power
 61 not only of his Majesty, but of every Private man, unto
 62 pretensions of Treasons, or those other Crimes, to take any
 63 Man from his Service in Parliament; and so as many are
 64 after another as he pleaseth; and, consequently, to make
 65 Parliament what he will, when he will; which would be
 66 breach of so Essential a Privilege of Parliament, as that of
 67 being Very thing thereof depends upon it. And therefore there
 68 no ways doubted but every One, that had taken the Oath
 69 of Allegiance, would, according to his Solemn Vow, and Oath
 70 defend it with his Life, and Fortune. Neither did the
 71 King of a Parliament suspend all, or any Law, in maintain-
 72 ing that Law, which upholds the Privilege of Parliament,
 73 which upholds the Parliament; which upholds the King's
 74 dom. And they were so far from believing, that his Ma-
 75 jesty was the only Person against whom Treason could be
 76 committed, that, in some sense, they acknowledged he
 77 was the only Person against whom it Could be committed;
 78 that is, as he is King; and that Treason which is against
 79 the Kingdom, is more against the King, than that which
 80 is against his Person; because he is King. For that very Treason
 81 is not Treason, as it is against him as a Man, but as
 82 a Man that is a King; and as he hath relation to the King-
 83 dom, and stands as a Person entrusted with the Kingdom,
 84 and discharging that Trust.

85 No way, they said, the Cause was truly stated, and all the
 86 world might judge where the Fault was; although they
 87 must avow, that there could be no competent Judge of this

88 or any the like Case, but a Parliament. And they were as
 89 confident, that his Majesty should never have cause to re-
 90 sort to any other Court, or Course, for the vindication of
 91 his just Privileges, and for the recovery and maintenance
 92 of his known, and undoubted Rights, if there should be any
 93 Invasion, or Violation thereof, than to his high Court of
 94 Parliament; And, in case those wicked Counsellors about
 95 him, should drive him into any other Course from, and
 96 against his Parliament, whatever his Majesty's expressions,
 97 and intentions were, they should appeal to all mens Con-
 98 sciences; and desire, that they would lay their hands upon
 99 their hearts, and think with themselves, whether such Per-
 100 sons, as had of late, and still did resort unto his Majesty,
 101 and had his ear, and favour most, either had been, or were
 102 more Zealous Assertors of the true Protestant Profession
 103 (although they believed they were more earnest in the Pro-
 104 testant Profession, than in the Protestant Religion) or the
 105 Law of the Land, the Liberty of the Subject, and the Privi-
 106 leges of the Parliament, than the Members of both Hou-
 107 ses of Parliament; who were insinuated to be the Deferters,
 108 if not the Destroyers of them: And whether if they could
 109 alter this Parliament by force, they would not hold up
 110 the same power to deprive us of all Parliaments; which are
 111 the Ground, and Pillar of the Subjects Liberty, and that
 112 which only maketh *England* a free Monarchy.

113 For the Order of Assistance to the Committee of both
 114 Houses; as they had no Directions or Instructions; but
 115 what had the Laws for their Limits, and the Safety of the
 116 Land for their Ends, so they doubted not but all Persons
 117 mention'd in that Order, and all his Majesty's good Sub-
 118 jects, would yield obedience to his Majesty's Authority,
 119 signified therein by both Houses of Parliament. And that
 120 all Men might the better know their duty in matters of that
 121 nature, and upon how sure a ground They go, that follow
 122 the judgement of Parliament for their Guide, they withheld
 123 them judiciously to consider the true meaning, and ground
 124 of that Statute made in the eleventh Year of King *Hen. viii.*
 125 *ch. 1.* which was printed at large in the end of his Majesty's
 126 Message of the fourth of *May*: That Statute provides, that
 127 none who shall attend upon the King, and do him true Ser-
 128 vice, should be arrested, or forfeit any thing. What was
 129 the Scope of that Statute? To provide that Men should not
 130 suffer as Traitors, for serving the King in his Wars accord-
 131 ing to the duty of their Allegiance? If this had been all,
 132 it had been a very needless, and ridiculous Statute. Was
 133 it then intended (as they feigned to take meaning of it
 134 to be, that caused it to be printed after his Majesty's Mes-
 135 sage)

Age) that they should be free from all Crime and Penalty, that should follow the King, and serve him in War in any case whatsoever; whether it were for, or against the Kingdom, and the Laws thereof? That could not be; for that could not stand with the Duty of their Allegiance; which, in the beginning of the Statute, was express'd to be to serve the King for the time being in his Wars, for the defence of Him, and the Land; and therefore if it be against the Land (as it cannot be understood to be otherwise, if it be against the Parliament, the Representative body of the Kingdom) it is a declining from the duty of Allegiance; which this Statute suppos'd may be done, though Men should follow the King's Person in the War: Otherwise there had been no need of such a Proviso in the Act of the Statute, that none should take the benefit thereby, that should decline from their Allegiance. That therefore which is the principal Verb in this Statute is, The serving of the King for the time being; which could not be meant of *Perkin Warbeck*, or any that should call himself King; but such a One, as whatever his Title might prove, either himself, or in his Ancestors, should be received, and acknowledged for such by the Kingdom; the Consent whereof cannot be discern'd but by Parliament; the Act whereof is the Act of the whole Kingdom, by the Person of the Peers, and the delegate Consent of all the Commons of England.

AND *Henry* the VII. a wife King, considering that what was the case of *Rich. III.* his Predecessor, might, by chance of battle, be his own; and that he might at once, by such a Statute as this, satisfy such, as had serv'd his Predecessor in his Wars, and also secure those, which should serve Him, who might otherwise fear to serve him in the Wars; and by chance of battle, that might happen to him also (if a Duke of *York* had set up a Title against him) which had happen'd to his Predecessor, he procur'd this Statute to be made. That no Man should be accounted a Traitor for serving the King, in his Wars, for the time being, that is, which was for the present allow'd, and received by the Parliament in behalf of the Kingdom: And, as it is now distinguish'd, in the preamble of the Statute, it is not agreeable to reason or Consistency, that it should be otherwise; seeing Men should be put upon an Impossibility of knowing their Duty, if the judgement of the highest Court should not be a Rule, and Guide to them. And if the judgement thereof should be followed, when the Question is, who is King? much more, what is the best Service of the King, and Kingdom? And therefore those, who should guide themselves

by the judgement of Parliament ought, whatever happen, to be secure and free from all Account and Penalty, upon the Grounds and Equity of this very Statute.

THEY said, they would conclude, that although those wicked Councillors about his Majesty, had presum'd, under his Majesty's Name, to put that dishonour, and affront upon both Houses of Parliament; and to make Them the countenancers of Treason, enough to have dishonour'd all the hands, and sinews of confidence between his Majesty, and his Parliament (of whom the Maxim of the Law is, that a dishonourable thing ought not to be imagin'd of them) yet they doubted not, but it should, in the end, appear to all the world, that their endeavours had been most hearty and sincere, for the maintenance of the true Protestant Religion; the King's just Prerogative; the Laws, and Liberties of the Land; and the Privileges of Parliament; in which endeavours, by the Grace of God, they would still persevere, though they should perish in the work; which if it should be, it was much to be fear'd, that Religion, Laws, Liberties, and Parliaments, would not be long liv'd after them.

THIS Declaration wrought more upon the minds of Men, than all that they had done; for the business of *Half* was, by very many, thought to be done before projected; and the Argument of the Militia to be enter'd upon at first in passion, and afterwards pursued with that vehemence, insolently, by being engag'd, and that both extravagances had so much weigh'd down the King's Treasures, in coming to the House and scolding the Members, that a reasonable agreement would have been the sooner consented to on all hands. But when, by this Declaration, they saw Foundations laid, upon which not only what had been already done, would be well justified, but whatsoever they should, hereafter, find convenient to second what was already done; and that not only the King, but the Regal Power was either suppress'd, or deposited in other hands; the irregularity, and monstrousness of which Principles found little opposition or resistance, even for the irregularity, and monstrousness: Very many thought it unsafe to be present at those Consultations, as to consent to the Conclusions; and so great Numbers of the Members of both Houses absent themselves; and many, especially of the House of Peers, resort to his Majesty at *York*. So that, in the Debates of the highest consequence, there was not usually present, in the House of Commons, the fifth part of their just Numbers; and, very often, not above a Dozen or thirteen, in the House of Peers. In the mean time the King had a full Court, and receiv'd all Comers with great clemency, and grace; calling always all the Peers to Council, and

communicating with them all such Declarations, as he thought fit to publish in Answer to those of the Parliament; and all Messages, and whatever else was necessary to be done for the improvement of his condition: And having now the Great Seal with him, issued such Proclamations, as were seasonable for the preservation of the Peace of the Kingdom. First he published a Declaration in Answers to that of the nineteenth of *May*, in which his Majesty said,

His Majesty's Answer to the Declaration of the nineteenth of May.

"THAT if he could be weary of taking any pains for the satisfaction of his People, and to undeceive them of those specious, mischievous insinuations, which were daily insinuated into them to shake, and corrupt their Loyalty, and Affection to his Majesty and his Government, after so full, and ample Declaration of himself and Intentions, and so fair and satisfactory Answers to all such matters as had been objected to him, by a Major part present of both Houses of Parliament. He might well give over that labour of his Pen; and sit still, till it should please God to enlighten the affections, and understandings of his good Subjects on his behalf (which he doubted not, but that, in His good Time, he would do) that they might see His sufferings were Their fastenings; but since, instead of applying themselves to the method, propounded by his Majesty, of making such solid particular Propositions, as might establish a good understanding between them, or of following the advice of his Council of *Scotland* (with whom they communicated their affairs) in foregoing all means that might make the breach wider, and the wound deeper; they had chosen to pursue his Majesty with new Reproaches, or rather to continue and improve the old, by adding, and varying little Circumstances and Language, in matters formerly urged by them, and fully Answer'd by his Majesty. He had prevail'd with himself, upon very mature and particular consideration of it, to Answer the late printed Book entituled a Declaration, or Remonstrance of the Lords and Commons, which was order'd, the nineteenth of *May* last, to be printed and published; hoping then, that they would put his Majesty to no more of that trouble, but that That should have been the last of such a Nature they would have communicated to his People; and that they would not, as they had done since, have thought fit to assault him with a newer Declarations, instead of a very New nature, and Learning; which should have another Answer: and he doubted not, but that his good Subjects would, in short time, be so well instructed in the differences, and mistakings between them, that they would plainly discern, without resigning their reason and understanding to His Prerogative, or the Infatibility of

of a now Major part of both Houses of Parliament (infected by a few Malignant Spirits) where the Fault was.

"His Majesty said, though he should, with all humility and alacrity, be always forward to acknowledge the Infinite Mercy, and Providence of Almighty God, vouchsafed, to so many several ways, to Himself and this Nation; yet since God himself doth not allow, that we should fancy, and create dangers to our selves, that we might manifest, and publish his Mercy in our Deliverance; he must profess, that he did not know those Deliverances, mention'd in the beginning of that Declaration, from so many wicked Plots and Designs, since the beginning of this Parliament, which, if they had taken effect, would have brought ruin and destruction upon this Kingdom. His Majesty well knew the great labour and skill, which had been used to amuse, and fright his good Subjects with fears, and apprehensions of Plots and Conspiracies; the several Pamphlets publish'd, and Letters scatter'd up and down, full of such ridiculous contemptible Animadversions to that purpose, as (though they sound, for what end God knows, very unusual countenance) as Sober Men would be moved with them. But, he must confess, he had never been able to inform himself of any such pernicious, form'd design against the Peace of the Kingdom, since the beginning of this Parliament, as was mention'd in that Declaration, or which might be any Warrent to those great fears, both Houses of Parliament seem'd to be transport'd with; but he had great reason to believe, that more mischief and danger had been raised and begotten, to the disturbance of the Kingdom, than cured and prevented, by those Fears, and Jealousies. And therefore, whoever the rumour, and discourse of Plots and Conspiracies, might have been necessary to the designs of particular Men, they should do well not to pay any false Devotions to Almighty God, who discerns whether our dangers are real, or pretended.

"For as the bringing up of the Army to *London*, as his Majesty had heretofore, by no other direction than the testimony of a good Conscience, call'd God to witness that he never had, or knew of, any such Resolution; so he said, upon the view of the Depositions now publish'd with that Declaration, it was not evident to his Majesty, that there was ever such a Design; unless every loose Discourse, or Argument, be evidence enough of a Design. And it was apparent, that what had been said of it, was near three Months before the discovery to both Houses of Parliament; so that if there were any danger threaten'd that way,

"is vaniſhed without any reſiſtance or prevention by the Wiſdom, Power, or Authority of them.

"I ſeem'd the intention of that Declaration, whatſoever other end it had, was to Answer a Declaration, which had receiv'd from his Majeſty, in Answer to that which was preſented to his Majeſty at *New Market*, the ninth of *March* laſt; and likewiſe his Answer to the Petition of both *Houſes*, preſented to him at *York*, the 26th of *March*: But before it fell upon any particulars of his Majeſty's Declaration or Answer, it complain'd that the Heads of the Malignant Party had, with much Art and Induſtry, adviſed him to ſuffer divers unjuſt Scandals, and Imputations upon the Parliament, to be publiſhed in His Name, whereby they might make it odious to the People, and, by their help, deſtroy it: but not intancing in any one Scandal, or Imputation, fo publiſhed by his Majeſty, he was, he ſaid, ſhill to ſeek for the Heads of that Malignant Party. But his good Subjects would eaſily underſtand, that if he were guilty of that Aſperſion, he muſt not only be active in raiſing the Scandal, but paſſive in the miſchief begotten by that Scandal, his Majeſty being an Eſſential part of the Parliament; and he hoped the juſt defence of Himſelf and his Authority, and the neceſſary vindication of his Innocence and Juſtice, from the Imputations laid on him, by a Major part then preſent of either or both Houſes, ſhould no more be call'd a Scandal upon the Parliament, than the opinion of ſuch a part be reputed an Act of Parliament: And he hoped his good Subjects would not be long miſled, by that common expreſſion in all the Declarations, when they uſe the word Parliament, and apply it to contentance any Reſolution or Vote ſome few had a mind to make, by calling it the Reſolution of Parliament; which could never be without his Majeſty's Conſent; neither could the Vote of either or both Houſes make a greater alteration in the Law of the Kingdom (to ſolemnly made by the Advice of their Predeceſſors, with the Concurrence of his Majeſty and his Anceſſors) either by Commanding, or Inhibiting any thing (beſides the known rule of the Law) than his ſingle Direction or Mandate could do, to which he did not aſcribe that Authority.

"But that Declaration inform'd the People, that the Malignant Party had drawn his Majeſty into the Northern parts, far from his Parliament. It might, his Majeſty ſaid, more truly and properly have ſaid, that it had Drawn, than Drawn him thither; for, he confeſſed, his Journey thither (for which he had no other reaſon to be ſorry, than with reference to the Cauſe of it) was only forced upon him, by

"the true Malignant Party: which contriv'd and countenanced choiſe barbarous Tumults, and other Seditious Circumſtances, of which he had fo often complain'd, and hereafter would ſay more; and which indeed threaten'd fo much danger to his Perſon, and laid fo much Scandal upon the Privilege, and Dignity of Parliament, that he wonder'd it could be mention'd without bliſhes or indignation: But of that, anon: But why the Malignant Party ſhould be charged with the cauſing a Preſent to be tranſported to *York*, his Majeſty ſaid, he could not imagine; neither had any Papers or Writings iſſued from thence, to His knowledge, but what had been extorted from him by ſuch Provocations, as had not been before offer'd to a King. And, no doubt, it would appear a moſt trivial, and fond Exception, when all Preſents were open to vent whatſoever they thought fit to ſay to the People (a thing unwarranted by former cuſtom) that his Majeſty ſhould not make uſe of all lawful means, to publiſh his juſt, and neceſſary Answers thereunto. As for the Authority of the Great Seal (though he did not know that it had been neceſſary to things of that nature) the ſame ſhould be more frequently uſed hereafter, as occaſion ſhould require; to which he made no doubt, but the greater, and better part of his Privy Council would Conſent; and whole Advice he was reſolv'd to follow, as far as it ſhould be agreeable to the Good, and Welfare of the Kingdom.

"BEFORE that Declaration vouchsafed to inſult upon any particulars, it was pleaſed to cenſure both his Majeſty's Declaration and Answer to be fill'd with haughty Centenares, and cauſed Charges upon the Parliament (fill miſapplying the word Parliament to the Vote of both Houſes) concerning which they reſolve to give ſatisfaction to the Kingdom, ſince they found it very difficult to ſatisfy his Majeſty. If, as in the ſtage of the ſecond Parliament, they had left his Majeſty out of their thoughts; ſo by the word Kingdom, they intended to exclude all his People who were not within their Walls (for that was grown another Phraſe of the time, the Vote of the Major part of both Houſes, and ſometimes of one, was now call'd the Reſolution of the whole Kingdom.) his Majeſty believ'd, it might not be hard to give ſatisfaction to themſelves; otherwiſe he was confident (and, he ſaid, his confidence proceeded from the uprightneſs of his own Conſcience) they would never be able to ſever the Affections of his Majeſty and his Kingdom; that what could not be ſatisfaction to the One, ſhould be to the Other: Neither would the ſtyle of Humble, and Faithful, and telling his Majeſty, that they will make him a Great and Glorious King, in their Petitions and Remonſtrances, to deceive

"his good Subjects, that they would pass over the Reproaches,
 "Threats, and Menaces they were buffed with; which forc-
 "ly could not be more gently reprehended by his Majesty,
 "than by saying, their Expressions were different from the
 "usual Language to Princes; which that Declaration told
 "him, he had no occasion to say: But he believ'd, whoever
 "looked over that Declaration, presented to him at New-
 "market, to which his was an Answer, would find the Lan-
 "guage throughout to be so unusual, that, before this Par-
 "liament, it could never be parallel'd; whilst, under pretence
 "of justifying their Fears, they gave so much countenance to
 "the discourse of the Rebels of *Ireland*, as if they had a mind
 "his good Subjects should give credit to it: Otherwise, being
 "warranted by the same evidence, which they have since pub-
 "lished, they would have as well declar'd, That those Re-
 "bels publicly threaten the rooting out the Name of the
 "*English*, and that they will have a King of their own, and
 "no longer be govern'd by his Majesty, as that they say,
 "That they do nothing, but by his Majesty's Authority; and
 "that they call themselves the Queen's Army. And therefore
 "he had great reason to complain of the absence of Justice
 "and Integrity in that Declaration; besides the unfitness of
 "other Expressions.

"NEITHER did his Majesty mistake the Substance, or
 "Logic of their Message to him, at *Whitehall*, concerning
 "the Militia; which was no other, and was flaid to be no
 "other, even by that Declaration that reproved him, than a
 "plain Threat, That if his Majesty refused to join with them
 "they would make a Law without him: Nor had the Prac-
 "tice since that time been other; which would never be jus-
 "tified to the most ordinary if not partial understandings, by
 "the meer averring it to be according to the Fundamental
 "Laws of this Kingdom, without giving any directions, that
 "the most Cunning and Learned Men in the Laws, might be
 "able to find those Foundations. And he would appeal unto
 "all the World, whether they might not, with as much Jus-
 "tice, and by as much Law, have seized upon the Estate of
 "every Member of both Houses, who dissent from that
 "pretended Obedience (which much the Major part of the
 "House of Peers did, two or three several times) as they
 "had intruded that Power of His over the Militia, because he,
 "upon reasons they had not so much as pretended to Answer,
 "refused to Consent to that Proposition.

"AND in better Effects, than loss of Time, and hinder-
 "ance of the Publick Affairs, had been found by his Answers
 "and Replies, all Good Men might judge by whose Defaults
 "and whose want of Duty, such Effects had been; for as his
 "End

"End, indeed his only End, in those Answers and Replies,
 "had been the settlement and composure of Publick Affairs;
 "so, he was assur'd, and most Men did believe, that if that
 "due regard and reverence had been given to his words, and
 "that consent and obedience to his Councils, which he ex-
 "pected, there had been, before that time, a cheerful calm
 "upon the face of the whole Kingdom; every Man enjoying
 "his own, with all possible Peace and Security that can be
 "imagin'd; which surely those Men did not desire, who (af-
 "ter all those Acts of Justice, and Favour pass'd by him, this
 "Parliament; all those Sufferings, and Affronts, endured and
 "undergone by him) thought fit still to reproach him with
 "Ship-money, Coat and Conduct-money, and other things
 "so abundantly declar'd, as that Declaration it self confess'd;
 "in the general Remonstrance of the State of the Kingdom,
 "published in *November* last; which his Majesty wonder'd to
 "and now avow'd to be the Remonstrance of both Houses;
 "and which, he was sure, was presented to him only by the
 "House of Commons; and did never, and, he was confident,
 "in that time could never have pass'd the House of Peers;
 "the Concurrence, and Authority of which, was not then
 "thought necessary. Should his Majesty believe those Re-
 "proaches to be the Voice of the Kingdom of *England*, That
 "all his loving Subjects esied, refused, strengthen'd, and
 "abundantly satisfied with his Acts of Grace and Favour to-
 "wards them, were willing to be involved in those unthank-
 "ful Expressions? He would appeal to the Thanks, and Ac-
 "knowledgements published in the Petitions of most of the
 "Counties of *England*; to the Testimony, and Thanks, he
 "had received from both Houses of Parliament; how reason-
 "able, how agreeable that usage was to his Majesty's Mer-
 "it, or their former Expressions.

"His Majesty said, he had not at all swerved, or depart-
 "ed from his Resolutions, or Words, in the beginning of this
 "Parliament: He had said, he was resolv'd to put himself
 "freely, and clearly upon the Love and Affection of his *Eng-
 "lish* Subjects; and he said to still, as far as concerns *England*,
 "And he call'd Almighty God to witness, all his Complaints,
 "and Jealousies, which had never been schismatick, nor of his
 "Houses of Parliament (but of some few Schismatick, Facti-
 "ous, and Ambitious Spirits; and upon grounds, as he feared,
 "a short time would justify to the World) his Denial of the
 "Militia, his absenting himself from *London*, had been the
 "effects of an upright, and faithful Affection to his *English*'s
 "Subjects; that he might be able, through all the inconve-
 "niences he might be compell'd to wrestle with, at last to pro-
 "ferre, and restore their Religion, Laws, and Liberties unto
 "them.

"SINCE

"SINCE the Proceeding against the Lord *Kimblton*, and
 the five Members, was still looked upon, and so often pre-
 "fod, as to great an advantage against his Majesty, that no
 "Retraction made by him, nor no Action, since that time
 "committed against him, and the Law of the Land, under
 "the pretence of Vindication of Privilege, could satisfy the
 "Contrivers of that Declaration, but that they would have
 "his good Subjects to believe, the Accusation of those six
 "Members must be a Plot for the breaking the Neck of the
 "Parliament (a strange Arrogance if any of those Members
 "had the Penning of that Declaration) and that it was fo
 "often urged against him, as if by that single casual Mi-
 "stake of his, in form only, he had forfeited all Duty, Cre-
 "dit, and Allegiance from his People, he said, he would,
 "without endeavouring to excuse that, which in truth was a
 "Error (his going to the House of Commons) give his Peo-
 "ple, a full, and clear Narration of the matter of Fact; af-
 "suring himself, that his good Subjects would not find his
 "carriage in that business, such as had been reported.
 "His Majesty said, that when he resolv'd, upon such
 "grounds, as, when they should be published, would satisfy
 "the World, that it was fit for his own Safety, and Honour,
 "and the Peace of the Kingdom, to proceed against these
 "Persons; though he well knew, there was no degree of
 "Privilege in that Case; yet to shew his desire of Corresp-
 "dence with the two Houses of Parliament, he chose rather
 "than to apprehend their Persons by the ordinary Minis-
 "ters of Justice (which, according to the opinion, and practice
 "of former times, he might have done) to Command his
 "Attorney General, to requisit his House of Peers with his
 "intention, and the general matters of his Charge (which
 "was yet more particular, than a meer Accusation) and to
 "proceed accordingly; and at the same time sent a few
 "Servants, a Sergeant at Armes, to the House of Commons,
 "to acquaint them, that his Majesty did accuse, and intended
 "to prosecute the five Members of that House for High
 "Treason; and did require, that their Persons might be se-
 "cured in Custody. This he did, not only to shew that he
 "intended not to Violate, or Infringe their Privileges, but to
 "use more Ceremony towards them, than he then conceived
 "in justice might be required of him; and expected at least
 "such an Answer, as might inform him, if he were out of
 "the way; but he received none at all; only, in the instant
 "without clearing any thing of their Privileges to his Con-
 "sideration, an Order was made, and the same Night publish-
 "ed in Print, That if any Person whatsoever, should offer to
 "Arrest the Person of any Member of that House, without
 "a writ

"first acquainting that House therewith, and receiving further
 "Order from that House, that it should be Lawful for such
 "Member, or any Person, to resist them, and to stand upon
 "his, or their Guard of Defence; and to make resistance,
 "according to the Protestation taken to defend the Privilege
 "of Parliament: And this was the first time that he heard
 "the Protestation might be wretted to such a sense, or that in
 "any Case, though of the most undoubted and unquestion-
 "able Privilege, it might be Lawful for any Person to resist,
 "and use violence against a Publick Minister of Justice, and
 "with Lawful Authority; though his Majesty well knew,
 "that even such a Minister might be punished for executing
 "such Authority.
 "Upon viewing that Order, his Majesty confessed, he
 "was somewhat amaz'd, having never seen, or heard of the
 "like; though he had known Members of either House com-
 "mitted, without so much formality as he had us'd, and
 "upon Crimes of a far inferior nature to those he had sug-
 "gested; and having no course propos'd him for his Pro-
 "ceeding, he was, upon the matter, only told, that against
 "those Persons he was not to proceed at all; that they were
 "above His reach, or the reach of the Law. It was not easy
 "for him to resolve what to do: If he employ'd his Ministers
 "of Justice in the usual way for their apprehension, who
 "without doubt, would not have refused to have executed
 "his Lawful Commands, he saw what opposition, and re-
 "sistance, was like to be made; which, very probably, might
 "have cost some Blood: If he sat still, and desisted upon
 "that Terror, he should, at the best, have confessed his
 "own want of Power, and the weakness of the Law. In that
 "dilemma, he put on a sudden Resolution, to try whether his
 "own Presence, and clear discovery of his Intention, which
 "happily might not have been so well understood, could re-
 "move those Doubts, and prevent those Inconveniencies,
 "which seem'd to have been threaten'd; and thereupon, he
 "Resolv'd to go, in his own Person, to the House of Com-
 "mons; which he discover'd not, till the very minute of his
 "going; when he sent out Orders, that his Servants, and
 "such Gentlemen as were then in his Court, should attend
 "him to *Westminster*; but giving them express Command, as
 "he had express'd in his Answer to the Ordinance, that no
 "Accidents, or Provocation, should draw them to any such
 "Action, as might imply a purpose of Force in his Majesty;
 "and Himself, requiring those of his Train, that came
 "within the Door, went into the House of Commons; the
 "bare doing of which, he did not then conceive, would have
 "been thought more a breach of Privilege, than if he had
 "gone

gone to the House of Peers, and sent for them to come to him; which was the usual Custom.
 His usual the best Expressions he could, to assure them how far he was from any intention of violating their Privileges; that he intended to proceed legally, and speedily against the Persons he had accused; and desired therefore if they were in the House, that they might be deliver'd to him; or if absent, that such course might be taken for their forthcoming, as might satisfy his just Demands; and for the departed, having no other purpose of Force, if they had been in the House, than he had before proceedit, before God, in his Answer to the Ominance. They had an account now of his part of that story fully; his People might judge freely of it. What follow'd on their part (though that Declaration said, it could not withdraw any part of their Reverence and Obedience from his Majesty; it might be any part of theirs it did not) he should have too much cause hereafter to inform the World.

His Majesty said, there would be no end of this discourse; and of upbraiding him with evil Counsellors, if, upon his constant denial of knowing any, they would not vouchsafe to inform him of them; and after eight Months aming the Kingdom with the expectation of the discovery of a Malignant Party, and of evil Counsellors, they would at last name any, nor describe them. Let the Actions of Lives of Men be examin'd, who had Contriv'd, Consulted, actually consented to Grievs, and Burthen his People; and if such were now about his Majesty, or any against whom any notorious, malicious Crime could be proved, if he shelter'd and protected any such, let his Justice be published to the World; but till that were done particularly and manifestly (for he should never consider any Man upon a bare, general Vote of the Major part of either, or both Houses, till it were evident, that That Major part was without Passion or Affection) he must look upon the charge that Declaration put upon him, of cherishing and countenancing a Discontented Party of the Kingdom against them, as a heavier and unjust Tax upon his Justice and Honour, than any He had, or could lay, upon the Framers of that Declaration. And now, to countenance those uncharitable Expressions, whereby they usually had implied his Majesty's Countenance at, or want of Zeal against the Rebellion of Ireland (so odious to all Good Men) they had found a new way of exprobration: That the Proclamation against those bloody Traytors came not out, till the beginning of January, though that Rebellion had been out in October, and then, by special Command from his Majesty,

Majesty, but forty Copies were appointed to be Printed. His Majesty said, it was well known where he was at that time when that Rebellion broke forth; in Scotland: That He immediately, from thence, recommended the Care of that Business to both Houses of Parliament here, after he had provided for all fitting Supplies from his Kingdom of Scotland: That after his return hither, he observ'd all those Forms for that Service, which he was advis'd to by his Council of Ireland, or both Houses of Parliament here, and if no Proclamation issued out sooner (of which, for the present, he was not certain; but thought that others, by his direction, were issued before that time) it was, because the Lords Justices of the Kingdom desired them no sooner; and when they did, the Number they desired was but Twenty; which they advis'd might be sign'd by his Majesty; which he, for expedition of the Service, command'd to be Printed; a Circumstance not required by them; therefore upon he sign'd more of them, than his Justices desired; all which was very well known to some Members of one, or both Houses of Parliament; who had the more to Answer, if they forbore to express it at the passing of that Declaration; and if they did express it, he had the greater reason to complain, that so envious an Aspersion should be cast on his Majesty to his People, when they knew well how to Answer their own Objection.

That Complaint was against the Parliament put forth in His Name, which was upon an Evidence and Countenance to the Rebels, and spoke the same Language of the Parliament which the Rebels did; he said he could not understand. All his Answers and Declarations had been, and were, ow'd by himself; and had been attested under his own hand; if any other had been published in his Name, and without his Authority, it would be easy for both Houses of Parliament to discover, and apprehend the Authors: And he wish'd, that whatsoever was trusted with the Drawing and Penning that Declaration, had no more Authority, or Cunning to impose upon, or deceive a Major part of those Votes, by which it pass'd, than any Man had to prevail with his Majesty to publish in his Name any thing, but the sense, and Resolution of his own Heart; or that the Contriv'er of that Declaration could, with as good a Conscience, call God to witness, that all his Councils and Endeavours had been free from all private Affects, personal Respects or Passions whatsoever, as his Majesty had done, and did. That he never had, or knew of any such Resolution of bringing up the Army to London.

And since that new Device was found out, instead of

40 Answering his Reasons or satisfying his just demands, to blast
 41 his Declarations and Answers, as if they were not his own;
 42 bold, senseless Imputation: He said he was sure, that ever
 43 Answer, and Declaration, published by his Majesty, was
 44 much more his own, than any one of those bold, threatening
 45 and reproachful Petitions, and Remonstrances, were the
 46 Acts of either, or both Houses. And if the Petitioner of this
 47 Declaration had been careful of the Trust reposed in him,
 48 he would never have denied (and thereupon found fault
 49 with his Majesty's just indignation) in the Text or Margins
 50 that his Majesty had never been charged with the Imputation
 51 of any Force; and that in their whole Declaration, there
 52 was no one word tending to any such reproach; and the con-
 53 trary whereof was so evident, that his Majesty was, in ex-
 54 press terms, charged in that Declaration, that he had for-
 55 saken gracious Meddages, when, with his Privy, brought
 56 up the Army was in agitation; and, even in that Decla-
 57 ration, they sought to make the People believe some false
 58 thing to be proved, in the Depositions therewith published;
 59 wherein, his Majesty doubted most, they would as much fail
 60 as they did in their Censure of that Petition, flew dis-
 61 merly to his Majesty by Captain *Leg*, and subscribed by his
 62 C. R. which, notwithstanding his Majesty's full, and parti-
 63 cular Narration of the substance of that Petition, the cir-
 64 cumstances of seeing and approving it, that Declaration was
 65 pleaded to say, was full of Scandal to the Parliament, as
 66 might have proved dangerous to the whole Kingdom. If
 67 they had that dangerous Petition in their hands, his Majesty
 68 said, he had no reason to believe any tenderness towards
 69 them had kept them from communicating it; if they had
 70 not, his Majesty ought to have been believed: But that
 71 good People might compute their other pretended danger
 72 by their clear understanding of that, the noise whereof had
 73 not been inferior to any of the rest, his Majesty said, he
 74 had recover'd a true Copy of the very Petition he had sign'd
 75 with C. R. which should, in fit time, be published; at
 76 which, he hoped, would open the eyes of his good People
 77 CONCERNING his Warrant for Mr *Jermyn's* Pallage
 78 his Answer was true, and full; but for his black Scurrilous
 79 and white Lies, he could give no Account.
 80 His Majesty had complain'd in his Declaration, and, so
 81 often as he should have occasion to mention his return, and
 82 residence near *London*, he should complain, of the barbarous
 83 and scurrilous Tumults at *White-Hall*, and *Westminster*; which
 84 indeed had been to fill of Scandal to his Government, and
 85 danger to his Person, that he should never think of his re-
 86 turn thither, till he had Justice for what was said, and se-
 87 cur'd

88 cury for the time to come: And if there were any great a-
 89 ccusancy, or desire of his return, as was pretended, in all
 90 this time, upon so often pressing his desires, and upon causes
 91 so notorious, he should at least have procur'd some Order
 92 for the future: But that Declaration told his Majesty he was
 93 upon the matter mistaken; the report of the Citizens to
 94 *Westminster* was as lawful, as the report of great Numbers
 95 every day in the Term to the Ordinary Courts of Justice;
 96 They knew no Tumults. Strange! was the disorderly ap-
 97 pearance of so many thousand People, with Staves and
 98 Swords, crying through the Streets, *Westminster-Hall*, the
 99 Passage between both Houses (inform'd as the Members
 100 could hardly pass to and fro) No Bishops, down with the
 101 Bishops, No Tumults? What Member was there of either
 102 House that saw not those Numbers, and heard not those
 103 Cries? And yet so few Attendances! Were not several Mem-
 104 bers of either House, assaulted, threaten'd, and evilly en-
 105 treated? And yet no Tumults! Why made the House of
 106 Peers Declaration, and sent it down to the House of Com-
 107 mons for the suppressing of Tumults, if there were no Tu-
 108 muls? And if there were any, why was not such a Decla-
 109 ration consented to, and published? When the Attempts
 110 were so visible, and threats so loud to pull down the Abby
 111 of *Westminster*, had not his Majesty just cause to apprehend,
 112 that such People might continue their work to *White-Hall*?
 113 Yet no Tumults? What a strange time are We in, that
 114 a few impudent, malicious (to give them no worse term)
 115 Men, should cast such a Mist of error before the eyes of
 116 both Houses of Parliament, as that they either could not, or
 117 would not, see how manifestly they injured themselves, by
 118 maintaining those visible unruliness. His Majesty said, he
 119 would say no more: by the help of God and the Law, he
 120 would have Justice for those Tumults.
 121 FROM excepting, how weightily every Man might judge,
 122 how what his Majesty had said, that Declaration proceeded to
 123 censure him for what he had not said; for the prudent
 124 Omissions in his Answers: His Majesty had forbore to say
 125 any thing of the words spoken at *Kennington*, or the Arti-
 126 cle against his dearest Consort, and the Accusation of the
 127 six Members: Of the last, his Majesty said, he had spoken
 128 often; and he thought, enough of the other two; but hav-
 129 ing never accused any (though God knew what truth there
 130 might be in either) he had no reason to give any particular
 131 Answer.
 132 His Majesty said, he did not reckon himself bereav'd of any part
 133 of his Prerogative; which he was pleas'd freely, for a time,
 134 to part with by Bill; yet he must say, he express'd a great
 135 Trust

“ Trust in his two Houses of Parliament, when he directed
 “ himself of the power of dissolving this Parliament; which
 “ was a just, necessary, and proper Prerogative. But he was
 “ glad to hear their resolution, that it should not encourage
 “ them to do any thing which otherwise had not been fit to
 “ have been done: If it did, it would be such a breach of
 “ Trust, as God would require an Account for at their hand.

“ For the Militia he had said for much of it before, and
 “ the Point was so well understood by all Men, that he would
 “ waste time no more in that Dispute. He never had said
 “ there was no such thing as an Ordinance, though he knew
 “ that they had been long dissidid, but that there was need
 “ of an Ordinance, or could be any, without the King's con-
 “ sent; and that was true: And the unnecessary Precedent
 “ cited in that Declaration, did not offer to prove the con-
 “ trary. But enough of that; God and the Law must determine
 “ that business.

“ NEITHER had that Declaration, given his Majesty an
 “ satisfaction concerning the Votes of the fifteenth and six-
 “ teenth of *March* last; which he must declare, and appeal
 “ all the world in the Point, to be the greatest violation of
 “ Majesty's Privilege, the Law of the Land, the Liberty
 “ of the Subject, and the Right of Parliament, that could be
 “ imagin'd. One of those Votes was, and there would seem
 “ no other to destroy the King and People, That when his
 “ Lords and Commons (if it well the Commons are admit-
 “ ted to their part in Judicature) shall declare what the Law
 “ of the Land is, the same must be assented to and obey'd; that
 “ in the sense in few words. Where is every Man's Propri-
 “ ety; every Mans Liberty? If the Major part of both Houses
 “ declare, that the Law is that the younger Brother shall be
 “ heir; what is become of all the Families, and Estates in
 “ the Kingdom? If they declare, that by the Fundamen-
 “ tal Laws of the Land, such a rash Action, such an unadvis-
 “ ed Word, ought to be punish'd by perpetual Imprisonment,
 “ not the Liberty of the Subject, *deponat benevolentis*, rem-
 “ diless. That Declaration confesses, they pretend not to
 “ power of making new Laws; that without his Majesty, they
 “ could not do that: They needed no such power, if the
 “ Declaration could suspend this Statute from being obey'd,
 “ or executed. If they had power to declare the Lord Ditch-
 “ waiting upon his Majesty, at *Hampton-Court*, and then
 “ visiting some Officers at *Kingston*, with a Coach and six
 “ Horses, to be levying of War, and High Treason; and if
 “ *John Hobbes's* deying his Majesty to his face, keeping his
 “ Majesty's Town, Fort, and Goods against him, by force of
 “ Arms, to be an Act of Affection, and Loyalty; What
 “ need

“ needed a power of making new Laws? Or would there be
 “ such a thing as Law left?

“ He desired his good Subjects to mark the reason, and
 “ consequence of those Votes; the progress they had already
 “ made, and how infinite the progress might be. First, they
 “ Voted the Kingdom was in Imminent danger (it was now
 “ above three Months since they dissent'd it) from Enemies
 “ abroad, and from a Populish, and dissatisfied party at home;
 “ that is matter of Fact; the Law follows: This Vote had
 “ given them Authority by Law, the Fundamental Laws of
 “ the Kingdom, to order and dispose of the Militia of the
 “ Kingdom; and, with this Power, and to prevent that dan-
 “ ger, to enter into his Majesty's Towns, seize upon his Ma-
 “ gazine, and, by Force, keep both from him. Was not that
 “ his Majesty's Case? First, they Vote he had an Intention
 “ to levy War against his Parliament; that is matter of Fact;
 “ Then they declare, such as shall assist him, to be guilty of
 “ High Treason; that is the Law, and proved by two Sta-
 “ tutes Themselves knew to be repealed. No matter for that,
 “ They declare it. Upon this ground they exercise the Mil-
 “ itia, and to actually do that upon his Majesty, which they
 “ had Voted He intended to do upon Them. Who could not
 “ see the confusion, that must follow upon such Power of
 “ Declaring? If they should now Vote that his Majesty did
 “ not write this Declaration, but that such a One did it, which
 “ was still matter of Fact; and then Declare, that, for so do-
 “ ing, he was an Enemy to the Common-wealth; what was
 “ become of the Law that man was born to? And if all his
 “ Zeal for the defence of the Law, were but to defend that
 “ which They Declared to be Law, their own Votes; it
 “ would not be in their power to satisfy any Man of their
 “ good Intentions to the publick Peace, but such who were
 “ willing to relinquish their Title to *Magna Charta*, and hold
 “ their Lives, and Fortunes, by a Vote of the Major part
 “ of both Houses. In a word, his Majesty denied not, but they
 “ might have power to declare in a particular, doubtful Case,
 “ regularly brought before them, what Law is. But to make
 “ a general Declaration, whereby the known rule of the Law
 “ might be cross'd, or alter'd, they had no power; nor could
 “ exercise any, without bringing the Life and Liberty of the
 “ Subject to a Lawless, and Arbitrary Subjection.

“ His Majesty had complain'd (and the world might
 “ Judge of the Justice, and Necessity of that complain'd) of the
 “ multitude of scidulous Pamphlets, and Sermons; and that
 “ Declaration told him, they knew he had ways enough in
 “ his ordinary Courts of Justice to punish those; for his Ma-
 “ jesty said, he had to punish Tumults and Riots; and yet
 “ Vol. I. Part 2. Q. 9.
 “ they

"they would not serve his turn to keep his Towns, his For-
"casts, and Parks from violence. And it might be, though
"those Courts had still the Power to punish, they might have
"lost the skill to define, what Tumults and Riots are; other-
"wise a Jury in *Strasbourg*, legally impannell'd to examine a
"Riot there, would not have been perplexed, and the Sheriff
"enjoy'd not to proceed, by virtue of an Order of the House
"of Commons; which, it seem'd, at that time had the sole
"power of Declaring. But it was no wonder that they who
"could not see the Tumults, did not consider the Pamphlets
"and Sermons; though the Author of the *Professions Pro-
"fessed*, were well known to be *Burton* (that infamous distur-
"ber of the Peace of the Church and State) and that he
"Preached at *Westminster*, in the hearing of divers Members
"of the House of Commons. But of such Pamphlets and sedi-
"tious Preachers; divers whereof had been recommended, if
"not imposed upon several Parishes, by some Members of
"both Houses, by what Authority his Majesty knew not) he
"would hereafter take a further Account.

"His Majesty said, he confest he had little skill in the
"Laws; and those that had had much, he found now were un-
"able to seek: Yet he could not understand or believe, that every
"ordinary Court, or any Court, had power to raise what
"Guard they pleas'd, and under what Command they pleas'd.
"Neither could he imagine, what dangerous Effects they
"found by the Guard he appointed them; or indeed any de-
"fect occasion, which they needed any Guard at all.

"But of all the Imputations, so carefully and unjustly laid
"upon his Majesty by that Declaration, he said, he must
"wonder at that Charge so apparently, and evidently Un-
"true: That such were commonly prefer'd and contemna-
"ced by him, who were friends or favourers or related unto
"the chief Authors, and Actors of that Arbitrary Power here-
"tofore practis'd, and complain'd of: And on the other side,
"that such as did appear against it, were daily discountenanc-
"ed, and disgrac'd. He said, he would know One Person
"that contributed to the ill of those times, or had depen-
"dence upon those that did, whom he did, or lately had
"countenanced, or prefer'd; may he was confident (and he
"looked for no other at their hands) as they had been always
"most Eminent Asserters of the publick Liberties; so if they
"found his Majesty inclined to any thing not agreeable to
"Honour and Justice, they would leave him to morrow. Whe-
"ther different Persons had not, and did not receive counte-
"nance elsewhere, and upon what grounds, all men might
"judge; and whether his Majesty had not been favour'd
"enough to honour and prefer those of the most contrary opi-
"nion,

"nion, how little comfort soever he had of those Preferments,
"in bestowing of which, hereafter, he would be more guid-
"ed by Men's Actions, than Opinions. And therefore he
"had good cause to bestow that admonition (for his Majesty
"us'd it then, it was an admonition of his Own) upon both
"his Houses of Parliament, to take heed of incensing, under
"the specious flows of Necessity and Danger, to the exercise
"of such an Arbitrary Power, they become complain'd of; the
"Advice would do no harm, and he should be glad to see it
"follow'd.

"His Majesty asked, if all the specious Promises, and loud
"Professions, of making him a great and glorious King; of fec-
"ding a greater Revenue upon his Majesty, than any of his An-
"cestors had enjoy'd; of making him to be honour'd at home,
"and fear'd abroad; were resolv'd into this, That they would
"be ready to settle his Revenue in an Honourable propor-
"tion, when he should put himself in such a posture of Gov-
"ernment, that his Subjects might be secure to enjoy his
"just Protection for their Religion, Laws, and Liberties?
"What posture of Government they intended, he knew not;
"nor could he imagine what security his good Subjects could
"desire for their Religion, Laws, and Liberties, which he
"had not offer'd or fully given. And was it suitable to the
"Duty, and Dignity of both Houses of Parliament, to An-
"swer his particular, weighty Expellions of the causes of his
"removal from *London*, so generally known to the King-
"dom, with a Scoff? That they hoped he was driven from
"there, not by his own fears, but by the fears of the Lord
"*Digby*, and his retinue of Cavaliers? Sure, his Majesty said,
"the Vexer of that Declaration, infer'd that ungrave and
"insidious Expulsion, as he had done divers others, without
"the consent, or examination of both Houses; who would
"not so lightly have departed from their former professions
"of Duty to his Majesty.

"Whether a true way to a good understanding between
"his Majesty, and his People, had been as zealously press'd
"by Them, as it had been profess'd, and desired by Him,
"would be easily discern'd by them who observed that He
"had left no publick Act undone on His part, which, in the
"least degree, might be necessary to the peace, plenty, and
"security of his Subjects: And that They had not dispatch'd
"one Act, which had given the least evidence of their parti-
"cular affection, and kindness to his Majesty; but on the con-
"trary, had discountenanced and hinder'd the Testimony other
"Men would give to him of their affections. Witness the
"Shipping, and keeping back the Bill of Subsidies, granted by
"the Clergy almost a year since. which, though his Personal

"wants were fo notoriously known, they would not, to that
 "time, pais; fo not only forbearing to supply his Majesty
 "himself, but keeping the love and bounty of other Men
 "from him; and shewing no other Answer to all his de-
 "sires, all his reasons (indeed not to be Answer'd) than that
 "he must not make his understanding, or reason, the Rule
 "of his Government; but suffer himself to be assisted (which
 "his Majesty never doeth) by his Great Council. He said,
 "he required no other Liberty to his Will, than the meane
 "of Them did (he wiled they would always use that Li-
 "berty) not to consent to any thing evidently contrary to
 "his conscience, and understanding: And he had, and should
 "always give as much estimation, and regard to the Advice,
 "and Council of both Houses of Parliament, as ever Prince
 "had done: But he should never, and he hoped his People
 "would never, account the Contrivance of a few Faction, Se-
 "ditious Persons, a Malignant Party, who would sacrifice the
 "Common-wealth to their own fury and ambition, the Wis-
 "dom of Parliament; and that the justifying, and defending
 "of such Persons (of whom, and of their particular, smilte
 "ways, to compass their own bad ends, his Majesty would
 "thorly inform the world) was not the way to please
 "Parliaments, but was the opposing, and preferring a few
 "unworthy Persons, before their Duty to their King, or their
 "Care of the Kingdom. They would have his Majesty re-
 "member, that His Resolutions did concern Kingdoms, and
 "therefore not to be movied by his own understanding: He
 "said, he did well remember it; but he would have Them
 "remember, that when their Consultations endeavour'd to
 "lessen the Office, and Dignity of a King, they medled with
 "that which is not within their determination, and of which
 "his Majesty must give an account to God, and his other
 "Kingdoms, and must maintain with the Sacrifice of his Life
 "LASTLY, that Declaration told the People of a prelen,
 "desperate, and malicious Plot the Malignant Party was then
 "acting under the plausible notions of stirring Men up to a care
 "of preserving the King's Person; of maintaining the dis-
 "cipline of the Church, upholding and continuing the re-
 "verence, and solemnity of God's Service; and encouraging
 "Learning (indeed plausible, and Honourable notions to act
 "any thing upon) and that upon those grounds divers mali-
 "cious Petitions had been framed in *London, Kent*, and other
 "places: His Majesty asked upon what grounds these Mes-
 "sages would have Petitions framed? Had so many Petitions, even
 "against the form, and constitution of the Kingdom and the
 "Laws established, been justly received, and accepted? And
 "should Petitions framed upon those grounds be call'd Mu-

"tinous? Had a multitude of mean, unknown, inconsider-
 "able, contemptible Persons, among the City, and Suburbs of
 "*London*, had liberty to Petition against the Government of
 "the Church; against the Book of Common-Prayer; against
 "the Freedom, and Privilege of Parliament; and been thank-
 "ed for it: and should it be call'd Mutiny, in the greatest and
 "best Citizens of *London*, and the Gentry and Commonalty
 "of *Kent*, to frame Petitions upon those grounds; and to de-
 "clare to be govern'd by the known Laws of the Land, not
 "by Orders and Votes of either, or both Houses? Could this
 "be thought the Wisdom, and Justice of both Houses of Pa-
 "rliament? Was it not evidently the work of a Fiction, with-
 "in or without both Houses, who deceived the Trust re-
 "posed in them; and had now told his Majesty, what Mu-
 "tiny was? To stir Men up to a care of preserving his Pre-
 "rogative, maintaining the Discipline of the Church, uphold-
 "ing and continuing the Reverence, and Solemnity of God's
 "service, encouraging of Learning, was Mutiny. Let Hea-
 "ven and Earth, God and Man, judge between his Majesty
 "and these Men: And however such Petitions were there
 "call'd Mutinous; and the Petitioners threaten'd, discoura-
 "g'd, censur'd, and imprison'd; if they brought such Pe-
 "titions to his Majesty, he would graciously receive them; and
 "defend them and their Rights, against what Power fo-
 "evers, with the utmost hazard of his being.
 "His Majesty said, he had been the longer, to his very
 "great pain, in this Answer, that he might give the World sa-
 "tisfaction, even in the most trivial particulars, which had
 "been objected against him; and that he might not be again
 "reproach'd, with any more prudent Omissions. If he had
 "been compell'd to sturper Language, than his Majesty affe-
 "cted, it might be consider'd, how vile, how insufferable his
 "provocations had been: And, except to repel force were to
 "assault, and to give punctual and necessary Answers to rough
 "and insolent Demands, were to make Invectives, he was con-
 "sident the World would accuse his Majesty of too much
 "mildness; and all his good Subjects would think, he was
 "not well dealt with; and would judge of his Majesty, and
 "of their own happiness, and security in him, by his Actions;
 "which he desired might no longer Proper, or have a Bless-
 "ing from God upon them, and his Majesty, that they should
 "be directed to the Glory of God in the maintenance of the
 "true Protestant Profession; to the preservation of the Pro-
 "perty and Liberty of the Subject, in the observance of the
 "Laws; and to the maintenance of the Rights and Freedom
 "of Parliament, in the allowance and protection of all their
 "just Privileges.

The King's
order
the Decla-
ration of
May 16.
1641.

THIS Declaration was no sooner published, but his Majesty likewise felt forth an Answer to that other Declaration, of the 26th of May; in which he said, "That whatsoever is looked over the late Remonstrance, Intin'd *A Declaration of the Lords and Commons*, of the 26th of May, would not think that his Majesty had great reason to be pleased with it; yet he could not but commend the plain dealing, and ingenuity of the Framers, and contrivers of that Declaration (which had been wrought in a hasty and quicker Forge than any of the rest) who would no longer suffer his Majesty to be Affronted by being told, They would make him a Great and Glorious King; whilst they used all possible skill, to reduce him to extreme want, and indigency; and that they would make him to be loved at Home, and feared Abroad; whilst they endeavour'd by all possible ways, to render him odious to his good Subjects, and contemptible to all Foreign Princes, but, like sound dealing Men, told him, in plain English, That they had done him no wrong, because he was not capable of receiving any; and that they had taken nothing from him, because he had never any thing of his own to lose. If that Doctrine were true, and that indeed he ought to be of no other consideration, than they had inform'd his People in that Declaration, that Gentlemen was much more excusable, that said publicly, un-reproved, That the happiness of the Kingdom did not depend on his Majesty, or upon any of the Royal Branches of that Root: And the other, who said, his Majesty was not worthy to be King of *England*: Language very monstrous to be allow'd either House of Parliament; and of which, by the help of God, and the Law, he must have some Examination. But, he doubted not, all his good Subjects did now plainly discern, through the malice and wizard of their Hypocrisy, what their design was; and would no more look upon the Framers and contrivers of that Declaration, as upon both Houses of Parliament (whose Freedom, and just Privileges he would always maintain; and in whose behalf, he was as much scandaliz'd as for Himself) but as a Faction of Malignant, and Seditious, and Ambitious Persons; whose design was, and always had been, to alter the whole frame of Government, both of Church and State; and to subject both King and People to their own Lawless, Arbitrary Power, and Government: of whose Persons, and of whose Designs, his Majesty said, he would, within a very short time, give his good Subjects and the World a full, and, he hoped, a satisfactory Narration.

THE Contrivers and Penners of that Declaration (of whom his Majesty would be only understood to speak, when

he mention'd any of their undutiful Acts against him) said, "that the great Affairs of the Kingdom, and the miserable bleeding Condition of *Ireland*, would afford them little leisure to spend their time in Declarations, Answers, and Replies. Indeed, his Majesty said, the miserable, and deplorable Condition of both Kingdoms, would require something else at their hands: But he would gladly know how they had spent their time since the recess (then almost eight Months) but in Declarations, Remonstrances, and Invectives against his Majesty, and his Government; or in preparing matter for them. Had his Majesty invited them to any such expence of time, by beginning Arguments of that Nature? Their Leisure, or their Inclination, was not as they pretended: And what was their Printing and Publishing their Petitions to him; their Declarations, and Remonstrances of him; their odious Votes and Resolutions, sometimes of one, sometimes of both Houses, against his Majesty (never in that manner communicated before this Parliament) but an Appeal to the People? And, in God's Name, let them judge of the Persons they had trusted.

THEIR first Quarrel was (as it was always, to let them know their frank expostions of his Majesty, and his Actions) against the Malignant Party; whom they were pleas'd first to call, and never to prove to be, his evil Counsellors. But indeed nothing was more evident by their whole Proceedings, than that by the Malignant Party, they intended all the Members of both Houses who agreed not with them in their Opinions (thence had come their distinction of good, and bad Lords; of Persons ill affected to the House of Commons; who had been proferibed, and their Names listed, and read in Turnis) and all the Persons of the Kingdom who approve not of their Actions. So that, if in truth they would be ingenuous, and name the Persons they intended; Who would be the Men, upon whom the imputation of Malignity would be cast, but they who had stood stoutly, and immutably for the Religion, the Liberties, the Law, for all Publick Interest? (so long as there was any to be stood for) They, who had always been, and still were, as zealous Professors, and some of them as able, and earnest Defenders of the Protestant Doctrine against the Church of Rome, as any were; who had often, and earnestly besought his Majesty to consent, that no indifferent, and unnecessary Ceremony, might be press'd upon weak, and tender Consciences, and that he would agree to a Bill for that purpose? They to whose Wisdom, Courage, and Council, the Kingdom ow'd as much as it could to Subjects; and upon whose unblemish'd Lives, Envy it self could lay no imputation;

nor endeavour'd to lay any, until their Virtues brought them to his Majesty's Knowledge, and Favour? His Majesty said, if the Contrivers of that Declaration would be faithful to themselves, and consider all those Persons of both Houses, whom they, in their own Consciences, knew to differ from them in the Matter, and Language of that Declaration, and in all those unprofitful Actions of which he complain'd; they would be found in Honour, Fortune, Wisdom, Reputation, and Weight, if not in Number, much superior to them. So much for the evil Counsellors.

THEN what was the evil Council it self? His Majesty's coming from *London* (where He, and many, whose affections to him were very eminent, were in danger every day to be torn in pieces) to *Tork*; where his Majesty, and all such as would put themselves under his Protection, might live, he thanked God and the Loyalty and Affection of that good People, very securely: His not submitting himself absolutely (and renouncing his own understanding) to the Votes, and Resolutions of the Contrivers of that Declaration, when they told his Majesty, that they were above him; and might, by his own Authority, do with his Majesty what they pleas'd: and his not being contented, that all his good Subjects Lives, and Fortunes, should be dispos'd of by their Votes; but by the known Law of the Land. This was the evil Council given, and taken: And would not all Men believe, there needed much power and skill of the Malignant Party, to insinuate that Council into him? And then, to apply the Argument the Contrivers of that Declaration made for themselves, was it probable or possible, that such Men, whom his Majesty had mention'd (who must have so great a share in the misery) should take such pains in the procuring thereof; and spend so much time, and run so many hazards, to make themselves Slaves, and to ruin the Freedom of this Nation?

His Majesty said (with a clear, and upright Conscience to God Almighty) whoever harbour'd the least thought in his breast, of raising or violating the Publick Liberty, or Religion of the Kingdom, or the just Freedom and Privilege of Parliament, let him be Accus'd; and he should be no Counsellor of His, that would not say *Amen*. For the Contrivers of that Declaration, he had not said any thing, which might imply any inclination in them to be Slaves: That which he had charged them with, was invading the Publick Liberty; and his presumption might be very strong and vehement, that, though they had no mind to be Slaves; they were not unwilling to be Tyrants: What it is Tyranny, but to admit no rules to govern by, but their own

Wills? And they knew the misery of *Athen* was at the height, when it suffer'd under the thirty Tyrants.

His Majesty said, if that Declaration had told him (as indeed might, and as in justice it ought to have done) that the Precedents of any of his Ancestors did fall short, and much below what had been done by Him, this Parliament, in point of Grace, and Favour to his People; he should not otherwise have wonder'd at it, than at such a truth in such a place. But when to justify their having done more than ever their Predecessors did, it told his good Subjects (as most injuriously and insolently it did) that the highest, and most unwarrantable Precedents of any of his Predecessors did fall short, and much below what had been done to them in this Parliament by him, he must confess himself amazed, and not able to understand them; and he must tell those ungrateful Men (who'd sell their King, that they might, without want of Modesty and Duty, Depose him) that the Condition of his Subjects, when, by whatsoever Accidents and Conjunctions of time, it was at worst under his power, unto which, by no default of his, they should be ever again reduced, was, by many degrees, more pleasant and happy, than that to which their furious presence of Reformation had brought them. Neither was his Majesty afraid of the highest Precedents of other Parliaments, which those Men boldly (his good Subjects would call it wrong) told him they might, without want of Modesty or Duty, make their Pretence. If he had no other security against those Precedents, but their Modesty and Duty, he was in a miserable Condition, as all Persons would be who depended upon them.

That Declaration would not allow his Inference, that by avowing the Act of *St John Hathams*, they did destroy the Title, and Interest of all his Subjects to their Lands and Goods; but confess'd, if they were found Guilty of that Charge, it were indeed a very great Crime. And did they not, in that Declaration, admit themselves Guilty of that very Crime? Did they not say, Who doubts but that a Parliament may dispose of any thing, wherein his Majesty, or his Subjects had a right, in such a way as that the Kingdom might not be in danger thereby? Did they not then call themselves this Parliament, and challenge that Power without his Consent? Did they not extend that Power to all Cases, where the Necessary or Common Good of the Kingdom was concern'd? And did they not arrogate to themselves alone, the Judgement of that Danger, their Necessary, and that Common Good of the Kingdom? What was, if that were not, to unsettle the Security of all

Men's

Men's Estates; and to expose them to an Arbitrary Power of their own? If a Faction should at any time by cunning, or force, or absence, or accident, prevail over a Major part of both Houses; and pretend that there were evil Counsellors, a Malignant Party about the King; by whom the Religion, and Liberty of the Kingdom, were both endangered (this they might do, they had done it then) they might take away, be it from the King, or People, whatsoever they, in their judgements should think fit. This was Lawful, they had declar'd it so. Let the World judge, whether his Majesty had charg'd them unjustly: and whether the were not Guilty of the Crime, which themselves confess'd (being proved) was a great One; and how fatally his Majesty might commit the power, those People desired, in their Hands; who, in all probability, would be no more possess'd of it, than they would revive that Tragedy, which Mr Hooker related of the Anabaptists in Germany; who talking of nothing but Faith, and of the true Fear of God; and that Riches and Honour were Vanity; at first, upon the great opinion of their Humility, Zeal, and Devotion, procur'd much Reverence, and Estimation with the People; after, finding how many Persons they had ensnared with their Hypocrisy, they began to propole to themselves to reform both the Ecclesiastical, and Civil Government of the State: Then, because possibly they might meet with some opposition, they secretly enter'd into a League of Assistance; and shortly after, finding the power they had gotten with the credulous People, enrich'd themselves with all kind Spoil and Pillage; and justify'd themselves upon our best Ours promise, *The meek shall inherit the Earth*; and declar'd their Title was the same which the Righteous Israelites had to the Goods of the Wicked Egyptians: His Majesty said, this Story was worth the reading at large, and need no application.

But his Majesty might by no means say, that He bore the same Title to his Town of *Hull*, and the Ammunition there, as any of his Subjects had to their Land, or Money. That was a Principle, that pull'd up the Foundation of Liberty, and Property of every Subject. Why? because the King's Property in his Towns, and in his Goods bought with the Publick Money, as they conceive his Magazine of *Hull* to be, was inconsistent with the Subjects Property in their Lands, Goods, and Liberty. Did those Men think that as they assumed a power of declaring Law, and what ever contradicted that Declaration broke their Privilege; so that they had a power of declaring Sense, and Reason; and imposing Logick, and Syllogisms on the Schools, and

Law upon the People? Did not all Mankind know that several Men might have several Rights, and Interests in the self same House and Land, and yet neither destroy the other? Was not the Interest of the Lord Paramount consistent with that of the Mesne Lord; and His with that of the Tenant; and yet their Properties or Interests not at all confounded? And why might not his Majesty then have a full, lawful Interest, and Property in his Town of *Hull*, and yet his Subjects have a Property in their Houses too? But he could not sell, or give away at his Pleasure this Town and Fort, as a private Man might do his Lands or Goods. What then? Many Men have no Authority to let, or let their Leases, or sell their Land, have they therefore no Title to them, or Interest in them? May they be taken from them, because they cannot sell them? He said, the purpose of his Journey to *Hull*, was neither to sell, or give it away.

But for the Magazine, the Munition there, that he bought with his own Money, he might fairly have sold that, or given it away. No; he bought it with the Publick Money, and the proof is, They conceive it so; and upon that Conceit, had Voted, that it should be taken from him. Excellent Justice! Suppose his Majesty had kept that Money by him, and not bought Armes with it, would they have taken it from him upon that Conceit? Nay, might they have taken, where ever that Money was (for through how many hands soever it hath pass'd, it is the Publick Money still, if ever it were) sole it, and take it from the owners? But the Towns, Forts, Magazine, and Kingdom, is entrusted to his Majesty; and he is a Person trusted. His Majesty said, he was to God, and the Law had trusted him; and he had given an Oath to discharge that Trust, for the good and safety of the People. What Oaths they had taken, he knew not, unless those, which, in that violence, they had manifestly, maliciously violated. Might any thing be taken from a Man, because he is trusted with it? Nay, may the Person whom I take away the thing he trusts, when he will, and in what manner he will? The Law had been otherwise, and he believ'd, would be so held, notwithstanding their Declarations.

But that Trust ought to be managed by their Advice, and the Kingdom had trusted them for that purpose. Impossible, that the same Trust should be irrevocably committed to his Majesty, and his Heirs for ever, and the same Trust, and a Power above that Trust (for so was the Power they pretend'd) be committed to others. Did not the People, that sent them, look upon them as a Body but temporary, and Dissolvable at his Majesty's Pleasure? And could

"it be believ'd, that they intended them for his Guardians,
 "and Controllers in the managing of that Trust, which God
 "and the Law had granted to Him, and to his Posterity for
 "ever? What the extent of the Commission, and Trust was,
 "nothing could better teach them than the Words, whereby
 "they are met. His Majesty said, he call'd them (and wis-
 "out that call, they could not have come together) to be his
 "Counsellors, not Commanders (for however they frequen-
 "ly confounded them, the Offices were several) and Coun-
 "sellors not in all things, but in some things, *de patesibus*
 "*arabii* &c., And they would easily find among their Pre-
 "cedents, that Queen *Elizabeth*. upon whose time all good Me-
 "look'd with reverence, committed one *Westworth*, a Mem-
 "ber of the House of Commons, to the Tower, sitting in
 "House, but for proposing that they might advise the Queen
 "in a matter She thought they had nothing to do to meddle
 "in. But his Majesty is Truſted: And is He the only Per-
 "son Truſted? And might they do what their own incli-
 "tion and fury led them to? Were they not Truſted by his
 "Majesty, when he first sent for them; and were they not
 "Truſted by him, when he pass'd them his promise, that he
 "would not Dissolve them? Could it be pretended (and pro-
 "sumptions go far with them) that he Truſted them with
 "power to destroy himself, and to dissolve his Government
 "and Authority? If the People might be allowed to make
 "equitable construction of the Laws and Statutes, a Doctrine
 "avowed by them, would not all his good Subjects swear, he
 "never intended by that Act of Continuance, that they should
 "do what they have since done? Were they not Truſted by
 "those that foat them? And were they Truſted to alter the
 "Government of Church and State; and to make themselves
 "perpetual Dictators over the King, and People? Did they
 "instead, that the Law is, self should be subject to their Votes
 "and that whatsoever they said, or did, should be Law, be-
 "cause they declared it so? The Oaths they had taken
 "who sent them, and without taking which, themselves were
 "not capable of their place in Parliament, made the one in-
 "capable of giving, and the other of receiving such a Trust.
 "and they could persuade his good Subjects, that his Ma-
 "jesty is the only Supreme Head, and Governour in all
 "Causes, and over all Persons, within his Dominions; and
 "yet that they had a Power over him to constrain him to
 "manage his Trust, and Govern his Power, according to
 "their Discretion.

"THESE Contrivers of that Declaration told his Majesty
 "that they would never allow him (an humble, and dutiful
 "expulsion) to be judge of the Law; That belonged only

"to Them; They might, and must, judge and declare. His
 "Majesty said, they all knew what power the Pope, under
 "pretence of interpreting Scriptures, and declaring Articles
 "of Faith, though he decline the making the one or the other,
 "had usurped over Men's consciences; and that, under con-
 "text of having power of ordering all things for the Good of
 "Men's Souls, he entitles himself to all the Kingdoms of the
 "world: He would not accuse the Framers of that Declara-
 "tion (how bold soever they were with his Majesty) that
 "they inclined to Popery; of which another Maxim was,
 "that all Men must submit their Reason and Understanding
 "to the Scripture it self, to that declaring power of
 "his: Neither would he tell them, though They had told
 "him so, that they use the very Language of the Rebels of
 "*Spain*: and yet they say those Rebels declare, that what-
 "soever they do, is for the Good of the King and King-
 "dom. But his good Subjects would easily put the case to
 "themselves, whether if the Papists in *Ireland* in truth were,
 "sent, by Art or Accident, had made themselves the Major
 "part of both Houses of Parliament there; and had pro-
 "posed the Trust in that Declaration from the Kingdom of
 "*Ireland*; thereupon, had Voted their Religion and Liberty
 "to be in danger of extirpation from a Malignant Party of
 "Presbyterians, and Puritans; and therefore, that they would
 "submit themselves into a posture of Defence; that the Forces
 "and the Militia of that Kingdom were to be put into the
 "hands of such Persons, as they could Conſide in; that his
 "Majesty was indeed truſted with the Towns, Forts, Migra-
 "tions, Treasures, Offices and People of the Kingdom, for
 "the good, safety, and best advantage thereof; but so his
 "Trust is for the use of the Kingdom, so it ought to be ma-
 "naged by the Advice of both Houses of Parliament, whom
 "the Kingdom had truſted for that purpose, it being their
 "duty to see it discharged according to the condition, and
 "true intent thereof; and by all possible means to prevent
 "the contrary: His Majesty said, let all his good Subjects
 "consider, if that Rebellion had been plotted with all that
 "Familiarity, and those circumstances declar'd to be legal, at
 "least according to the Equitable sense of the Law, and to be
 "for the publick good, and justifiable by necessity, of which
 "They were the only Judges, whether, though they might
 "have thought their design to be more Cunning, they would
 "believe it the more Justifiable.

"NAY let the Framers of that Declaration ask themselves,
 "if the evil Counsellors, the Malignant Party, the Persons
 "affected, the Popish Lords and their Adherents, should
 "prove now, or hereafter, to be a Major part of both Houses

"(for

" (for it had been declared that a great part of both Houses had been such, and so might have been the Greater; Nay, the greater part of the House of Peers was still declar'd to be such, and his Majesty had not heard of any of their conversions, and thereupon it had been earnestly petition'd, that the Major part of the Lords might joyn with the Major part of the House of Commons) would his Majesty be bound to consent to all such alterations, as those Men should propose to him, and Relieve to be for the publick Good? And should the Liberty, Prosperity, and Security of all his Subjects, depend on what such Votes should declare to be? Was the Order of the Militia unfix'd, and unlawfull, whilst the Major part of the Lords refused to joyn in it? (as they had done two or three severall times, and it was never heard, before this Parliament, that they should be so, and so often petition'd after a Dissent declared) and did it grow immediately necessary for the publick safety, and usefull by the Law of the Land, sithon as so many of the dissenting Peers were driven away (after their Names had been requir'd at the Bar, contrary to the freedom, and foundation of Parliament) that the other Opinion prevail'd? Did the Life, and Liberty of the Subject depend upon such Accidents of days, and hours, that it was impossible for him to know his Right in either? God forbid.

" But now, to justify their Invasion of his Majesty's ancient, unquestion'd, undoubted Right, and settled establish'd on his Majesty and his Posterity by God himself, confirm'd, and strengthen'd by all possible Titles of Canons, Laws, Oaths, perpetual and uncontradicted Customs by his People; What had they aliegd to declare to be the Kingdom, as they say, the obligation that lieth upon the Kings of this Realm to pass all such Bills, as are offer'd unto them by both Houses of Parliament? A thing never heard of till that day: An Oath (Authority enough it them to break all theirs) that is, or ought to be, taken by the Kings of this Realm, which is as well to remedy by Law such Inconveniences the King may suffer, as to keep and protect the Laws already in being: And the Form of this Oath, they said, did appear upon a Record there cited, and by a Clause in the Preamble of a Statute, made in the 25th year of *Edw. III.*

" His Majesty said, he was not enough acquainted with the Records to know whether they were full, and impregmentally cited; and when, and how, and why, the several Clauses had been infer'd, or taken out of the Oaths formerly submitted to the Kings of this Realm: Yet he could not possibly imagine the assertion that Declaration made, could

+

be deduc'd from the words, or the matter of that Oath: For unless they had a power of declaring Latin, as well as Law, *facere, eligere, significat hanc choicem*, as well as *will choole*; and that it signified so there (besides the Authority of the perpetual Practice of all succeeding times: a better Intention than their Votes) it was evident, by the reference it had to customs, *consuetudines quasi Vulgus eligere*: And could that be a Custom, which the People should choose at their Oath taken? And should a King be sworn to defend such Customs? Besides could it be imagin'd, that he should be bound by Oath to pass such Laws (and such a Law was the Bill they brought to him of the Militia) as should put the power, wherewith he was trustful, out of Himself into the hands of other Men; and divert and displace himself of all possible power to perform the great business of the Oath; which was to protect them? If his Majesty gave away all his power, or if it were taken from him, he could not protect any Man: And what discharge would it be for his Majesty, either before God or Man, when his Good Subjects, whom God and the Law had committed to his charge, should be worried and spoiled, to say that he trusted others to protect them? That is, to do that Duty for him, which was essentially, and inseparably his own. But that all his good Subjects might see how faithfully these Men, who affirm'd this Trust from them, desired to discharge their Trust; he would be contented to publish, for their satisfaction (a matter notorious enough, but what he himself never thought to have been put to publish, and of which the Framers of that Declaration might as well have made use, as of a Latin Record they knew many of his good Subjects could not, and many of themselves did not understand) the Oath it self he took at his Coronation, warrant and enjoyn'd to it by the Customs, and directions of his Predecessors; and the Ceremony of their, and his taking it; they might find it in the Records of the Exchequer, This it is:

THE Sermon being done, the Arch-Bishop goeth to the King, and asks his willingness to take the Oath usually taken by his Predecessors:

THE King sheweth himself willing, and goeth to the Altar, the Arch-Bishop admitteth these Questions, and the King Answereth them severally:

Episcopus. Sr, will you grant and keep, and by your Oath confirm to the People of *England*, the Laws and Customs to them granted by the Kings of *England*, your Lawfull and Religious

ligious Predecessors: And namely the Laws, Customs, and Franchises granted to the Clergy, by the Glorious King *St. Edward*, your Predecessor, according to the Laws of God, the true Profession of the Gospel establish'd in this Kingdom, and agreeable to the Pre-rogative of the Kings thereof, and the Ancient Customs of this Realm?

Res. I grant, and promise to keep them.

Episc. Sr. will you keep Peace, and godly agreement eternally, according to your power, both to God, the Holy Church, the Clergy, and the People?

Res. I will keep it.

Episc. Sr. will you to your Power, cause Law, Justice, and Discretion, in Mercy and Truth, to be executed in all your Judgments?

Res. I will.

Episc. Sr. will you grant to hold, and keep the Laws, and rightful Customs, which the Commonality of this your Kingdom have; and will you defend, and uphold them to the Honour of God, so much as in you lieth?

Res. I grant, and promise so to do.

THESE one of the Bishops reads this Admonition to the King, before the People, with a loud Voice.

OUR Lord and King, we beseech you, to pardon, and grant, and to preserve unto us, and to the Churches committed to our Charge, all Canonical Privileges, and due Law, and Justice; and that you would protect, and defend us, as every good King in his Kingdom ought to be Protected, and Defender of the Bishops, and Churches under their Government.

The King Answereth;

WITH a willing and devout Heart I promise, and grant my Pardon; and that I will preserve and maintain to you, and the Churches committed to your Charge, all Canonical Privileges, and due Law, and Justice, and that I will be your Protector and Defender, to my Power, by the assistance of God, as every good King in his Kingdom in right ought to protect, and defend the Bishops, and the Churches under their Government.

THEN the King ariseth, and is led to the Communion Table: where He makes a solemn Oath in fight of all the People, to observe the Premises; and laying his Hand upon the Book, sayeth:

THE OATH.

THE things which I before promised, I shall perform, and keep: So help me God, and the Contents of this Book.

HIS Majesty said, "all the World might judge, whether each Doctrine, or such Conclusions, as those Men brought, could follow, or have the least pretence, from that Oath: For the Preamble of the Statute they cited, that told his Majesty, that the King was bound to remedy, by Law, the mischiefes and damages which happen to his People: his Majesty said, he was so; but asked whether the King were bound, by the Preamble of that Statute, to renounce his own judgment, his own understanding in those mischiefes, and of these remedies? How far forth he was obliged to follow the Judgment of his Parliament, that Declaration still confessed to be a question. Without question, he said, none could take upon them to remedy even mischiefes, but by Law, for fear of greater mischiefes than those they go about to remedy.

BUT his Majesty was bound in justice to consent to their Proposals, because there was a Trust reposed in his Majesty to preserve the Kingdom, by making new Laws: He said, he was glad there was so; then he was sure no new Law could be made without His Consent; and that the gentleness of his Answer, *le Roy s'escrija*, if it be no Denial, is no Consent; and then the matter was not great. They would yet allow his Majesty a greater latitude of granting, or denying, as he should think fit, in publick Acts of Grace, as Pardons, or the like Grants of Favour: Why did they so? If those Pardons, and publick Acts of Grace were for the publick Good (which they might Vow them to be) they would then be absolutely in their own disposal: But had they left that power to his Majesty? They had sure, at least, shared it with him; How else had they got the power to pardon Sergeant-Major-General *Stippes* (a new Officer of State, and a Subject his Majesty had no Authority to send to speak with) and all other Persons employ'd by them, and such as had employ'd themselves for them, not only for what they had done, but for what they should do? If they had power to declare such Actions to be no Treason, which his Majesty would not pardon; such Actions to be Treason, which need no pardon; the Latitude they allow'd his Majesty

Vol. I. Part 2.

R r

of jefly of granting, or denying of Pardons, was a Jewel they might still be content to suffer his Majesty to wear in his Crown, and never think themselves the more in danger.

ALL this Consider'd, the Contriver of that Message (since they would afford his Majesty no better Title) whom they were angry with, did not conceive, the People of this Land to be so void of Common Sense, as to believe his Majesty, who had denied no one thing for the safe, and benefit of them, which in Justice or Prudence could be asked, or in Honour and Conscience could be granted, to have call'd off all care of the Subjects Good; and the Framers, and Devisers of that Declaration, who had endeavour'd to render his Majesty odious to his Subjects, and them disloyal to him, by pretending such a Truth in Them) to have only taken it up: Neither, he was confident, would they be satisfied, when they felt the misery and the burthen, which the fury and the malice of those People would bring upon them, with being told that calamity proceeded from evil Counsellors, whom no body could name; from Plots and Conspiracies, which no Man could discover; and from Fears and Jealousies, which no Man understood: And therefore, that the consideration of it should be left to the Conscience, Reason, Affection, and Loyalty of his good Subjects, who do understand the Government of this Kingdom, his Majesty said, he was well content.

His Majesty ask'd, where the folly and modesty of those people would end, who would have his People believe, that his abating himself from London, where, with his safety, he could not stay, and the continuing his Magazine at Hull, proceeded from the secret Plots of the Papists here, and to advance the design of the Papists in Ireland? But it was no wonder that they, who could believe *St John Hotbams* shutting his Majesty out of Hull, to be an Act of Affection and Loyalty, would believe that the Papists, or the Turk perswaded him to go thither.

As so could any sober Man think that Declaration to be the content of either, or both Houses of Parliament, unawed either by fraud or force; which (after so many Thanks, and humble Acknowledgements of his gracious favour in his Message of the twentieth of January, so often, and so unanimously presented to his Majesty from both Houses of Parliament) now told him, that the Message at first was, and, as often as it had been since mention'd by him, had been a breach of Privilege (of which they had not used to have been so negligent, as in four Months not to have complain'd, if such a breach had been) and that their own Method of proceeding should not be propos'd to them; as if

3

his Majesty had only Authority to call them together, nor to tell them what they were to do, nor so much as with reference to his own Affairs. (What their own Method had been, and whether it had led Them, and brought the Kingdom, all Men see; what His would have been, if feebly and timely apply'd upon, all Men might judge; his Majesty would speak no more of it.)

But see now what excellent Instances, they had found out, to prove an inclination, if not in his Majesty, in some about him, to Civil War: Their going with his Majesty to the House of Commons (so often urg'd, and so fully Answer'd) their attending on him to *Hampton Court*, and appearing in a Warlike manner at *Kingston upon Thames*; his going to *Hull*; their drawing their Swords at *Tork*, demanding, who would be for the King? the declaring *St John Hotbams* Traytor, before the Message sent to the Parliament; the Propositions to the Gentry in *Torkshire*, to assist his Majesty against *St John Hotbams*, before he had receiv'd an Answer from the Parliament: All desperate Instances of an inclination to a Civil War. Examine them again: The manner, and Intent of his going to the House of Commons, he had set forth at large, in his Answer to the Declaration of the nineteenth of May; all Men might judge of it. Next, did they themselves believe, to what purpose sooner that Rumour had serv'd their turn, that there was an appearance in Warlike manner at *Kingston upon Thames*? Did they not know, that whensoever his Majesty had been at *Hampton Court*, since his first coming to the Court, there was never a less appearance, or in a less Warlike manner, than at the time they meant? He said, he would say no more, but that His appearance in a Warlike manner at *Kingston upon Thames*, and Thence at *Kingston upon Hull*, was very different: What was meant by the drawing of Swords at *Tork*, and demanding, who would be for the King, must be enquir'd at *London*; for, his Majesty believed, very few in *Tork* understood the meaning of it. For his going to *Hull*, which they would by no means ensure should be call'd a Visit, whether it were not the way to prevent, rather than to make a Civil War, was very obvious: And the declaring him a Traytor in the very Act of his Treason, would never be thought unreasonable, but by those who believed him to be a loving, and loyal Subject; no more than the endeavouring to make the Gentlemen of that County sensible of that Treason (which they were in an honourable, and dutiful degree) before he receiv'd the Answer from both Houses of Parliament: For, if they had been, as his Majesty expected they should have

K r 2

been,

been, sensible of that intolerable injury offer'd to him, might he not have had occasion to have used the affection of these Gentlemen? Was he fure that *St John Hotbom*, who had kept him out without their Order (he speaks of a publick Order) would have let him in, when they had forbidden him? And if they had not such a sense of him (as the case falls out to be) had he not more reason to make Propositions to those Gentlemen, whose readines and affection he, or his Posterity, would never forget?

But this business of *Hull* sticks still with them; and finding his Questions hard, they are pleas'd to Answer his Majesty by asking other Questions of Him: No matter for the exceptions against the Earl of *New-Castle* (which have been so often urg'd, as one of the principal grounds of their Fears and Jealousies; and which drew that Question from him) They asked his Majesty, why, when he held it necessary, that a Governour should be plac'd in *Hull*, *St John Hotbom* should be refus'd by him, and the Earl of *New-Castle* sent down? His Majesty Answer'd, because he had a better opinion of the Earl of *New-Castle* than of *St John Hotbom*; and desir'd to have such a Governour over his Towns, if he must have any, as should keep them for, and not against him: And if his going down were in a more private way than *St John Hotbom's*, it was because he had not that Authority to make a noise by levying and billeting of Soldiers, in a peaceable time, upon his good Subjects, as it seem'd *St John Hotbom* carried down with him. And the Imputation which is call'd by the way upon that Earl, to make his Reputation not so unblemish'd, as he conceiv'd, and the World believes it to be; and which, though it was not ground enough for Judicial Proceeding (it is wonder it was not) was yet ground enough for suspicion, must be the case of every Subject in *England* (if he will) and it went no higher; if every vile Accusation, contriv'd by unknown hands, upon unknown or unimaginable grounds, which is the way practis'd to bring any Vertuous and deserving Men into obloquy, should receive the least credit, or countenance in the world.

They tell him, their Exception to those Gentlemen, who deliver'd their Petition to him at *Tork*, was that they preclaim'd to take the Style upon them of all the Gentry, and Inhabitants of that County; whereas, they say, for many more of as good Quality as themselves, of that County, were of another opinion, and have since, by their Petition to his Majesty, disavow'd that Act. Their Information to him in that point, his Majesty said, was no better than it useth to be; and they would find, that neither the Number, or

the Quality of those who have, or will disavow that Petition; was as they imagine; though too many weak Persons were misled (which they did, and would every day more and more understand) by the Faction, Skill, and Industry of that True Malignant Party, of which he died, and had reason to complain. They said, they had receiv'd no Petition so of strange a nature: What nature? Contrary to the Votes of both Houses: that is, they had receiv'd an Election they had no mind to receive. But his Majesty had told them again, and all his good Subjects would tell them, that they had receiv'd Petitions, with joy and approbation, against the Votes of both Houses of their Predecessors, confirm'd, and establish'd into Laws by the consent of his Majesty, and his Ancestors; and allow'd those Petitions to carry the Style, and to seem to carry the desires of Cities, Towns, and Counties, when, of either City, Town, or County, very few know, or considerable Persons had been privy to such Petitions: whereas, in truth, the Petitions deliver'd to his Majesty, against which they except, carried not the Style of all, but some of the Gentry and Inhabitants; and implead no other content, than such as went Vainly along with it.

But his Majesty was all this while in a mistake; the Magazine at *Hull* was not taken from him. Who told them so? They who assure them (and whom without breaking their Privileges they must believe) that *St John Hotbom's* shutting the Gates against his Majesty, and refusing his entrance with arm'd Men (though he thought it in defiance of him) was indeed in obedience to him, and his Authority; and for His Service, and the Service of his Majesty. He was to let none in, but such as came with his Majesty's Authority, signified by both Houses of Parliament: himself and they had order'd it so. And therefore he kept his Majesty out, only till his Majesty or he himself might lead for their Directions. His Majesty said, he knew not whether the Contrivers of that Declaration meant, that his good Subjects should so soon understand, though it was plain enough to be understood, the meaning of the King's Authority signified by both Houses of Parliament: But sure the world would now easily discern in what miserable case he had, by this time, been (it is bad enough as it is) if he had consented to their Bill, or to their Ordinance of the Militia, and given those Men power to have rais'd all the Arms of the Kingdom against him, for the Common Good, by his own Authority: Would they not, as they had kept him from *Hull*, by this time have beaten him from *Tork*, and pursu'd him out of the Kingdom, in his own behalf? Nay

"might not this Munitiō, which is not taken from him, be
 "employ'd against him; not against his Authority signifi'd
 "by both Houses of Parliament, but only to kill these ill
 "Countessors, the Malignant Party which is about him, and
 "yet for His Good, for the Publick Good (they would declare
 "it to) and so no Treason within the Statute of 25. Ed. iii?
 "which, by their Interpretation, had left his Majesty, the
 "King of England, absolute; less provided for, in point of
 "safety, than the meanest Subject of the Kingdom: And every
 "Subject of this Land (for whose security that Law was made,
 "that they may know their duty, and their danger in break-
 "ing of it) may be made a Traitor when these Men please
 "to say, he is so. But did they think That, upon such an
 "Interpretation (upon pretence of Authority of Book Cases
 "and Precedents, which, without doubt, they would have
 "cited, if they had been to their purpose) out of which no
 "thing can result, but confusion to King and People, would
 "find any credit with his good Subjects? And that so excel-
 "lent a Law, made both for security of King and People,
 "shall be sold, by an interpretation no Learned Lawyer
 "in England would at this hour, he believe, set under his
 "hand, notwithstanding the Authority of that Declaration;
 "which, he hoped, shall bring nothing but Infamy upon the
 "Contrivers of it?

"Now to their Privileges: Though it be true, they say,
 "that their Privileges do not extend to Treason, Felony, or
 "breach of the Peace, so as to exempt the Members from all
 "number of Process, and Trial; yet it doth privilege them in
 "the way, or method of their Trial: the Cause must be first
 "brought before Them, and Their consent asked, before you
 "can proceed. Why then their Privileges extend as far in
 "these Cases, as in any that are most unquestion'd; for no
 "Privilege whatsoever, exempts them from all manner of
 "Process and Trial, if you first acquaint the House with it,
 "and they give you leave to proceed by those Processes, or to
 "that Trial: But, by this Rule, if a Member either House
 "commit a Murder, you must by no means meddle with
 "him, till you have acquainted that House of which he is a
 "Member, and received their direction for your Proceeding,
 "assuring your self, he will not stir from that place where
 "you left him, till you return with their consent; should it
 "be otherwise, it would be the power of every Man, under
 "the pretence of Murder, to take one after another, and as
 "many as he please; and so, consequently, bring a Parli-
 "ment to what he please, when he please. If a Member
 "of either House shall take a Purse at York (he may as pro-
 "bably take a Purse from a Subject, as Armes against the
 "King

"King) you must ride to London, to know what to do,
 "and He may ride with you, and take a new Purse every
 "Stage, and must not be apprehended, or declared a Felon;
 "all you have asked that House of which he is a Member;
 "should it be otherwise, it might be in every Man's power
 "to accuse as many Members as he would of taking Purse;
 "and so bring a Parliament, and so all Parliaments, to nothing.
 "Would these Men be believed? And yet they make no
 "doubt but every one who hath taken the Protection, would
 "defend this Doctrine with his Life and Fortune. Would
 "not his Subjects believe, that they had imposed a pretty
 "Protection upon them; and that they had a very good end
 "in the doing of it, if it obligeth them to such hazards, to
 "such undertakings? Must they forget or neglect his Ma-
 "jesty's Person, Honour, and Estate, which, by that Pro-
 "tection, they are bound to defend; and, in some degree,
 "do understand? And must they only venture their Lives
 "and Fortunes to justify Privileges they know not, or ever
 "heard of before? Or are they bound by that Protection
 "to believe, that the Framers of that Declaration have power
 "to extend their own Privileges, as far as they think fit; and
 "to contract his Majesty's Rights, as much as they please;
 "and that they are bound to believe them in either, and to
 "venture their Lives and Fortunes in that Quarrel?

"FROM declaring how mean a Person his Majesty is, and
 "how much the Kingdom hath been mistaken in the under-
 "standing of the Statute of the 25. Ed. iii. concerning Treason,
 "and that all Men need not fear Levying War against him,
 "so they have their Order to Warrant them; They pro-
 "ceed, in the Spirit of declaring, to certify his Subjects in
 "the mistakes, which, near one hundred and fifty years,
 "have been receiv'd concerning the Statute of the 25. Ed. iii.
 "ch. 1. (a Statute all good Subjects will read with Comfort)
 "and tell them, that the serving of the King for the time be-
 "ing, cannot be meant of *Perkin Warbeck*, or of any that
 "should call himself King; but such a One as is allow'd, and
 "received by the Parliament in the behalf of the Kingdom:
 "And was not his Majesty so allow'd? However, through a
 "dark mist of words, and urging their old Privileges (which,
 "he hoped, he had sufficiently Answer'd, and will be every
 "day more confuted by the Actions of his good Subjects)
 "they conclude, that those that shall guide themselves by
 "the judgement of Parliament, which they say is their own,
 "ought, whatsoever happen, to be secure, and free from all
 "Account and Penalties, upon the ground and equity of that
 "very Statute: How far their own Chancellors may help
 "them in that equity, his Majesty knew not; but by the
 "help

⁴⁶help of God and that good Law, He would allow no such ⁴⁷equity: So then, there is the Doctrine of that Declaration; ⁴⁸and these are the Positions of the Contrivers of it.

1. THAT they have an absolute Power of declaring the Law; and that whatsoever they declare to be so, ought not to be question'd by his Majesty, or any Subject: So that all Right and Safety of Him and his People, must depend upon their Pleasure.

2. THAT no Precedents can be limits to bound their Proceedings: So they may do what they please.

3. THAT the Parliament may dispose of any thing, where in the King or Subject hath a Right, for the Publick Good; that they, without the King, are this Parliament, and judge of this Publick Good; and that his Majesty's Consent is not necessary: So the Life and Liberty of the Subject, and all the good Laws made for the security of them, may be disposed of, and repeal'd by the Major part of both Houses at any time present, and by any ways and means procur'd so to be; and his Majesty had no Power to protect them.

4. THAT no Member of either House ought to be troubled or meddled with for Treason, Felony, or any other Crime, without the Cause first brought before Them, that they may judge of the Facts, and their leave obtain'd to proceed.

5. THAT the Sovereign Power resides in both Houses of Parliament; and that his Majesty had no Negative Voice: So then his Majesty Himself must be subject to their Commands.

6. THAT the Levying of Forces against the Personal Commands of the King, though accompanied with his Presence, is not Levying War against the King; but the Levying War against his Laws and Authority (which they have Power to declare, and signify) though not against his Person, is Levying War against the King: And that Treason cannot be committed against his Person, otherwise than as he is entrusted with the Kingdom, and discharging that Trust; and that They have a Power to judge, whether he discharges that Trust or no.

7. THAT if they should make the highest Precedents of other Parliaments their Pattern, there would be no cause to complain of want of Modesty or Duty in them; that is, they may Depose his Majesty when they will, and are not to be blamed for so doing.

⁴⁹AND now (as if the meer publishing of their Resolutions, would not only prevail with the People, but, in the ⁵⁰instant, destroy all Spirit, and Courage in his Majesty to ⁵¹preserve

⁵²preserve his own Right, and Honour) they had since taken

⁵³the boldness to assault him with certain Propositions: which

⁵⁴they call the most necessary effectual means for the remov-

⁵⁵ing those Jealousies, and Differences between his Majesty

⁵⁶and his People; that is, that he would be content to de-

⁵⁷strict himself of all his Regal rights, and dignities; be con-

⁵⁸sistent with the Title of a King, and suffer Them, according

⁵⁹to their discretion to govern Him, and the Kingdom, and

⁶⁰to dispose of his Children. How suitable and agreeable this

⁶¹Doctrine, and these Demands were to the Affliction of his

⁶²loving Subjects, under whose Trust these Men pretend to

⁶³say, and do these Monstrous Things; and to design not

⁶⁴only the ruin of his Person, but of Monarchy it self (which,

⁶⁵he might justly say, was more than ever was offer'd in any

⁶⁶of his Predecessors times; for though the Person of the

⁶⁷King hath been sometimes unjustly Deposed, yet the Regal

⁶⁸Power was never, before this time, struck at) he believes

⁶⁹his good Subjects would find some way to let Them, and

⁷⁰the World know: And, from this time, such who had been

⁷¹misled, by Their ill Councils, to have any hand in the exe-

⁷²cution of the Militia, would see to what Ends their Service

⁷³was design'd; and therefore if they should presume here-

⁷⁴after to meddle in it, they must expect, that he would im-

⁷⁵mediately proceed against them as actual raisers of Sedition,

⁷⁶and as Enemies to his Sovereign Power.

⁷⁷His Majesty said, he had done: And should now expect

⁷⁸the worth Actions these Men had Power to commit against

⁷⁹him; worse words they could not give him: And he doubt-

⁸⁰ed not, but the Major part of both Houses of Parliament,

⁸¹when they might come together with their Honour and

⁸²safety (as well those who were surpris'd at the passing of

⁸³the, and understood not the malice in it, and the confusion

⁸⁴that must grow by it, if believed; as those who were ab-

⁸⁵sent, or involv'd) would so far resent the indignity offer'd

⁸⁶to his Majesty, the dishonour to Themselves, and the mis-

⁸⁷chief to the whole Kingdom, by that Declaration; that

⁸⁸they would speedily make the foul Contrivers of it instances

⁸⁹of their exemplary Justice; and brand Them, and their

⁹⁰Doctrine, with the marks of their perpetual Scorn and In-

⁹¹digitation.

⁹²WHILEST this Answer, and Declaration of his Majesty's

⁹³was preparing and publishing, which was done with all

⁹⁴imaginable haste, and to which they made no Reply till

⁹⁵many Months after the War was begun, they proceeded in

⁹⁶all their Councils towards the lessening his Majesty both

⁹⁷in Reputation, and Power; and towards the improving their

⁹⁸own Interests: For the first, upon the advantage of their

former

former Vote, of the King's Intention to Levy War against his Parliament, in the end of *May* they published Orders, "That the Sheriffs of the adjacent Counties should hinder, or make stay of all Armes and Ammunition carrying towns *Towns*, until they had given notice thereof unto the Lord and Commons; and should have receiv'd their further Direction; and that they should prevent the coming together of any Soldiers, Horse or Foot, by any Warrant of his Majesty, without their Advice or Consent: Which they did not upon any opinion that there would be any Armes or Ammunition carrying to his Majesty, they having entirely possessed themselves of all his Stores; or that they indeed believed, there was any Commission or Warrant to raise Soldiers, which they well knew there was not; but that, by this means, their Agents in the Country (which many Sheriffs and Justices of Peace were; and most Constables, and Inferior Officers) might, upon this Pretence, hinder the Retiring to his Majesty, which they did with that Industry, as few Persons, who foreseeing the design of those Orders, did not decline the great Roads, and made not pretences of Travelling to some other place, and Travell'd in any Equipages towards his Majesty, escap'd without being stay'd by said watches: And most that were to stay'd, finding it no purpose to attend the Resolution, or Justice of the Houses, always commended the Vigilance of their Ministers, and did not expect they should be bound up by the Letter of their Orders, made thit to escape with their own Persons, and contented to leave their Horses behind them; They who were tended to be repair'd by the Justice of the Houses, finding many delays, and those delays to be so chargeable, and themselves expos'd to so many Questions, and such an Inquisition that they thought their Liberty a great prize, whatever the least behind them.

For the improving their Interest, and Dependence, those they had as much of the Affection of the City as could reasonably be expected; and by their exercise of the Militia, united them in a firm Bond, the communication of Gifts yet they well understood their true strength consisted in the Rabble of the People; for the greatest part of the substantial and wealthy Citizens, being not of their Party, and expect some Expedient were found out, whereby they might be involv'd, and concern'd in their Prosperity or Ruin, they thought themselves not so much in truth possess'd of that City, as they seem'd to be. They had heard it said, that *Edward the Fourth of England* recover'd the City of *London*, and by this the Kingdom, by the vast Debts that he owed there; his looking upon the helping of Him to the Crown, as the best

Themelves to the King, which was else desperate. Upon this ground, they had taken the first opportunity of borrowing great Sums of Money, in the beginning of this Parliament; when the Richett and best Affected Men, upon a presumption that hereby the *Scotts Army* would suddenly march into their own Country, and the *English* as soon be Disbanded, cheerfully furnished that Money. Upon this ground they fill for to repay those Sums, disposing what was brought in upon the bills of Subsidy, and other Publick Bills, to other purposes. And now, to make themselves more sure of them, they borrow'd another Sum of 100000^l. of them, upon pretence of the great Eviges of *Ireland*; which was their two great Swords, to lead them into the Liberty of laying what imputations, they thought most convenient for their purpose, upon the King and Queen; and to draw what Money they thought fit from the City; and serv'd them now to another important end, to raise Soldiers; but that Service it fell, in order to suppreing the Rebellion there, was not, in any degree, advanced. Having, by these means, thus provided for their main Ends, they made the People believe, they were preparing Propositions to send to the King; and the People were so Innocent as to believe, that they would never send Propositions that were not reasonable: For though the unusual Acts which had been done by the King, as the going to the House of Commons, and demanding the Members there, had put them into as unusual apprehensions; and those, by the warmth and heat of Declarations and Answers, had drawn from them, by degrees, another kind of Language, than had before been us'd; yet most Men believ'd, when those Passions were digested, and thar any Propositions should be made by them (which the King had long call'd for and invited) that they could not but be such, as would open a door for that Affection, Confidence, Duty, and Trust, upon which the Peace of the Kingdom might be reasonably founded. And Propositions they did send to the King, in the beginning of *June*; which were presented to his Majesty, with great Solemnity, by their Committee resident there; which, in this place, are very necessary to be infer'd in the very terms in which they were presented, as followeth:

The humble Petition, and Advice of both Houses of Parliament, with Nineteen Propositions, sent unto his Majesty the second of June 1642.

Your Majesty's most humble and faithful Subjects, the Lords and Commons in Parliament, having nothing of their thoughts and desires, more precious and of higher esteem,

The Nineteen Propositions sent to the King by both Houses, June 2d. 1642.

next

next to the Honour and immediate Service of God, the just and faithful performance of their Duty to your Majesty, and this Kingdom: And being very sensible of the great distractions and distempers, and of the imminent dangers and calamities, which those distractions and distempers are like to bring upon your Majesty, and your Subjects (all which have proceeded from the false Informations, mischievous Practices, and evil Counsels of Men dissaffected to God's true Religion; your Majesty's Honour and Safety; and the Publick Peace, and Prosperity of your People) after a serious Observation of the Causes of those mischiefs, do, in all humility and sincerity present to your Majesty their most dutiful Petition and Advice: That, out of your Princely Wisdom for the establishing your own Honour and Safety, and gracious tenderness of the Welfare and Security of your Subjects and Dominions, you will be pleased to grant, and accept these their humble Desires and Propositions, as the most necessary and effectual means, through God's blessing, for removing those Jealousies and Differences, which have unhappily fallen out betwixt you and your People, and procuring both your Majesty and them, a constant course of Honour, Peace, and Happiness.

The Propositions.

1. "THAT the Lords and others of your Majesty's Privy Council, and such great Officers and Ministers of State either at Home or beyond the Seas, may be put into your Privy Council, and from those Offices and Employments, excepting such as shall be approved by both Houses of Parliament: And that the Persons, put into the same, and employments of those that are removed, may be approved of by both Houses of Parliament: and that Privy Counsellors shall take an Oath, for the due execution of their Places, in such Form as shall be agreed upon by both Houses of Parliament.
2. "THAT the great Affairs of the Kingdom may not be concluded, or transacted by the Advice of private Men, or by any unknown, or unsworn Counsellors; but that such matters as concern the Publick, and are proper for the High Court of Parliament, which is your Majesty's great and supreme Council, may be debated, resolv'd, and transacted only in Parliament, and not elsewhere: And such as shall presume to do any thing to the contrary shall be refer'd to the Censure and Judgement of Parliament: And such other Matters of State, as are proper

for your Majesty's Privy Council, shall be debated and concluded by such of the Nobility, and Others, as shall from time to time, be chosen for that Place, by approbation of both Houses of Parliament: And that no publick Act concerning the Affairs of the Kingdom, which are proper for your Privy Council, may be censur'd of any Validity, as proceeding from the Royal Authority unless it be done by the Advice and Consent of the Major part of the Council, attested under their Hands: And that your Council may be limited to a certain Number, not exceeding twenty five, nor under fifteen; and if any Counsellor's place happen to be Void in the interval of Parliament, it shall not be supplied without the Assent of the Major part of the Council; which choice, shall be continu'd at the next sitting of Parliament, or else to be void.

THAT the Lord High Steward of England, Lord High Constable, Lord Chancellor, or Lord Keeper of the Great Seal, Lord Treasurer, Lord Privy Seal, Earl Marshal, Lord Admiral, Warden of the Cinque Ports, chief Governor of Ireland, Chancellor of the Exchequer, Master of the Wards, Secretaries of State, two Chief Justices, and Chief Baron, may always be chosen with the approbation of both Houses of Parliament; and in the intervals of Parliaments, by the Assent of the Major part of the Council, in such manner as is before express'd in the choice of Counsellors.

THAT He, or They, unto whom the Government and Education of the King's Children shall be committed, shall be approved of by both Houses of Parliament; and in the intervals of Parliament, By the Assent of the Major part of the Council, in such manner as is before express'd in the choice of Counsellors; And that all such Persons as are now about them, against whom both Houses shall have any just Exceptions, shall be removed.

THAT no Marriage shall be concluded, or treated, for any of the King's Children, with any Foreign Prince, or other Person whatsoever, Abroad or at Home, without the Consent of Parliament, under the Penalty of a Praemunire, unto such as shall conclude, or treat of any Marriage as aforesaid: And that the said Penalty shall not be pardon'd, or dispensed with, but by the Consent of both Houses of Parliament.

THAT the Laws in force against Jesuits, Priests, and Popish Recusants, be strictly put in Execution without any Toleration, or Dispensation to the contrary: And that some more effectual course may be exacted, by Au-

- "thority of Parliament, to disabie them from making any
 "disturbance in the State; or evading the Laws by Trust,
 "or otherwise.
 7. "THAT the Votes of Popish Lords in the House of Peers
 "may be taken away, so long as they continue Popish.
 "And that your Majesty will consent to such a Bill, as
 "shall be drawn for the Education of the Children of P.
 "pists, by Protestants, in the Protestant Religion.
 8. "THAT your Majesty will be pleased to consent, that
 "such a Reformation be made of the Church Governour,
 "and Liturgy, as both Houses of Parliament shall advise
 "wherein they intend to have consultations with Divine
 "as is expressed in their Declaration to that purpose: And
 "that your Majesty will contribute your best assistance
 "them, for the raising of a sufficient maintenance to
 "Preaching Ministers through the Kingdom: And that
 "your Majesty will be pleased to give your consent to Law
 "for the taking away of Innovations, and Superstition, as
 "of Pluralities, and against scandalous Ministers.
 9. "THAT your Majesty will be pleased to rest satisfied with
 "that course, that the Lords and Commons, have appointed
 "for ordering of the Militia, until the same shall be further
 "settled by a Bill: And that your Majesty will recall your
 "Declarations, and Proclamations against the Ordinance
 "made by the Lords and Commons concerning it.
 10. "THAT such Members of either House of Parliament
 "as have, during this present Parliament, been put out of
 "any Place and Office, may either be restor'd to that Place
 "and Office, or otherwise have satisfaction for the same
 "upon the Petition of that House, whereto He, or They
 "are Members.
 11. "THAT all Privy Counsellors and Judges may take a
 "Oath, the Form wherof to be agreed on and settled by
 "Act of Parliament, for the maintaining of the Petition
 "Right, and of certain Statutes made by this Parliament
 "which shall be mention'd by both Houses of Parliament:
 "and that an enquiry of all Breaches, and Violations of
 "those Laws, may be given in charge by the Justice
 "of the King's Bench every Term, and by the Justice of B.
 "seize in their Circuits, and Justices of the Peace at the Se-
 "sions, to be presented and punished according to Law.
 12. "THAT all the Judges, and all the Officers, placed in
 "approbation of both Houses of Parliament may hold their
 "places *quoadmota bene se offerint*.
 13. "THAT the Justice of Parliament may pass upon all De-
 "linquents, whether they be within the Kingdom, or be-
 "out of it: And that all Persons cited by either House of Pa-

- "Parliament, may appear, and abide the Censure of Par-
 "liament.
 14. "THAT the General Pardon, offer'd by your Majesty,
 "may be granted with such Exceptions, as shall be advised
 "by both Houses of Parliament.
 15. "THAT the Forts, and Castles of this Kingdom, may
 "be put under the Command and Custody of such Persons,
 "as your Majesty shall appoint with the approbation of your
 "Parliament; and in the intervals of Parliament, with ap-
 "probation of the Major part of the Council, in such manner
 "as is before expressed in the choice of Councilloers.
 16. "THAT the extraordinary Guards, and Military Forces
 "now attending your Majesty, may be removed and dis-
 "charged; and that, for the future, you will raise no such
 "Guards or extraordinary Forces, but, according to the
 "Law, in case of Actual Rebellion, or Invasion.
 17. "THAT your Majesty will be pleased to enter into a more
 "strict Alliance with the States of the *United Provinces*, and
 "other neighbour Princes and States of the Protestant Re-
 "ligion, for the defence and maintenance thereof against all
 "Designs and Attempts of the Pope, and his Adherents, to
 "subvert and suppress it; whereby your Majesty will obtain
 "great access of strength and reputation, and your Subjects
 "be much encouraged and enabled, in a Parliamentary way,
 "for your Aid, and Assistance, in restoring your Royal Sic-
 "ily, and her Princely Issue to those Dignities and Domini-
 "ons, which belong unto them; and relieving the other
 "distressed Protestant Princes, who have suffer'd in the same
 "Cause.
 18. "THAT your Majesty will be pleased by Act of Parliam-
 "ent, to clear the Lord *Kimbolton*, and the five Members
 "of the House of Commons, in such manner that future
 "Parliaments may be secured from the Consequence of that
 "evil Precedent.
 19. "THAT your Majesty will be graciously pleased to pass
 "a Bill for restraining Peers made hereafter, from Sitting
 "or Voting in Parliament, unless they be admitted there-
 "unto with the Consent of both Houses of Parliament.
 20. "AND these our humble Desires being granted by your Ma-
 "jesty, We shall forthwith apply our selves to regulate
 "your present Revenue, in such sort as may be for your
 "best advantage; and likewise to settle such an ordinary,
 "and constant increase of it, as shall be sufficient to support
 "your Royal Dignity in Honour, and Plenty, beyond the
 "proportion of any former Grants of the Subjects of this
 "Kingdom to your Majesties Royal Predecessors: We shall like-

likewise put the Town of *Hull* into such hands, as your Majesty shall appoint with the consent and approbation of Parliament; and deliver up a just Account of all the Magazine; and cheerfully employ the uttermost of our power and endeavours, in the real execution, and performance of our most Dutiful and Loyal Affections, to the preferring and maintaining the Royal Honour, Greatness, and Safety of your Majesty, and your Posterity.

THE same day that these Articles of Deposition were pass'd the Houses, that his Majesty might see how unable he would be to contend with them, they declar'd by an Order the same day printed and carefully dispers'd, that they had receiv'd Information [and indeed their Informations were wonderful particular, from all parts beyond Sea, of whatsoever was agitated on the King's behalf; as well as from his Court, of whatsoever was design'd, or almost but thought of to himself: Besides they could pretend to receive Information of whatsoever would any way conduce to their purpose, true or false] "that the Jewels of the Crown (which, they said, by the Law of the Land ought not to be alien'd) were either pawn'd or fold in *Amsterdam*, or some other parts beyond Seas; and thereby great Sums of Money provided to be return'd to *York*, or to some of his Majesty's Servants or Agents, for his Majesty's use: And because, they said, it was more than probable that great provision of Money in such an extraordinary way, was to maintain the intended War against the Parliament, and thereby to bring the whole Kingdom into utter ruin, and combustion: It was therefore declar'd, by the Lords and Commons in Parliament, that whoever had been, or should be, an Actor in the selling or pawning of any Jewels of the Crown; or had, or should pay, lend, send, or bring any Money in Specie into this Kingdom for, or upon, any of those Jewels; or whoever had, or should accept of any Bill from beyond the Seas for the payment of any Sum of Money, for or upon any of those Jewels, and should pay any Sum according to such Bill, after notice of that Order, without acquainting that House with the Receipt of that Bill, before he accept the same; or if he had already accepted any such Bill, then with the Acceptance thereof, before the payment of the Money, every such Person should be held and accounted a Promoter of that intended War, an Enemy to the State, and ought to give satisfaction for the publick damage out of his own Estate.

UPON this confident Assumption, that it was not in the King's power to dispose of the Jewels of the Crown; that whatsoever

soever Jewels were offer'd to be pawn'd or fold, by any of the King's Ministers beyond the Seas, were the Jewels of the Crown, and no other; and that all Money, return'd from thence for his Majesty's Service, was Money for rais'd and procur'd; they so much terrified the Men of all Conditions, that the Queen, having, by the Sale of some of her own Jewels, and by her other Dexterity, procur'd some Money for the King's supply, could not in a long time find any means to transmit it. However, this made no impression upon the King's Resolutions; and though it might have some influence upon Merchantly Men, yet it stirr'd up most Generous minds to an indignation on the King's behalf; and was new Evidence, if there had wanted any, what kind of Greatness he was to expect from complying with such immodest, and extravagant Proposals.

THE King was once Resolv'd to have return'd no Answer to them upon those Propositions; but to let the People alone to judge of the unreasonableness of them, and of the Indignity offer'd to him in the delivery of them; and that was the reason of the short mention he made of them, in the close of his Declaration to theirs of the 26th of *May*: But he was afterwards perswaded to vouchsafe a further notice of them, these being some particulars Popular enough; and others, that, at the first View, seem'd not altogether so derogatory to him; and so inconvenient to the People, as in truth they were; and that therefore it was necessary to let the People know, that whatsoever was reasonable, and might be beneficial to the Kingdom, had been; for the most part, before offer'd by his Majesty; and should all be readily granted by him; and so to untie the rest to them, that they might discern their own Welfare, and Security, to be as much endanger'd by those Demands, as the King's Rights, Honour, and Dignity. So that, in a short time after he receiv'd them, he sent to the two Houses, and publish'd to the Kingdom, his Answer to those Nineteen Propositions, whereof it will be sufficient to repeat some few Particulars:

IN which he first remember'd them of their method, they had observ'd in their Proceedings towards him: That they had first totally suppress'd the known Laws of the Land, and denied His power to be necessary to the making New, reducing the whole to their own Declarations, and single Votes: That they had possess'd themselves of his Magazines, Forts, and Militia: That they had forsworn his Subjects with Parliaments, long chargeable Attendance; heavy Confines; illegal Imprisonments; that few of them durst offer to present their tenderness of his Majesty's Sufferings, their own just Grievances, and their sense of those Violations.

Vol. I. Part. 2.

St

1648

"tions of the Law (the Birth-right of every Subject of the Kingdom) though in a humble Petition to both Houses; and if any did, it was fill'd in the Birth; call'd Sedition; and bur'd in the Common Hangman: That they had retir'd the attendance of his Ordinary, and Necessary Household-Servants; and fedged upon the small Sums of Money, which his Credit had provided to buy him Bread; with Injunctions that no Money should be suffer'd to be convey'd, or return'd to his Majesty to *Tore*, or to any of his Peers, or Servants with him, so that, in effect, they had hid him up in that Country: That they had fill'd the Ears of his People with Fears and Jealousies (though taken up from Truill) Tales of Shippers, Salt-Fleets, and such like; by which Alarms they might prepare them to receive such Impressions, as might best advance their Design, when it should be ripe. And now, it seem'd, they thought his Majesty sufficiently prepar'd for those bitter Pills; that he was in a handsome posture to receive those humble Duties: which, probably, were intended to make way for a Superfection of a yet higher Nature: for they did excell him. This was all. He said, he must observe, that those Contrivers (the better to advance their true ends) in those Propositions, disguis'd, as much as they could, their Intents with a mixture of some things really to be approved by every honest Man; others, Specious and Popular; and some which were already granted by his Majesty. All which were cunningly twisted, and mix'd with those other things of their main Design, of Ambition and private Interest, in hope that, at the first View, every Eye might not so clearly discern them in their proper Colours.

"H^e is Majesty said, that 1, 2, 3, 4, 5, 9, 10, 11, 16, 19, Demands had been Writ, and Pranted, in a Tongue unknown to his Majesty and his People, it might have been possible, that He, and They might have charitably believ'd the Propositions to be such, as might have been in order to the Ends intended in the Petition; to wit, the Establishm^t of his Honour and Safety; the Welfare and Security of his Subjects and Dominions; and the removing those Jealousies and Differences, which were said to have unhappily fallen betwixt his Majesty and his People; and procuring both his Majesty, and Them, a constant course of Honour, Peace, and Happiness; but being read and understood by all, he could not but assure Himself, that that Profession, join'd to those Propositions, would rather appear a Mockery, and a Scorn; the Demands being such, that he were unworthy the Trust repos'd in him by the Law, and of his Descent from so many Great and Famous Ancestors, if he

"could be brought to abandon that Power, which alone could enable him to perform what he was sworn to, in proceeding his People, and the Laws; and so assume others into it, to divert Himself of it, although not only his present Condition were more Necessary than it was (which it could hardly be) and he were both Vanquish'd, and a Prisoner, and in a worse Condition than ever the most unfortunate of his Predecessors had been reduced to, by the most Criminal of his Subjects; and though the Best laid to draw him to it, and to keep his Subjects from Indignation at the mention of it, the Promises of a plentiful and unparallel'd Revenue, were reduced from Generals (which signify nothing) to clear and certain Particulars; since such a bargain would have but too great a resemblance of that of *Esau's*, if he would part with such flowers of his Crown, as were worth all the rest of the Garland, and had been transferr'd to him from so many Ancestors, and had been found so useful and necessary for the Welfare and Security of his Subjects, for any present Necessity, or for any low and sordid Considerations of Wealth and Gain. And therefore, all Men knowing that those Accommodations are most easily made, and most exactly observed, that are grounded upon reasonable and equal conditions, his Majesty had great cause to believe that the Contrivers of those Propositions, had no Intention of settling any firm Accommodation; but to increase those Jealousies, and widen that Division, which, not by his Majesty's fault, was now unhappily fall'n between Him and both Houses.

"It was asked, that all the Lords and others of his Privy Council, and such great Officers and Ministers of State, either at home or beyond the Seas (for, he said, care was taken to leave out no Person, or Place, that his dishonour might be far not to be bound within this Kingdom) should be put from his Privy Council, and from those Offices and Employments, unless they should be approved by both Houses of Parliament, how faithful ever his Majesty had found them to Him, and to the Publick; and how far soever they had been from offending against any Law, the only Rule they had, or any Others ought to have, to walk by. His Majesty therefore to that part of that Demand return'd this Answer, That he was willing to grant, that they should take a larger Oath, than they themselves esteem'd in their eleventh Demand, for maintaining not of any Part, but the Whole Law. And, he said, he had, and did assure them, that he would be careful to make Election of such Persons in those Places of Trust, as had given good Testimonies of their Abilities and Integrity, and against whom

"there could be no just cause of Exception, whereon reason-
 "ably to ground a Diffidence: That if he had, or should be
 "mistaken in his Election, he had, and did assure them, that
 "there was no Man so near to him, in Place or Affection,
 "whom he would not leave to the Justice of the Law, if they
 "should bring a particular Charge, and sufficient Proof against
 "him: That he had given them a Triennial Parliament (the
 "best pledge of the Effects of such a Promise on His part,
 "and the best Security for the performance of their Duty on
 "Their) the apprehension of whose Justice, would, in all
 "probability, make Them wary how they provoked it, and
 "his Majesty wary, how he chose such as, by the discovery
 "of their faults, might in any degree seem to discredit his
 "Election; but that without any shadow of a fault objected,
 "only perhaps because they follow their Consciences, and pre-
 "serve the established Laws, and agree not in such Votes, or
 "assent not to such Bills, as some Persons, who had then too
 "great an Influence even upon both Houses, judged, or seem'd
 "to judge, to be for the publick good, and as were agreeable
 "to that new Utopia of Religion and Government, into
 "which they endeavour'd to transform this Kingdom (for, he
 "said, he remember'd what Names, and for what Reasons,
 "they left out in the Bill offer'd him concerning the Militia,
 "which they had themselves recommended in the Ordinance)
 "he would never consent to the displacing of any, whom
 "for their former Merits from, and Affection to his Majesty
 "and the Publick, he had entrusted; since, he conceived, that
 "to do so, would take away both from the Abjection of his
 "Servants, and care of his Service, and the Honour of his
 "Justice: And, he said, he the more wonder'd, that it should
 "be asked by them, since it appears by the twelfth Demand,
 "that Themselves counted it reasonable, after the present
 "Turn was serv'd, that the Judges and Officers, who were
 "then placed, might hold their Places, *quam diu se bene gesse-
 "rint*: And he was Resolv'd to be as careful of those whom
 "He had chosen, as they were of those They would choose;
 "and to remove none, till they appear'd to him to have
 "otherwise behav'd themselves, or should be evicted, by Legal
 "Proceedings, to have done so.

"But, his Majesty said, that Demand, as unreasonable as
 "it was, was but one Link of a great Chain, and but the first
 "Round of that Ladder, by which his Majesty's Just, Anci-
 "ent, Regal Power, was endeavour'd to be fetched down to
 "the ground; for it appear'd plainly that it was not with
 "the Persons now chosen, but with his Majesty's Choosing,
 "that they were displaced. For they demanded, that the Per-
 "sons put into the Places and Employments of those, who

"should be removed, might be approv'd by both Houses;
 "which was so far from being less than the power of Nomina-
 "tion, that of two things, of which he would never grant
 "either, he would be sooner content, that They should Nominate,
 "and he Approve, than They Approve and his Majesty Nominate;
 "the meer Nomination being so far from
 "being any thing, that if he could do no more, he would
 "never take the pains to do that; when he should only have
 "hard whom he esteem'd to the Score of a Refusal, if they
 "appear'd not to be agreeable not only to the Judgement,
 "but to the Passion, Interest, or Humour of the present Ma-
 "jor part of either House: Not to speak of the great Fac-
 "tions, Animosities, and Divisions, which that Power would
 "introduce in both Houses, and in the several Counties for
 "the choice of Persons to be sent to that Place, where that
 "Power was; and between the Persons that were to be chosen.
 "Neither was that strange Poison prescribed to him only for
 "once, for the Cure of a present, pressing, desperate Disease;
 "but for a Diet to Him, and his Posterity. It was demand-
 "ed, that his Counsellors, all Chief Officers both of Law
 "and State, Commanders of Forts and Castles, and all Peers
 "hereafter made, be Approved of, that is Chosen, by Them
 "from time to time: And rather than it should ever be left
 "to the Crown (to whom it only did, and should belong) if
 "any place fall void in the intermission of Parliament, the
 "Major part of the approved Council was to approve them.
 "Neither was it only demanded that his Majesty should quit
 "the Power, and Right, his Predecessors had had of appoint-
 "ing Persons in those Places; but for Counsellors, he was
 "to be restrain'd, as well in the Number as in the Persons;
 "and a Power must be annexed to those Places, which their
 "Predecessors had not. And indeed, if that Power were
 "pass'd to them, he said, it would not be fit: He should be
 "trus'd to choose those who were to be trus'd as much as
 "Himself.

"He told them, to grant their Demands in the manner
 "they propos'd them, that all matters that concern'd the Pub-
 "lick, &c. should be resolv'd, and transacted only in Parlia-
 "ment, and such other matters of State &c. by the Privy
 "Council so chosen, was in effect at once to depose Himself,
 "and his Posterity. He said, many expressions in their De-
 "mands, had a greater Latitude of signification, than they
 "seem'd to have; and that it concern'd his Majesty therefore
 "the more, that they should speak out; that both He, and
 "his People, might either know the bottom of their De-
 "mands, or know them to be bottomless. Nothing more
 "concern'd the Publick, and was indeed more proper for the

"High Court of Parliament, than the making of Law; which not only ought there to be transferred, but could be manifested no where else. But then they must admit his Majesty to be a part of the Parliament; they must not (as the sense was of that part of that Demand, if it had any) deny the freedom of his Answer, when He had as much right to reject what he thought unreasonable, as They had to propose what they thought convenient, or necessary. Nor was it possible his Answers, either to Bills or any other Propositions, should be wholly free, if he might not use the liberty, that every one of Them, and every Subject took, to receive Advice (without their danger who should give it) from any Person known or unknown, known or unknown, in those matters in which the manage of his Vote is trusted, by the Law, to his own Judgement and Conscience; which how best to inform was, and ere should be, left likewise to Him. He said, he would always with due Consideration, weigh the Advices both of his Great, and Privy Council; yet he should likewise look on their Advices, as Advices, not as Commands, or Impositions; upon Them, as his Counsellors, not as his Tutors, or Guardians; and upon Himself, as their King, not as their Pope, or Ward: For, he said, whatsoever of Regality was, by the modesty of Interpretation, left in his Majesty, in the first part of the second Demand, as to the Parliament, was taken from him, in the second part of the same, and placed in that new fangled kind of Counsellors, whose power was such, and so expressed by it, that in all Publick Acts concerning the Affairs of the Kingdom, which are proper for the Privy Council (for whose Advice all Publick Acts are sometimes proper; though very necessary) they were directed to be admitted joint Patentes with his Majesty in the Regality. And it was not plainly expressed, whether they meant his Majesty to much as a single Vote in those Affairs; but it was plain they meant him no more, at most, than a single Vote in them; and no more power, than every one of the rest of his fellow Counsellors.

And so after a sharp discourse, and explanation of the unreasonableness of the several Demands, or the greatest part of them, and the confusion that, by consenting thereto, would redound to the Subject in general, as well as the dishonour to his Majesty (which he read at large by himself) He told them, "to all those unreasonable Demands, his Answer was, *salvatis Leges Angliæ mæri*: But renewed his Promise to them, for a very punctual and strict observation of the known Laws established; to which purpose he was willing an Oath should be taken by them, and take

"by all his Privy Counsellors. And for any Alteration in the Government of the Church, that a National Synod should be call'd, to propose what should be found necessary or convenient: And that for the Advancement of the Protestant Religion against the Papists, they had not proposed so much to his Majesty, as he was willing to grant, or as he had himself offer'd before. He concluded with conjuring Them, and all Men, to rest fully'd with the truth of a his Majesty's Protections, and the reality of his Intentions; and not to ask false things as deniell themselves: That they would declare against Tumults, and punish the Authors: That they would allow his Majesty his Property in his Towns, Armes, and Goods; and his share in the Legislative Power; which would be counted in him not only a breach of Privilege, but Tyranny, and Subversion of Parliaments, to deny to them: And when they should have given him satisfaction upon those Persons, who had taken away the Oath, and recall'd those Declarations (particularly that of the 26th of May; and those in the point of the Militia, his just Rights wherein he would no more part with, than with his Crown, left he enabled others by them to take that from him) which would take away the Oath; and declined the beginnings of a War against his Majesty, under pretence of His intention of making one against them; as he had never oppos'd the first part of the thirteenth Demand, so he would be ready to Concur with them in the latter; and being then confident that the Credit of those Men, who desire a general Combustion, would be so weakened with them, that they would not be able to do this Kingdom any more hurt, he would be willing to grant his General Pardon, with such Exceptions as should be thought fit; and should receive much more joy in the hope of a full, and constant happiness of his People in the true Religion, and under the protection of the Law, by a blessed Union between his Majesty and his Parliament, than in any such increase of his own Revenue, how much soever beyond former Grants, as (when his Subjects were wealthiest) his Parliament could have settled upon his Majesty.

That to it the King now lived at 29th in a much more Princely Condition, than he could have hoped to have done near London; and had so great a Train and Reform of the Nobility and Gentry, that there was not left a fifth part of the House of Peers at Westminster, and truly I do not believe, that there was near a Moiety of the House of Commons who continued there; yet his Majesty made no other use, for the present, of their presence with Him, and of their absence from two Houles, than to have fo more the more, and the more credible

dible Witnesses of his Councils and Carriage; and to undeceive the People by his clear Answers to all the Scandals and Reproaches which were laid on him, and by his ample professions and protestations of his sincere Zeal to Religion, and Justice; and to make it appear to them, how far the Quality and the Number of those who thought, or seem'd to think otherwise, was, from what they might imagine it to be. And it cannot be denied, but the People were every day visibly reformed in their understandings, from the Superstitious Reverence they had paid the two Houses; and grew sensible of their Duty to the King, and of those Invasions which were offer'd to his Royal Dignity.

On the other side, the two Houses slacken'd not their pace a jot, proceeded with great and unusual sharpness against those Members who were gone to the King; Proclaiming some of them by Name "to be Enemies to the Kingdom, and, by a Formal Judgment, Sentencing Nine Peers together, "to be incapable of sitting again in Parliament, whilst this should continue." The House of Commons having carried up an Impachment of Misdemeanours against them (which was as illegal in point of Justice, and as extravagant in point of Privilege, as any thing they could do) "for being absent, and refusing to attend, upon a Summons from the House of Peers." And upon their own Members they imposed a fine of ten shillings, on every one who was gone to the King, and upon those, who being in other places, they thought were well affected to his Service: Yet, lest they should upon this proceeding return again, to disturb, and cross their Councils, they provided, "that no Man upon whom that Sentence fall, should sit again in the House (though he paid his fine) till he had been examined by a Committee, and so given the House satisfaction in the cause of his absence. And, by those means, they thought both to remove the Scandals, that so many Members were absent, and to prevent any inconvenience too, that might befall them by their return. For they well knew, if the Members of both Houses were obliged to a constant and strict Attendance, it would not be possible that they could compass their mischievous Designs.

Proposals, and Orders, both Houses for bringing in Money and Taxes for maintaining His Majesty's June 1642.

That they prosecuted their great Business of the Militia, not only near London, where they were in no danger of opposition, but in those Northern Counties near his Majesty, as Leicestershire, Cheshire, Lincolnshire, where whosoever refused to give Obedience to them, or published the King's Proclamation against their proceedings (for the King had yet practis'd no Expedient to prevent the growth of that mischief, but the publishing his Proclamation against it) were sent for as Delinquents; and not satisfied herewith, that they

might be as well able to Pay an Army, as they found they should be to Raise one, on the tenth of June (for the time will be very necessary to be remember'd, that it may be the better rated, Who took up the Defensive Armes) they published Propositions, "for the bringing in of Money or Place "to maintain Horse, Horse-men, and Armes, for the preservation of the Publick Peace, and for the defence of the King and both Houses of Parliament; the Reasons and "Grounds whereof they declar'd to be the King's Intention "to make War against his Parliament; That, under pretence "of a Guard for his Person, he had actually begun to Levy "Forces, both of Horse and Foot; and sent out Summons "throughout the County of York, for the calling together of "greater Numbers; and some ill affected Persons, in other "parts, had been employ'd to raise Troops, under the colour of his Majesty's Service; making large offers of reward and preferment to such as would come in: That his Majesty did, with a high and forcible hand, proceed, and keep "away Delinquents, not permitting them to make their appearance to Answer such Affronts and Injuries, as had been "by them offer'd to the Parliament; and those Messengers, "which had been sent from the Houses for them, had been "abused, beaten, and imprison'd, so as the Orders of Parliament, the highest Court of Justice in the Realm, were not "obey'd; and the Authority of it was altogether scorn'd, and "violin'd; and such Persons as stood well affected to it, and declar'd themselves sensible of those Publick Calamities, and "of the Violations of the Privileges of Parliament, and Common Liberty of the Subjects, were bullied, and injur'd by "several sorts of Malignant Men, who were about the King; "some whereof, under the name of Cavaliers, without having respect to the Laws of the Land, or any fear either "of God or Man, were ready to commit all manner of Outrage and Violence; which must needs tend to the dissolution of the Government; the destruction of their Religion, Laws, Liberties, Properties; all which would be exposed to the Malice and Violence of such desperate Persons, as must be employ'd in so horrid and unnatural an Act, "as the overthrowing of a Parliament by Force; which was "the support, and preservation of them. These particulars, they said, being duly consider'd by the Lords and Commons, and how great an obligation lay upon them, in Honour, Conscience, and Duty, according to the high Trust reposed in them to use all possible means, in such cases, to prevent so great and irrecoverable Evils, they had thought fit to publish their sense, and apprehension of that imminent danger; thereby to excite all well affected Persons, to

"contribute

contribute their best Assistance, according to their solemn Vow and Protestation, to the Preparations necessary for the opposing, and suppressing of the Trayterous Attempts of those Wicked, and Malignant Councillors, who sought to engage the King, in so dangerous and destructive an enterprise, and the whole Kingdom in a Civil War; and destroy the Privileges and Being of Parliaments.

It is to be observed, that these good affections of those, that tender their Religion and just Liberties, and the enjoyment of the blessed fruits of this present Parliament, which were most ready to be resent, and were now as ready to be rai'd by those wicked hands, being, they said, the only remedy left them under God; and without which they were no longer able to preserve Themselves, or Thole by whom they were entru'd: Therefore, they declar'd, that whoever would bring in any proportion of ready Money or Plate, or would underwrite to furnish and maintain an number of Horse, Horse-men, and Armes, for the preservation of the Publick Peace, and for the defence of the King, and both Houses of Parliament, from Force and Violence, and to uphold the Power and Privileges of Parliament according to his Protestation; it should be held a good and acceptable Service to the Common-wealth, and a Testimony of his good affection to the Protestant Religion, the Laws, Liberties, and Peace of the Kingdom; and to the Parliament, and Privileges thereof. And they further declar'd, that whoever brought in Money or Plate, or furnish'd and maintain'd Horse, Horse-men, and Armes, upon these Propositions, and to those purposes, should be reputed their Money with interest *per Cent*; for which they should engage the Publick Faith, and they appointed the Guild Hall in London for the place whither this Money, or Plate, should be brought; and four Aldermen of London to be their Treasurers for the receiving the same; and likewise other Counting Men to receive, and prize such Horse and Armes, as should be brought in for their Service. And lastly, for their better encouragement, the Members of both Houses appointed a Solemn Day to set down their own Subscriptions; which they performed liberally.

Many of those who abhor'd their impious Designs, not thinking it lawful for them to be present at such Consultations, withdrew before the day came, or absented themselves. But many had the Courage to be present, and thought it requisite what they thought they could not honestly refuse to do. *St Henry Killigrew*, who was a remarkable Enemy to all their devices, being call'd upon, told them, *if there was occasion*, he would provide a good Horse, and a good

Sword.

Sword; and made no question but he should find a good Cause. But, within very few days, both He, and all those who were taken notice of for refusing, found it fitt for them to leave the Town; there being very violently great Animosity against them both within, and without the Walls. And a Gentleman of good Quality assured me afterwards, that, within few days after he had refus'd to Subscribe, he was privately advised by one of the other Faction, who yet retained some kindness to him, to leave the Town, lest his Brains were beaten out by the Boys in the Streets. And many of those who too impudently desired not to be look'd upon as Rebellious Persons, and had pleas'd themselves with Subscribing more Articulately for the defence of the King's Person, found it afterwards necessary to supply whatsoever they had Subscribed, to be employ'd that way as was declar'd to be for the defence of the King's Person, whatsoever their intention was at first, or their opinion after. And it is hardly credible, what a vast proportion of Plate was brought in to their Treasurers within ten days; there being hardly Men enough to receive it, or Room to lay it in; and the Throng being so great of the Bringers, that, in two days attendance, many could not be discharged of their Seditious Offerings. And, the very next day after these Propositions, they further Order'd, That there should be a strict search and examination made, by the Justices of Peace, Mayors, Bayliffs, and Constables, near all the Northern Roads, for the seeking all Horsemens Service in the Wars, or great Soldiers, that should be carried towards the North parts of England, without the Privy or Direction of one or both Houses of Parliament; which was a great improvement of their former Order, which extended only to Armes and Ammunition; though, the truth is, the Dexterity and Spirit of their Ministers, who knew their Meaning, made the former almost as inconvenient and dangerous to Passengers, as the latter.

It was by many impatiently wonder'd at then, and no doubt, will be more censur'd hereafter, that, notwithstanding all their Invocations, and breaches upon the Regal Power, and all these vast Preparations to destroy him, the King, hitherto, put not himself into a posture of Safety; or provided for the resistance of that Power, which threaten'd him; and which, he could not but know, intended whatsoever it had in face done; And though they had not yet form'd an Army, and chosen a General, yet, he well knew, they had Materials abundantly ready for the First, and particular, digested Resolutions, in the Second; which they could reduce to publick Acts, whenever they pleas'd. It is very true, he did know all this, and the unpeepable hazards he run, in not preparing

against

againſt ir. But the hazards, which preſented themſelves upon him on the other ſide, were no leſs Prodigious: He had a very great appearance of the Nobility; not only of thoſe, who had from the beginning walk'd, and govern'd themſelves by the Rules the Law preſcribed, and, in that reſpect, were unſubmiſſive to King and People; But of Others who had paſſionately and peeviſhly (to ſay no worſe) concur'd in all the moſt violent Votes and Actions, which had been done from the beginning: For beſides the Lord *Spencer* (who had been choſen their Lieutenant of *Northamptonſhire*, but was recover'd to a right underſtanding, of which he was very capable, by his Uncle the Earl of *Southampton*) the Lord *Faye* likewiſe, who had contributed all his Faculties to Their Service, and to the prejudice of the King's, from before the beginning of the Parliament; had been one of their Teiz to breach thoſe bold high Overtures Soberer Men were not, at firſt, willing to be ſeen in; and had been, as a Man moſt worthy to be Conſid'd in, choſen Lord Lieutenant of one of the moſt Conſiderable Counties, the County of *Buckingham* (where he had, with great Solemnity and Pomp, executed their Obedience, in diſcharge of the King's Proclamation) and had Subſcrib'd a greater number of Horſes for their Service, upon their Propoſitions, than any other of the ſame Quality; convinc'd in his Conſcience ſted from them, and brought the King's Pardon: And, for the better manifeſtation of the tendereſs of his Compaſſion, and the horſour he had of his former Guilt, he frankly diſcover'd whatever he had known of their Counſels; and aggravated all the ill they had done, with declaring it to be done to worſe and more horrid Ends, than many good Men believ'd to be poſſible for them to propoſe to themſelves.

NOTWITHSTANDING, this glorious Convention was rather an Ornament to his Court, than any great Advantage to his Counſels; and the uſe of them more to discredit the ſmall remainder of *Whiſtlingers*, and that the People might ſee the Number and Quality of the Diſſenters, than that they contriv'd any thing to the ſervice or improvement of his Affairs: every Man thinking it high merit in him, that he abſent himſelf from the Company and Place, where all the miſchief was done: and that the keeping himſelf Negatively ſilent, was as much as he cou'd his King and Country. It was willing to impute it to the drowty and unactive Genius of the Kingdom (contracted by long eaſe, and quiet) which he much abhorr'd the thoughts of a Civil War, that it thought a lively and vigorous Preparation againſt it, was to invite it; and there were very few of all the great Lords, who did attend upon the King, who did not declare, ⁴⁴ That the Parli-

ment durſt not in truth (whatever ſhews they made in hope to ſhake his Majeſty's conſtancy) make a War; and if they ſhould attempt it, the People would unaniſmouſly riſe for the King, who would be moſt ſafe by not intending his own ſafety. Whereas, if he raiſed Forces, the Parliament would procure themſelves to be believ'd, that it was to overthrow Religion, and ſuppreſs the Laws, and Liberties of the People. They who were of another opinion, and could have ſpoken more reaſon, held it not ſafe to expreſs themſelves but in the King's own Ear; there being in the great Council of the Peers, who, for ſtate, were frequently Aſſembled, and by whom in truth the King then durſt to have ſtrictified all things of Moment, ſome who were not good Council-Keepers, and others who were look'd upon, and believ'd to be Spies upon the reſt. But this which made the thought of raiſing Forces (whatever Arguments there were for it) abſolutely unreaſonable, was, that the King had no poſſibility to procure either Armes, or Munition, but from *Ireland*, from whence he daily expected ſupply: And till that arriv'd, let his Provocations and Sufferings be what they cou'd be, he was to ſubmit and bear it patiently.

In the mean time, for a ground of further proceeding upon occaſion, the King deſir'd the Peers in Council, to let down in writing the Affronts, and Violence, which had been offer'd to them at *London*, by which their Preſence in the great Council of the Kingdom was render'd both unſafe, and diſhonourable; the which they the more willingly conſented to, for that the *London* Pamphlets already aſperſed them, as Deſerters of the Parliament, and Betrayers of the Liberty of their Country: An Inſtrument being drawn up, and agreed upon between them, in which they ſet down ⁴⁴ the Tumults, and the Violence offer'd to particular Perſons in ⁴⁴ a ſole Tumult; the Threats and Menaces of the Rabble, ⁴⁴ at the doors of the Houſe, when they had a mind any Exorbitant thing ſhould paſs; the Breach and Violation of the old Orders, and Rules of Parliament, whilſt Matters were in Debate, and the reſuming Matters again in a thin Houſe; ⁴⁴ and reſenting, waving, or contraſtifying Reſolutions made in a full Houſe: And, laſtly, Mr *Hobbs*'s coming to the Bar, and demanding the Names of thoſe Lords who refus'd to conſent to the Militia, when the multitude without, menaced and threaten'd all thoſe Diſſenters: after which, they ſaid ⁴⁴ they conceived, they could not be preſent there, with Honour, Freedom, or Safety; and therefore forbore to be any more preſent; and ſoall thoſe Votes, Concluſions, and Declarations had paſſed, which had begot thoſe Diſtractions throughout the Kingdom. And thia they delivered to the

the King, signed under their Hands. And yet (which is sufficient Instance how unended Men were with that Spirit and Courage, which was requisite) the next day after the Delivery, many Lords came to his Majesty, and brought him that he would by no means publish that Paper, but keep it in his own hands; some of them saying, "that, if it were published, they would disavow it: so that material as weighty Evidence, which then might have been of Sovereignty to the King, was render'd utterly ineffectual to his Service; his Majesty finding it necessary to engage his Princes, and to them, "never to make it publick without Their consent; which he performed most punctually; and so, to this day, it was never divulged.

To make some little amends for this want of merit, if it proceeded from nothing else, They being most fly in factious, and most passionate against publishing, who was of unquestionable Affection to his Majesty, and integrity in his Cause; and that the World might see, there was a Combination among good Men, to assist his Majesty in the defence of the Law, as well as there was against both by Oath.

Upon the King's declaring himself fully in Council, when all the Peers were present, "That, as He would not sign any Declaration, or exact any Obedience from them, but what should be warranted by the known Law of the Land; so he did not need that they would not yield to any Commands not fully grounded, or imposed by any other: That he would defend every one of them, and all such as should refuse such Commands, whether they proceeded from you, or Orders of both Houses, or any other way, from all dangers and hazards whatsoever. That his Majesty would read the true Protestant Religion, established by the Law of the Land; and the Lawful Liberties of the Subjects of England; and just Privileges of all the Three Estates of their Land; and would require no further Obedience from them than as accordingly he should perform the same: And his Majesty did further declare, that he would not, as was pretended, engage them, or any of them, in any War, or force and safety, against such as did intolently invade or Attempt against his Majesty, or such as should adhere to his Majesty: All the Peers engaged themselves, "not to obey any Orders, or Commands whatsoever, not warranted by the known Laws of the Land; and to defend his Majesty's Person, Crown, and Dignity, together with his just and Legal Prerogative, against all Persons and Power whatsoever: That they would defend the true Protestant Religion, established by the Law of the Land; the Liberty

The promise of the Lords and others thereupon.

of the Subject of England; and just Privileges of his Majesty, and both his Houses of Parliament: And lastly, "they engaged themselves: not to obey any Rule, Order, or Ordinance whatsoever; concerning any Militia; that had got the Royal Assent:

"This being Subscribed by their Lordships, was, with their consent, immediately Printed, and carefully divulged over the Kingdom, bearing date at York the thirtieth of June 1642, with the Names of the Subscribers. Two days after, his Majesty in Council taking notice of the Rumours spread, and Informations given, which might induce many to believe, that his Majesty intended to make War against his Parliament, professed before God, and said, he declared to

all the World, that he always had, and did abhor all such Designs, and desired all his Nobility and Council, who were there upon the place, to declare, whether they had not been Witnesses of his frequent and earnest Declarations and Professions to that purpose: Whether they saw any Colour of Preparations or Councils, that might reasonably beget belief of any such Design; and whether they were not fully persuaded, that his Majesty had no such Intention: But that all his Endeavours, according to his many Professions, tended to the firm and constant Settlement of the true Protestant Religion; the just Privileges of Parliament; the Liberty of the Subject; the Law, Peace, and Prosperity of this Kingdom:

WHEREUPON all the Lords, and Counsellors present, unanimously agreed, and did sign a Paper in these words:

"We, whose Names are under written, in Obedience to his Majesty's desire, and out of the Duty which we owe to his Majesty's Honour, and to Truth, being here upon the place, and Witnesses of his Majesty's frequent, and earnest Declarations and Professions of his abhorring all Designs of making War upon his Parliament; and not seeing any colour of Preparations or Councils, that might reasonably beget the belief of any such Designs, do protest before God, and testify to all the World, that we are fully persuaded that his Majesty hath no such Intention: But that all his Endeavours tend to the firm and constant Settlement of the true Protestant Religion; the just Privileges of Parliament; the Liberty of the Subject; the Law, Peace, and Prosperity of this Kingdom. Which Testimony, and Declaration was Subscribed by

Lord

Lord *Linton* Lord Keeper. Duke of *Richmond*. Earl of *Lincoln*.
 Marquis of *Rothesay*. Earl of *Cambridge*. Earl of *Bath*.
 Earl of *Somerset*. Earl of *Salisbury*. Earl of *Dorset*.
 Earl of *Devonshire*. Earl of *Cambridge*. Earl of *Northampton*.
 Earl of *Gloucester*. Earl of *Wiltshire* and Earl of *Bristol*.
 Earl of *Arundel*. Earl of *Richmond*. Earl of *Beckford*.
 Earl of *Gloucester*. Earl of *Northampton*. Earl of *Devon*.
 Lord *Grey of Wilby*. Lord *Ambrose*, and *Mareschal*.
 Lord *Parish*. Lord *Howard of Chesham*.
 Lord *High*. Lord *Sefton*. Lord *Leicester*.
 Lord *Coveur*. Lord *Dorchester*. Lord *Arden*.
 Lord *Copel*. Lord *Stymour*.

Lord *Faulconer*. Sr *P. Finch* Controller. Secretary *Nicholas*.
 Sr *Chilpapp* Chan. Esch. Lord Chief Justice *Balk*.

THIS Testimony of the Lords and Counsellors was immediately printed, and published, together with a Declaration of his Majesty's; in which he said,

"THAT though he had, in the last seven Months, received to many several encounters of strange and unusual Declarations, under the Name of both his Houses of Parliament, that he should not be amazed at any new Prodigy of that kind; and though their last of the 26th of May gave him a fair warning, that the Controversy of it having put all their flock of bitter and reproachful Language upon him; he was now to expect they should break out into some bold and diloyal Actions against him: And, having by that Declaration, as far as in them lay, devalued his Majesty of his Preeminence and Authority, which God, the Law, in Custom and Consent of this Nation had placed in him, as if assured it to Themselves, that they should likewise with expedition, put forth the fruits of that Supreme Power, in the violating, and suppressing the other which they desired an effect of which resolution, he said, their Declarations against his Proclamation concerning the pretended Officers for the Militia, and their punishing of the Proclaimers appeared to be; yet, he must confess, in their last Attempt he said, he spoke of the last he knew; they might possibly since, or at that present, have done that too; that had outdone what his Majesty had conceived was their present intention. And whoever heard of Propositions, and Orders, for the bringing in of Money or Plate to maintain his House, and Horse-men, and Arms, for the preservation of the Publick Peace, or for the Defence of the King and both Houses of Parliament (such was their Declaration, or what they please to call it, of the tenth of June) would surely believe the Peace of the Kingdom to be extremely disturbed."

"and at last, the King himself to be consulted with, and privy to those Propositions. But, he said, he hoped, that when his good Subjects should find, that that goodly Presence of defending the King, was but a specious but to induce weak, and inconsiderate Men into the highest Acts of disobedience and diloyalty against his Majesty, and of violence and destruction upon the Laws and Constitutions of the Kingdom, they would no longer be captivated by an implicit reverence to the Name of both Houses of Parliament; but would carefully examine, and consider what Number of Persons were present; and What persons were present in those Controversies; and how the Debates were probably managed, from whence such horrid and monstrous Conclusions did result; and would at least weigh the Reputation, Wisdom, and Affection of those, who were notoriously known out of the very horror of their Proceedings to have withdrawn themselves; or, by their skill and violence to be driven from them, and their Council."

"His Majesty said, whilst their Fears and Jealousies did arise, or were infused into the People, from discourses of the Rebels in *Ireland*, of Skippers at *Rotterdam*, of Forces from *Denmark*, *France*, or *Spain* (how improbable and ridiculous never that bundle of Information appear to all wise, and knowing Men) it was no wonder if the minds to deceive, and the willingness to be deceived, did prevail over many of his weak Subjects to believe, that the dangers, which they did not see, might proceed from causes which they did not understand: But for them to declare to all the world, that his Majesty intended to make War against his Parliament (whilst he sat still complaining to God Almighty of the injury offer'd to Him, and to the very Being of Parliament) and that he had already begun actually to levy Forces both of Horse and Foot (whilst he had only, in a legal way, provided a smaller Guard for the security of his own Person so near a Rebellion at *Holl*, than they had, without Lawful Authority, above these eight Months, upon imaginary and impossible dangers) to impose upon his People Sense, as well as their Understanding, by telling them his Majesty was doing that which they saw he was not doing, and intending that, they all knew, as much as Intentions could be known, he was not intending, was a boldness agreeable to no power but the Omnipotency of those Votaries, whose absolute Supremacy had almost brought confusion upon the King and People; and against which no knowledge in matter of Fact, or Consent and Authority in matter of Law, they would endure should be opposed."

"His Majesty said, he had, upon all occasions, with all Vol. I. Part 2. T t possible

" possible expressions, professed his firm and unshaken resolu-
 " tions for Peace. And, he said, he did again, in the pre-
 " sence of Almighty God, his Maker and Redeemer, assure
 " the world, that he had no more thought of making War
 " against his Parliament, than against his own Children: That
 " he would observe, and maintain the Acts assented to by him
 " this Parliament without violation; of which, That for the
 " frequent Assembling of Parliaments was one: And that he
 " had not, nor would have, any thought of using any Force;
 " unless he should be driven to it, for the security of his Per-
 " son, and for the defence of the Religion, Laws, and Liberty
 " of the Kingdom, and the just Rights and Privileges of Par-
 " liament: And therefore he hoped the Malignant Party, who
 " had so much despised his Person, and usurped his Office,
 " should not, by their specious fraudulent insinuations, pre-
 " vail with his good Subjects to give credit to their wicked
 " Assertions; and so to contribute their Power, and Assistance
 " for the ruin and destruction of Themselves, and his Ma-
 " jesty.

" For the Guard about his Person (which, he said, not so
 " much their Example, as their Provocation had enforced him
 " to take) it was known it consisted of the prime Gentry, in
 " fortune and reputation, of that Country; and of One Re-
 " giment of French-bands; who had been so far from offering
 " any Assaults, Injuries, or Disturbance to any of his good
 " Subjects, that their principal End was to prevent such; and
 " so, might be Security, could be no Grievance to his People.
 " That some ill affected Persons, or any Persons, had been
 " employed in other parts to raise Troops, under colour of his
 " Majesty's Service; or that such had made large, or any, oth-
 " ers of reward, and presentment to such as would come in,
 " which had been alleged by them, was, he said, for ought
 " he knew, or believ'd, an untruth devised by the Contrivers
 " of that false Rumour. His Majesty disavow'd it, and said
 " he was confident there would be no need of any such Art,
 " or Industry, to induce his loving Subjects, when they should
 " see his Majesty oppress'd, and their Liberties and Laws con-
 " founded (and till then he would not call on them) to come
 " in to him, and to assist him.

" For the Delinquents, whom his Majesty was said with
 " a high and forcible hand to protect, he wisht they might
 " be named, and their Delinquency: And if his Majesty gave
 " not satisfaction to Justice, when he should have receiv'd sa-
 " tisfaction concerning *St John Holman* by his legal Trial,
 " Then let him be blamed. But if the design were, as it was
 " well known to be, after his Majesty had been driven by
 " force from his City of *London*,

" Town

" Town of *Hull*, to protect all those who were Delinquents
 " against him, and to make all those Delinquents who attacked
 " on him, or executed his Lawful Commands, he said, he
 " had great reason to be satisfied in the truth and justice of
 " such Accusation, left to be his Majesty's Servants, and to be
 " a Delinquent, grew to be Terms so convertible, that in a
 " short time, he were left as naked in Attendance, as they
 " would have him in Power; and so compel him to be wait'd
 " upon only by such whom They should appoint, and allow;
 " and in whose presence he should be more miserably alone,
 " than in desolation it self. And if the seditious Contrivers
 " and Fomenters of that Scandal upon his Majesty, should
 " have, as they had had, the power to mislead the Major part
 " present of either or both Houses to make such Orders, and
 " send such Messengers and Medingers, as they had lately done;
 " for the apprehension of the great Earls and Barons of Eng-
 " land, as if they were Rogues or Felons; and whereby Per-
 " sons of Honour and Quality were made Delinquents, meer-
 " ly for attending upon his Majesty and upon his Summons;
 " whilst other Men were forbid to come near him, though
 " oblig'd by the duty of their Place and Oaths, upon his Law-
 " ful Commands: It was no wonder if such Messengers were
 " not very well intreated: and such Orders not well obey'd:
 " neither could there be a faster, or a cunninger way found
 " out to render the Authority of both Houses scorn'd and vi-
 " sited, than to assume to themselves (meerly upon the Au-
 " thority of the Name of Parliament) a Power monstrous to
 " all understandings; and to do Actions, and to make Or-
 " ders, evidently and demonstrably contrary to all known Law;
 " and Reason (as to take up Arms against his Majesty under
 " colour of defending him; to cause Money to be brought in
 " to Them, and to forbid his own Money to be paid to his
 " Majesty, or to his use, under colour that he would employ
 " it ill; to beat him, and strive him for his own Good, and
 " by His Power and Authority) which would in those time
 " make the greatest Court, and greatest Person, cheap and of
 " no estimation.

" Were those sensible Men were of the publick Calamities,
 " of the violations of the Privileges of Parliament, and the
 " Common Liberty of the Subject, who had been buffeted, and
 " injured by Malignant Men, and Cavaliers about his Majesty,
 " his Majesty said, he could not imagine. And if those Ca-
 " valiers were so much without the fear of God and Man, and
 " so ready to commit all manner of outrage and violence, as
 " was pretended, his Majesty's Government ought to be the
 " more esteem'd, which had kept them from doing *us* in-
 " jury, as much as he believ'd, no Person had cause to complain of

T c z

injury, or of any damage, in the least degree, by any Man about his Majesty, or who had offer'd his Service to him. All which being, he said, duly consider'd, if the Contraverses of those Propositions and Orders had been truly sensible of the obligations, which lay upon them in Honour, Conscience, and Duty, according to the high Truth propos'd in them by his Majesty, and his People, they would not have published such a sense and apprehension of Imminent danger, when themselves, in their Consciences, knew that the greatest, and indeed only danger, which threaten'd the Church and State, the blessed Religion and Liberty of his People, was in their own desperate and seditious Designs; and would not have endeavour'd, upon such weak and groundless Reasons, to seduce his good Subjects from their Affection and Loyalty to him, to run themselves into Actions unwarrantable, and destructive to the Peace and Foundation of the Common-wealth.

AND that all his loving Subjects might see, how causeless and groundless that scandalous Rumour, and Imputation of his Majesty's raising War upon his Parliament, was, he had, with that his Declaration, caus'd to be printed the Testimony of those Lords, and other Persons of his Council, who were there with him; who, being upon the place, could not but discover such his Intentions and Preparations; and could not be suspected for their Honours and Interests to combine in such mischievous, and horrid resolutions.

AND therefore, his Majesty said, he streightly charg'd and commanded all his loving Subjects, upon their Allegiance, and as they would answer the contrary at their Perils, that they should yield no obedience, or consent to the said Propositions and Orders; and that they presume not under any such Pretences, or by colour of any such Orders, to raise or levy any Horse or Men, or to bring in any Money or Plate to such purpose. But he said, if notwithstanding that clear Declaration, and Evidence of his Intentions, those Men (whose design it was to compel his Majesty to raise War upon his Parliament; which all their skill and malice should never be able to effect) should think fit, by those Alarms, to awaken him to a more necessary care of the defence of Himself, and his People; and should themselves, under colour of Defence, in or unheard of a manner provide (and seduce others to do so too) to Offend his Majesty, having given him so lively a Testimony of their Affections, what they were willing to do, when they should once have made themselves Able; all his good Subjects would think it necessary for his Majesty to look to Himself. And he did therefore excite all his well affected People, according to

their

their Oaths of Allegiance, and Supremacy, and according to their solemn Vow, and Protestation (wherby they were oblig'd to defend his Person, Honour, and Estate) to contribute their best Assistance to the Preparations necessary for the opposing, and suppressing of the Trayterous Attempts of such wicked and malignant Persons; who would destroy his Person, Honour, and Estate, and engage the whole Kingdom in a Civil War, to satisfy their own Lawless Fury and Ambition; and to rob his good Subjects of the blessed fruit of this present Parliament; which they already in some degree had, and might still reap, to the abundant satisfaction and joy of the whole Kingdom, if such wicked hands were not ready to ruin all their possessions, and frustrate all their hopes. And, in that case, his Majesty declar'd, that whoever, of what Degree or Quality soever, should then, upon so urgent and visible necessity of His, and such apparent distraction of the Kingdoms, caus'd, and begotten by the malice and contrivance of that Malignant Party, bring in to his Majesty, and to his use, ready Money, or Plate; or should underwrite to furnish any Number of Horse, Horsemens, and Armes, for the preservation of the Publick Peace and defence of his Persons, and the vindication of the Privilege and Freedom of Parliament, he would receive it as a most acceptable Service, and as a Testimony of his singular Affection to the Protestant Religion, the Laws, Liberties, and Peace of the Kingdom; and would no longer desire the continuance of that Affection, than he would be ready to justify, and maintain the other with the hazard of his Life.

AND so concluded with the same Overtures which had done, in their Propositions for the Loane of Money at interest; offering, for the security thereof, an Assurance of such his Lands, Forests, Parks, and Houses, as should be sufficient for the same; a more real security, he said, than the Name of Publick Faith, given without him, and against him; as if his Majesty were not part of the Publick; And besides, he would always look upon it as a Service most affectionately, and seasonably perform'd for the preservation of his Majesty, and the Kingdom. But he said, he should be much gladder that their submission to those his Commands, and their desisting from any such Attempt of raising Horse or Men, might ease all his good Subjects of that Charge, Trouble, and Vexation.

It will be wonder'd at hereafter, when, by what hath been said, the Number and Quality of the Peers is consider'd, who, by absenting themselves from the House, and their resort to his Majesty, sufficiently declared, that they liked not those Conclusions which begot those Distractions; why both

T t 3

those Peers and likewise such Members of the Commons, who then, and afterwards appear'd in the King's Service, and were indeed full or very near one Moiety of that House, did not rather, by their diligent and faithful Attendance in the Houses, according to their several Trusts reposed in them, discountenance and resist those pernicious and fatal Transgressions, than by withdrawing themselves from their proper Stations, leave the other (whose ruinous Intentions were sufficiently discover'd) possess'd of the Reputation, Authority, and Power of a Parliament; by which, it was evident, the People would be easily, to a great degree, seduced. And though the observing Reader may, upon the collection of the several passages here set down, be able to answer those objections to himself; I am the rather induc'd, in this place, to apply my self to the clearing that Point, because not only many Honest Men, who, at a distance, have consider'd it, without being Privy to the passages within the Walls, and those breaches which fatally destroy'd, and took away the Liberty and Freedom of those Councils, have been really troubled or unsatisfy'd with that Desertion, as they call it, of the Service to which they were incumbent, and chosen; but that I have heard some, who were the chief, if not the sole Promoters of those Violations, and the most violent Designs, and have since (out of the Raptures, which have proceeded from their own Antipathies) either been, or been thought to be, more moderately inclin'd, complain, "that the withdrawing of so many Members from the two Houses, was the principal Cause of all Calamities. And they who have been the true Authors of them, and still continue the same Men, have taken pains to make, and declare the others "Deserters of their Country, and Betrayers of their Trusts, by their Voluntary withdrawing themselves from that Council.

In the doing whereof, I shall not, I cannot, make any excuse for those (of whom somewhat is before spoken) who, from the beginning of this Parliament, and in the whole progress of it, either out of Laziness, or negligence, or inconstancy, or weariness, forbore to give their Attendance there, when the Number of those who really intend'd these prodigious Alterations was very inconsiderable; and daily drew many to their opinions, upon no other ground than that the Number of the Dissenters appear'd not equally diligent, and intent upon their Assertions: Neither can I excuse the Peers, the moderate part whereof being Four for One, suffer'd themselves to be coust'd, and perwaded, and threaten'd out of their Rights by a handful of Men, whom they might, in the beginning, easily have crush'd; whereas in the House of Commons the great Managers were Men of notable Parts, much

Reputation,

Reputation, admirable Dexterity; Pretenders to severe justice, and regularity; and then the Number of the weak, and the willful, who naturally were to be guided by them, always made up a Major part; so that, from the beginning, they were always able to carry whatsoever they set their Hearts visibly upon; at least, to discredit, or disgrace any particular Man against whom they thought necessary to proceed, albeit of the most unblemish'd Reputation, and upon the most frivolous suggestions; so that they could not but be very formidable, in that House, to all but the most abstracted Men from all vulgar Considerations.

BUT, I am confident, whoever diligently resolves the several passages in both Houses, from the time of the publishing the first Remonstrance, upon his Majesty's Return from Scotland, to the time of which we last speak, must be of opinion, that the restoring of so many Members then to his Majesty (from whom all the Lords, and some of the Commons, receiv'd Commands to that purpose) or to such places, where they thought they might be of greatest use to his Majesty in preservation of the Peace of the Kingdom, was not only an Act of Duty, but of such Prudence and Discretion, as Sober and Honest Men were to be guided by. In the House of Peers, the Bishops, who had as much Right to fit there, and were as much Members of Parliament as any Lord there, were first, by direct Violence and Force, a great part of them driven and kept from thence, till the Bill for the total Expulsion of the whole Order from those Seats, was pass'd; such of the Peers, who were most remarkable for adhering to the Government of the Church, being, in the mean time, threaten'd publicly by the Raisable; and some of their Persons Assaulted. The business of the Militia had been twice, upon a solemn Debate in a full House, rejected there; till such Force and Violence was brought to the very doors, such Expulsions and Threats deliver'd within the doors against those who refused to Concur with them in that business, that no Man had reason to believe his Life out of danger from those rude hands, who was taken notice of for an Opposer of their unreasonable desires; some of them having been declar'd Enemies to their Country, for having refused what was in their power lawfully to refuse; and others having been Criminally scould by the Commons, for words spoken by them in Debates of the House of Peers; after which many of them were sent for, by special Letters, to attend his Majesty (which Letters were always thought to be a good, and warrantable, and sufficient ground to be absent from the House; nor had such Summons, from the beginning of Parliaments to this present, ever been neglected) with whom they had not been

T t 4 many

many weeks, but two of them, as hath been mention'd before, upon an untrue and extravagant information, without further examination, were declar'd Enemies to the Kingdom; and nine others by solemn Judgement, upon an Impeachment brought up by the Commons against them, only for being absent, and for what only concern'd the Privilege and Jurisdiction of the Peers, were disabled to sit in the Houfe again during this Session; so that, if they would have returned, they were actually excluded that Council.

In the Houfe of Commons, the case was worse: First, they who had, with that Liberty which is essential to Parliaments, and according to their understandings, dissent'd or declar'd a dislike of what the Violent Party so vehemently pursued, were, as hath been said before, declar'd Enemies to their Country; and their Names putt'd up in Paper, or Parchment, at most eminent places, under some opprobrious Character; which, though it was not avoid'd, and had no Authority from the Houfe by any Publick Act, yet, being complain'd of, was neither redress'd, nor was the complaint so countenanced, that it could be concluded the Violation was unacceptable; so, though the Tumults were not directly fomented or attended, it is evident, by what hath been before set forth truly and at large, that they found there visible countenance, and encouragement.

THIRDLY, what had been, upon full and solemn Debates in a full Houfe, rejected, was many times, in a thin Houfe, and at unusual and unparliamentary Hours, resum'd; and determin'd contrary to the former Conclusions: Yet Men satisfied themselves with doing what they thought their Duty, and reasonably opposing what the Major part order'd to be done; hoping that Men's understandings would be shortly better inform'd; and that though high and irreverent Expressions and Words were sometimes used against the King, there would be abdicating from unlawful and dangerous Actions; and that the Houfe of Peers, at least, would never be brought to pyn, or concur in any Act prejudicial to the Sovereign Power. But when they saw a new way found out by the dexterity of the Major part in the Houfe of Commons, to make the Minor part of the Lords too hard for the Major; and so, whilst all Men were transferr'd with jealousy of the breach of Privilege of Parliament by the King, that there was, by the Houses themselves, an absolute rooting up of all Privileges: That from Metaphysical Considerations, what might be done in case of necessity, the Militia of the Kingdom was Actually seized on; and put under a Command contrary to, and against the King's Command: That there was then a Resolution taken, by those who could Act their Resolutions when they

pleas'd, to make a General, and to oblige all the Members to live and dye with that General; which will be anon more particularly mention'd (for that Resolution was well known before the time that those many Members removed to *Tork*, and withdrew to other places; and was executed within three or four days after) Men thought it high time to look to their innocency, and (since by the Course and Orders of that Houfe, they could leave no Monument or Evidence of their Dissenting, as the Lords might, by their Protestations upon any unlawful Act, or Resolution) to declare their dislike of what was done, by not being present at the doing: And it was reasonably thought, there being no other way peaceably and securely to do it, that the Kingdom, understanding the Number of those that were present at such new Transactions, and weighing the Quality, Number, and Reparation of those who were absent, would be best inclin'd to prefer the old Laws of the Kingdom, before the new Votes (destructive to those Laws) of those few Men, who call'd themselves the two Houses of Parliament; and that it would prove a good Expedient to work upon the Consciences, and modesty of those who stay'd behind, to conclude it necessary, by some fair Addresses to his Majesty, to endeavour such a general good understanding, that a perfect Union might be made; and the Privilege, Dignity, and Security of Parliament, be establish'd according to the true, and just Constitution of it.

It is true, how reasonablysoever it might be expected, it produc'd not that Ingenuity; but they who had been troubled with the company of them that afterwards withdrew, and, by the opposition they made, could not make that expedition in the mischief they intended, were glad they were absent; yet, shortly, considering what influence indeed it might have upon understanding Men, they found a way to cut a reproach upon those who were absent, and yet to prevent any inconvenience to themselves by their return; publishing an Order, "that all the Members absent should appear at such a day, under the Penalty of paying each two Pence for his absence; and whosoever did not appear at that day (which gave not time enough to any who were at a distance) should not presume to sit in the Houfe, before he had paid his Fine, and kiss'd the Houfe with the cause of his absence; So that all those who were with the King, and very many more, who had really withdrawn themselves to refresh their minds, or upon necessary Affairs of their own, with purpose to return, clearly discern'd themselves excluded from sitting any more there; it being sufficiently manifest, that the Cause of their absence would never be approv'd, if their Persons were disliked, and their Opinions disapproved."

Which

Which appeared quickly; for the day was no sooner past, but they, without the least warrant of Precedent or colour of Right, expell'd very many, sometimes twenty a day, not only of those who were with the King, but of others who had given them equal dissent; and order'd new Writs to issue out to chuse other Members in their Rooms.

It cannot be denied but some very honest and entire Men stay'd still there, and oppos'd all their unjustifiable proceedings with great Courage, and much liberty of Speech; which was more frankly permitted to them than had been before, when the Number of the Dissenters was greater; and it may be there are still some who satisfy themselves that they have perform'd their Duty, by always having denied to give their consent to whatsoever hath been seditiously, or illegally claim'd. But I must Appeal to the Consciences of those very Men, whether they have not been many times, by staying there, compell'd, or terrified to do, and submit to many Acts contrary to their Conscience, in cases of Conscience; and contrary to their Judgement and Knowledge, in matters of Law, and Right; and contrary to their Oaths and Duties, in matters of Allegiance; and whether if they had refus'd to do, they should not have been plunder'd, expell'd, and committed to Prison? And then they cannot be thought to have proceeded unreasonably, who, to preserve their Innocence, and their Liberty, chuse to undergo all the other Centures and Difficulties which could befall them, and which have been since plentifully pour'd upon them. But to return.

THE King had at this time call'd to him some Judges, and Lawyers of Eminency; by whose Advice he published a Declaration concerning the Militia, and assert'd "the Right of the Crown in granting Commissions of Array, for the better ordering and governing thereof; and, at the same time, issu'd out those Commissions to all Counties, "expressly forbidding any Obedience to be given to the Ordinance for the Militia by both Houses, under the penalty of High Treason. This only improv'd the Paper-combat in Declarations; either Party insisting, "that the Law was on their side; and the People giving Obedience to either, according to their conveniences: And many did believe, that if the King had refer'd to the old known way of Lord Lieutenants and Deputy Lieutenants, his Service would have been better carried on; the Commission of Array being a thing they had not before heard of, though founded upon an Ancient Act of Parliament in the Reign of Hen. iv. and so was received with jealousy, and easily discredit'd by the glosses and suggestions of the Houses.

BESIDES that some Men of very good Affections to the Crown,

Crown, and averie enough to the extravagant pretences and proceedings of the Parliament, did not conceal their prejudice to the Commission of Array, as not warranted by Law; which did very much work upon other Men, and made the Obedience less cheerful that was given to that Service. Mr *Selden* had, in the Debate upon that Subject in the House of Commons, declar'd himself very positively, and with much sharpness against the Commission of Array, as a thing expressly without any Authority of Law; the Statute upon which it was ground'd being, as he said, repeal'd; and discus'd very much of the ill Consequences, which might result from submitting to it: He answer'd the Arguments which had been us'd to support it; and easily prevail'd with the House not to like a proceeding, which they knew was intended to do them hurt, and to lessen their Authority. But his Authority and Reputation prevail'd much further than the House, and begot a prejudice against it in many well affected Men without doors: When the King was inform'd of it, he was much troubled, having looked upon Mr *Selden* as well dispos'd to his Service. And the Lord *Falkland*, with his Majesty's leave, writ a friendly Letter to Mr *Selden*, "to know his reason, "why, in such a conjuncture, whatever his Opinion were, "he would oppose the submission to the Commission of Array, which no body could deny to have had it's original "from Law, and which many Learned Men still believed to "be very Legal, to make way for the establishment of an "Ordinance, which had no manner of pretence to Right. He answer'd this Letter very frankly; as a Man who believed himself in the right upon the Commission of Array, and that the Arguments he had us'd against it could not be answer'd; and summing up some of those Arguments in a few words as they could be comprehended in: But then he did as frankly inveigh against the Ordinance for the Militia, "which, he "said, was without any shadow of Law or pretence of Precedent, and most destructive to the Government of the Kingdom: And he did acknowledge, that he had been the more inclin'd to make that discourse in the House against the "Commission, that he might with the more freedom argue "against the Ordinance; which was to be consider'd upon a "day then appointed: And was most content, that he should "likewise overthrow the Ordinance: which, he confess'd, "could be less supported, and he did believe, that it would be "much better, if both were reject'd, than if either of them "should stand, and remain uncontrolled. But his confidence deceiv'd him; and he quickly found, that they who suffer'd themselves to be intirely govern'd by his Reason, when those Conclusions result'd from it which contributed to their own designs.

designs, would not be at his guided by it, or submit to it when it perwaded that which contradicted, and would appoint those designs: And fo, upon the day appointed for the Debate of their Ordinance, when he applied all his Faculties to the convincing them of the illegality and monstrosities of it, by Arguments at least as clear and demonstrable as former had been, they made no impression upon them; but were easily Answer'd by those who with most Passion insist'd upon their own sense. He had satisfi'd them very well when he Concurr'd with them in Judgement; but his Reasons were weak, when they cross'd their Resolutions. So most Men are deceiv'd in being too reasonable; concluding that Reason will prevail upon those Men to submit to what is Right and Just, who have no other consideration of Right or Justice, but as it advances their Interest, or complies with their Honour, and Passion. And so easy it hath always been to do harm, and to mislead Men, and so hard to do good and reduce them to Reason.

THESE Paper-scurrills left neither side better inclin'd the other; but, by sharpening each other, drew the matter nearer to an issue. The King had written a Letter to the Mayor and Aldermen of London, and to the Masters and Wardens of each Company; by which, "he assur'd them, of his desire of the Peace of the Kingdom; and therefore requir'd them, as they tender'd their Charter of the City, and their own particular Welfares, not to bring in Forces, Moots, or Plates, upon the Propositions of the Houses; whereas, under pretence of raising a Guard for the Parliament, Forces would be levy'd, and, in truth, employ'd against his Majesty: Of which the Houses taking notice, published a Declaration to the City, "That they could not be secur'd by his Majesty's Protections, that his desires, and purposes were for the Publick Peace; since it appear'd, by divers expressions, and proceedings of his Majesty, that he intend'd to use Force against those who submitted to the Ordinance of the Militia; and that he had likewise some intention of making an Attempt upon *Hull*. In both which Cases, the King declare, that whatsoever Violence should be used, either against those who exercise the Militia, or against *Hull*, the King could not but believe it as done against the Parliament: They told them, that the dangerous, and mischievous intentions of some about his Majesty were such, that whatsoever was most precious to Men of Conscience and Honour, as Religion, Liberty, and Publick Safety, were like to be overwreck'd and lost in the general Confusion and Clarity of the Kingdom; which would not only question, but overthrow the Charter of the City of London; expell'd

The Parli-
ment's De-
claration to
the City
in a Letter
from the
King to the
Mayor,
and Alder-
men.

the Citizens, their Wives and Children, to violence and villany; and leave the Wealth of that famous City as a Prey to those desperate, and necessitous Persons: And therefore they forbid all the Officers to publish that Paper, as they would answer their Conscience to the Parliament; by the Power and Authority of which, they assur'd them, they should be protect'd, and secur'd in their Persons, Liberties, and Estates, for whatsoever they should do by their Advice or persuasion.

To this the King replied, "That he wonder'd since they had usurp'd the supreme Power to themselves, they had not taken upon them the Supreme Style too; and directed their very new Declaration to their Truilly and Well-belov'd, their Subjects of the City of London: For it was too great and palpable a Scorn, to persuade them to take up Arms against his Person, under Colour of being loving Subjects to his Office; and to destroy his Person, that they might preserve the King: That he was beholding to them, that they had explain'd to all his good Subjects the meaning of their Charge against his Majesty, that by his intention of making War against his Majesty, no more was pretended to be meant, but his resolution not to submit to the high Insolence and Indignity of the Ordinance for the Militia, and the business of *Hull*. He said, he had never conceiv'd his intentions in either of those Particulars (he will'd) They would deal as clearly with Him) but had always, and did now declare, That that pretended Ordinance was against the Law of the Land; against the Liberty and Property of the Subjects; destructive to Sovereignty; and therefore not consistent with the very Constitution and Essence of the Kingdom, and the Right and Privilege of Parliament: That he was bound by his Oath (and all his Subjects were bound by theirs of Allegiance, and Supremacy, and their own Protestation lately taken, to assist his Majesty) to oppose that Ordinance, which was put already in execution against him, not only by Training and Arming his Subjects, but by forcibly removing the Magazine, from the place trust'd by the County, to their own Houses, and guarding it there with Arm'd Men: Whither it would be next removed, and how used by such Persons, he knew not.

THAT the keeping his Majesty out of *Hull* by *St John Holburn*, was an Act of High Treason against his Majesty; and the taking away his Magazine and Munition from him, was an Act of Violence upon his Majesty, by which he was, or by whose direction forever it was done: And, in both Cases, by the help of God, and the Law, his Majesty said, he would have Justice, or lose his Life in the requiring it;

"the which he did not value at that rate, as to preserve it with
 "the Infamy of suffering himself to be robbed, and spoiled of
 "that Dignity he was born to. And if it were possible for
 "his good Subjects to believe, that such a Defence of himself
 "with the utmost power and strength he could raise, was
 "making a War against his Parliament, he did not doubt
 "however it should please God to dispose of him in that con-
 "tention, but the justice of his Cause would, at the last, pre-
 "vail against those few Malignant Spirits, who, for their own
 "ends and ambitious designs, had so misled and corrupted
 "the understandings of his People. And since neither his own
 "Declaration, nor the Testimony of so many of his Lords
 "then with his Majesty, could procure credit with those Men,
 "but that they proceeded to levy Horse, and to raise Money
 "and Armies against his Majesty, he said, he was not to be
 "blamed, if after so many gracious exhortations with them,
 "upon undeniable principles of Law and Reason (which they
 "answer'd only by Voting that which his Majesty said, to be
 "neither Law, nor Reason; and so proceeded actually to lay
 "War upon his Majesty, to justify that which could not be
 "otherwise defended) at last he made such provision, that as
 "he had been driven from London, and kept from *Hull*, he
 "might not be surpris'd at York; but be in a condition to re-
 "sist, and bring to justice those Men, who would persevere
 "his People that their Religion was in danger, because his
 "Majesty would not consent it should be in Their power
 "after it by their Votes; or their Liberty in danger, because
 "he would allow no Judge of that Liberty, but the known
 "Law of the Land: Yet, he said, whatever provision he
 "should be compelled to make for his security, he would be
 "ready to lay down, as soon as they should revoke the Order
 "by which they had made Levies, and submitted those Per-
 "sons, who had detain'd his Towns, carried away his Arms
 "and put the Militia in execution contrary to his Proclamations;
 "so that Trial of their Innocences, which the Law had de-
 "rected, and to which they were born: If that were neces-
 "sary, to be thought, with a good conscience, proceed against
 "those who should presume to exercise that pretended Obi-
 "diance for the Militia, and the other who should keep his
 "Town of *Hull* from him, as he would resist. Persons who
 "came to take away his Life, or his Crown from him.

"And therefore his Majesty again remember'd, and re-
 "quar'd his City of London to obey his former Commands;
 "and not to be misled by the Orations of those Men, who
 "were made desperate by their Fortunes, or their Fortunes
 "by Them; who told them their Religion, Liberty, and
 "Property, was to be preserv'd no other way, but by the

Disloyalty

"Disloyalty to his Majesty: That they were now at the brink
 "of the River, and might draw their Swords (which was an
 "expression used at a great convention of the City) when no-
 "thing pursued them but their own evil consciences. He will'd
 "them to consider, whether their Estates came to them, and
 "were settled upon them, by Orders of both Houses, or by
 "that Law which his Majesty defended: What security they
 "could have to enjoy their own, when they had help'd to rob
 "his Majesty; and what an happy conclusion That War was
 "like to have, which was rais'd to oppress their Sovereign:
 "That the wealth and glory of their City was not like to be
 "destroyed any other way, but by Rebelling against his Ma-
 "jesty; and that way inevitably it must; nor their Wives and
 "Children to be exposed to violence and villany, but by those
 "who make their Appetite and Will the measure, and guide
 "to all their Actions. He advis'd them not to fancy to them-
 "selves Melancholy apprehensions, which were capable of no
 "satisfaction; but seriously to consider what security they
 "could have, that they had not under his Majesty, or had not
 "been offer'd by him: And whether the Doctrine those Men
 "taught, and would have them defend, did not destroy the
 "Foundations upon which their security was built?

"This great conflix that hath been mention'd, of Men of
 "all Conditions, and Qualities, and Humours, could not con-
 "tinue long together at York, without some impatience and
 "commotion; and most Men wonder'd, that there appear'd no
 "provisions to be made towards a War, which they law would
 "be inevitable: And when the Levies of Soldiers under the Earl
 "of *Essex*, were rais'd with so much vigour, that the King
 "should have no other Preparations towards an Army, than a
 "single Troop of Guards made up of Gentlemen Voluntiers;
 "who, all Men foresaw, would quit the Troop when there
 "should be an Army: And many do yet believe, that the King
 "too long defer'd his recourse to Armes; and that if he had
 "rais'd Forces upon his first repulse at *Hull*, his service would
 "have been very much advanced; and that the Parliament
 "would not have been able to have drawn an Army together.
 "And so Men still reproach the Councils which were then about
 "the King, as they were censur'd by many at that time; but
 "neither They then, nor These now do understand the true
 "reason thereof. The King had not, at that time, one Barrel
 "of Powder, nor one Muskquet, nor any other provision neces-
 "sary for an Army; and, which was worse, was not sure of any
 "Port, to which they might be securely assur'd; nor had he
 "Money for the support of his own Table for the term of one
 "Month. He expected, with impatience, the arrival of all
 "those necessaries, by the care and activity of the Queen; who

was

was then in *Holland*, and by the sale of her own, as well as of the Crown Jewels, and by the friendship of *Henry Prince of Orange*, did all he could to provide all that was necessary; and the King had newly directed her to send all to *New-Castle*, which was but then secured to him by the diligence of the Earl of that Name. In the mean time both the King himself, and they who best knew the state of his Affairs, seem'd to be without any thoughts of making War; and to hope, that the Parliament would at last incline to some Accommodation; for they both his Majesty, and those Persons were expos'd to a thousand reproaches.

THE QUEEN had many difficulties to contend with; for though the Prince of *Orange* had a very signal affection for the King's Service, and did all he could to dispose the States to concern themselves in his Majesty's Quarrel; yet his Authority, and Interest, was much diminish'd with the vigour of his Body and Mind: And the States of *Holland* were so far from being inclin'd to the King, that they did him all the mischief they could. They had before assist'd the Rebellion in *Holland*, with giving them credit for Armes and Ammunition, before they had money to buy any; and they did afterwards, several ways, discover their affections to the Parliament; which had so many Spies there, that the Queen could do nothing they had not present notice of, so that it was no easy matter for the Queen to provide Armes and Ammunition, but the Parliament had present notice of it, and of the ways which were thought upon to transport them to the King: And then their Fleet, under the Command of the Earl of *Worcester*, lay ready to obstruct and intercept that Communication; nor was any remedy in view to remove this mischief; inasmuch as it was no easy thing for the King to send to, or to receive Letters from, the Queen.

THESE was a small Ship of 28 or 30 Guns, that was part of the Fleet that wait'd her Majesty into *Holland* from *Dover*, which was called the *Providence*, under the Command of Captain *Stranghorne*, when the Fleet was Commanded by *Sir John Pennington*, and before the Earl of *Worcester* was introduced into that Charge against the King's Will. That Ship, the Captain whereof was known to be faithful to his Majesty, was, by the Queen, detain'd, and kept in *Holland* from the time of her Majesty's Arrival, under several pretences, of which the Captain made use, when he afterwards received Orders from the Earl of *Worcester* to repair to the Fleet in the *Dowry*; until, after many promises and excuses, it was at last discern'd that he had other Business and Commands; and so was watch'd, by the other Ships, as an Enemy. This Vessel the Queen resolv'd to send to the King, princi-

principally to inform his Majesty of the freightes that was in; of the provisions he had made; and to return with such particular Advice, and Directions from his Majesty, that he might take further resolutions. And because the Vessel was light, and drew not much Water, and so could run into any Creek, or open Road, or Harbour, and, from thence, easily send an express to the King; there was put into it about two hundred Barrels of Powder, and two or three thousand Armes with seven or eight Field-Pieces; which, they knew, would be very welcome to the King, and serve for a beginning and continuance to draw Forces together. The Captain was so soon permit to Sea, but notice was sent to the Commander of the Fleet in the *Dowry*; who immediately sent three or four Ships to the North, which easily got the Providence in View, before it could reach that Coast; and chas'd it with all their Sails, till they saw it enter into the River of *Humber*; where, looking upon it as their own, they made less haste to follow it, being content to drive it before them into their own Port of *Hull*; there being, as they thought, no other way to escape them; until they plainly saw the Ship entering into a narrow Creek out of *Humber*, which declined *Hull*, and led into the Country some Miles above it; which was a place well known to the Captain, and design'd by him to arrive at from the beginning. It was in vain for them to halten their pursuit; for they quickly found that their great Ships could not enter into that passage, and that the River was too shallow to follow him; and so, with shame and anger, they gave over the Chase; whilst the Captain continued his course; and having never thought of leaving the Ship, run it on Shore on that side towards *Biningham*; and, with all expedition, gave notice to the King of his arrival; who, immediately, caus'd the Persons of Quality, in the parts adjacent, to draw the Train'd-bands of the Country together, to secure the incursions from *Hull*; and by this means, the Armes, Ammunition, and Artillery, were quickly brought to *York*.

THE King was well content that it should be generally believed, that this small Ship, the size whereof was known to few, had brought a greater quantity and proportion of Provisions for the War, than in truth it had; and therefore, though it had brought no Money, which he expected, he forthwith granted Commissions, to raise Regiments of Horse and Foot, to such Persons of Quality and Interest, as were able to comply with their obligations. He declar'd the Earl of *Timothy*, Lord High Chamberlain of *England*, his General of the Army, a Person of great Honour and Courage, and generally beloved; who many years before had good Commands in *Holland*, and *Germany*, and had been Admiral at Sea, in several Expeditions.

tions. *St Jacob Astley* was declar'd Major General of the Foot, a Command he was very equal to, and had exercised before, and executed after, with great approbation. The Generallhip of the Horse, his Majesty reserved for his Nephew Prince *Robert*; who was daily expected, and arriv'd soon after: And all Levies were hasten'd with as much expedition as was possible in to great a scarcity, and notorious want of Money; of which no more need be said, after it is remember'd that all the Lords, and Council about the King, with several other Persons of Quality, voluntarily made a Subscription for the Payment of so many Horse for three Months; in which time they would needs believe, that the War should be at an end; every one paying down what the three Months pay would amount to, into the hands of a Treasurer appointed to receive it; and this Money was presently paid for the making those Levies of Horse, which were design'd; and which could not have been made but by those Monies.

AND now the King thought it time to execute a Resolution he had long intended, and which many Men wonder'd he neglected so long, which was, as much as in Him lay, to take the Admiralty into his own hands. He had long too much cause to be unsatisfied, and displeas'd with the Earl of *Northumberland*; whom he thought he had oblig'd above any Man whatsoever. His delivering the Fleet into the hands and Command of the Earl of *Warwick*, after his Majesty had expressly refus'd it to the Parliament, the King could not easily forgive; however he thought it not then seasonable to resent it, because he had nothing to object against him, but his compliance with the Command of the Parliament, who would have own'd it as their own quarrel, and must have oblig'd that Earl to put his whole Interest into their hands, and to have run their Fortune; to which he was naturally too much inclin'd: And then his Majesty foresaw, that there would have been no Fleet at all set out that year, by their having the Command of all the Money which was to be apply'd to that Service. Whereas, by his Majesty's concealing his resentment, there was a good Fleet made ready, and set out; and many Gentlemen fidelitly in the Command of Ships, of whole Affection and Fidelity his Majesty was assur'd, that no Superior Officer could corrupt it; but that they would, at all times, repair to his Service, whenever he requir'd it. And, indeed, his Majesty had an opinion of the devotion of the whole body of the Common Sea-men to his Service, because he had, bountifully, so much mend'd their condition, and increased their Pay, that he thought they would have even thrown the Earl of *Warwick* over Board, when he should Command them; and for the repeating the doing of it would be of little importance. But now, that

that a Ship of his own, in the execution of his Commands, should be chaf'd by his own Fleet as an Enemy, made such a noise in all places, even to his reproach and dishonour, that he could no longer defer the doing what he had long thought of. He resolv'd therefore, to revoke the Earl of *Northumberland's* Commission of the Office of High-Admiral of *England*, and to send the Revocation to him under the Great Seal of *England*: Then, to send *St John Pennington*, who was then at *Turk*, on board the Fleet, and to take the Charge of it: and Letters were prepar'd, and sign'd by the King, to every one of the Captains: whereby they were requir'd, "to observe the Orders of *St John Pennington*. And all this was carried with all possible Secrecy, that none, but those few who were trust- ed, knew, or suspected any such Alteration.

BUT the King thought fit, first to advise with *St John Pennington*; of whose Integrity he was confident, and whose judgment he always principally relied on in all his Maritime Affairs; and thought him the only Person fit immediately to take the Fleet out of the Earl of *Warwick's* possession; who had dispossest of Him the Command that year, which he had usually exercis'd. *St John Pennington*, finding the matter full of difficulty, and the execution like to meet with some interruptions, express'd no alacrity to undertake it in his own Person; alleging, "that himself stood in the Parliament's disfavour, and unjustly (which was true) and that therefore his motion, and journey towards the *Dunes*, where the Fleet then lay, would be immediately taken notice of; and his Majesty's Design be so much guess'd at, that there would need no other Discove- ry; but he propos'd to his Majesty, "that he would send a Letter to *St Robert Mansfield*, who liv'd at *Greenwich*, "freely to go to the Fleet, and to take charge of it, and that His Authority, being Vice-Admiral of *England*, and his known and great Reputation with the Sea-men, would be like to meet with the least resistance. His Majesty, impuring this Council to those whom he had made Privy to his purpose, enter'd upon new considerations; and observ'd, "that *St Robert Mansfield's* age (though his Courage and Integrity were unquestionable) and the accidents that depended upon that, "would render that Expedient most hazardous; and that, in truth, there need'd no such absolute and supreme Officer, to be appointed in the first Article; but rather, that his Majesty should direct his Special Letter to the Captain of every Ship, requiring him immediately to weigh Anchor, and to bring away his Ship to such a place as his Majesty might appoint, where he should receive further Orders: And "that such a place he might send such an Officer, as he thought fit to trust with the Command of the whole Navy fo assembled. According

cording to this Resolution, the whole Dispatch was prepared. First a Revocation of the Earl of *Northumberland's* Commission of Admirall, under the Great Seal of England; of which there was a Duplicate; the one to be sent to his Lordship; the other to the Earl of *Warwick*; whose Commission was founded upon, and fo determined by, the other. Then a particular Letter to each of the Captains of his Ships, informing them of his Majesty's Revocation of the Admirall's Patent, and consequently, of the satisfaction of the Earl of *Warwick's* Commission (to whom his Majesty likewise writ, to inhibit him from further meddling in that Charge) and therefore commanding them to yield no further obedience to either of their Orders; but that, immediately upon the receipt of those his Royal Letters, he should weigh Anchor; and with what speed he might, repair to *Burlington Bay* upon the Coast of *Yorkshire*; where he should receive his Majesty's further pleasure: And fo each Commander, without relation to any other Commands, had no more to look after but his own Ship, and his own Duty, by which the King might exp. &c. at least, fo many Ships as were under the Command of those who had any Affection of Fidelity to his Service.

ACCORDINGLY, all things being prepared, and signed by the King, and sealed, what immediately concern'd the Earl of *Northumberland* was deliver'd to one of his Majesty's Pages, to be given to the Earl of *Northumberland* at *London*; and the whole dispatch to the Fleet to *Mr Edward Villiers*, whose diligence and dexterity his Majesty found fit for any Trust; the former being directed "not to make such halt, but that the other might be as quick as foot at the *Down* as He at *London*;" and *Mr Villiers* again being appointed what Letters he should first deliver to the Captains; "and that he should Visit the Earl of *Warwick* in the last place; that his Activity might have no influence upon the *Sea-men* to prevent their obedience to his Majesty." And surely if this resolution had been pursued, it is very probable, that the King had been Master of very many of his Ships again. But, when the Messengers were dispatched, and well instructed, and he that was for *London* gone on his Journey, there was a sudden and unexpected change of the whole direction to the Fleet, by *St John Pennington's* repair to his Majesty; and, upon second thoughts, offering "to go Himself to the *Down*," and to take Charge of the Fleet; which changed the Forms of the Letters to the several Captains; and, instead of leaving every one to use his best expedient to bring away his own Ship to *Burlington*, he requir'd them only to observe such Orders, as they should receive by *St John Pennington*; who thought not fit (for the reasons formerly given of his being taken notice of) to go with

Mr Villiers :

OF THE REBELLION, &c.

Mr Villiers; but, by him, writ to *St Henry Palmer*, to whom likewise his Majesty sent a Letter to that purpose, being an Officer of the Navy, and who liv'd by the *Down*, "immediately to go aboard the Admirall; and that he Himself would make all possible haste to him, setting out at the same time with *Mr Villiers*;" but Journeying a further and more private way. *Mr Villiers*, left, by his stay for the alteration of his dispatches, the *Page's* coming to *London* sooner than was intended at his setting out, might produce some inconvenience to the Service, if he not till he came to *St Henry Palmer*; who, being inform in his Health, and surpris'd with the Command, could not make that Expedition aboard, as might have been requisite; though he was Loyally and Zealously affected to his Majesty's Service. However, *Mr Villiers* hasten'd to the Ships which lay then at Anchor, and according to his Instructions, deliver'd his several Letters to the Captains; the greatest part whereof receiv'd them with great expressions of duty and submission, expecting only to receive *St John Pennington's* Orders, for which they stay'd; and, without doubt, if eather the first Letters had been sent, or *St John Pennington* been present, when these others were deliver'd, his Majesty had been possid of the greatest part of the Fleet; the Earl of *Warwick* being at that time, according to his usual Licences, with some Officers whose company he liked, on shore making merry; so that there was only his Vice-Admiral, Captain *Batten*, on board, who was of eminent disaffection to his Majesty: The Rear-Admiral, *St John Mennes*, being of unquestionable Integrity.

But after five or six hours (in which time nothing could be had, for want of advice and direction; enough being ready to Obey, but none having Authority to Command) the Earl of *Warwick* came aboard his Ship, to whom *Mr Villiers* likewise gave his Majesty's Letters of his Discharge; who, without any Declaration of disobeying it, applied himself to the confirming those who he thought true to his Party, and diligently to watch the rest; presuming, that he should speedily hear from those by whom he had been originally trusted.

In the mean time, the Captains expected Orders from *St John Pennington*; who likewise privately expected such account from *St Henry Palmer*, as might encourage him to come to the Ships. But this unfortunate delay disappointed all: For the other Gentlemen, according to his Instructions, having reach'd *London* in the evening after the Houes were rais'd, ^{the King} deliver'd the King's Letters, and the Discharge of his Commission to the Earl of *Northumberland*; who, with all shews of Obedience and Submission, express'd "his Resolution to obey his Majesty's Duty and Submission, that he had, by any Misfortune, ^{and of Consequence} of Majesty; and a hearty sorrow, that he had, by any Misfortune, ^{of Consequence} of Majesty's displeasure. How ingenious soever

U 3

ever this demeanour of his Lordship's was, the business was quickly known to those who were more concern'd in it; who were exceedingly perplexed, with the apprehension of being dispossest of to great a part of their strength, as the Royal Fleet; and earnestly press'd the Earl of Northumberland, "that notwithstanding his Majesty's Revocation, he would still continue the execution of his Office of Lord High Admiral; in which they would assist him with their utmost and full Power, and Authority. But his Lordship alleging "that it would ill become Him, who had receiv'd that Charge from the King with so notable circumstances of Trust and Favour, to continue the possession thereof against his express Pleasure, there being a Clause in his Grant, that it should be only during such time as his Majesty thought fit to use his Service; and so, "utterly refusing to meddle further in it; as soon as they could get the Houses together the next morning, they easily agreed to pass an Ordinance, as they call it, "to appoint the Earl of Warwick to be Admiral of that Fleet, with "as full and ample Authority, as he had before had from the Earl of Northumberland. Which Ordinance, together with Letters, and Votes of encouragement to his Lordship and to the Officers and Sea-men, they speedily sent, by a Member of their own; who arriv'd therewith, the next morning, after Mr Villiers had deliver'd the King's Letter; St John Pennington in the mean time either coming, nor sending any further Advice.

THIS Earl of Warwick, being thus arm'd, found himself Master of his Work; and immediately summon'd all the Captains, to attend him on board his Ship in Council; the which all but two did (Captain Slingsby, and Captain Wake) who, being by his Majesty's Letters, as the rest were, expressly charged to yield no further Obedience to the Earl of Warwick, refused to repair to him; making themselves ready to resist any Violence, and putting their Ships in order to go out to Sea, that they might be at Liberty to attend his Majesty's Commands; but they were so encompass'd by the whole Fleet, and the dexterity of the Earl's Ministers was such, and the devotion, generally, of the Sea-men so tainted, and corrupted from the King's Service, that, instead of carrying away the Ships, the Captains themselves were seiz'd, taken, and carried by their own Men to the Earl; who immediately committed them to Custody, and sent them up Prisoners to the Parliament. Then the Earl communicated the Ordinance, Letters, and Votes from the two Houses, to the rest of the Officers; of whom only two more refused to continue their Charge against the signification they had receiv'd from the King (St John Monnes, and Captain Barby) who were quickly discharged,

and set on Shore; and the rest, without any scruple or hesitation, "oblig'd themselves to obey the Earl of Warwick, in the Service of the Parliament; so that the Storm was now over, and the Parliament fully, and entirely possess'd of the whole Royal Navy, and Militia by Sea; for they quickly dispos'd of two other honest Captains, *Kestibly*, and *Stradlin* (whom they could not corrupt) who guarded the Irish Seas; and got those Ships likewise into their Service. And thus his Majesty was without one Ship of his own, in his three Kingdoms, at his Devotion.

As this loss of the whole Navy was of unfeignable ill consequence to the King's Affairs, and made his Condition much the less consider'd by his Allies, and Neighbour Princes; who saw the Sovereignty of the Sea now in other hands, that were like to be more imperious upon the apprehension of any discourtesies, than regular and lawful Monarchs use to be; I cannot but observe some unhappy circumstances, and accidents in this important business of the Navy, which looked like the hand of Providence to take that strength, of which his Majesty was most confident, out of his hands. When the restitution of the House of Commons, and the concurrence of the Lords was peremptory, and the Earl of Northumberland had declar'd his compliance with them, "for the sending the Earl of Warwick Admiral of that Fleet, in the place of St John Pennington, "upon whom the King depend'd; it was resolv'd likewise by them, "that Captain *Carteret*, Controller of his Majesty's Navy, a Man of great Eminency, and Reputation in Naval Command, should be Vice-Admiral; who thinking it became his near relation to his Majesty's Service, to receive his Royal Pleasure before he engag'd himself in any employment of that Nature, address'd himself for his directions. But the King, looking upon the Fleet in a manner taken from him, when another, whose disaffection to his Service was very notorious, was, contrary to his express Pleasure, presumptuously put into the Command of it, and his own Minister displeas'd for no other reason (his insufficiency, and ability for Command being by all Men confess'd) but his Zeal and Integrity to Him, would not countenance that Fleet, and that Admiral, with suffering an Officer of his own to Command in it under the employment, which he, prudently, and without noise, did; and thereupon, another Officer of the Navy, the Surveyor General, Captain *Batten*, a Man of very different inclinations to his Master, and his Service, and furious in the new Fancies of Religion, was substituted in the place: Whereas if Captain *Carteret* had been suffer'd to have taken that Charge, his Interest and Reputation in the Navy was so great, and his direct

gence and dexterity in Command fo eminent, that it was generally believ'd, he would, againſt whatsoever the Earl of *Warwick* could have done, have prefer'd a Major part of the Fleet in their Duty to the King. The miſfortunes which happen'd after, and are mention'd before, are not in juſtice to be imputed to *St John Perceval*; who, ſure, was a very honeſt Gentleman, and of unlucke Faithfulneſs and Integrity to the King; but to the little time he had to think of it: And the perplexity he was in (befides his true Zeal to the Service) to conſider that to great a work, as the recovery of the Royal Navy, was to be done by his own Perſonal engagements, made him look fo little to his own ſecurity, that, inſtead of taking the Fleet from the Earl of *Warwick*, he was himſelf taken by the Earl, and ſent to the Parliament; where the carrying over the Lord *Digby*, and ſome other Jealouſies, had left a great arrear of diſpleaſure againſt him.

The truth is, the King was ſo confident upon the general Affections of the Sea-men, who were a Tribe of People more particularly countenanced and oblig'd by him, than other Men, his Majesty having increas'd their allowance, in Provision and Money, above the old eſtabliſhment of the Navy, as hath been mention'd; that he did believe no Activity of ill Officers could have corrupted them; but that, when the Parliament had ſet out and Victualled the Fleet, it would, upon any occaſion, declare it ſelf at his Devotion. But, on the other ſide, they had been taught to believe, that all the King's bounty, and grace towards them, had flow'd from the mediation of thoſe Officers, who were uſed engaged againſt the King; and that, the Parliament having ſeiz'd the Cuſtoms, and all other the Revenues of the Crown, they had no other hope of Pay or Subſiſtence, but by abſolutely devoting themſelves to their Service: ſo that a greater, or more general defection of any one Order of Men was never known, than that, at this time, of the Sea-men; though many Gentlemen, and ſome few of the Common ſort, to their laſting Honour and Reputation, had either addreſſed themſelves to the Active Service of their Sovereign, or ſuffer'd Imprisonment, and the loſs of all they had, for reſuſing to ſerve againſt him.

The News of this diminution of his Majesty's Power, and terrible addition of Strength to his Enemies, was a great alay to the brisk hopes at *York*, upon the arrival of their Ammunition, and Wife Men eaſily discern'd the fatal Conſequence of it in oppoſition to the King's moſt hopeful deſigns; yet, in a very ſhort time, all viſible ſenſe of it ſo much vaniſh'd, that as there was a marvellous ſecrecy, at that time, in diſſiping all advantages of the Parliament's ſome Men publickly, and with great confidence, averr'd, that the King was a Gainer
"by

"by the loſs of his Fleet; becauſe he had no Money to Pay the Sea-men, or keep them together; and that one Victory at Land, of which there was no doubt, would reſtore him to his Dominion at Sea, and to whatſoever had been unjuſtly taken from his Majesty.

This King found it was now time to do more than write Declarations, when the Parliament was now entirely poſſeſſed of the Militia by Sea, and made ſuch a progreſs in the attempt to obtain the ſame at Land, that though the People generally (except in great Towns and Corporations, where, beſides the natural Malignity, the Factious Lecturers, and Emiſſaries from the Parliament, had poiſon'd their Affections) and eſpecially thoſe of Quality, were Loyally inclin'd; yet, the terror of the Houſe of Commons was ſo great, which ſent for and grievouſly puniſhed thoſe Sheriffs and Mayors, who publiſh'd, according to their Duties and expreſs Oaths, his Majesty's Proclamation, and thoſe Miniſters, who, according to his Injunctions, read and divulg'd his Declarations, that all ſuch and, indeed, all others eminently affected to the King, were forc'd to fly to *York* for Protection; or to hide themſelves in Corners from that Inquiſition, which was made for them. And therefore his Majesty, in the firſt place, that he might have one Harbour to reſort to in his Kingdom, ſent the Earl of *Newcaſtle*, privately, with a Commiſſion to take the Government of *Newcaſtle*; who againſt the little oppoſition, that was preſented by the Sea-militia in the Town, by his Lordſhip's great Interceſs in thoſe parts, the ready compliance of the beſt of the Gentry, and the general good Inclinations of the place, ſpeedily and dextroſly aſſur'd that moſt important rich Town, and Harbour to the King; which, if it had been omitted but very few days, had been ſeiz'd on by the Parliament; who had then given direction to that purpoſe. Then for the Protection of the general parts of the Kingdom, and keeping up their Affections, his Majesty appointed and ſent many of the Nobility and prime Gentlemen of the ſeveral Counties, who attend'd him, into their reſpective Counties to execute the Commiſſion of Array; making the Marquis of *Hertford*, by Commiſſion under the Great Seal of England (which he was to keep ſecret in reſerve, till he found, either by the growth, or extraordinary practice of the Parliament in raiſing Forces, that the Commiſſion of Array was not enough) his Lieutenant General of all the Weſtern Parts of the Kingdom, with Power to Levy ſuch a Body of Horſe and Foot, as he found neceſſary for his Majesty's Service, and the containing the People within the limits of their Duty. With the Marquis went the Earl of *Barth* (thought then to be in notable Power, and Interreſt in *Devonſhire*) the Lord *Fawlet*, the Lord *Seymour*,
St *Ralph*

St Ralph Hopton, St John Berkeley, St Hugh Pallard, and others,
 very good Officers, to form an Army if it should be found ex-
 pedient. And so, of much the lustre of the Court being abated,
 by the remove of so many Persons of Honour and Quality,
 the King began to think of encreasing, and forming his Train
 into a more useful posture, than it was yet; and, without any
 noise of raising an Army, to make the Scene of his first Action
 to be the recovery of *Hull* (whither new Forces were sent
 from *London*) by the ordinary Forces and Train'd-bands of
 that County; by colour whereof, he hoped to have such re-
 sult, that he should need no other industry to raise such an
 Army, as should be sufficient to preserve himself from the vio-
 lence, which threaten'd his safety; and accordingly, that the
 People might fully understand his intentions, he summon'd
 some of the Train'd-bands to attend him at *Beverly*, a Town
 within four Miles of *Hull*; whither he remov'd his Court, and
 publish'd a Proclamation, briefly containing "the Rebellion
 of *St John Holbarn*, in holding that Town by a Garrison
 against him; his demanding Justice from the two Houses
 without effect; the seizing his Fleet at Sea, and the hostile
 Acts of *St John Holbarn* upon the Inhabitants of that Town,
 many of whom he turn'd out of their Habitations; and upon
 the Neighbour County, by imprisoning many, and driving
 others for fear from their Houses: And therefore that he
 was resolv'd to reduce the same by Force; inhibiting all
 Commerce or Traffick with the said Town, whilst it con-
 tinued in Rebellion.

The King's
 Proclama-
 tion from
 Beverly.

WHICH Proclamation he likewise sent to both Houses of
 Parliament, with this further signification, "That, before he
 would use force to reduce that place to it's due Obedience,
 he had thought fit, once more, to require them, that it
 might be forthwith deliver'd to him; wherein if they should
 conform themselves, his Majesty would be then willing to ad-
 mit such Addresses from them, and return such Propositions
 to them, as might be proper to settle the Peace of the King-
 dom, and compose the present Difficulties. He would
 them to do their Duty, and to be assured from Him, on the
 word of a King, that nothing should be wanting on His
 part, that might prevent the Calamities which threaten'd
 the Nation, and might render his People truly happy; but
 if that his gracious Invitation should be declin'd, God and
 all good Men must judge between them: And assign'd a
 Day, by which he would expect their Answer at *Beverly*.

IS the mean time, to encourage the good Affections of
Nottinghamshire, which seem'd almost intirely to be devoted
 to his service; and to countenance and give some Life to his
 Friends in *Lincolnshire*, where, in Contempt of his Proclama-

1104

tion, the Ordinance of the Militia had been boldly executed
 by the Lord *Willingly of Parkum*, and some Members of the
 House of Commons, his Majesty took a short Progress to
Newark; and, after a days stay, from thence to *Lincoln*; and
 so, by the day appointed, return'd to *Beverly*; having, in
 both those places, been attended with such an Appearance of
 the Gentlemen, and Men of Quality, and so full a Concourse
 of the People, as one might reasonably have guess'd the Affec-
 tions of both those Countees would have seconded any just,
 and regular Service for the King.

THEY at *London* were no less Active; but, upon their
 success in the business of the Navy, proceeded to make them-
 selves strong enough, at least, to keep what they had; and
 therefore, having, by their Ordinance of the Militia, many
 voluntary Companies form'd of Men according to their own
 Hears; and, by their Subscriptions, being supplied with a
 good flock of Money, and a good number of Horse; before
 the King's Message from *Beverly* came to them, on the twelfth
 of July, being the same day the Message went from the King,
 both Houses Voted, and Declared, "That an Army should be

The Vote of
 both Houses
 for raising
 an Army.

forthwith raised for the Safety of the King's Person; De-
 fence of both Houses of Parliament, and of those, who had
 obey'd their Orders, and Commands; and preserving of the
 true Religion, the Laws, Liberty, and Peace of the King-
 dom. That the Earl of *Essex* should be their General, and
 that they would Live and Die with him. And, having
 put themselves into this posture of Treating, the same day
 they agreed that a Petition should be framed, "to move the
 King to a good accord with the Parliament, to prevent a
 Civil War; the which was purporely then consented to,
 that the People might believe, the talk of an Army and a
 General, was only to draw the King to the more reasonable
 Concessions. And it is certain, the first was consented to by
 many, especially of the House of Peers (in hope the better
 to compass the other) with the perfect burrow of the thought
 of a War. Though the King's Message came to them before
 their own was dispatch'd, yet, without the least notice taken
 of it, and left the contents of their Petition might be known
 before the arrival of their own Messengers, the Earl of *Hol-
 land*, *St John Holland*, and *St Philip Stapleton*, being the Com-
 mittee appointed for the same, made a speedy and quick
 Journey for *Beverly*; and arriv'd, in the same minute that
 the King came thither from *Lincoln*: So that his Majesty no
 sooner heard of the raising an Army, and declaring a General
 against him, but he was encounter'd with the Messengers for
 Peace; who reported to all whom they met, and with whom
 they convers'd, "That they had brought to absolute a Sub-
 mission

“mission from the Parliament to the King, that there could
 “be no doubt of a firm and happy Peace: And when the
 “Earl of Holland presented the Petition, he first made a free
 “Speech to the King; telling him, “That the glorious Memory
 “of his blessed Father, King James, was *Beati Pacifici*, which
 “he hoped his Majesty would continue; that they presented
 “him with the humble Duty of his two Houses of Parli-
 “ament, who desired nothing from him but his content, and
 “acceptance of Peace; they aiming at nothing but his Ma-
 “jesty’s Honour, and Happiness: And then read their Melage
 “aloud, in these words:

*The Petition
 man’s Petition
 to the
 King of Great
 Britain, July
 13. 1648.*

*To the King’s most Excellent Majesty, The humble Petition
 of the Lords and Commons assembled in Parliament.*

“May it please your Majesty:
 “ALTHOUGH We, your Majesty’s most humble and
 “faithful Subjects, the Lords and Commons in Parliament as-
 “sembled, have been very unhappy in many former Peti-
 “tions, and Supplications to your Majesty; wherein we have
 “represented our most dutiful Affections in advising, and de-
 “siring those things, which we held most necessary for the
 “preservation of God’s true Religion; your Majesty’s Safety,
 “and Honour; and the Peace of the Kingdom: And, with
 “much sorrow, do perceive that your Majesty, incited by
 “many false Calumnies and Slanders, doth continue to raise
 “Forces against Us, and your other Peaceable and Loyal Sub-
 “jects; and to make great Preparations for War, both in the
 “Kingdom, and from beyond the Seas; and, by Armes and
 “Violence, to over-rule the Judgement and Advice of your
 “Great Council; and by Force to determine the Questions
 “there depending, concerning the Government and Liberty
 “of the Kingdom: Yet, such is our earnest desire of discharg-
 “ing our Duty to your Majesty and the Kingdom, to preserve
 “the Peace thereof, and to prevent the Miseries of Civil
 “War amongst your Subjects; that, notwithstanding we
 “hold our selves bound to use all the means and power,
 “which, by the Laws and Constitutions of this Kingdom, we
 “are trusted with for Defence, and Protection thereof, and
 “of the Subjects from Force and Violence: We do, in this
 “our Humble and Loyal Petition, prostrate our selves at
 “your Majesty’s Feet; beseeching your Royal Majesty, that
 “you will be pleased to forbear and remove all Prepara-
 “tions and Actions of War; particularly the Forces from
 “us about *Hull*, from *New-Castle*, *Tinmouth*, *Lincoln*, and *Lincoln-
 “shire*; and all other places. And that your Majesty will
 “recall the Commissions of *Array*, which are illegal; dismiss
 “Troops, and extraordinary Guards by you raised: That
 “your

“your Majesty will come nearer to your Parliament, and
 “hearken to their faithful Advice and humble Petitions;
 “which shall only tend to the defence, and advancement of
 “Religion; your own Royal Honour, and Safety; and the
 “preservation of our Laws and Liberties. And we have
 “been, and ever shall be, careful to prevent, and punish all
 “Tumults, and seditious Actions, Speeches, and Writings,
 “which may give your Majesty just cause of distrust, or ap-
 “prehension of danger. From which publick Aimes and Re-
 “solution, no sinister or private respect shall ever make us
 “to Decline. That your Majesty will leave Delinquents to
 “the due course of Justice; and that nothing done, or spoken
 “in Parliament, or by any Person, in pursuance of the Com-
 “mand and Direction of both Houses of Parliament, be ques-
 “tion’d any where but in Parliament.

“AND We, for our parts, shall be ready to lay down all
 “those Preparations, which we have been forced to make for
 “our defence. And for the Town of *Hull*, and the Ordinance
 “concerning the Militia, as we have, in both these Parlia-
 “ments, only sought the preservation of the Peace of the King-
 “dom; and the defence of the Parliament from force and vio-
 “lence: so We shall most willingly leave the Town of *Hull*
 “in the state it was, before *Sir John Hotham* drew any Forces
 “against; delivering your Majesty’s Magazine into the Tower
 “of *London*, and supplying whatsoever hath been disposed
 “of by us for the Service of the Kingdom. We shall be ready to
 “ferle the Militia by a Bill, in such a way as shall be honour-
 “able, and safe for your Majesty; most agreeable to the Duty
 “of Parliaments, and effectual for the Good of the Kingdom;
 “that the Strength thereof be not employ’d against it self, and
 “that which ought to be for our Security, applyed to our De-
 “struction; and that the Parliament, and those who profess,
 “and desire still to preserve the Protestant Religion, both in
 “this Realm, and in *Ireland*, may not be left naked, and in-
 “defensible to the mischievous Designs, and cruel Attempts
 “of those, who are the professed, and confederated Enemies
 “thereof in your Majesty’s Dominions, and other neighbour-
 “ing Nations. To which if your Majesty’s Courtes and Counsels
 “shall from henceforth concur, We doubt not but We shall
 “quickly make it appear to the world, by the most eminent
 “effects of Love and Duty, that your Majesty’s personal Safe-
 “ty, your Royal Honour, and Greatness, are much dearer
 “to us than our own Lives and Fortunes; which We do most
 “heavily dedicate, and shall most willingly employ for the sup-
 “port, and maintenance thereof.

AS SOON as this Petition was read by the Earl of *Holland*,
 the

the King told them " that the reproaches cast upon him by
 " his, were not answerable to the Expressions his Lordship had
 " made; and that he was sorry that they thought the exposing
 " of Him, and his Honour to so much scandal, was the way to
 " procure, or preserve the Peace of the Kingdom: That they
 " should speedily receive his Answer: by which the world
 " would easily discern, Who desired Peace most. And accord-
 " ingly, the second day, his Majesty deliver'd them, in publick,
 " his Answer to their Petition, which was likewise read by one
 " of his Servants, in these Words:

*His Majesty's Answer to the Petition of the Lords and
 Commons assembled in Parliament.*

" THOUGH his Majesty had too great reason to believe
 " that the directions sent to the Earl of *Warwick*, to go to the
 " River *Humber*, with as many Ships as he should think fit,
 " for all possible assistance to *St John Hobson* (whilst his Ma-
 " jesty expected the giving up of the Town unto him) and to
 " carry away such Armes from thence, as his discretion thought
 " fit to spare out of his Majesty's own Magazine: The choos-
 " ing a General by both Houses of Parliament, for the de-
 " fence of those who have obey'd their Orders and Commands,
 " as he they never so extravagant, and illegal: Their Declara-
 " tion, that, in that case, they would live and dye with the
 " Earl of *Ryffes* their General (all which were Voted the same
 " day with this Petition) And the committing the Lord Mayor
 " of *London* to Prison, for executing his Majesty's Writs, and
 " Lawfull Commands; were but ill Prologues to a Petition,
 " which might compose the miserable Distractions of the
 " Kingdom; yet his Majesty's passionate desire of the Peace
 " of the Kingdom, together with the Preface of the Prese-
 " nters, That they had brought a Petition full of duty and sub-
 " mission to his Majesty; and which desir'd nothing of him,
 " but his consent to Peace (which his Majesty conceiv'd to be
 " the Language of both Houses too) begot a greedy hope, and
 " expectation in him, that this Petition would have been such
 " an Introduction to Peace, that it would, at least, have fi-
 " nished his Message of the eleventh of this Month, by deli-
 " vering up *Head* unto his Majesty. But, to his unpeakable
 " grief, his Majesty hath too much cause to believe, that the
 " End of some Persons, by this Petition, is not in truth to give
 " any real satisfaction to his Majesty; but, by the specious
 " pretences of making offers to him, to mislead and seduce
 " his People, and lay some imputation upon him of denying
 " what is fit to be granted; otherwise, it would not have
 " thrown those unjust reproaches, and scandals upon his Ma-
 " jesty, for making a necessary and just defence for his own
 " safety;

" safety; and so peremptorily justified such Actions against
 " him, as by no rule of Law or Justice can admit the least Co-
 " lour of defence: And, after so many free and unfeigned Acts
 " of Grace pass'd by his Majesty without any condition, have
 " proposed such things which, in justice, cannot be denied
 " unto him, upon such conditions as, in honour, he cannot
 " grant. However, that all the world may see how willing
 " his Majesty would be to embrace any overture, that might
 " beget a right understanding between Him and his two
 " Houses of Parliament (with whom, he is sure, he shall have
 " no contention, when the private practices, and subtle in-
 " sinuations of some few Malignant Persons shall be disco-
 " ver'd;) he hath, with great care, weigh'd the Particulars of
 " this Petition, and returns this Answer:

" THAT the Petitioners were never unhappy in their Pe-
 " titions or Supplications to his Majesty, while they desired
 " any thing which was necessary, or convenient for the pre-
 " servation of God's true Religion; his Majesty's Safety, and
 " Honour; and the Peace of the Kingdom: And therefore,
 " when those general envious Foundations are laid, his Ma-
 " jesty could with some particular Instances had been applied.
 " Let Envy and Malice object one particular Proposition for
 " the preservation of God's true Religion which his Majesty
 " hath refused to consent to; what Himself hath often made,
 " for the ease of tender Consciences, and for the advancement
 " of the Protestant Religion, is notorious by many of his Mes-
 " sages and Declarations. What regard hath been to his Ho-
 " nour and Safety, when he hath been driven from some of his
 " Houses, and kept from other of his Towns by Force: And
 " what care there hath been of the Peace of the Kingdom, when
 " endeavours have been used to put all his Subjects in Armes
 " against him, is so evident, that, his Majesty is content, he
 " cannot suffer by those general Imputations. It is enough that
 " the world knows what he hath granted, and what he hath
 " denied.

" FOR his Majesty's raising Forces, and making Prepara-
 " tions for War (whosoever the Petitioners, by the evil Arts
 " of the Enemies to his Majesty's Person and Government,
 " and by the calumnies, and slanders raised against his Majesty
 " by them, are induced to believe) all Men may know what is
 " done that way, is but in order to his own defence. Let the
 " Petitioners remember, that (which all the world know)
 " his Majesty was driven from his Palace of *White-Hall*, for
 " safety of his Life: That both Houses of Parliament, upon
 " their own Authority, raised a Guard to themselves (having
 " gotten the Command of all the Train'd-bands of *London*) that

40 that purpose) without the least colour, or shadow of danger:
 41 That they usurped a power, by their pretended Ordinance,
 42 against all Principles and Elements of Law, over the whole
 43 Militia of the Kingdom, withouts, and against his Majesty's
 44 consent: That they took possession of his Towns, Forts, and
 45 Magazine of Hull, and committed the same to *Sr John Ho-*
 46 *tham*; who that the Gates against his Majesty, and, by Force
 47 of Arms, denied entrance thither to his own Perion: That
 48 they justified this Act which they had not directed; and took
 49 *Sr John Hotham* into their possession for whatsoever he had
 50 done, or should do, against his Majesty. And all this, whilst
 51 his Majesty had no other attendance than his own Menial
 52 Servants. Upon this, the Duty, and Affliction of this Coun-
 53 try, amongst his Subjects here to provide a small Guard for
 54 his own Perion, which was no sooner done, but a Voice
 55 suddenly passed of his Majesty's intention to levy War a-
 56 gainst his Parliament (which, God knows, his heart abhor-
 57 reth) and notwithstanding all his Majesty's Profections, De-
 58 clarations, and Profections to the contrary, seconded by
 59 the clear Testimony of so greata Number of Peers upon the
 60 place, Propositions and Orders for Levies of Men, Horse,
 61 and Armes, were sent throughout the Kingdom; Plate and
 62 Money brought in, and receiv'd; Horse and Men rais'd to-
 63 wards Arroy, Muster'd, and under Command: and all
 64 this contrary to the Law, and to his Majesty's Proclama-
 65 tion: And a Declaration published, that if he should use
 66 Force for the recovery of Hull, or suppressing the pretended
 67 Ordinance for the Militia, it should be held levying War
 68 against the Parliament: And all this done, before his Majes-
 69 ty granted any Commission for the levying, or raising a
 70 Man. His Majesty's Ships were taken from him, and com-
 71 mitted to the custody of the Earl of *Warwick*; who pretumes,
 72 under that power, to usurp to himself the Sovereignty of the
 73 Seas, to chase, fight, and imprison such of his Majesty's good
 74 Subjects, as desire to obey his Lawfull Commands; although
 75 he had notice of the legal Revocation of the Earl of *Nor-*
 76 *thumberland's* Commission of Admiral, whereby all power
 77 remov'd from that Commission ceased.
 78 Let all the world now judge who began this War, and
 79 upon whose account the miseries, which may follow, must
 80 be cast; what his Majesty could have done less than he hath
 81 done; and whether he were not compell'd to make provision,
 82 both for the defence of himself and recovery of what is
 83 so violently and injuriously taken from him; and whether
 84 these injuries, and indignities, are not just grounds for his
 85 Majesty's fears and apprehensions of further mischief, and
 86 danger to him. Whence the fears and jealousies of the Peti-
 87 tioners

40 tioners have proceed'd, hath never been discover'd; the dan-
 41 gers they have brought upon his Subjects are too evident;
 42 what those are they have prevented, no Man knows. And
 43 therefore his Majesty cannot but look upon that Charge as
 44 the boldest, and the most scandalous, hath been yet laid upon
 45 him; That this necessary provision, made for his own safety
 46 and defence, is to overrule the Judgement, and Advice of
 47 his Great Council; and by force to determine the Questions
 48 there depending, concerning the Government and Liberty
 49 of the Kingdom. If no other force had been rais'd to de-
 50 termine those Questions, than by his Majesty, this unhappy
 51 misunderstanding had not been: And his Majesty no longer
 52 desires the blessing, and protection of Almighty God upon
 53 Himself and his Posterity, than He, and They, shall so-
 54 lemnly observe the due execution of the Laws, in the defence
 55 of Parliaments, and the just Freedom thereof.

46 For the Forces about Hull, his Majesty will remove
 47 them, when he hath obtain'd the End for which they were
 48 brought thither. When Hull shall be again reduc'd to his sub-
 49 jection, he will no longer have an Army before it. And when
 50 he shall be assur'd, that the same Necessity and pretence of
 51 Publick Good, which took Hull from him, may not put a
 52 Garrison into *New-Castle* to keep the same against him, he
 53 will remove His from thence, and from *Yarmouth*; will when,
 54 the example of Hull, will not out of his memory.

46 For the Commissions of Array, which are legal, and are
 47 to proved by a Declaration now in the Press, his Majesty
 48 wonders why they should, at this time, be thought grievous,
 49 and fit to be recall'd; if the fears of Justice and Rebellion
 50 be so great, that, by an illegal pretended Ordinance, it is ne-
 51 cessary to put his Subjects into a posture of defence, to Ar-
 52 ray, Train, and Muster them, he knows not why the same
 53 should not be done in a regular, known, lawful way. But if,
 54 in the execution of that Commission, any thing shall be un-
 55 lawfully imposed upon his good Subjects, his Majesty will
 56 take all just, and necessary care for their redress.

46 For his Majesty's coming nearer to his Parliament, his
 47 Majesty hath express'd himself so fully in his several Mes-
 48 sages, Answers, and Declarations; and so particularly as-
 49 sur'd a real fear of his safety, upon such instances as cannot
 50 be Answer'd, that he hath reason to take himself somewhat
 51 neglect'd, That, in consequence to maniest reasons it is not safe
 52 for his Majesty to come to them, both his Houses of Parlia-
 53 ment will not come nearer to his Majesty; or to such a place
 54 where the freedom, and dignity of Parliament might be pre-
 55 served. However, his Majesty shall be very glad to hear of
 56 some such example in their punishing the Tumults; which
 57 he knows not how to expect, when they have declar'd, That
 58 they

41 they knew not of any Tumults; though the House of Peers
 42 desir'd, both for the Freedom and dignity of Parliament, that
 43 the House of Commons would join with them in a Declara-
 44 tion against Tumults; which they refused, that is, neglected
 45 to do) and other seditious Actions, Speeches, and Writings;
 46 as may take that apprehension of danger from him; though
 47 when he remembers the particular complaints Himself hath
 48 made of business of that nature, and that, instead of inquir-
 49 ing out the Authors, neglect of examination hath been, when
 50 offer hath been made to both Houses to produce the Authors;
 51 as in that Treasonable Paper concerning the Militia: And
 52 when he sees every day Pamphlets published against his
 53 Crown, and against Monarchy it self; as the Observations
 54 upon his late Messages, Declarations, and Expressions; and
 55 some Declarations of their own, which give too great encou-
 56 ragement, in that Argument, to ill Affected Persons; his Ma-
 57 jesty cannot, with confidence, entertain those Hopes which
 58 would be most welcome to him.
 59 For the leaving Delinquents to the due course of Justice,
 60 his Majesty is most assur'd there hath been no shelter to any
 61 such. If the tediousness and delay in prosecution, the vast
 62 charge in Officers fees, the keeping Men under a General ac-
 63 cusation, without Trial, a whole year and more, and so al-
 64 lowing them no way for their defence and vindication, hath
 65 frighten'd Men away from so chargeable and uncertain at-
 66 tendance, the Remedy is best provided, where the Disease
 67 grew. If the Law be the measure of Delinquency, none Such
 68 are within his Majesty's Protection: But if by Delinquents
 69 such are understood, who are made so by Vote, without any
 70 Treipsis upon any known, or establish'd Law: If by Delin-
 71 quents those wise Lords are understood, who are made De-
 72 linquents for obeying his Majesty's Summons to come to
 73 him, after their Day there was neither safe, nor honourable;
 74 by reason of the Tumults, and other Violences; and whose
 75 Impeachment, he is confident, is the greatest breach of Pri-
 76 vilege, that, before this Parliament, was ever offer'd to the
 77 House of Peers: If by Delinquents such are understood, who
 78 refuse to submit to the pretended Ordinance of the Militia;
 79 or to that of the Navy; or to any other, which his Majesty hath
 80 not consented to; such who for the Peace of the Kingdom,
 81 in an humble manner, prepare Petitions to Him, or to both
 82 Houses, as his good Subjects of London and Kent did; whilst
 83 seditious ones, as that of Essex, and other places, are allow'd,
 84 and Cherish'd: If by Delinquents such are understood, who
 85 are call'd so for publishing his Proclamations, as the Lord
 86 Mayor of London; or for reading his Messages and Declara-
 87 tions, as divers Ministers about London and elsewhere; when
 88 those against him are dispers'd with all care and industry, to
 89 poison

90 poison and corrupt the Loyalty and Affection of his Peo-
 91 ple: If by Delinquents such are understood, who have, or
 92 shall lend his Majesty Money, in the Universities, or in any
 93 other places; His Majesty declares to all the world That he
 94 will protect Such with his utmost power and strength; and
 95 direct, that, in these cases, they submit not to any Messen-
 96 gers, or Warrant; it being no less his Duty to Protect those
 97 who are Innocent, than to bring the Guilty to condign Pun-
 98 ishment; of both which the Law is to be judge. And if
 99 both Houses do think fit to make a General, and to raise an
 100 Army for defence of those who obey their Orders, and
 101 Commands, his Majesty must not sit still, and suffer such who
 102 submit to his just power, and are solicitous for the Laws of
 103 the Land, to perish, and be undone, because they are call'd
 104 Delinquents: And when They shall take upon them to dis-
 105 pensate with the attendance of those who are call'd by his
 106 Majesty's Writ, whilst they fend them to Sea, to rob his Ma-
 107 jesty of his Ships; or into the several Counties, to put his
 108 Subjects in Arms against him; his Majesty (who Only
 109 hath it) will not lose the power to dispense with them to at-
 110 tend his own Person; or to execute such Offices, as are neces-
 111 sary for the preservation of Himself, and the Kingdom; but
 112 must proceed them, though they are call'd Delinquents.
 113 For the Manner of the proceeding against Delinquents,
 114 his Majesty will proceed against those who have no Privilege
 115 of Parliament, or in such cases where no Privilege is to be
 116 allow'd, as he shall be advis'd by his Learned Council, and
 117 according to the known, and unquestionable Rules of the
 118 Law; it being unreasonable, that he should be compell'd to
 119 proceed against those who have violated the known and un-
 120 doubted Law, only before Them who have directed such
 121 violation.
 122 HAVING said thus much to the Particulars of the Peti-
 123 tion, though his Majesty hath reason to complain, that, since
 124 the sending this Petition, they have beaten their Drums for
 125 Soldiers against him; Arm'd their own General with a power
 126 destructive to the Law, and Liberty of the Subjects; and
 127 chosen a General of their Hosts: His Majesty, out of his
 128 Princely love, tenderness, and compassion of his People, and
 129 desire to preserve the Peace of the Kingdom, that the whole
 130 force and strength of it may be united for the defence of it
 131 self, and the relief of Ireland (in whose behalf he compares
 132 both his Houses of Parliament, as they will answer the con-
 133 trary to Almighty God, his Majesty, to those who trust
 134 them, and to that bleeding miserable Kingdom, that they
 135 suffer not any Moneys granted, and collected by Act of Par-
 136 liament, to be diverted or employ'd against his Majesty;
 137 whilst his Soldiers in that Kingdom are ready to murther, or
 138 perish

petish for want of pay; and the barbarous Rebels prevail by that encouragement) is graciously pleas'd once more, to propose and require,

THAT His Town of *Hull* be immediately deliver'd up to him: Which being done (though his Majesty hath been provoked by unheard of Insolences of *St John Hathorn*, since his burning and drowning the Country, in setting his Wine, and other provisions for his House, and scornfully using his Servants, whom he sent to require them; saying, it came to him by Providence, and he will keep it; and refusing to deliver it, with threats if He, or any other of his fellow Servants, should again repair to *Hull* about it; and in taking, and detaining Prisoners, divers Gentlemen, and others, in their passage over the *Towder* into *Lincolnshire* about their necessary occasions; and such other indignities, as all Gentlemen must resent in his Majesty's behalf) his Majesty, to shew his earnest desire of Peace, for which he will dispense with his own Honour, and how far he is from desire of Revenge, will grant a free and general Pardon to all Persons within that Town.

THAT his Majesty's Magazine, taken from *Hull*, be forthwith put into such hands, as He shall appoint.

THAT his Navy be forthwith deliver'd into such hands, as he hath directed for the Government thereof: The detaining thereof after his Majesty's Directions, publish'd and receiv'd, to the contrary; and employing his Ships against him in such manner, as they are now us'd, being notorious High Treason in the Commanders of those Ships.

THAT all Armes, Levies, and Provisions for a War, made by the consent of both Houses (by whose Example his Majesty hath been forced to make some Preparations) be immediately laid down; and the pretended Ordinance for the Militia, and all power of imposing Laws upon the Subject without his Majesty's consent, be disavow'd; without which, the same Pretence will remain to produce the same Mischief. All which his Majesty may as lawfully demand as to live, and can with no more justice be denied him, than his Life may be taken from him.

THESE being done, and the Parliament adjourn'd to a safe and secure place, his Majesty promises, in the presence of God, and binds himself by all his Conscience and Assistance in the Assent of his People, that he will instantly, and most cheerfully, lay down all the Force he shall have rais'd, and discharge all his future and intended Levies; that there may be a general face of Peace over the whole Kingdom; and will repair to them: And desires, that all Differences may be freely debated in a Parliamentary way; whereby the Law may recover it's due reverence, the Sub-

ject his just Liberty, and Parliaments themselves their full Vigour and Estimation; and so to the whole Kingdom a full Peace, Quiet, and Prosperity.

If these Propositions shall be rejected, his Majesty doubts not of the Protection and Assistance of Almighty God, and the ready Concurrence of his good Subjects; who can have no hope left them of enjoying their own long, if their King may be oppress'd, and spoiled, and must be remedied. And though his Towns, his Ships, his Armes, and his Money, be gotten, and taken from him, he hath a good Cause left, and the Hearts of his People; which, with God's blessing, he doubts not, will recover all the rest.

LASTLY, if the preservation of the Protestant Religion, the defence of the Liberty and Laws of the Kingdom, the Dignity and Freedom of Parliament; and the recovery, and the relief of bleeding and miserable *Ireland*, be equally precious to the Petitioners, as they are to his Majesty (who will have no Quarrel but in defence of these) there will be a cheerful and speedy consent to what his Majesty hath now propos'd, and desir'd: And of this his Majesty expects a full and positive Answer, by *Wednesday* the 27th of this instant *July*; till when, he shall not make any Attempt of Force upon *Hull*, hoping in the Assent, Duty, and Loyalty of the Petitioners: And in the mean time, expects that no supply of Men be put into *Hull*; nor any of his Majesty's Goods taken from thence.

THE HIGH COURT, upon the hearing that Petition from the two Houses read, express'd a marvellous Indignation at the intolerable Indignities offer'd to the King by it; and seem'd no better fatished with the Messengers, who had profess'd, that they brought an absolute submission to his Majesty; when in truth, what they brought, appear'd to be a full justification of whatsoever they had done before, and an imply'd Threat of doing worse, and fixing all the Scandals upon his Majesty, which they had scatter'd abroad before: insomuch that all Men expected, and believ'd his Majesty to be engag'd, for the vindication of his Princely Dignity and Honour, to return a much sharper Answer to them, than he had ever sent. So that, when this which is before set down (and which had before been consented too, and approv'd in the full Assembly of the Peers, and Counsellors) was read publicly, it was generally thought, that the King had not enough reinforc'd the Insolence, and Usurpation of the Parliament; or appear'd sensible enough of the Provocations: Yet the thought of a War, which *Wife Men* saw actually Levied upon the King already, was so much abhor'd, and Men were so credulous of every Expedient which was pretended for Peace, that, by the next morning

(the Answer being deliver'd in the evening) these active Messengers for the Parliament perswaded many "that the King's Answer was too short, and would provoke the Houses, who "were naturally passionate, to proceed in the high ways they "were in; whereas, if the King would abate that severity of "Language, and would yet take off the Preamble of his Answer, they were content; and the Earl of *Holland* privately "offer'd to undertake, that Satisfaction should be given to all "that his Majesty propos'd. And, by this means, some were "far wrough upon, as they earnestly importun'd the King, "that he would take his Answer, which he had publicly deliver'd the night before, from the Messengers; and, instead thereof, return only the Matter of his own Propositions; in "the most soft and gentle Language; without the Preamble, "or any mention of the unjustifiable, and unreasonable demeanour of the Parliament towards him.

BUT his Majesty reply'd, "that he had for a long time, "even after great provocations, and their first general Remonstrance to the People, treated with all imaginable compliance, "and lenity of words with them; and discover'd their unjustifiable and extravagant proceedings with and against him, and "the consequences that would inevitably attend their Progress in them, with such tender expressions, as if he believ'd "whatever was aim'd to proceed from misinformation only, "and unskillful mistakes: That this gentleness, and regard of "his was so far from operating upon them, that their Insolence, and Irregularities increas'd; and it might be from that "reason, that their Messages and Declarations were writ in so "high a Dialect, and with that Sovereignty of Language, as if "He were subject to their Jurisdiction; and did not know "but it might have some influence upon his People to his disadvantage, that is, raise terror towards Them, and lessen "their reverence towards his Majesty; when all their Petitions "and Propositions were more Imperative than His just, and "necessary Refusals: Which Condescension his Majesty had "brought himself to, in hope, that His example, and Their "natural shame, would have reform'd his next Licence of "words: That this last Address, under the name of a Petition "a few days after they had violently ravish'd his whole Fleet "from Him; and prepar'd the same day, that they had choic'd "a General, to whom they had sworn Allegiance, to lead an "Army against him) contain'd a preempory justification of "whatsoever they had done; and as peremptory a Threatning "of whatsoever they could do: and therefore, if he should "now retract his Answer, which had been solemnly consider'd "in Council, before all the Peers, and which in truth implied "rather a Princely resentment of the Indignities offer'd to him, "than Bow'd with any flurr or bitter Expressions, he should,

"by

"by such yielding, give encouragement to new Attempts; "and could not but much discourage those, upon whose Affections and Loyalty he was principally to depend; who "could not think it safe to raise themselves to an indignation "on his behalf, when He express'd so tender, or so little sense "of his own Sufferings; besides, that he was then upon an "avow'd Hostile Enterprize for the reduction of *Hull*; towards "which he was to use all possible means to draw a Force together, equal to that Design; and by such a Retraction as this "propos'd, and a seeming declension of his Spirit, and depending upon their good natures, who had done all this mischief, he should not only be inevitably dis-appointed of the resort of new strength, but, probably, deserted by those few "whom he had brought together: That he could not reasonably, or excusably depend upon the undertaking of the Earl "of *Holland*; who had so grossly deceiv'd him in other undertakings, which were immediately in his own Power to have "perform'd; whereas neither he, nor either of the other two "Gentlemen, who were join'd with him in this employment, "had so much interest with the Active and Prevailing Party, "as to know more of their Intentions than was at present "necessary to be discover'd for their Concurrence.

"He said, that he had never yet consented to any one particular, since the beginning of this Parliament, by which he "had receiv'd prejudice, as the doing whereof he had not the "solemn undertakings and promises of those, who were much "abler to justify their undertakings, than the Earl of *Holland*; "and upon whom he only depended, that it should be no "difference to him, and would be an infallible means to compass all that his Majesty desir'd: But he had always found "those Promisers and Undertakers, though they could eminently carry on any Council, or Conclusion, that was against "Law, Justice, or His Right, had never Power to reduce, or "restrain those agitations within any bounds of Sobriety, and "Moderation: And when they found, that many would not "be guided by them, that they might seem still to Lead, themselves as fitly to Follow'd the others; and resort'd again to "his Majesty with some new Expedition; as destructive as the "former. So that he was resolv'd to rely upon God Almighty, "and not so much to depend upon what might possibly prove "vain upon the Affections of those, from whom, reasonably, "he could not expect any good; as upon such plain and avow'd "courtes, as, let the success be what it would, must, to all "judging Men, appear to be prudently, and honourably rely'd "on: And therefore he positively refus'd to make the least "alteration in his Answer: And so the Messengers departed, leaving the Court and Country wor'd affected that they found it; and branding some particular Persons, whom they found

X x 4

leis

left inclin'd to be rais'd by their professions and promises, "as the Authors of a Civil War. And making them as odious as they could, where ever they came.

And first, from that time, the Earl of *Holland* was more transported from his natural temper and gentleness of disposition, into Passion and Animosity against the King, and his Ministers; and, having been nothing pleas'd with his own Condition at *London*, finding the Earl of *Essex* (whom he did not secretly love, and did indeed covet) to draw all Men's Eyes towards him, and to have the greatest Interest in their Hearts, he had seriously intended, under colour of this Message to the King, to discover if there were any sparks yet left in his Royal breast, which might be kindled into affection, or acceptance of his Service; and hoped, if he could get any Credit, to reclaim his former Subjects: But when he not only found his Majesty cold towards him, but call'd enough discern'd, by his reception, that all former inclinations were dead, and more than ordinary prejudices grown up towards him in their places, and that his Advices were rejected, he return'd with rancour equal to the most furious he went to; and heartily joy'd and congratul'd towards the suppressing that Power, in the Administration whereof he was not like to bear any part.

His Majesty having, by his Answer, oblig'd himself not to make any forcible Attempt upon *Hull* till the 27th of *July*, by which time he might reasonably expect an Answer to his Propositions, in the mean time resolv'd to make some short progress into the Neighbour Counties; and accordingly, the same day the Messengers departed, the King went to *Doncaster*; and the next day to *Nottingham*; and so to *Leicester*, where he heard, the Earl of *Stamford*, and some other Parliament Men, were executing the Ordinance of the Militia: But, before his Majesty came thither, they remov'd themselves to *Northampton*, a Town fo true to them, as, if they had been pursued, would have shut their Gates against the King himself, as *Hull* had done.

At *Leicester* the King was receiv'd, with great expressions of Duty and Loyalty, by the appearance of the Train'd-bands, and full Acclamations of the People; yet there were two Accidents that happen'd there, which, if they be at all remember'd, will manifest, that if the King were Lov'd there as he ought to be, that the Parliament was more Fear'd than He. It happen'd to be at the time of the general *Affizes*, and Justice *Rice* (a Man of a good reputation for Learning, and Integrity; and who, in good Times, would have been a good Judge) sat there as Judge; and Mr *Henry Hastings*, younger Son to the Earl of *Huntington* was popularly made High-Sheriff, to contain the County within the limits of their Duty by the Power of that Office, as well as by the Interest, and Relation of

of his Family. The Earl of *Stamford*, and his Assistants, had departed the Town but few hours before his Majesty's entrance; and had left their Magazine, which was indeed the Magazine of the County, in a little Store-house at the end of the Town, guarded by some inferior Officers whom they had brought down to Train and Exercise the Militia, and other zealous and devoted Men of the County, in all to about the Number of 25, who had barricaded the door of the House; and professed "to keep it against all demanders; having provisions within it of all sorts. The King was very unwilling (coming in so peaceable a manner, at so peaceable a time) to take any notice of it. On the other hand, it was an Act of too great Insolence to be suffer'd; and, upon the matter, to leave a Garrison of the Rebels in possession of the Town; and therefore he sent word to the Judge, "that if He took not some legal way to remove such a Force so near his Majesty, his Majesty would do it in some Extraordinary course: Which, upon the suddain, would have surpris'd him to have done; having neither Soldier, Cannon, nor Powder to effect it; the want of which as much troubled the Sheriff. In the end, the Gentlemen of the Country, who had not yet otherwise declar'd themselves on either side, than by waiting on his Majesty, finding that the King would not go from the Town, till that Nuisance was remov'd; and that it might bring Inconveniences, Charge, and Mischief to the County of a high nature; so prevail'd, that, as his Majesty was contented to take no notice of it, so they within the House, in the night, upon assistance of Safety, and Liberty to go whither they would, removed and left the House; and so that matter was quieted.

The other Accident was, or was like to have prov'd, more Ridiculous: Some of the King's Servants, hearing that the Earl of *Stamford*, and the other Militia Men were newly gone out of the Town, had of themselves coming thither before the King, Galliped after them; intending to have apprehended them, and brought them before the King; and, though the other were too Fleet for them, had, in the way, overtaken Dr *Burwick*, a Man well known, who had been a principal Officer with them at *Leicester*, and fled at the same time, but could not keep pace with his Commanders: Him they brought to the Town, where, by the Sheriff, he was committed to Prison; having confess'd enough Treason, and justifying it, as would have justly hang'd any Subject. The King thought once to have had him indicted then, at the *Affizes*, upon the plain Statute of 25. E. III. But the Judge besought his Majesty not to put a matter of so great moment, upon which the Power of the two Houses of Parliament, and a Parliament sitting, must be determin'd, before one single Judge, whose Reputation was not enough to bear so great a burthen; however,

he declar'd his own opinion fully to his Majesty, "that it was
 "Treason; which, he believ'd, all the other Judges must ac-
 "knowledge; and if Couſent'd together by his Majesty to that
 "purpose, he thought a joynt Declaration, and Reſolution of
 "all together might be of great use to the King; whereas the
 "publishing of his particular opinion could only destroy him-
 "self, and nothing advance his Majesty's Service: Besides,
 "he had no reason to be so confident of the Country, as to con-
 "clude that a Jury, then suddenly Summon'd, would have
 "Courage to find the Bill; and then their not doing it, if it
 "were attempted, would prove a greater countenance to the
 "Ordinance, than the Votes of the two Houses had yet given
 "it. This last reason gave his Majesty satisfaction; so that he
 "was contented that the fellow should be kept in Prison, and the
 "Tryal be defer'd, till he could conveniently Summon more
 "Judges to be present.

His Majesty was no sooner perswaded to be content that
 this Prosecution might be suspended, but the cloſe Agents for
 the Parliament's Service, who were not yet discover'd, but ap-
 pear'd very entire to the King, so dextrously carried themselves,
 that they prevail'd with those Gentlemen of the Country,
 whose Zeal to his Majesty was most eminent and unquestion-
 able, and even with the Judge himself, "to wish, that his Ma-
 "jesty would freely and graciously discharge the Doctor of his
 "imprisonment; or give the Judge leave to do so upon a *He-
 "ar Coram* (which he was advis'd to require) "And that it
 "would be such an Act of Mercy, and singular Justice, that
 "would not only work upon the People of that County to
 "his Majesty's advantage, but must have a great influence
 "upon the whole Kingdom, and even upon the Parliament it
 "self. And with this strange desire the good Judge, and those
 "principal Gentlemen, consentingly came to the King, the night
 "before he intended to return Northward. His Majesty told
 "them, "he would think of it till the next morning. And, in
 "the mean time, concluding by what he heard, that though he
 "should refuse to discharge him, or to consent that he should be
 "discharg'd, his restraint would not be long in that place after
 "His departure, the People already resorting to him with great
 "Licence, and the Doctor, according to his Nature, talking Seditiously
 "and Loudly, he directed "a Messenger of the Chamber
 "very early, with such assistance as the Sheriff should give
 "him, to carry him away to *Nottingham*; and by the help of
 "that Sheriff, to the Gaol at *York*: Which was executed ac-
 "cordingly with expedition, and secrecy; if either of which had
 "been absent, it is certain the Common People had refused him;
 "which, of how trivial a moment soever it shall be thought, I
 "could not but mention as an instance of the Spirit and Temper
 "of that time, and of the great Disadvantage the King was upon,
 "that

that so many good Men thought fit, at a time, when very
 many hundreds of Persons of Honour, and Quality, were Im-
 prison'd with all strictness and severity by the Parliament, upon
 the bare suspicion that they meant to go to the King, or that
 they willed well to him, or for not submitting to some illegal
 Order, or Command of theirs, that the King should discharge
 an infamous Person, taken in an Act of High Treason, and who
 was so frankly and avowedly professed Seditious, than he did the
 Science of which he pretended to be Doctor.

THE King, according to his appointment, return'd towards
Hull, in expectation of an Answer from the Parliament; which
 came two days after the appointed day, but with no solemnity
 of Messengers, or other ceremony, than inclod to one of the
 Secretaries to be presented to the King, in which they told him,

"THAT they could not, for the present, with the discharge
 "of the Trust reposit in them for the safety of the King, and
 "Kingdoms, yield to those Demands of his Majesty: the rea-
 "son why they took into their Custody the *Town of Hull*, the
 "Magazine, and Navy; pass'd the Ordinance of the Militia;
 "and made preparation of *Arms*; was for security of Reli-
 "gion, the safety of his Majesty's Person, of the Kingdom, and
 "Parliament; all which they did see in evident, and imminent
 "danger; from which when they should be secur'd, and that
 "the Forces of the Kingdom should not be us'd to the destru-
 "ction thereof, they should then be ready to withdraw the
 "Garrison out of *Hull*; to deliver the Magazine and Navy;
 "and settle the Militia, by Bill, in such a way as should be ho-
 "nourable and safe for his Majesty; most agreeable to the
 "duty of Parliament; and effectual for the good of the King-
 "dom; as they had profess'd in their late Petition. And for Ad-
 "vancing the Parliament, they apprehended no reason for his
 "Majesty to require it; nor security for themselves to consent
 "to it. And as for that reason which his Majesty was pleas'd
 "to express, they doubted not but the usual place would be as
 "safe for his Royal Person, as any other; considering the City
 "of *London* to his Majesty; and the care which his Parlia-
 "ment would ever have to prevent any danger, which his
 "Majesty might justly apprehend; besides the manifold con-
 "veniences to be had there, beyond any other parts of the
 "Kingdom. And as for the laying down of *Arms*; when the
 "Causes which mov'd them to provide for the defence of his
 "Majesty, the Kingdom, and Parliament, should be taken away,
 "they should very willingly, and cheerfully forbear any fur-
 "ther Preparations, and lay down their Forces already rais'd.
 "WHICH Replication, as they call'd it, to his Majesty's An-
 "swer, they order'd "to be Printed, and read in all Churches,
 "and Chapels within the Kingdom of *England*, and Dominion
 "of *Wales*.

AND

AND for the War was now denounc'd by their expre Words against his Majesty; as it had been long before in their Actions; and both Parties seem'd to give over all thoughts of further Treaties, and Overtures; and each prepar'd to make themselves considerable by the strength and power of such Forces as they could draw together.

In London they intended nothing but the forming of their Army, and such other things of power, as were in order thereunto. To that purpose, the Bill for the payment of Tonnage and Poundage being expi'd, on the first day of July, and they having sent another of the same nature to the King for his consent, for six Months longer, his Majesty, since he saw that and all other Money properly belonging to him, violently taken from him, and employ'd by them against him, refus'd to give his Royal Assent therunto: Whereupon, without the least hesitation (albeit it had been pretended that they dur'd) that whoever should presume to pay, or receive that duty; after the expiration of the Act, before the same was granted; to his Majesty with the consent of the Lords and Commons, should be in a Praemunire; which is the heaviest punishment inflicted by Law, but the loss of Life) they appointed and order'd by the Power of the two Houses (which they call'd an Ordinance of Parliament) that the same duty should be continu'd; and declared that they would save all Persons concern'd, from any Penalty or Punishment whatsoever: By which they now became possess'd of the Customs, in their own right.

TOWARDS such, as any ways (though under the obligation of Oaths or Offices) oppos'd, or discountenanced what they were about, they proceeded with the most extravagant severity that had been ever heard of; of which I shall only mention two instances; the First, of the Lord Mayor of London, *St Richard Gournay*, a Citizen of great Wealth, Reputation, and Integrity; whom the Lords had, upon the complaint of the House of Commons, before their sending the last Petition to the King (of which his Majesty gave them a touch in his Answer) committed to the Tower of London: for causing the King's Proclamation against the Militia, by virtue of his Majesty's Writ to him directed, and according to the known duty of his place to be publicly Proclaim'd. And shortly after, that they might have a Man more compliant with their designs to govern the City, notwithstanding that he insist'd upon his Innocence, and made it appear that he was obliged by the Laws of the Land, the Customs of the City, and the Constitution of his Office, and his Oath, to do whatsoever he had done: He was by their Lordships, in the presence of the Commons, adjudg'd to be put out of his Office of Lord Mayor of London; to be utterly incapable of bearing Office in City

or

or Kingdom, and of all Honour or Dignity; and to be imprison'd, during the pleasure of the two Houses of Parliament. And, upon this sentence, Alderman *Fremington*, so often before mention'd, was, by the noise and clamour of the Common People, against the Customs and Rules of Election, made Mayor; and accordingly installed; and the true, old, warby Mayor committed to the Tower of London; where, with notable courage and constancy, he continu'd almost to his Death.

The other Instance, I think fit to mention, is that of Judge *Mallet*; who, as is before remember'd, was committed to the Tower the last Lent, for having seen a Petition prepar'd by the grand Jury of *Kent*, for the Countenance of the Book of Common Prayer, and against the imposition of the Militia by Ordinance without the Royal Assent. This Judge (being, the Summer Circuit, again Judge of Assize for those Countees sitting at *Maidstone* upon the great Assize, some Members of the House of Commons, under the Style and Title of a Committee of Parliament, came to the Bench, and, producing some Votes, and Orders, and Declarations of one or both Houses, requir'd him, in the name of the Parliament, to cause those Papers (being on the behalf of the Ordinance of the Militia, and against the Commission of Array) to be read. He told them, that he sat thereby virtue of his Majesty's Commission; and that he was authoriz'd to do any thing compris'd in those Commissions; but he had no Authority to do any thing else; and therefore, there being no mention, in either of his Commissions, of those Papers, or the Publishing any thing of that nature, he could not, nor would not do so; and so (sinding less respect and submission, than they expected, both to their Persons and their Business, from the Learned Judge, and that the whole County, at least the prime Gentlemen and the Grand Jury, which represented the County, concern'd both much more) this Committee return'd to the House with great exclamations against Mr Justice *Mallet*, as the Fomentor and Protector of a Malignant Faction against the Parliament. And, upon this Charge, a Troop of Horse was sent to attend an Officer; who came with a Warrant from the House, or some Committee (whereas Judge *Mallet*, being an Assistant of the House of Peers, could not Regularly be summon'd by any other Authority) to *Kingston in Surrey*, where the Judge was keeping the general Assizes for that County; and, to the unspeakable Dishonour of the Publick Justice of the Kingdom, and the Scandal of all Ministers or Lovers of Justice, in that violent manner took the Judge from the Bench, and carried him Prisoner to *Wynminster*; from whence, by the two Houses, he was committed to the Tower of London; where he remain'd for the space of above two years, without

ever being charg'd with any particular Crime, till he was re-
dem'd by his Majesty by the exchange of another, whose li-
berty they desir'd.

By these heighten'd Acts of Power and Terror, they quick-
ly demonstrat'd, how unsecure it would be for any Man, at
least not to concur with them. And, having a General, Arm'd
Money, and Men enough at their devotion, they easily form'd
an Army, publicly disposing such Troops and Regiments, as
had been rais'd for *Ireland*, and, at one time, one hundred
thousand pounds of that Money, which, by Act of Parliament,
had been paid for that purpose, towards the constituting that
Army, which was to be led against their Lawful Sovereign.

So that it was very evident, they would be in such an Equi-
page within few Weeks, both with a Train of Artillery, Horse
and Foot, all taken, arm'd, furnish'd, and supplied out of his
Majesty's own Magazines and Stores, that they had not reason
to fear any opposition. In the mean time, they declar'd, and
publish'd to the People, ⁴¹ that they rais'd that Army, only

⁴² for the defence of the Parliament, the King's Person, and the

⁴³ Religion, Liberty, and Laws of the Kingdom, and of those

⁴⁴ who, for their sakes, and for those Ends, had obey'd their

⁴⁵ Orders: That the King, by the instigation of evil Coun-
sellors, had rais'd a great Army of Papists; by which he in-
tended to awe, and destroy the Parliament; to introduce

⁴⁶ Popery, and Tyranny: Of which intention, they said, his re-
quiring *Hull*; his sending out Commissions of Array; be-

⁴⁷ speaking Armes and Ammunition beyond the Seas (there
having been some brought to him by the Ship call'd the *Pro-*

⁴⁸vidence) his declaring *St John Hartman* Traitor; and the

⁴⁹ putting out the Earl of *Northumberland* from being Lord

⁵⁰ High-Admiral of *England*; his removing the Earl of *Pemb-*

⁵¹roke, *Essex*, *Holland*, the Lord *Fielding*, and *St Henry Paul*,
from their several places and Employments; were sufficient

⁵² and ample evidence. And therefore, they conjur'd all Men,
⁵³ to assist their General, the Earl of *Essex*. And, for their better
and more secret transaction of all such Counsels, as were
necessary to be enter'd upon, or follow'd, they made a Com-
mittee, of some choice Members of either House, to intend
the great business of the Kingdom with reference to the Ar-
my; who had Authority, without so much as communicating
the matter to the House, to imprison Persons, (scilicet upon their
Petites; and many other Particulars, which the two Houses,
in full Parliament, had not the least Regular, Legal, Justifiable
Authority to do. And for the better encouragement of Men
to engage in the Service, the Lord *Kinsolton*, and the five
Members of the House of Commons, formerly accus'd by his
Majesty of High Treason, upon solemn Debate, had several
Regiments conferr'd on them; and, by their example, many
other

other Members of both Houses, some upon the lowness,
and decayedness of their Fortunes, others to get name and
reputation to be in the number of Reformers (amongst whom
they doubt'd not all Places of Honour, or Offices of profit,
would be bestow'd) moit upon the confidence, that all would
be ended without a Blow, by the King's want of power to
gather strength, desir'd and obtain'd Command of Horse
or Foot; their Quality making amends for their want of expe-
rience, and their other defects; which were repair'd by many
good Officers both *English*, and *Scott*; the late Troubles hav-
ing brought many of that tribe to *London*, and the reputation
of the Earl of *Essex* having drawn others, out of the Low-
Countries, to engage in that Service. In the choice of which
Officers, whilst they accus'd the King of a purpose to bring in
a Foreign Force, and of entertaining Papists, they neither con-
sider'd Nation nor Religion; but entertain'd all Strangers,
and Foreigners, of what Religion soever, who desir'd to use
their Fortune in the War.

On the other side, Preparations were not made with equal
expedition, and success by the King, towards a War: For,
though he well understood, and discern'd, that he had nothing
else to trust to, he was to encounter strange Difficulties to do
that. He was to far from having Money to levy, or pay Sol-
diers, that he was, at this very time, compell'd for very real
want, to let fall all the Tables kept by his Officers of State in
Court, by which so many of all qualities subsisted; and the
Prince, and Duke of *York*, eat with his Majesty; which Table
only was kept. And whoever knows the Constitution of a
Court, well knows what indispensible naturally flow from
those declensions; and how ill those Tempers bear any dimi-
nution of their own Interests; and, being once indispos'd
themselves, how easily they infect others. And that which
made the present want of Money the more intolerable, there
was no visible hope from whence supply could come, in any
reasonable time: And that which was a greater want than Mo-
ney, which Men rather fear'd than found, there were no
Armes; for, notwithstanding the fame of the great Store of
Ammunition, brought in by that Ship, it consist'd only in
crush of Cannon, Powder, and Bullet; with eight hundred
Musquets, which was all the King's Magazine. So that the
hauing of Levies, which at that time was believ'd would not
prove difficult, would be to little purpose, when they should
continue unarm'd. But that which troubled the King more
than all these real incapacities of making War, was the temper
and constitution of his own Party; which was compounded,
for the most part, in Court, Council, and Country, of Men
drawn to him by the impulsion of Conscience, and abhorring
the unjust and irregular proceedings of the Parliament; other-
wise

wild unexperienced in Action, and unacquainted with the Myſteries, and neceſſary Policy of Government; ſevere obſervers of the Law, and as ſcrupulous in all matters relating to it, as the other pretended to be. All his Majesty's Ancient Counſillers, and ſeveral of the moſt eminent of his Honour, whom We ſhall have occaſion often to mention) that they might redeem former overſights, or for other unworthy deſigns, being either publicly againſt him in London, or privately diſcreting his Interests and Actions, in his own Court. Theſe Men ſtill urg'd^d the execution of the Law; that what^d extravagances ſoever the Parliament practis'd, the King's^d obſervation of the Law would, in the end, ſuppreſs them all. And, indeed, believ'd the riſing a War to be ſo wicked a thing, that they thought it impoſſible the Parliament ſhould intend it, even when they knew what they were doing. However they concluded, "that he that was forwardeſt in preparing an Army, would be ſiſt odious to the People; by^d the allegations of whom, the other would be eaſily ſuppreſs'd.

THEſe was the general receiv'd Doctrine; and though it appear'd plainly to others (of equal affection to the Publick Peace) how fatal thoſe Conclusions, in that ſenſe in which they were urg'd, muſt prove to the whole Kingdom; and how ſoon the King muſt be irrevocably loſt, if he proceed not more vigorously in his defence: yet even thoſe Men durſt not, in any form'd and publick Debate, declare themſelves; or ſpeak that plain Engliſh the State of Affairs requir'd; but ſatiſfied themſelves with ſpeaking, what they thought neceſſary, to the King in Private; by which means the King wanted thoſe firm, and ſolid foundations of Counſel and Force, that were moſt neceſſary for his condition: So that he could neither impart the true motives, and grounds of any important Action, nor diſcover the utmoſt of his Deſigns. And fo he ſtill ſeem'd (notwithstanding the greateſt, and avow'd preparations of the Enemy) to intend nothing of Hoſtility, but in order to the reducing of Hull; the benefit of which he hoped, would engage the Train'd-bands of that great County (which was the force ſtrength he yet drew thither) till he could bring other Forces thither, which might be fit for that, or any other Deſign.

BUT there was another Reaſon of his Majesty's going to, and ſtaying at Beverly, than was underſtood; and, it may be, if it had been known, might have produc'd a better Effect; which I think neceſſary to ſet in this place. The Lord Digby, whom We have mention'd before, in the ſiſt diſcourſe, by which the King and Queen were driven from London, to have left England, and to be after unreaſonably accused by the Houſe of Commons of High Treason, had remain'd from that time in Holland; and, hearing the King's condition at

Tork,

Tork, to be ſo much improv'd beyond what he left it at Widdfor, had, with ſome Commands from the Queen, arriv'd there very privately, and ſtay'd ſome days in a diſguiſe at Tork, revealing himſelf to very few Friends, and ſpeaking with the King in ſo ſecret a manner in the night, that no notice was taken of his being there; and, finding the King's Affairs not in ſo good a poſture as he expected, and conceiving it yet not fit for him to appear, reſolv'd to return again to the Queen, and to haſten that proviſion of Armes and Ammunition, without which it was not poſſible for the King to reſiſt any violence that threaten'd him; and ſo, in the ſame Bark which brought him over, he went again to Sea for Holland, with Wilmet, Aſhburnham, Pollard, and Berkeley; who purpoſely remov'd themſelves from Court, upon the clamour of the Parliament, till the King was ready to uſe their Service. They were not many hours at Sea, when they met the Providence (which We mention'd before) with the Ammunition, which was only wanted; and, well knowing her, they agreed, "that Wilmet, Pollard, and Berkeley, ſhould return with the Ammunition to the King; and Digby, and Coll. Aſhburnham, ſhould purſue their former Intentions for Holland. But their Parties continu'd ſo long, that the Parliament Ships, who had watch'd and chaf'd the Providence, came up to them, and though the Ship eſcap'd, and run on ſhore, as was before mention'd, yet the Ship-board, in which the Lord Digby was, could not ſo well get away; but was taken by them, and carried in with ſo much more triumph into Hull, that they had been diſappointed of their greater Prize. Coll. Aſhburnham, though he was in great unbrage with the Parliament, and one of thoſe Delinquents, whom they reproach'd the King with, was ſo well known to Sir John Hotham, with whom he ſtood in a good degree of familiarity, that he could not diſſemble or conceal himſelf; but the Lord Digby, being in ſo real a diſguiſe, that his hereſſt friends would not eaſily have known him, pretended to be a French-man, whole Language he ſpoke excellently; and ſeem'd to be ſo Sea-fick, that he kept himſelf in the hole of the Bark, till they came to Hull; and, in that time, diſpoſed of ſuch Papers as were not fit to be perus'd; and when he came on Shore, ſo well counterfeited ſickneſs, and want of health, that he eaſily procur'd himſelf to be ſent, under a Guard, to ſome obſcure corner for reſt; whillt Coll. Aſhburnham, who was his only Priſoner they thought worth the looking after, was carefully carried to the Governour; who receiv'd him with as much Civility, as he could reaſonably expect.

THE Lord Digby, being by himſelf, quickly conſider'd Digby's the deſperateness of his condition: "That it would not be poſſible to conceal himſelf long, being ſo well known to many^d Vol. I. Part. 2. Y y who ſtill.

who were in the *Previdence*, and the *Garrison* quickly know-
 ing whatsoever was spoken of in the Country: That he
 was, how unjustly, or unreasonably soever, the most odious
 Man in the Kingdom to the Parliament; into whose hands
 he should then come, his Life would be, at least, in appare-
 nt hazard: And how to get himself out of that Labyrinth was
 very difficult, since *St John Hotbom* was so far from any in-
 clination of kindness towards him, as he had own'd to *Coll. Affin-
 Jurians*, that he was in the Number of his most notorious
 Enemies. However, in this eminent extremity (as he is a Man
 of the greatest presence of mind, and the least appall'd upon
 danger, that I have known) he resolv'd, not to give himself
 over; and found means to make one of his Guard, in broken
English, with might well have become any *French*-man, un-
 derstand, that he desired to speak privately with the Govern-
 our; and that he would discover some Secrets of the King's,
 and Queen's to him, that would highly advance the Service
 of the Parliament. The Fellow made haste to let the Govern-
 our know these good tidings; who understanding *French*
 well, as speedily sent for the *French*-man; who was brought
 before him in the presence of much company, and without
 any disorder, gave such an account of himself, as they under-
 stood him to have seen much of the *French* Service (of which
 he spake very fluently) and to have come over recommended
 to the King for some Command, if he should have occasion to
 use Soldiers; as, he said, People abroad conceiv'd him likely
 to have. After he had entertain'd the company with such dis-
 course, there being present some Gentlemen, who came late-
 ly out of *France*, and so being the more curious to admit
 questions, he applied himself to the Governour; and told him,
 that if he might be admitted to privacy with him, he would
 discover somewhat to him, which he would not repent to
 have known. The Governour, who was a Man apt enough
 to fear his own safety, but more apprehensive of the Jealou-
 sies which would attend him (for his eldest Son, and some
 others, were more absolutely confided in by the Parliament
 than himself, and were in truth but Spies over him) would
 not venture himself in another Room; but drew him to a
 great Window at a convenient distance from the company,
 and withed him to say what he thought fit. The Lord *Digby*,
 finding he could not obtain more privacy, asked him, in *En-
 glish*, whether he knew him? the other, surpris'd, told him,
 No; Then, said he, I shall try whether I know *St John Ho-
 tbom*; and whether he be, in truth, the same Man of Ho-
 nour, I have always taken him to be: And, thereupon, told
 him who he was; and that he hoped he was too much a Gen-
 tleman to deliver him up a sacrifice to their rage and fury,
 who,

who, he well knew, were his implacable Enemies. The
 other, being astonish'd, and fearing that the By-standers would
 discover him too (for, being now told who he was, he wonder'd
 he should find more out himself) he desired him to say no
 more for the present; that he should not be sorry for the
 trust he repos'd in him, and should find him the same Man
 as he had thought him: That he would find some time, as soon
 as conveniently he might, to have more conference with
 him. In the mean time, that he should content himself with
 the ill accommodation he had, the amendment whereof
 would beget suspicion: and so he called the Guard, instanc-
 ily to carry him away, and to have a very strict Eye upon
 him; and, turning to the Company, and being conscious to
 himself of the trouble and Disorder in his Countenance, told
 them, that the *French*-man was a third Fellow, and under-
 stood more of the Queen's Counsels and designs, than a Man
 would suspect: That he had told him that which the Par-
 liament would be glad to know; and to whom presently he
 would make a dispatch, though he had not yet to clear in-
 formations, as, he presum'd, he should have after two or
 three days: And so departed to his Chamber.

It was a wonderful influence, that this Noble Person's
 Stars (which used to lead him into, and out of the greatest
 perplexities and dangers, throughout the whole course of his
 Life) had upon this whole affair. *Hotbom* was, by his nature,
 and education, a rough and a rude Man; of great conceit,
 of great pride, and great ambition; without any Bowels
 of good nature, or the least sense or touch of generosity; his
 parts were not quick and sharp, but compleat and he judg'd
 well; he was a Man of craft, and more like to deceive, than
 to be couzen'd: Yet, after all this, this young Noble Man,
 known, and abhor'd by him, for his admirable faculty of Dis-
 simulation, had so far prevail'd, and impos'd upon his Spirit,
 that he resolv'd to Practise that Virtue, which the other had
 Impudently to him; and not to suffer him to fall into the hands
 of his Enemies. He sent for him, the next day, at an hour
 when he was more vacant from attendants, and observers; and,
 at first, told him his resolution; that, since he had so frankly
 put himself into his hands, he would not deceive his Trust;
 and with'd him to confider, in what way, and by what co-
 urse, he should set him at Liberty, that he might, without
 any other danger, arrive at the place where he would be.
 For, he said, he would not trust any Person living with the
 Secret, and least of all his Son; whom he mention'd with
 all the bitterness imaginable, as a Man of an ill nature, and
 furiously addicted to the worst designs the Parliament had,
 or could have; and One that was more depended upon by
 them

41 them than himself, and sent thither only as a Spy upon him.
 From hence he enter'd upon the discourse 42 of the times, and
 43 mischiefs that was like to befall the whole Kingdom, from the
 44 difference between the King and the Parliament: Then lamented
 his own Fate, 45 that, being a Man of very different
 46 Principles from those who drove things to this extremity,
 47 and of entire affection and duty to the King, he should now
 48 be look'd upon as the chief ground, and cause of the Civil
 49 War which was to ensue; by his not opening the Ports,
 50 when the King would have enter'd into the Town Of which
 business, and of all the circumstances attending it, he spake at
 large; and avow'd, 51 that the information sent him of the
 52 King's purpose precisely to hang him, was the true cause of
 53 his having proceeded in that manner.

54 Thus Lord Digby, who knew well enough how to cultivate
 every period of such a discourse, and how to work upon those
 Passions which were most predominant in him, joy'd with
 him in the sense of the Calamities, which were like to befall
 the Nation; which he bewail'd Paterially; and, 55 that it
 56 should be in the power of a handful of ill Men, corrupted
 57 in their Affections to the King, and against Monarchy it
 58 self, to be able to involve him, and many others of his clear
 59 intentions, in their dark Counsels, and to engage them to
 60 prosecute ends which they abhor'd, and which must deter-
 61 mine in the ruin of all the undertakers For, he told him,
 62 that the King, in a short time, would reduce all his Ene-
 63 mies: That the hearts of the People were already, in all
 64 places, alienated from them; and that the Fleet was so much
 65 at the King's disposal, that, as soon as they should receive his
 66 Orders, they would appear in any place he appointed: That
 67 all the Princes in Christendom were concern'd in the quarrel,
 68 and would engage in it, as soon as they should be invited
 69 in: And that the Prince of Orange was resolv'd to come over
 70 in the head of his Army, and would take *Hull* in three days.
 All which ought, reasonably, to have been true in the Practice,
 though it has very little ground in the Speculation. And when
 he had, by degrees, amused and terrish him with this dis-
 course, he enlarg'd upon 71 the Honour and Glory, that Man
 72 would have, who could be so bold, as to prevent this ter-
 73 rible Consequence, that was in view: That King and People
 74 would joy in rewarding him with Honours, and Prefer-
 75 ments of all kind; and that his Name would be deriv'd to
 76 Posterity, as the Preserver of his Country. He told him,
 77 He was that Man, that could do all this; that by delivering
 78 up *Hull* to the King, he might extinguish the War; and that
 79 immediately a Peace would be establish'd throughout the
 80 Kingdom: That the world believ'd, that he had some cre-

dit

81 dit both with the King, and Queen; that he would imply
 82 it all in his Service; and if he would give him this rite to be-
 83 gin upon, he should find, that he would be much more folli-
 84 citous for his Greatness, and a full recompence for his Merit,
 85 than he was now for his own Liberty. All these Advancemen-
 86 ts, and Reassurances, were the subject of more than one dis-
 87 course; for *St John Holham* could not bear the variety, and
 88 burthen of all those thoughts together; but within two days
 89 all things were adjust'd between them. *Holham* said, 90 it
 91 would not become him, after such a refusal, to put the Town
 92 into the King's hands; nor could he undertake (if he re-
 93 solv'd) to effect it; the Town it self being in no degree af-
 94 fected to his Majesty's Service; and the Train'd bands,
 95 which the Garrison wholly consisted, were under Officers
 96 upon whom he could not depend. But, he said, if the King
 97 would come before the Town, though but with one Regi-
 98 ment, and plant his Cannon against it, and make but one
 99 shot, he should think he had discharged his Trust to the Par-
 100 liament, as far as he ought to do; and that he would imme-
 101 diately then deliver up the Town; which he made no doubt
 102 but that he should be then able to do. And, on this errand,
 103 he was contented the Lord Digby should go to the King, and
 104 be conducted out of the Town beyond the limits of danger; the
 105 Governour having told those Officers he trusted most, that
 106 he would send the *Brems*-man to *Tork*; who, he was well
 107 assur'd, would return to him again. He gave him likewise
 108 a note to a Widow, who liv'd in that City, at whose House
 109 he might Lodge, and by whose hands he might transmit any
 110 Letters to him.

WHEN he came to *Tork*, and after he had spoke with the
 King, it was resolv'd, he should appear in his own likeness,
 and wait upon the King in Publick, that it might be believ'd,
 that he had Transported himself from *Holland* in the Ship that
 brought the Ammunition; which was hardly yet come to *Tork*,
 it being now about the time that *Mr Villers*, and *St John Pen-
 nington* had been sent away, and before the news came of their
 ill Success. This was the cause of the sudden March towards
Hull, before there was a Soldier levied to make an Assault,
 or maintain a Siege; which was so much wonder'd at then, and
 so much censur'd afterwards. For altho as his Majesty re-
 ceiv'd this assurance, which he had so much reason to depend
 upon, by the treatment the Lord Digby had receiv'd, he de-
 clared, 111 he would, upon such a day, go to *Bevers*, a place
 within four Miles of *Hull*; and appointed three or four Legiti-
 ments of the Country, under the Command of such Gentle-
 men whose Affection was unquestionable, to March thither, as
 a Guard to his Person; and likewise sent a little Train of Ar-
 tillery,

Y 3

illery, which might be ready for the Summons. When his Majesty was ready with this Equipage for his March, the Lord Digby return'd again in his old disguise to *Hull*, to make sure that all things there might correspond with the former obligation. Affliction as the King, and the whole Court (for none remain'd in *Tork*) came to *Beverly* (where they were all accommodated, which kept them from being quickly weary) and the Train'd-bands were likewise come thither, the General, the Earl of *Lincolne*, first took possession of his Office; a little troubled, and out of countenance, that he should appear the General without an Army; and be engaged in an Enterprize, which he could not imagine would succeed. His Majesty order'd him to find out some Officers, of which there was a good store, to take a view of the Town, and of such advantage ground, within distance, upon which he might raise a Battery; as if he meant on a sudden to Assault the place; which appear'd no unreasonable design, if there were a good Party in the Town to depend upon. And yet the General had no opinion, that his Army of Train'd-bands would frankly expose themselves to such an Attack: Besides a great number of Officers, and Persons of Quality, who were all well Horied, and had many Servants as well provided, the King had his Troop of Guards so constituted, as hath been said before; and there were few Horie in *Hull*, and those without Officers who understood that kind of Service. So that it was no hard matter to take a very full view of the Town, by Riding to the very Walls; nor, at first appearance, was there any show of Hostility from the Town upon their nearest approaches to it; but after they had made that visit two or three days together, they observ'd that the Walls were better Mann'd, and that there was every day an increase of labourers repairing the Works; and then they began to Shoot, when any went within distance of the Works.

ALL this while *St John Hotham* had tryed some of his Officers, in whose particular Affection he had most Confidence, how far they were like to be govern'd by him; and found them of a temper not to be rely'd upon. His Son was grown jealous of some design, and was Chabelling with those who were most notorious for their diffanction to the Government; and new Officers were sent down, by the Parliament, to assist in the defence of the Town, which, they thought, might probably be attempt'd; and supplies of Men had been taken in from the Ships, and had been sent thither from *Boston*, a Town, upon the same Coast, of eminent Difloyalty. So that, when the Lord *Digby* return'd thither, he found a great damp upon the Spirit of the Governour, and a faintness of mind, that he had proceeded so far; of which his Lordship made all the ha-

he could not advertise the King; but his Letters must first be sent to *Tork* before they could come to *Beverly*; and, when they were receiv'd, they contain'd still somewhat of hope, that he should be able to restore him to his former Courage, and confirm his Resolution: So that the King seem'd to deter any attempt, upon the hopes of the Earl of *Holland's* Message before mention'd, and, in the end, he was compell'd to give over the design, all hope from the Governour growing desperate; whether from his want of Courage, or want of Power to execute what he desir'd, remains still uncertain. When *St John Hotham* gave over further thoughts of it, he dismiss'd both the Lord *Digby* and Coll. *Albournham*, whom he had likewise detain'd till then, as a Man of use in the execution of the design, with many professions of Duty to the King; and as the concealing those two Persons, of the Parliament against him, so it was the Principal Cause, afterwards, of the loss of his Head.

THE King dismiss'd the Train'd-bands, and return'd with his Court to *Tork*, in so much less Credit than when he came from thence, as the entering into a War without Power, or Preparation to prosecute it, was like to produce. The inconvenience was the greater, because the principal Persons of Quality, of Court or Country, and the Officers, had the less reverence for the King's Condu't, by seeing such an Action enter'd upon with so little Reason, and prosecuted so perfunctorily: All which reproaches his Majesty thought fitter to bear, than to discover the Motives of his Journey; which were then known to few, nor, to this day, have been published.

WHILE the King return'd to *Tork*, exceedingly troubled at the late March he had made, and all Men expressing great impatience to be in Action, very many Persons of Honour and Quality, having attend'd long at Court, believing they might be more useful to his Majesty's Service in their own Countries, in refraining the disaffected from any Seditious Attempts, and disposing the People in general to be constant in their Loyalty, an Accident fell out, that made it absolutely necessary for the King to declare the War, and to enter upon it before he was in any degree ripe for Action; which was, that *Parliament* had call'd *Go-* declar'd for the King, and refused to submit to the Parliament; *ring, at* which had thereupon sent an Army, under the Command of *month, de-* *St William Waller*, to reduce it. The relating how this came *June* to pass, requires a large discourse, and will admitteth much variety; not without somewhat of pleasure and wonder, from the temper and spirit of the Person who conducted that Action; if it can be said to be conducted without any Condu'ct.

WE have remember'd before, in the last Year, the discourse of

of the bringing up the Army to *London* to awe the Parliament, and the unpeakeable dishonour, and damage the King sustain'd by that discourse, how groundless foever it was, all which was imputed to *Gail, Goring*, who, by that means, grew into great Reputation with the Parliament, as a Man fo irrecoverably lost at Court, that he would joy'n with them in the most desperate designs; yet he carried himself with so great dexterity, that, within few Months, he wrought upon the King and Queen to believe, that he so much repented that Fault, that he would redeem it by any Service; and to trust him to that degree, that the Queen, once, resolv'd, when the Tumults drove their Majesties first from *London*, for her security, to put her self into *Perthmouth*, which was under his Government; whilst his Majesty betook himself to the Northern parts; which design was no foother over (if not before) than he, again, intimated so much of it to the Lord *Kimbolton*, and that Party, that they took all the Trust he had from Court, to proceed from the Confidence their Majesties had of his Father's interest in him; whose Affection and Zeal to their Service was ever most indubitable: but assur'd themselves, He was their own, even against his own Father. So that he carried the matter so, that, at the same time, he receiv'd 3000l from the Queen (which he raised by the sale of her Plate, and some Jewels) to Fortify, and Vidual, and Reinforce his Garrison, against the time it should be necessary to declare for the King; and a good supply from the Parliament, for the payment of the Garrison, that it might be kept the better devoted to them, and to their Service. All which he perform'd with the admirable dexterity, and rare confidence, that, when the House of Commons was inform'd by a Member, whose Zeal, and Affection to them was as much valued as any Man's, "that all his correspondence in the County was with the most Malignant Persons; that of those, many frequently resorted to, and conversed with him in the Garrison; that he was Fortifying, and raising of Batteries towards the Land: And that, in his discourse, especially in the sessions of his good fellowship, he us'd to utter threats against the Parliament, and sharp censures of their Proceedings, upon such Informations (the Author whereof was well known to them, and of great Reputation; and liv'd so near *Perthmouth*, that he could not be mistaken, in the matter of fact) the House sent for him, most thinking he would refuse to come; Colonel *Goring* came, upon the Summons, with that undauntedness, that all clouds of distrust immediately vanished, inasmuch as no Man presum'd to whisper the least jealousy of him; which he observing, came to the House of Commons, of which he was a Member; and, having sat a day or two patiently,

tiently, as if he expected some Charge, in the end he stood up, with a Countenance full of Modesty, and yet not without a mixture of Anger (as he could help himself with all the insinuations of doubt, or fear, or shame, or simplicity in his face, that might gain belief, to a greater degree than I ever saw any Man; and could seem the most confounded when he was best prepar'd, and the most out of Countenance when he was best resolv'd, and to want words, and the habit of speaking, when they flow'd from no Man with greater power) and told them, "that he had been sent for by them, upon some information given against him, and that, though he believ'd, "the Charge being so ridiculous, they might have receiv'd, "by their own particular inquiry, satisfaction; yet the discourse that had been us'd, and his being sent for in that manner, had begot some Prejudice to him in his Reputation; "which if he could not preserve, he should be less able to do "Them Service; and therefore desired, that he might have leave (though very unskilful, and unfit to speak, in so Wise and Judicious an Assembly) to present to them the state and condition of that Place under his Command; and then he "doubted not but to give them full satisfaction in those particulars, which, possibly, had made some impression in them "to his disadvantage: That he was far from taking it ill from those, who had given any information against him; for, "what he had done, and must do, might give some Umbrage "to well affected Persons, who knew not the grounds and reasons, that induced him so to do; but that if any such Person would, at any time, resort to him, he would clearly inform them of whatever Motives he had; and would be glad "of their Advice, and Assistance for the better doing thereof. Then he took notice of every particular that had been publicly said against him, or privately whisper'd, and gave such plausible Answers to the whole, intermingling sharp Taunts, and Scores, to what had been said of him, with pretty application of himself, and flattery to the Men that spoke it: Concluding, "That they well knew, in what esteem he stood with others: so that if, by his ill Carriage, he should forfeit the good opinion of that House, upon which he most depended, "and to whose Service he entirely devoted himself, he would "miserably than his Friends took him to be, and must be as implicated in any misery, that could befall him, as his Enemies "would be glad to see him. With which, as innocently and unaffectedly utter'd, as can be imagin'd, he got so general an Applause from the whole House, that, not without some Apology for troubling him, "They desired him again to repair "to his Government, and to finish those Works, which were "necessary for the safety of the Place; and gratified him with consenting

consenting to all the Propositions, he made in behalf of his Garrison, and paid him a good Sum of Money for their Arrears; with which, and being privately assured (which was indeed resolv'd on) that he should be Lieutenant General of their Horse in their new Army, when it should be form'd, he departed again to *Perthmouth*; in the mean time, assuring his Majesty by those who were trussed between them, "That he would be speedily in a Posture to make any such Declaration for his Service, as he should be requir'd; which he was forced to do sooner than he was provided for it, though not sooner than he had reason to expect.

When the Levies for the Parliament Army were in good forwardness, and that Lord had received his Commission for Lieutenant General of the Horse, he wrote to the Lord *Kimbolton*, who was his most beloved Friend, and a Man very powerful, desiring, "That he might not be call'd to give his attendance upon the Army, till it was ready to March; because there were so many things to be done, and perfected, for the safety of that important Place, that he was desirous to be present himself at the work as long as was possible. In the mean time, he had given directions to his Agent in *London*, to prepare all things for his Equipage; so that he would be ready to appear, at any Rendezvous, upon a day's warning. Though the Earl of *Roffe* did much desire his Company, and Assistance in the Council of War, and preparing the Articles, and forming the Discipline for the Army, he having been more lately versed in the Order and Rule of Marches, and the Provisions necessary, or convenient thereunto, than any Man then in their Service, and of greater Command than any Man but the General; yet the Lord *Kimbolton* prevail'd, that he might not be sent for, till things were ripe for Advice. And, when the Lord did afterwards write to him, "That it was time he should come away, he sent such now, and reasonable excuses, that they were not unsatisfied with his delay; till he had multiplied those excuses so long, that they began to suspect; and they no sooner inclin'd to suspicion, but they met with abundant Arguments to cherish it. His behaviour and course of Life was very notorious to all the Neighbourhood, nor was he at all reliev'd in his Mirch, and publick Discourses, to conceal his opinion of the Parliament, and their Proceedings. So that, at last, the Lord *Kimbolton* writ plainly to him, "That he could no longer excuse his absence from the Army, when he was much wanted; and that, if he did not come to *London* by such a short day, as he named, he found his Integrity would be doubted; and that many things were laid to his Charge, of which he doubted not, as his Innocence; and therefore conjur'd him, immediately

to be at *Windsor*; it being now to be no longer deferr'd, or put off. He writ a jolly Letter to that Lord, "that, the truth was, his Council advis'd him, that the Parliament did many things which were illegal; and that he might incur much danger by obeying all their Orders; that he had received the Command of that Garrison from the King; and that he durst not be absent from it, without His leave: And concluded with some good Counsel to the Lord.

This Declaration of the Governour of a Place, which had the reputation of being the only Place of strength in *England*, and situated upon the Sea, put them into many apprehensions; and they lost no time in endeavouring to reduce it; but, upon the first understanding his Resolution, *Sir William Waller* was sent, with a good part of the Army, to block it up; that neither Men, nor Provision, might be able to get in; and some Ships were sent from the Fleet, to prevent any relief by Sea: And these Adventurments came to the King, altho as he return'd to *York*.

It gave no small Reputation to his Majesty's Affairs, when there was so great a damp upon the spirits of Men, from the misadventures at *Beverly*, that so notable a Place as *Perthmouth* had declared for him, in the very beginning of the War; and that so good an Officer as *Goring*, was return'd to his Duty, and in the possession of the Town: And the King, who was not surpris'd with the matter, knowing well the Resolution of the Colonel, made no doubt, but that he was very well supplied with all things, as he might well have been, to have given the Rebels work for three, or four Months, at the least. Whereupon, he forthwith publish'd a Declaration, that had been long ready, in which he recapitulated all the Insolent, and Rebellious Actions the two Houses had committed against him: and declared them "to be guilty; and forbid all his Subjects to yield any obedience to them: And, at the same time, publish'd his Proclamation; by which he required all Men, who could bear Armes, to repair to him at *Nottingham*, by the 25th of *August* following; on which day, he would set up his Royal Standard there, which all good Subjects were oblig'd to attend. At the same time, he sent the Marquis of *Hereford* to raise Forces in the West, or, at least, to restrain those parts (where His Interest, and Reputation was greater than any Man's) within the limits of his Duty to the King, and from being corrupted, or perverted by the Parliament; and with him went the Lord *Seymour*, his Brother; the Lord *Pembel*, *Captain Stamel*, *Covestry*, *Berkeley*, *Windham*, and some other Gentlemen, of the prime Quality, and Interest in the Western parts; who were like to give as good examples in their Persons, and to be follow'd by

as many Men, as any fuch Number of Gentlemen in England, could be. And from this Party, enlivn'd by the Power, and Reputation of the Marquis, the King was in hopes, that *Peris-mouth* would be shortly relieved, and made the head Quarter to a good Army. When all this was done, he did all that was possible to be done, without Money, to hasten his Levies of Horse and Foot, and to prepare a light Train of Artillery; that he might appear at *Nottingham*, at the day when the Standard was to be set up, with such a Body of Men, as might be, at the least, a competent Guard to his Person.

MANY were then of opinion, that it had been more for his Majesty's Benefit and Service, if the Standard had been appointed to be set up at *York*; and so that the King had stay'd there, without moving further South, until he could have march'd in the Head of an Army, and not to depend upon gathering an Army up in his March. All the Northern Counties were, at present, not at his devotion; and so it would be most easy to raise Men there: *New-Castle* was the only Port in his obedience, and whither he had appointed his supplies of Armes, and Ammunition to be sent; of which he had for present need, that all his Magazine, which was brought in the *Providence*, was already distributed to those few Gentlemen, who had received Commissions, and were most like speedily to raise their Regiments; and it would be a very long, and might prove a very dangerous passage to get the supplies, which were daily expected, to be brought with security from *New-Castle*, when the King should be advanced to many days Journey beyond *York*. All which were very important Considerations, and ought to have prevail'd; but the King's inclination to be nearer *London*, and the expectation he had of great effects from *Peris-mouth*, and the West, dispos'd him to a willingness to prefer *Nottingham*; but that which determin'd the Point, was an apparent, and manifest aversion in the *Yorkshire* Gentlemen, whose affections were least suspected, that his Majesty should continue, and remain at *York*; which, they said, the People apprehended, would inevitably make that Country the seat of the War: unskillfully imagining, that the War would be no where, but where the King's Army was; and therefore they facilitated all things, which might contribute to his remove from thence; undertook, to provide Convoys for any Armes and Ammunition from *New-Castle*; to hasten the Levies in their own Country; and to borrow the Armes of some of the Train-bands; which was the best expedient, that could be found out, to arm the King's Troops, and had it's reverse in the mischief it produc'd, and in leaving the best affected Men by being disarm'd, at the Mercy of their Enemies; who carefully

fully keep their Weapons, that they might be ready to fight against the King. This caus'd the resolution to be taken for *Nottingham*, without enough weighing the objections, which, upon the Entrance into great Actions, cannot be too much deliberated, though, in the Execution, they were best fluat out. And it quickly appear'd in those very Men, who prevail'd most in that Council; for, when the time drew on, in which his Majesty was to depart, and leave the Country, T then they remember'd, that the Garrison of *Hull* would be left as a thorn in their sides, where there were well form'd, and active Troops, which might march over the Country without our control, and come into *York* it self without resistance: That there were many disaffected Persons of Quality, and Interest in the Country, who, as soon as the King should be gone, would appear amongst their Neighbours, and find a concurrence from them in their worst designs; and that there were some places, some whole Corporations, so notoriously disaffected, especially in matters relating to the Church, that they wanted only Conductors to carry them into Rebellion.

THESE, and the like reflections, made too late impressions upon them; and Now, too much, they magnified this Man's power, whom before they concern'd; and doubted that Man's Affection, of which they were before secure, and made a thousand Propositions to the King this day, whereof they reject'd the greatest part to morrow; and, as the day approach'd nearer for the King's departure, their apprehensions and irresolutions increased. In the end, they were united in two Resolutions to the King; that he would commit the supreme Command of the Country, with reference to all Military Affairs, to the Earl of *Cumberland*; and qualify him, with an ample Commission, to that purpose. The other, that his Majesty would command *St Thomas Glouster* to remain with them, to govern and command such Forces, as the Earl of *Cumberland* should find necessary for their defence. And this Provision being made by the King, they oblig'd themselves to concur in making any preparations, and forming any Forces the Earl should require. His Majesty, as willingly, granted them in both their desires. The Earl of *Cumberland* was a Man of great Honour and Integrity, who had all his Estate in that Country, and had liv'd most amongst them, with very much acceptance, and affection from the Gentlemen, and the Common People: but he was not, in any degree, active, or of a Martial temper; and rather a Man more like not to have any Enemies, than to oblige any to be firmly, and resolutely his Friends, or to pursue his Interest: The great Fortune of the Family was divided, and the greater part of it carried away

by an Heir Female; and his Father had so waisted the remainder, that the Earl could not live with that lustre, nor draw to great a dependence upon him, as his Ancestors had done. In a word, he was a Man of Honour, and Popular enough in Peace, but not endued with those parts which were necessary for such a Station. *St Thomas Glenham* was a Gentleman of a noble extraction, and a fair Fortune, though he had much impaired it; he had spent many years, in Armies, beyond the Seas; and he had been an Officer of very good esteem in the King's Armies, and of courage, and Integrity unquestionable; but was not of so stirring and active a nature, as to be able to inspire Fire enough into the Plegmatick continuations of that People, who did rather wish to be Spectators of the War, than Parties in it; and believed, if they did not provoke the other Party, they might all live quietly together; until *St John Holham*, by his excursions, and depredations out of *Hull*, and their seditious Neighbourhoods, by their Insurrections, awak'd them out of that Pleasant Dream. And then the greatest part of the Gentry of that Populous County, and very many of the Common People, did behave themselves with signal Fidelity, and Courage in the King's Service: Of all which Particulars, which deserve well to be remember'd, and transmitted to Posterity, there will be occasion to make mention, in the following Discourse.

YET I cannot leave *Tork* without the mention of one Particular; which, in truth, is a lively Instance of the Spirit and Temper of that time, and was a sad Prejudice of all the misfortunes which follow'd. There were very few Gentlemen, or Men of any Quality, in that large County, who were actively or factiously oppos'd to his Majesty; and of those the *Lord Fairfax*, and his Son, *St Thomas Fairfax*, were the chief; who were govern'd by two or three, of inferior Quality, more conversant with the People; who were as well known as They. All these were in the County, at their Houses, within few miles of *Tork*; and the King resolv'd, at his going away, to have taken them all Prisoners, and to have put them in safe Custody; by which, it was very probable, those mischiefs, that shortly after broke out, might have been prevented. But the Gentlemen of the County, who were met together to consult for their own security, hearing of this Design, besought his Majesty "Not to do it; alledging, "that he would, thereby, leave them in a worse condition, by an Act so ungracious, and unpopular; and that the disaffected would be far "far from being weaken'd, that their Party would be increas'd thereby; "many really believing, that neither Father nor Son were transport'd with over-vehement inclinations to the Parliament; but would willingly sit still, without being Active

on either side; which, no doubt, was a Policy, that many, of those, who wiseli well, desired and intended to be safe by. And to his Majesty left *Tork*, taking with him only two officers of inferior rank (whercof one *Stephens* was one) who were known to have been very active in stirring the People to Sedition; and yet, upon some specious pretences, some very good Men were perfwaded, within few days, to procure the Liberty and Enlargement even of those from his Majesty. So ticklish were those times, and so wary were all Men to advise, the King should do any thing, which, upon the strictest inquisition, might seem to swerve from the strict rule of the Law; believing, unreasonably, that the softest and gentlest Remedies might be most wholesomely applied to those rough, and violent Distractions.

THE King came to *Nottingham* two or three days before the day he had appointed to set up the Standard; having taken *Lincoln* in his way, and drawn some Armies from the Train'd Bands of that County with him to *Nottingham*; from whence, the next day, he went to take a view of his Horse; whereof there were several Troops well arm'd, and under good Officers, to the number of seven or eight hundred Men; with which, being inform'd, "that there were some Regiments of Foot marching towards *Coventry*, by the Earl of "Essex his Orders; he made hast thither; making little doubt, but that he should be able to get thither before them, and so to possess himself of that City; and he did get thither the day before they came; but found, not only the Gates shut against him, but some of his Servants shot, and wounded from the Walls: Nor could all his Messages, and Summons prevail with the Mayor and Magistrates, before there was any Garrison there, to suffer the King to enter into the City. So great an Intercity and Reputation the Parliament had gotten over the Affections of that People, whose hearts were alienated from any reverence to the Government.

THE King could not remedy the Affront, but went that night to *Stoney*, the House then of *St Thomas Lee*; where he was well receiv'd; and, the next day, his Body of Horse, having a clear view, upon an open Campain, for five or six miles together, of the Enemies small Body of Foot, which consisted not of above twelve hundred Men with one Troop of Horse, which Marched with them over that plain, retired before them, without giving them one Charge; which was imputed to the ill conduct of *Wilmot*, who Commanded; and had a colder Courage, than many who were under him, and who were of opinion, that they might have easily defeated that Body of Foot: Which would have been a very seasonable Victory; would have put *Coventry* unquestionably into

the King's hands, and sent him with a good Omen to the setting up of his Standard. Whereas, that unhappy Retreat, which looked like a Defeat, and the Rebellious behaviour of Coventry, made his Majesty's return to *Nottingham* very Melancholy; whither he return'd the very day the Standard was appointed to be set up.

The King's Standard set up at Nottingham, Aug. 25. 1642. ACCORDING to the Proclamation, upon the twenty fifth day of *August*, the Standard was erected, about six of the Clock in the evening of a very stormy, and tempestuous day. The King himself, with a small train, rode to the top of the *Castle Hill*, *Vernoy* the Knight-Marshal, who was Standard Bearer, carrying the Standard, which was then erected, in that place, with little other Ceremony than the found of Drums, and Trumpets: Melancholy Men offer'd many ill Prefages about that time. There was not one Regiment of Foot yet brought thither, so that the Train'd-bands, which the Sheriff had drawn together, were all the strength the King had for his Person, and the Guard of the Standard. There appear'd no Coufairs of Men in obedience to the Proclamation; the Armes, and Ammunition were not yet come from *York*, and a General Sedition cover'd the whole *Town*. The Standard was blown down, the same night it had been set up, by a very strong and unwholy wind, and could not be fixed again in a day or two, till the tempest was allayed. This was the Melancholy State of the King's Affairs, when the Standard was set up.

THE END OF THE FIFTH BOOK.



