

Which money hath beene paid out as followeth.

	£	s.	d.
Imprimis, paid to the cofferer of his majesties house-hold, in part of the yearly assignements, tenne thousand one hundred fortie-six pounds, eightene shillings, nine pence, halfepeny,	10146	18	9½
In monethly payments, for the king, queene, and princes house-hold, the queene of Bohemia, and for repaire of his majesties houses, for thirteene moneths, ended ultimo Maii, 1642, eightie-five thousand nine hundred and sixtie pounds, nineteen shillings, eight pence,	85960	19	8
To the prince Elector Palatine, in part of his pension, one thousand pound,	1000	0	0
To the marquesse Hartford, for the prince, his robes, and privie purse, eight hundred pounds,	800	0	0
To the master of the great wardrob, in part of his assignment, one thousand seven hundred and fifty pounds,	1750	0	0
To the earle of Holland, in part of the arrears for the entertainment of the garrison at Landguard Fort, one thousand pound,	1000	0	0
To the band of gentlemen pensioners, for their wages, and board wages, for halfe a yeare, three thousand and one pound, fourteene shillings, and two pence, halfpeny,	3001	14	2½
To Sir Arthur Hopton, knight, ambassador in Spaine, upon his entertainment, two thousand pounds,	2000	0	0
To the lord Fielding, ambassador for Venice, upon his entertainment, one thousand three hundred pounds,	1300	0	0
To Patricke Mawle, esquire, upon his pention, one hundred twenty-five pounds,	125	0	0
To the East India Company, in part of a debt owing to them by his majestie, for peper bought by my lord Cottington, nine thousand four hundred and thirteene pounds, fourteen shillings, and seven pence,	9413	14	7
To severall persons, for pentions, &c., in small payments to his majesties use, one thousand seven hundred ninetie-foure pounds, two shillings, and eight pence,	1794	2	8
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The totall of moneys paid to his majesties private use, one hundred and eightene thousand two hundred ninetie-two pounds, nine shillings, and eleven pence,	118292	9	11
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More paid in part of the severall summes of money for the charge of his majesties navie, as by the particulars, <i>per cont.</i> , one hundred and nineteene thousand five hundred and twelve pounds, one shilling, four pence,	£ 119512	1	4
More paid towards the charge of the navie, <i>per cont.</i> , out of fines raised upon delinquents, five thousand foure hundred and two pounds, tenne shillings, and a penny,	5402	10	1
More paid to the charge of the navie, which was borrowed of monies in the hands of the chamberlain of London, five thousand pound,	5000	0	0
<div style="display: flex; align-items: center; justify-content: flex-end;"> <div style="font-size: 3em; margin-right: 10px;">}</div> <div> 129914 11 5 </div> </div>			

	£	s	d
The totall of monies paid to his majesties private use, and to the navie, two hundred fortie-eight thousand two hundred and seven pounds, one shilling, and four pence,	248207	1	4
By this account it appeareth there is disbursed, more than hath been receaved from the collectors of the customes, nine thousand nine hundred and twentie pounce, nineteene shillings, and two pence,	9920	19	2

An Account of the Charge of severall Fleetes, set forth by Order of Parliament, since May, anno 1641, for the guarding of the Narrow Seas, and defence of this Kingdome, and of Ireland; and likewise for the Supply of Stores of all sorts, for the Provision of his Majesties Navie, and the Office of Ordinance; and for the Payment of the severall Workmen and Labourers attending his Majesties service about the Navie, in his Highnesse yards of Woolledge, Deptford, Chatham, and Portsmouth.

	£	s	d
<i>Imprimis,</i>			
The charge for ten of the kings ships, and ten merchant ships, employed on the narrow seas, <i>pro anno</i> 1641, fiftie-seven thousand five hun- dred nintie-two pounds, foure shillings, sixe pence,	57592	4	6
The charge of the ordinary of his majesties navie, <i>pro anno</i> 1640, twen- tie-seven thousand sixe hundred and ten pounds, three shillings, nine pence, whereof is unpaid, sixteen thousand eight hundred and ten pounds, three shillings, nine pence,	16810	3	9
The charge of the ordinary of his majesties navie, <i>pro anno</i> 1641, twen- ty-seven thousand one hundred twenty-two pounds, three shillings, foure pence,	27122	3	4
The charge of twelve ships, for transporting of armes and souldiers for Hull, <i>anno</i> 1640, three thousand two hundred pounds,	3200	0	0
The repaire, launching, and transporting the prince to Chatham, <i>anno</i> 1641, two thousand one hundred and sixtie pounds,	2160	0	0
For repaire of the dockes and wharfes at Chatham, <i>pro anno</i> 1642, one thousand sixe hundred and twenty pounds,	1620	0	0
The charge of the ordinary of his majesties navie, <i>pro anno</i> 1642, to the treasurer of the navie, twenty-one thousand fifty-sixe pounds, eleven shillings, six pence,	21056	11	6
The charge for the victualer of the navie, for the ordinary expences, 1642, seaven thousand sixe hundred fiftie-five pounds, seventeene shillings, and nine pence,	7655	17	9
The charge for the emptions of the office of ordinance, <i>pro anno</i> 1641, two thousand fifty-eight pounds, ten shillings, foure pence,	£ 2058	10	4
For the emptions of the said office, <i>pro anno</i> 1642, three thousand three hundred eighty-five pounds, one shilling, eight pence,	3385	1	8
	5443	12	0
The charge of foure of his majesties ships, set forth 1642, employed for the coast of Ireland, for eight moneths, to the treasurer of the navie, eight thousand nine hundred seventy-nine pounds, sixteene shillings, and eight pence,	8979	16	8
Carry over,	151640	9	6

	£	s	d
Brought over,	151640	9	6
To the victualler, for victualling of the said shippes, five thousand three hundred sixtie-foure pounds, fiteene shillings, eight pence,	5364	15	8
The charge of setting forth fiteene of his majesties ships for the narrow seas, <i>anno</i> 1642, for eight moneths, to the treasurer of the navie, fortie-eight thousand three hundred sixty-eight pounds, ten shillings,	48368	10	0
To the victualer, for victualling the said fiteene ships, twenty-seaven thousand-three hundred fifty-nine pounds, sixteene shillings, six pence,	27359	16	6
The charge of twenty-foure merchant ships, set forth <i>anno</i> 1642, for eight moneths, viz. three of Bristoll, five of Master Morrice Tompson and partners, and sixteene others of the city of London, eighty-one thousand seven hundred fifty-eight pounds, eight shillings,	81758	8	0
The charge of the eight pynaces, (whereof three of his majesties, and five merchant ships,) set forth for the coast of Ireland, for eight months, <i>anno</i> 1642, seven thousand foure hundred eighty-nine pounds,	7489	0	0
The charge of setting forth two frigggots, bought at Dover, by order of parliament, for his majestie's use, two thousand five hundred pounds,	2500	0	0
 The totall of the charge above-said, three hundred twenty-foure thousand foure hundred and eighty pounds, nineteene shillings, eight pence,	 324480	 19	 8
Whereof paid out of the custumes, <i>per contra</i> , one hundred nineteene thousand five hundred and twelve pounds, one shilling, and foure pence,	£ 119512	1	4
More paid out of the fines of delinquents, <i>per contra</i> , five thousand foure hundred and two pounds, ten shillings, and a pennie,	5402	10	1
More paid out of monies borrowed out of the chamber of London, <i>per contra</i> , five thousand pounds,	5000	0	0
 There remaineth owing upon this account, to discharge the above-said severall charges, 9 Junii, 1642, one hundred ninetie-foure thousand five hundred sixtie-sixe pounds, eight shillings, and three pence,	 194566	 8	 3

A Declaration of the Grievances of the Kingdome, delivered in Parliament, by John Pym, Esquier, 1642.

This speech, though published in 1642, was delivered as early as 1640, upon the opening of the Long Parliament. It contains an ample summary of those grievances which were then the universal subject of complaint, and may be considered as the text upon which the subsequent proceedings of that memorable assembly were grounded.

NEVER parliament had greater businesses to dispatch, nor more difficulties to encounter; therefore wee have reason to take all advantages of order and addresse; and hereby wee shall not only doe our owne worke, but dispose and inable our selves for the better satisfaction of his majesties desire of supply. The grievances being removed, our affections will carry us, with speed and chearfulnesse, to give his majestie that which may be sufficient both for his honour and support. Those that in first place shall endeavour to redresse the grievances, will be found not to hinder, but to be the furtherers of his majesties service: hee that takes away weights, doth as much advantage motion as he that addeth wings.

The precedent consideration of grievances will further the supply.

Diverse pieces of this maine work have bin already propounded, his endeavour should bee to present to the house a modell of the whole. In the creation, God made the world according to that idea or form which was eternally pre-existent in the divine mind. Moses was commanded to frame the tabernacle after the patterne shewed him in the Mount. Those actions are seldome well perfected in the execution, which are not first well moulded in the designe and proposition.

Great works are first to be considered in the modell.

He said, he would labour to contract those manifold affaires, both of the church and state, which did so earnestly require the wisdom and faithfulness of this house, into a double method of grievances and cures. And because there wanted not some who pretended that these things wherewith the common-wealth is now grieved are much for the advantage of the king, and that the redresse of them will be to his majesties great disadvantage and losse, (hee said,) hee doubted not but to make it appeare, that, in discovering the present great distempers and disorders, and procuring remedy for them, we should be no lesse serviceable to his majestie, who hath summoned us to this great councill, than usefull to those whom wee doe here represent: for the better effecting whereof, he propounded three maine branches of his discourse.

A double method, compounded of grievances and cures.

Publike grievances disadvantageous to the king.

The first general division.

1. In the first, (he said,) he would offer them the severall heads of some principall grievances under which the kingdome groaned.

2. In the second, he undertook to prove, that the disorders from whence those grievances issued were as hurtfull to the king as to the people.

3. In the third, he would advise such a way of healing and removing those grievances, as might be equally effectual to maintaine the honour and greatnesse of the king, and to procure the prosperity and contentment of the people.

In the handling whereof, he promised to use such expressions as might mitigate the sharpenes and bitterness of those things whereof he was to speak, so far as his duty and faithfulness would allow. It is a great prerogative to the king, and a great honour attributed to him in a maxime of our law, that he can doe no wrong; he is the fountaine of justice; and if there be any injustice in the execution of his commands, the law casts it upon the ministers, and frees the king. Activity, life, and vigour, are conveyed into the sublunary creatures by the influence of heaven; but the malignity and distemper, the cause of so many epidemical diseases, do proceed from the noysome vapours of the earth, or some ill affected qualities of the aire, without any infection or alteration of those pure, celestiall, and incorruptible bodies. In the like manner, (he said,) the authority, the power, and countenance of princes may concur in the actions of evil men, without partaking in the injustice and obliquitie of them. These matters whereof we complaine have bin presented to his majestie, either under the pretence of royall prerogatives, which he is bound to maintaine, or of publike good, which is the most honourable object of regall wisdom. But the covetous and ambitious designes of others have interposed betwixt his royall intentions and the happiness of his people, making those things pernicious and hurtfull, which his majestie apprehended as just and profitable.

Sharp matters to be mitigated in the expression.

The king can do no wrong.

Hurtfull projects presented to the king, under plausible notions.

He said, the things which he was to propound were of a various nature, many of them such as required a very tender and exquisite consideration; in handling of which,

A promise of moderation.

Submission to
reformation.

Religion.

Justice.

Priviledge of
parliament.

The order pro-
pounded in
handling these
three great
liberties.

The necessitie
and importance
of the privi-
ledge of par-
liament.

Particular
branches of
priviledge.
1. Restraint of
speech.
2. Interdict of
questions.

as he would be bold to use the liberty of the place, and relation wherein he stood, so hee would be carefull to expresse that modestie and humilitie which might be expected by those of whose actions he was to speake. And if his judgment or his tongue should slip into a particular mistake, he would not thinke it so great a shame to faile by his owne weaknesse, as hee should esteem it an honour and advantage to be corrected by the wisdom of that house, to which he submitted himselfe, with this protestation, that he desired no reformation so much as to reforme himselfe.

The greatest liberty of the kingdom is religion; thereby we are freed from spiritual evils; and no impositions are so grievous as those that are laid upon the soul. The next great liberty is justice, whereby we are preserved from injury in our persons and estates: from this is derived into the common-wealth, peace, and order, and safety; and when this is interrupted, confusion and danger are ready to overwhelm all. The third great liberty consists in the power and priviledge of parliaments: this is the fountaine of law, the great councill of the kingdome, the highest court: this is inabled, by the legislative and conciliary power, to prevent evils to come; by the judiciary power, to suppress and remove evils present. If you consider these three great liberties in the order of dignitie, this last is inferiour to the other two, as meanes are inferiour to the end; but if you consider them in the order of necessity and use, this may justly claime the first place in our care, because the end cannot be obtained without the means: if we do not preserve this, we cannot long hope to enjoy either of the other. Therefore (he said) being to speak of those grievances which lye upon the kingdome, he would observe this order.

1. To mention those which were against the priviledge of parliaments.

2. Those which were prejudiciall to the religion established in the kingdome.

3. Those which did interrupt the justice of the realme, in the liberty of our persons, and propriety of our estates.

The priviledges of parliament were not given for the ornament or advantage of those who are the members of parliament; they have a reall use and efficacy towards that which is the end of parliaments. We are free from suits, that we may the more intirely addict our selves to the public services: we have therefore liberty of speech, that our counsels may not bee corrupted with feare, or our judgments perverted with selfe respects. Those three great faculties and functions of parliament, the legislative, judiciary, and consiliary power, cannot be well exercised without such priviledges as these. The wisdom of our lawes, the faithfulness of our counsels, the righteousness of our judgment, can hardly be kept pure and untainted, if they proceed from distracted and restrained mindes.

It is a good rule of the morall philosopher, *Et non ledas mentem gubernatricem omnium actionum*. These powers of parliament are to the body politike as the rationall faculties of the soule to a man. That which keeps all the parts of the common-wealth in frame and temper ought to be most carefully preserved in that freedome, vigour, and activity which belongs to it selfe. Our predecessors in this house have ever bin most carefull, in the first place, to settle and secure their priviledges: and (he said) he hoped that we, having had greater breaches made upon us than heretofore, would bee no lesse tender of them, and forward in seeking reparation for that which is past, and prevention of the like for the time to come.

Then he propounded diverse particular points, wherein the priviledge of parliament had bin broken.

First, in restraining the members of the house from speaking.

Secondly, in forbidding the speaker to put any question.

These two were practised the last day of the last parliament, (and, as was alledged, by his majesties command;) and both of them entrench upon the very life and being of parliaments; for if such a restraining power as this should take root, and be admitted,

it will be impossible for us to bring any resolution to perfection, in such matters as shall displease those about the king.

Thirdly, by imprisoning diverse members of the house, for matters done in parliament.

Imprisonment of members.

Fourthly, by indictments, informations, and judgments in ordinary and inferior courts, for speeches and proceedings in parliaments.

Judicial proceedings.

Fifthly, the disgracefull order of the Kings Bench, whereby some members of this house were enjoyned to put in security of the good behaviour, and for refusall thereof, they were continued in prison diverse yeares, without any particular allegation against them: one of them was freed by death, others not dismissed till his majestie had declared his intention to summon this parliament. And this he noted, not onely as a breach of privilege, but as a violation of the common justice of the kingdome.

Order to be bound to the good behaviour.

Sixthly, by the sudden and abrupt dissolution of parliaments, contrary to the law and custome. It hath bin often declared in parliaments, that the parliament should not be dissolved till the petitions bee answered. This (he said) was a great grievance, because it doth prevent the redresse of other grievances. It was a hard case, that a private man should bee put to death without being heard. As this representative body of the commons receives a being by the summons, so it receives a civill death by the dissolution. Is it not a much more heavie doome, by which we lose our being, and have this civill death inflicted on us in displeasure, and not to be allowed time and liberty to answer for our selves; that we should not only dye, but have this marke of infamy laid upon us, to be made *intestables*, disabled to make our wils, to dispose of our business, as this house hath alwayes used to do, before adjournments or dissolutions? Yet this hath often bin our case: we have not bin permitted to powre out our last sighes and groanes into the bosome of our deare soveraigne: the words of dying men are full of piercing affections. If we might be heard to speak, no doubt we should so fully expresse our love and faithfulness to our prince, as might take off the false suggestions and aspersions of others; at least we should, in our humble supplications, recommend some such things to him, in the name of his people, as would make for his honour, and the publike good of his kingdome.

Abrupt dissolutions of parliament.

Thus he concluded the first sort of grievances, being such as were against the privilege of parliament, and passed on to the next, concerning religion: all which he conveyed under the four heads.

Grievances concerning religion.

1. The first was the great incouragement given to popery, of which he produced these particular evidences:

Incouragement of popery.

1. A suspension of all the lawes against papists, whereby they enjoy a free and almost publike exercise of that religion, and those good statutes which were made for restraint of idolatry and superstition are now a ground of security to them in the practice of both, being used to no other end but to get money into the kings purse; which, as it is clearely against the intentions of the law, so it is full of mischief to the kingdome.

Suspension of lawes.

By this meanes a dangerous partie is cherished and increased, who are ready to close with any opportunitie of disturbing the peace and safety of the state. Yet (he said) he did not desire any new lawes against popery, or any rigorous courses in the execution of those already in force; he was far from seeking the ruine of their persons or estates, onely he wisht they might bee kept in such a condition as should restraine them from doing hurt.

It may be objected, there are moderate and discreet men amongst them, men of estates, such as have an interest in the peace and prosperity of the kingdome, as well as we. These (he said) were not to be considered according to their own disposition, but according to the nature of the body whereof they are parties: The planets have several and particular motions of their owne, yet they are all rapt and transported into a

There can be no security from papists, But in their disability.

contrary course by the superior orbe which comprehends them all. The principles of popery are such as are incompatible with any other religion: there may be a suspension of violence for some by respects, but the ultimate end, even of that moderation, is, that they may with more advantage extirpate that which is opposite to them. Laws will not restraints them, oaths will not: the pope can dispence with both these; and where there is occasion, his command wil act them. to the disturbance of the realme, against their owne private disposition, yea, against their own reason and judgment, to obey him; to whom they have (especially the jesuiticall party) absolutely and entirely obliged themselves, not only in spirituall matters, but in temporall, as they are in order *ad spiritualia*. H. the 3d and H. the 4th of France were no protestants themselves, yet were murdered, because they tolerated the protestants: by which, and many other presidents, it appears that the king, that the kingdome can have no security but in their weaknesse and disabilitie to doe hurt.

Admission into
places of
power.

2. A 2d encouragement is, their admission into places of power and trust in the common-wealth, whereby they get many dependants and adherents, not only of their own, but even such as make profession to be protestants.

Free resort to
London and
the court.

3. A third, their freedome of resorting to London and the court, whereby they have opportunity, not only of communicating their counsels and desigues one to another, but of diving into his majesties counsels, by the frequent accesse of those who are active men amongst them to the tables and company of great men; and, under subtile pretences and disguises, they want not meanes of cherishing their owne projects, and of indeavouring to mould and biasse the publike affaires, to the great advantage of that partie.

4. A 4th, that as they have a congregation of cardinals at Rome, to consider of the aptest wayes and meanes of establishing the popes authority and religion in England, so they have a nuncio here, to act and dispose that party to the execution of those counsels, and, by the assistance of such cunning and jesuiticall spirits as swarm in this towne, to order and manage all actions and events to the furtherance of that maine end.

Innovations in
matters of
religion.

2. The second grievance in religion was, from those manifold innovations lately introduced into severall parts of the kingdome, all inclining to popery, and disposing and fitting men to entertaine it: the particulars are these:

Maintenance
of popish
tenets.

1. Diverse of the chiefest points of religion in difference betwixt us and the papists have bin publicly defended in licensed books, in sermons, in university acts, and disputations.

Practice of po-
pish ceremo-
nies.

2. Diverse popish ceremonies have bin not only practised, but countenanced, yea, little lesse than injoynd, as altars, images, crucifixes, bowings, and other gestures and observances, which put upon our churches a shape and face of popery. He compared this to the dry bones in Ezekiel: first they came together, then the sinewes and the flesh came upon them, after this the skin covered them, and then breath and life was put into them: so (he said) after these men had moulded us into an outward forme and visage of popery, they would more boldly endeavour to breathe into us the spirit and life of popery.

Preferment of
men popishly
inclined.

3. The third grievance was, the countenancing and preferring those men who were most forward in setting up such innovations: the particulars were so well knowne, that they needed not to be named.

Discourage-
ment of true
professors.

4. The fourth was, the discouragement of those who were known to be most conscionable and faithfull professors of the truth: some of the wayes of effecting this he observed to be these:

1. The courses taken to enforce and inlarge those unhappy differences, for matters of

small moment, which have bin amongst our selves, and to raise up new occasions of further division, whereby many have bin induced to forsake the land, not seeing the end of those voluntary and humane injunctions in things appertaining to Gods worship; whereas those who are indeed lovers of religion, and of the churches of God, would seeke to make up those breaches, and to unite us more entirely against the common enemy.

Inlargement of differences among our selves.

2. The over-rigid prosecution of those who are scrupulous in using some things enjoyned, which are held, by those who enjoyn them, to be in themselves indifferent. It hath bin ever the desire of this house, exprest in many parliaments in Q. Elizabeth's time, and since, that such might be tenderly used. It was one of our petitions delivered at Oxford to his majestie that now is: but what little moderation it hath produced, is not unknowne to us all: any other vice almost may be better indured in a minister than inconformitie.

Over-rigid prosecution of the scrupulous, for things indifferent.

3. The unjust punishments and vexations of sundry persons, for matters required without any warrant of law: as

Unjust punishments for matters not by law. Reading the booke. The table set altarwise.

For not reading the book concerning recreation on the Lords day.

For not removing the communion-table, to bee set altarwise at the east end of the chancell.

For not coming up to the railes to receive the sacrament.

For preaching the Lords day in the afternoone.

Comming to the railes. Preaching upon the Lords day.

For catechising in any other words and manner than in the precise words of the short catechisme, in the common prayer booke.

Varying from the catechisme. Abuse of ecclesiasticall jurisdiction, In fining and imprisoning. Claiming jurisdiction to be *jure divino*. Articles of the visitations.

The fifth and last grievance, concerning religion, was, the incroachment and abuse of ecclesiasticall jurisdiction: the particulars mentioned are these:

1. Fining and imprisoning, in cases not allowed by law.

2. Their challenging their jurisdiction to be appropriate to their order, which they alledge to be *jure divino*.

3. The contriving and publishing of new articles, upon which they inforce the churchwardens to take oathes, and to make inquiries and presentments, as if such articles had the force of canons: and this, he said, was an effect of great presumption and boldnesse, not only in the bishops, but in their archdeacons, officials, and chancellors, taking upon themselves a kind of synodall authority: and the injunctions of this kinde might well partake in name with that part of the common law which is called the extravagants.

Grievances concerning the liberty of persons and estates.

Having dispatcht these severall points, hee proceeded to the third part of grievances, being such as are against the common justice of the realm, in the liberties of our persons and proprietie of our estates; of which, (he said,) he had many to propound; in doing whereof, he would rather observe the order of time wherein they were acted, than of consequence; but when hee should come to the cure, hee should then perswade the house to begin with those who were of most importance, as being now in execution, and very much pressing and exhausting the common-wealth.

He began with the tonnage and poundage, and other impositions not warranted by law; and because these burdens had long lyen upon us, and the principles which produced them are the same from whence diverse other are derived, he thought it necessary to premise a short narrative and relation of the grounds and proceedings of the power of imposing herein practised. It was (he said) a fundamentall truth, essentiall to the constitution and government to this kingdome, an hereditary liberty and priviledge of all the free-borne subjects of the land, that no tax, tallage, or other charge, might be laid upon us without common consent in parliament. This was acknowledged by the Conqueror, ratified in that contract which hee made with this nation upon his admittance to the kingdome, declared and confirmed in the lawes which he published.

Tonnage and poundage impositions.

Not to be taken but by consent in parliament.

Acknowledged by the Conqueror.

This hath never bin denied to any of our kings, though broken and interrupted by

Sometimes broken by other kings, but never denied. Those breaches repaired by succeeding parliaments.

Some mixture of evidence for the subject in these very breaches.

The grant by parliament most usuall. At first variously limited in respect of time and persons. Afterwards confirmed to the king for life.

No contrary practice between Ed. 3. and Q. Mary. Pretended equity for the custom upon cloth. The grounds of the pretermitted custom.

Bates case.

The judgment therein for the king.

Resulting from different opinions of the judges.

The only foundation of the power of imposing.

some of them, especially by K. John and Hen. 3., then again confirmed by Mag. Chart., and other succeeding lawes, yet not so well settled, but that it was sometime attempted, by the two succeeding Edwards, in whose times the subjects were very sensible of all the breaches made upon the common libertie, and, by the opportunitie of frequent parliaments, pursued them with fresh complaints, and, for the most part, found redresse, and procured the right of the subject to be fortified by new statutes.

He observed, that those kings, even in the acts whereby they did break the law, did really affirme the subjects liberty, and disclaime the right of imposing, which is now chalenged; for they did usually procure the merchants consent to such taxes as were laid, therby to put a colour of justice upon their proceeding; and ordinarily they were limited to a short time, and then propounded to the ratification of the parliament, where they were cancelled or confirmed, as the necessity and state of the kingdome did require.

But, for the most part, such charges upon merchandize were taken by authority of parliament, and granted for some short time, in a greater or lesser proportion, as was requisite for supply of the publike occasions; 6 or 12 in the pound, for one, two, or three years, as they saw cause, to be employed for the defence of the sea; and it was acknowledged so clearly to be in the power of parliament, that they have sometimes bin granted to noblemen, sometimes to merchants, to be disposed for that use. Afterwards, they were granted to the king for life, and so continued for divers descents, yet still as a gift and grant of the commons.

Betwixt the time of Ed. the Third and Q. Mary, never prince (that he could remember) offered to demand any imposition but by grant in parliament. Q. Mary laid a charge upon cloth, by the equity of the statute of tunnage and poundage, because the rate set upon wool was much more than upon cloth; and there being little wool carried out of the kingdom unwrought, the Q. thought she had reason to lay somewhat more, yet not ful so much as brought them to an equality, but that there stil continued a lesse charge upon wool wrought into cloth than upon wool carried out unwrought; until K. James's times, when, upon Nicholsons project, there was a further addition of charge, but still upon pretence of the statute, which is that we call the pretermitted custome.

In Q. Eliz. time, one or two little impositions crept in, the general prosperity of her reign overshadowing small errors and innovations: one of these was upon currans, by occasion of the merchants complaints that the Venetians had laid a charge upon the English cloth, that so we might be even with them, and force them the sooner to take it off: this being demanded by K. James, was denied by one Bates a merchant, and, upon a suit in the exchequer, was adjudged for the king.

The manner of which judgment was thus: There were then but three judges in that court, all differing from one another in the grounds of their sentences. The first was of opinion, the king might impose upon such commodities as were forraigne and superfluous, as currans were, but not upon such as were native, and to be transported, or necessary, and to be imported for the use of the kingdom. The second judge was of opinion, he might impose upon all forraign merchandize, whether superfluous or no, but not upon native. The thurd, that for as much as the king had the custody of the ports, and the guard of the seas, and that he might open and shut up the ports as he pleased, he had a prerogative to impose upon all merchandize, both exported and imported.

This single, distracted, and divided judgment is the foundation of all the impositions now in practice; for, after this, K. Jam. laid new charges upon all commodities, outward and inward, not limited to a certaine time and occasion, but reserved to himselfe, his heires and successors, for ever, the first impositions in fee-simple that were ever heard of in this kingdome. This judgment, and the right of imposing thereupon as-

sumed, was a question in *septimo et duodecimo* of that king, and was the cause of the breach of both those parliaments. In 18. and 21. Jacobi, it was declined by this house, that they might preserve the favour of the K., for the dispatch of some other great businesses, upon which they were more especially attentive.

followed with complaints, and preserved by breaches of Parliaments.

In 1 of his majesty, it necessarily came to be remembered, upon the proposition, on the kings part, for renewing the bill of tonnage and poundage; but so moderate was that parliament, that they thought rather to confirme the impositions already set by a law to be made, than to abolish them by a judgement in parliament: but that and divers insuing parliaments have been unhappily broken before that endeavour could be accomplished; only, at the last meeting, a remonstrance was made concerning the liberty of the subject in this point; and it hath alwayes been exprest to be the meaning of the house, and so it was (as hee said) his own meaning in the proposition now made, to settle and restore the right according to law, and not to diminish the kings profit, but to establish it by a free grant in parliament.

The redresse desired without diminution the kings profit.

Since the breach of the last parliament, his majesty hath, by a new book of rates, very much increased the burden upon merchandize; and now tonnage and poundage, old and new impositions are all taken by prerogative, without any grant in parliament, or authority of law, as we couceive; from whence divers inconveniences and mischiefes are produced.

New burdens since the last parliaments. Divers mischiefs from these grievances.

1. The danger of the president, that a judgement in one court, and in one case, is made binding to all the kingdome.

The Kingdom bound by one private case. Interruption of Justice.

2. Mens goods are seized, their legall suits are stopped, and justice denied to those that desire to take the benefit of the law.

3. The great summes of money received upon these impositions, intended for the guard of the seas, claimed and defended upon no ground but of publike trust, for protection of merchants, and defence of the ports, are despersed to other uses, and a new tax raised for the same purposes.

Misemployment of the sumes received.

4. These burdens are so excessive, that trade is thereby very much hindered, the commodities of our owne groweth extreemely abased, and those imported much inhaunsed; all which lies not upon the merchant alone, but upon the generality of the subject; and by this meanes the stocke of the kingdome is much diminisht, our exportation being lesse profitable, and our importation more chargeable. And if the warres and troubles in the neighbour parts had not brought almost the whole streame of trade into this kingdom, we should have found many more prejudicial effects of these impositions, long before this time, than yet we have done; especially, they have been insupportable to the poor plantations, whither many of his majesties subjects have been transported, in divers parts of the continent, and islands of America, being a designe tending to the honour of the kingdome, and the enlargement of his majesties dominions. The adventurers in this noble worke have, for the most part, no other support but tobacco, upon which such a heavy rate is set, that the king receives twice as much as the true value of the commoditie to the owner.

The burdens excessive.

To the American plantations especially.

5. Whereas these great burthens have caused divers merchants to apply themselves to a way of traffique abroad, by transporting goods from one country to another, without bringing them home into England,—it hath been lately endeavoured to set an imposition upon this trade, so as the king will have a duty out of those commodities which never came within his dominions, to the great discouragement of such active and industrious men.

Impositions upon trade inter-coursory.

The next generall head of civill grievances was, inforcing men to compound for knighthood, which, though it may seeme past, because it is divers years since it was used, yet upon the same grounds the king may renew it as often as he pleaseth; for the composition lookes backward, and the offence continuing, is subject to a new fine. The state of that businesse he layed downe thus:

Compositions for knighthood.

The original
ground of the
charge.

Heretofore, when the services due by tenure were taken in kind, it were fit there should be some way of tryall and approbation of those that were bound to such services; therefore it was ordained, that such as were to do knights service after they came of age, and had possession of their lands, and should be made knights, that is, publikely declared to be fit for the service, divers ceremonies and solemnities were in use for this purpose; and if, by the parties neglect, this was not done, he was punishable by fine; there being in those times an ordinary and open way to get knight-hood for those who were born to it.

An old grie-
vance in the
kind.

New in the
manner and
excesse.

Although the use of this hath for divers ages been discontinued, yet there have past very few kings under whom there hath not bin a general summons, requiring those who had lands of such value as the law prescribes, to appear at the coronation, or some other great solemnity, and to be knighted; and yet nothing intended, but the getting of some small fines: so as this grievance is not altogether new in the kind, though it be new in the manner and in the excesse of it, and then in divers respects.

Respect of.

1. First, it hath been extended beyond all intention and colour of law, not only inne-holders, but likewise lease-holders, copy-holders, merchants, and others, scarce any man free from it.

The generality.
Greatnesse of
fines.

2. The fines have been immoderate, far beyond the proportion of former times.

Multiplication
of distresses
and issues.

3. The proceedings have been without any example, president, or rule of justice; for though those that were summoned did appeare, yet distresses infinite were made out against them, and issues increased and multiplied, and no way open to discharge those issues, by plea or otherwise, but only by compounding with the commissioners, at their own pleasure.

Monopolies
introduced by
thesope patent,
undertaken by
papists.

3. The third was, the great inundation of monopolies, whereby heavy burthens are laid, not only upon forraigne, but also native commodities. These began in the sope patent: the principal undertakers in this were divers popish recusants, men of estate and quality, such as, in likelyhood, did not only aime at their private gain, but, by this open breach of law, the king and his people might be more fully divided, and the wayes of parliament-men more thoroughly obstructed. Amongst the infinite inconveniences and mischiefes which this did produce, these few may be observed:

Full of mis-
chiefe.

1. The price of
commodities
increast, and
goodness
abated.

1. The impairing the goodnesse and inhancing the price of most of the commodities and manufactures of the realme, yea, of those who are of most necessary and common use, as salt, sope, beere, coles, and infinite others.

Restraint of
trade.

2. That, under colour of licences, trades and manufactures are restrained to a few hands, and many of the subjects deprived of their ordinary way of livelyhood.

Illegal impris-
onment, and
vexatious ship-
money.

3. That upon such illegal grants, a great number of persons had bin unjustly vexed, by pursevants, imprisonments, attendance upon the councell-table, seisure of goods, and many other wayes.

Aggravated,
not supported
by the judge-
ment: Which
is not grounded
upon any law,
custom, presi-
dent, or autho-
rity of law-
bookes.

4. The fourth, that great and unparalleled grievance of the ship-money, which, though it may seeme to have more warrant of law than the rest, because there hath a judgement past for it, yet, in truth, it is thereby aggravated, if it be considered, that that judgement is founded upon the naked opinion of some judges, without any written law without any custome, or authority of law broken, yea, without any one president for it; many expresse laws, many declarations in parliaments, and the constant judgement and practise of all times being against it; yea, in the nature of it, it will be found to be disproportionable to the case of necessity which is pretended to be the ground of it.

The course
unproper for
a case of
necessity.

Necessity excludes all formalities and solemnities: it is no time then to make levies and taxes, to build and prepare ships; every mans person, every mans ships are to be employed for the resisting of an invading enemy: the right on the subjects part was so cleare, and the pretences against it so weake, that hee thought no man would venture his reputation or conscience in the defence of that judgement, being so contrary to the

grounds of the law, to the practise of former times and so inconsistent in itself. Amongst many inconveniences and obloquies of this grievance, he noted these :

Abounding in variety of mischiefs.

1. That it extendeth to all persons and to all times : it subjected our goods to distresse, and our persons to imprisonment ; and the causes of it being secret and invisible, referred to his majesties brest alone, the subject was left without possibility of exception and reliefe.

The general extent, and remediless condition.

2. That there was no rules or limits for the proportion, so that no man knew what estate he had, or how to order his course or expences.

Arbitrary proportion.

3. That it was taken out of the subjects purse by a writ, and brought into the kings coffers by instructions from the lords of his most honourable privy-councell. In the legall defence of it, the writ only did appeare ; of the instructions there was no notice taken, which yet, in the reall execution of it, were most predominant. It carries the face of service in the writ, and of revenue in the instructions. If this way had not been found to turn the ship into money, it would easily have appeared how incompatible this service is with the office of a sheriffe in the inland counties, and how incongruous and inconvenient for the inhabitants. The law, in a body politike, is of like nature, which alwayes prepareth and disposeth proper and fit instruments and organs for every naturall operation. If the law had intended any such charge as this, there should have beene certaine rules, suitable meanes and courses, for the levying and managing of it.

Imposed by writ, disposed by instructions.

Improper for the sheriffes.

Unprovided for by law.

5. The fifth was, the enlargement of the forrests beyond the bounds and perambulations appointed and stablished by act of parliament, twenty seven and twenty eight Edward the First, and that this is done upon the same reasons and exceptions which had beene on the kings part propounded, and by the commons answered in parliament, not long after that establishment. It is not unknowne to many in this house, that those perambulations were the fruit and effect of that famous charter which is called *charta de forresta*, whereby many tumults, troubles, and discontents had beene taken away and composed between the king and his subjects ; and it is ful of danger, that, by reviving those old questions, we may fal into the like distempers.

Enlargement of forrests,

Against expresse statutes.

Charta de forresta made uselesse.

He said, that hereby no blame could fall upon that great lord who is now justice of eyre, and in whose name these things were acted. It should not be expected that he should take notice of the lawes and customes of the realme ; therefore he was careful to procure the assistance and direction of the judges ; and if any thing were done against law, it was for them to answer, and not for him.

Justice in eyre clerred.

The answer lies upon the judges.

The particular irregularities and obliquities of this businesse were these :

Particular obliquities.

1. The surreptitious procuring a verdict for the king, without giving notice to the cuntry, whereby they might be prepared to give in evidence for their owne interest and indemnity, as was done in Essex.

Surreptitious proceedings.

2. Whereas the judges in the justice-seat in Essex were consulted with about the entry of the former verdict, and delivered their opinion touching that alone, without meddling with the point of right, this opinion was after inforced in other counties, as if it had beene a judgement upon the matter, and the councell for the countie discountenanced in speaking, because it was said to be already adjudged.

A judgment pretended.

3. The inheritance of divers of the subjects have been hereupon disturbed, after the quiet possession of three or foure hundred years, and a way open for the disturbance of many others.

The subject disturbed.

4. Great sums of money have bin drawn from such as have lands within these pre-fended bounds ; and those who have forborne to make composition have been threatened with the execution of the forrest lawes.

Inforced to compound for great fines.

The fifth was, the selling of nusances, or at least some such things as are supposed to be nusances.

The legall
tryall of nu-
sances omitted.

A new extra-
judiciall way
practised.

Compositions
inforced, and

A publike
trust broken
and abused.

Commission
for building.

Depopula-
tions.

The severall
mischiefes of
both.

Military
charges.

A growing
evil.

Coat and con-
duct money,
how practised
by Queen
Elizabeth.

Muster-masters
wages.

Pressing.

The king, as father of the common-wealth, is to take care of the publike commodities and advantages of his subjects, as rivers, highways, common-sewers, and such like, and is to remove whatsoever is prejudiciall to them; and for the tryall of those, there are legall and ordinary writs of *ad quod damnum*: but, of late, a new and extrajudiciall way hath been taken of declaring matters to be nuisances, and divers have thereupon been questioned, and if they would not compound, they have been fined: if they do compound, that which was first prosecuted as a common nuisance is taken into the kings protection, and allowed to stand; and having yeelded the king mony, no further care is taken whether it bee good or bad for the common-wealth. By this, a very great and publike trust is either broken or abused. If the matter compounded for be truly a nuisance, then it is broken, to the hurt of the people; if it bee not a nuisance, then is it abused, to the hurt of the party. The particulars mentioned were,

1. The commission for buildings in and about this town, which heretofore hath bin presented by this house as a grievance in King James his time, but now of late the execution hath beene much more frequent and prejudiciall than it was before.

Secondly, commission for depopulations, which began some few yeares since, and is still in hot prosecution.

By both these the subject is restrained from disposing of his owne. Some have been commanded to demolish their houses, others have been forbidden to build; others, after great trouble and vexation, have been forced to redeeme their peace with large summes; and they still remaine, by law, as lyable to a new question as before; for it is agreed by all, that the king cannot licence a common nuisance; and although, indeed, these are not such, yet it is a matter of very ill consequence, that, under that name, they should be compounded for, and may, in ill times, be made a president for the kings of this realme to claime a power of licensing such things as are nuisances indeed.

The seventh, the military charges laid upon the severall counties of the kingdome, sometimes by warrant under his majesties signature, sometimes by letters from the councill-table, and sometimes (such hath been the boldness and presumption of some men) by the order of the lord-lieutenants, or deputy-lieutenant alone.

This is a growing evil, still multiplying and increasing from a few particulars to many, from small summes to great. It began first to be practised as a loane, for supply of coat and conduct money; and for this it hath some countenance, from the use in Q. Eliz. time, when the lords of the councill did often desire the deputy-lieutenants to procure so much mony, to be laid out in the country, as the service did require, with a promise to pay it againe in London; for which purpose there was a constant warrant in the exchequer. This (he said) was the practice in her time, and in a great part of King James, and the payments so certain, as it was little otherwise than taking up mony upon bills of exchange. At this day, they follow these presidents in the manner of the demand, (for it is with a promise of a repayment,) but not in the certainty and readines of satisfaction.

The first particular brought into a tax (as he thought) was the muster-masters wages, at which many repined; but being for small summes, it began to be generally digested: yet, in the last parliament, this house was sensible of it; and, to avoyd the danger of the president, that the subjects should bee forced to make any payments without consent in parliament, they thought upon a bill, that may bee a rule to the lieutenants what to demand, and to the people what to pay. But the hopes of this bill were dasht, in the dissolution of that parliament. Now, of late, divers other particulars are growing into practice, which make the grievances much more heavy: those mentioned were these:

1. Pressing men against their will, and forcing them which are rich, or unwilling to serve, to find others in their place.

2. The provision of publike magazines for powder, and other munition, spades, and pick-axes.

3. The salary of divers officers, besides the muster-master.

4. The buying of cart-horses and carts, and hyring of carts for carriages.

The eighth, the extrajudiciall declarations of judges, whereby the subjects have beene bound in matters of great importance, without hearing of counsell, or argument on their part, and are left without legall remedy, by writ of error, or otherwise. He remembered the expression used by another member of the house, of a teeming parliament: this (he said) was a teeming grievance: from hence have issued most of the great grievances now in being; the ship-money, the pretended nuisances, already mentioned, and some others, which have not yet been toucht upon, especially that concerning the proceedings of ecclesiasticall courts.

The ninth, that the authority and wisdom of the councill-table have bin applyed to the contriving and managing of several monopolies, and other great grievances. He said, the institution of the councill-table was much for the advantage and security of the subject, to avoid surreptions and precipitate courts in the great affaires of the kingdom: That, by law, an oath is to be taken by all those of the kings counsell, in which, among other things, it is exprest, that they should for no cause forbear to doe right to all the kings people; and if such an oath be not now taken, he wisht it might be brought into use againe.

It was the honour of that table to bee, as it were, incorporated with the king; his royall power and greatnesse did shine most conspicuously in their actions and in their counsels. We have heard of projectors and resurees heretofore, and what opinion and relish they have found in this house is not unknowne. But that any such thing should bee acted by the councill-table which might give strength and countenance to monopolies, as it hath not beene used till now of late, so it cannot be apprehended, without the just grief of the honest subject, and encouragement to those who are ill affected.

He remembered that, in *tertio* of king,

A noble gentleman, then a very worthy member of the commons house, now a great lord, an eminent counsellour of state, did, in this place, declare this opinion concerning that clause used to bee inserted in pattenents of monopoly, whereby justices of peace are commanded to assist the pattenentes: this he urged as a great dishonour to those gentlemen which are in commission, to be so meanelly employed: with much more reason may we, in jealousie of the honour of the councill-table, humbly desire that their precious time, their great abilities, designed to the publike care and service of the kingdom, may, perhaps, not receive such a staine, such a diminution, as to be employed in matters of so ill report, in the estimation of the law, of so ill effect, in the apprehension of the people.

The tenth, the high court of star-chamber, which some think succeeded that which, in the parliament-rolles, is called *magnum concilium*, and to which parliaments were wont so often to referre those important matters which they had no time to determine. This court, which, in the late restauration or erection of it, in Henry the Seventh's time, was especially designed to restraine the oppression of great men, and to remove the obstructions and impediments of the law: this, which is both a court of councill and a court of justice, hath beene made an instrument of erecting and defending monopolies and other grievances, to set a face of right upon these things which are unlawful in their owne nature,—a face of publike good upon such as are pernicious in their use and execution. The soape-patent, and diverse other evidences thereof may be given, so well knowne, as not to require a particular relation: and, as if this were not enough, this court hath lately intermeddled with the ship-money; diverse sheriffes have been questioned for not levying and collecting such sums as their counties have beene charged with: and if this beginning be not prevented, the star-chamber will become a court of reve-

Publike magazines.

Salary of officers.

Cart-horses and carts.

Extrajudiciall declarations of judges.

A teeming grievance.

Monopolies countenanced by the councill-table.

The ancient oath of counsellours.

Their trust and dignity.

Much diminished and debased.

By being employed in matters of such ill report.

Star-chamber a great councill.

A court erected against oppression.

Applied the establishing of monopolies

To the recovery of ship-money.

The kings edicts and proclamations

For the erecting monopolies.

The word and truth of God

Pretended for the absolute power of kings.

The offence of D. Mannering

Now practised by others,

To the great hurt and grievance of the people.

The intermission of parliaments.

The subjects grievances hurtfull to the king,

By interrupting their communion.

By domestical breaches and discontents. By weakening his partie abroad.

nue, and it shall be made a crime not to collect or pay such taxes as the state shall require.

The eleventh, he said, he was gone very high, yet hee must goe a little higher. That great and most eminent power of the king, of making edicts and proclamations, which are said to bee *leges temporis*, with whom our princes have used to encounter with sudden and unexpected danger, as would not endure so much delay as assembling the great councill of the kingdome,—this, which is one of the most glorious beames of majestie, rigorous in commanding reverence and subjection, to our unspeakable grieffe, hath been often exercised for the enjoyning and maintaining sundry monopolies, and other grants, exceeding burdensome and prejudiciall to the people.

The twelfth, although hee was come as high as he could upon earth, yet the presumption of evil men did leade him one step higher, even as high as Heaven, as high as the throne of God. It was now, he said, growne common for ambitious and corrupt men of the clergie to abuse the truth of God and the bond of conscience, preaching downe the lawes and liberties of the kingdome, pretending divine authority for an absolute power in the king to doe what he would with our persons and goods: this hath been often published in sermons and printed books, and is now the high way to preferment.

The last parliament, we had a sentence, for an offence of this kinde, against one Mannering, then a doctor, now a bishop, concerning whom (hee said) hee would say no more but this, that when he saw him at his barre, in the most humble, dejected posture that ever he observed, hee thought he would not so soone have leapt into a bishops chaire; but his successe hath emboldened others: therefore (hee said) this may well bee noted as a double grievance, that such doctrine should be allowed, that such men should be preferred; yea, as a roote of grievances, whereby they indeavour to corrupt the kings conscience, and, as much as in them lyes, to deprive the people of that royall protection to which his majestie is bound by the fundamentall lawes of the kingdome, and his own personall oath.

The thirteenth, the long intermission of the parliaments, contrary to the two statutes yet in force, whereby it is appointed there should be parliaments once a-yeare, at the least, and most contrary to the publike good of the kingdome; for this being well remedied, would produce remedies for all the rest.

Having put through the severall heads of grievances, hee came to the second maine branch propounded in the beginning,—that the disorders from whence these grievances issued were as hurtfull to the king as to the people; of which he gave diverse reasons:

1. The interruption of the sweet communion which ought to be betwixt the king and his people, in matters of grace and supply.

They have need of him, by his generall pardon to bee secured from projectors and informers, to be freed from obsolete lawes, from the subtle devices of such as seeke to restraine the prerogative to their own private advantage, and the publike hurt; and he hath need of them, for counsell and support in great and extraordinary occasions. This mutuall entercourse would so weane the affections and interests of his subjects into his actions and designs, that their wealth and their persons would bee his, his owne estate would be managed to most advantage, and publike undertakings would bee prosecuted at the charge and adventure of the subject. The victorious attempts, in Queene Elizabeth's time, upon Portugall, Spaine, and the Indies, were, for the greatest part, made upon the poore subjects purses, and not upon the queen's, though the honour and profit of the successe did most accrew to her.

2. Those often breaches and discontentments betwixt the king and the people are very apt to diminish his reputation abroad, and disadvantage his treaties and alliances.

3. The apprehension of the favour and incouragement given to popery hath much weakned his majesties party beyond the sea, and impaired that advantage which Queen

Elizabeth and his royall father hath heretofore made, of being heads of the protestant union.

4. The innovations in religion, and rigour of ecclesiasticall courts, have forced a great many of his majesties subjects to forsake the land, whereby not only their persons and their posterity, but their wealth and their industry are lost to this kingdome, much to the demolishing of his majesties customs and subsidies. Amongst other inconveniences, this was especially to be observed, that diverse clothiers, driven out of the country, had set up the manufacture of cloth beyond the seas, whereby this state is like to suffer much, by abatement of the price of wools, and by want of employment for the poore, both which likewise tend to his majesties particular losse.

By forcing his subjects to leave the kingdome.

5. It puts the king upon improper wayes of supply, which, being not warranted by law, are much more burdensome to the subject than advantageous to his majesty. In France, not long since, upon a survey of the kings revenue, it was found that two parts in three never came to the king's purse, but were diverted to the profit of the officers or ministers of the crowne; and it was thought a very good service and reformation to reduce two parts to the king, leaving still a third part to the instruments as were employed about getting it in. It may well be doubted, that the king may have the like or worse successe in England, which appeares already in some particulars.

By improper wayes to supply.

The king hath reserved upon this monopoly of wines 30 thousand pound rent a-yeere; the vintners pays 40 shillings a tun, which comes to ninty thousand pounds. The price, upon the subject, by retaile, is increased two pence a quart, which comes to eight pound a tun, and, for 45000 tun, brought in yeerely, amounts to 3 hundred 60 thousand pounds, which is 3 hundred and 30 thousand pounds losse to the kingdome, above the kings rent. Other monopolies, as that of soape, have been very chargeable to the kingdome, and brought very little treasure into his majesties coffers.

The law provides for that revenue of the crowne, which is natural and proper, that it may be safely collected and brought to account; but this illegall revenue, being without any such provision, is left to hazard and much uncertainty, either not to be retained, or not duly accounted of.

6. It is apt to weaken the industry and courage of the subject, if they be left uncertain whether they shall reap the benefit of their own paines and hazard. Those who are brought into the condition of slaves will easily grow to a slavish disposition, who, having nothing to lose, doe commonly shew more boldnesse in disturbing than of defending a kingdome.

By weakening the industry and courage of the subject.

7. These irregular courses do give opportunity to ill instruments to insinuate themselves into the kings service; for wee cannot but observe, that if a man be officious in furthering their inordinate burdens of ship-money, monopolies, and the like, it varnisheth over all other faults, and makes him fit both for employment and preferment; so that, out of their offices, they are furnish'd for vast expences, purchases, buildings; and the king loseth often more, in desperate debts, at their deaths, than he got by them all their lives: whether this were not lately verified in a westerne man, much employed while he lived, he leaves to the knowledge of those who were acquainted with his course; and he doubted not but others might be found in the like case.

By introducing ill instruments into the kings service.

Those that are affected to popery, to prophanesse, and to superstitious innovations in matters of religion, all kinde of spies and intelligencers, have meanes to be countenanced and trusted, if they will be but zealous in these kinde of services, which how much it detracts from his majestie, in honour, in profit, and prosperity of publike affaires, lies open to every man's apprehension: and from these reasons, or some of them, he thought it proceeded that, through the whole course of the English story, it might be observed, that those kings who had bin most respectfull of the lawes, had bin most eminent in greatnesse, in glory, and successe, both at home and abroad; and that others,

who thought to subsist by the violation of them, did often fall into a state of weaknesse, poverty, and infortunitie.

By diverting
the kings
thoughts from
divers great
and hopeful
enterprises.

8. The differences and discontents betwixt his majestie and the people at home have, in all likelyhood, diverted his royall thoughts and counsellors from those great opportunities which he might have, not only to weaken the house of Austria, to restore the Palatinate, but to gain to himself a higher pitch of power and greatnesse than any of his ancestors

It is not unknown how weak, how distracted, how discontented the Spanish colonies are in the West Indies. There are now in those parts, in New England, Virginia, and the Caribe Islands, and in the Bermudos, at least 60,000 able persons of this nation, many of them well armed, and their bodies seasoned to that climate, which, with a very small charge, might be set down in some advantageous parts of these pleasant, rich, and fruitfull countreys, and easily make his majestie master of all that treasure, which not only foment the war, but is the great support of popery in all parts of Christendom.

By producing
many charge-
able distem-
pers.

9. Lastly, those courses are apt to produce such distempers in the state, as may not be settled without great charge and losse, by which means more may be consumed in a few moneths than shall be gotten by such wayes in many yeeres.

The wayes
of remedying
their grievan-
ces.

Having past through the two first generall branches, he was now come to the third, wherein he was to set downe the wayes of healing and removing those grievances, which consisted of two maine branches: first, in declaring the law, where it was doubtfull; the second, in better provision for the execution of the law where it is cleere: but (he said) because he had already spent much time, and began to find some confusion in his memory, he would refer the particulars to another opportunity, and, for the present, only move that which was generall to all, and would give waight and advantage to all the particular wayes of redresse; that is, that we should speedily desire a conference with the lords, and acquaint them with the miserable condition wherein we find the church and state; and as wee have already resolved to joyn in a religious seeking of God, in a day of fast and humiliation, so to intreat them to concur with us, in a parliamentary course, of petitioning the king, as there should be occasion, and in searching out the causes and remedies of these many insupportable grievances under which we lye; that so, by the united wisdom and authority of both houses, such courses may bee taken as (through God's blessing) may advance the honour and greatnesse of his majesty, and restore and establish the peace and prosperity of the kingdome.

This (hee said) wee might undertake with comfort and hope of successe; for though there bee a darknesse upon the land, a thicke and palpable darknesse, like that of Egypt, yet, as in that, the sunne has not lost his light, nor the Egyptians their sight; the interruption was onely in the medium: so with us there is still (God bee thanked) light in the sunne, wisdom and justice in his majestie, to dispell this darknesse; and in us there remains a visuall faculty, whereby wee are inabled to apprehend, and moved to desire light; and when wee shall be blessed in the enjoying of it, we shall thereby be incited to returne his majesty such thankses as may make it shine more cleerely in the world, to his owne glory, and in the hearts of his people, to their joy and contentment.

The Troublesome Life and Raigne of King Henry the Third; wherein five Distempers and Maladies are set forth, viz.

1. By the pope and church-mens extortions.
2. By the places of best trust bestowed upon unworthy members.
3. By patents and monopolies for private favourites.
4. By needlesse expences and pawning of jewels.
5. By factious lords and ambitious peeres.

Sutable to these unhappie times of ours; and continued with them till the King tied his actions to the rules of his great and good Councell, and not to passionate and single advice.

Written some years since, by that learned antiquary of this kingdom, Sir Robert Cotton, Knight and Baronet; presented to K. James, of ever blessed memory, 1642.

This parallel between the life of Henry III. and that of Charles I. appears to have been published shortly after the king's summoning the town of Hull. To understand its full import, it is only necessary to recal the principal historical events which led to the civil war. The name of Sir Robert Cotton is used to give the greater weight to the argument; and we may be readily satisfied, that a story calculated to run in parallel with the various events of the reign of Charles I. could not be presented to his father, of blessed memory.

WEARIE in the lingering calamities of civill armes, and affrighted at the sudden downfall of a licentious soveraigne, all men stood at gaze, expecting the event of their long desires, peace, and the issue of their new hopes, benefit; for in everie shift of princes, there are few either so meane or modest, that pleasure not themselves with some probable object of preferment.

To satisfie all, a child ascendeth the throne, mild and gracious, but easie of nature, whose innocencie and naturall goodnesse led him along the various dangers of his fathers raigne. Happy was hee in his uncle the earle of Pembroke, the guide of his infancie, and no lesse for thirtie yeares, whilst De Burgo, the last servant of his fathers against the French, both in Normandy and England, with Bigot, earle of Norfolk, and others of like gravitie and experience, did manage the affaires. Five, and no more, were the distempers then in state, but such as are incident in all,—the commons greedy of libertie, as the nobilitie of rule; and but one violent, raised by some old and constant followers of his fathers, Fulio de Brent, De Fortbus, and others; men that could only thrive by the wars, misliking those dayes of sloth, (for so they termed that calme of King Henries reigne;) and rather, because the justice of quietnesse urged from them, to the lawfull owners, such lands and castles as the furie of war had unjustly given them; for finding, in the uprightness of the king, that protection could not be made a wrong doer, they fell out into the rebellion which ended their lives and competitions; professing their swords, that had set the crowne upon the soveraigne, should now secure those small pittances, when majestie and law could not.

Dangerous are too great benefits to subjects of their princes, when it maketh the mind capable only of merit, nothing of dutie.

No other disquiet did the state after this feele, but such as are incident to all; malice to authoritie: goodnesse and greatnesse may secure themselves from guilt, but not from envie; for highest in trust in publike affaires are still shot at by the aspiring of those that see themselves lesse in employment than they deeme in merit. Those vapours did ever and easily vanish, so long as the helme was guided by wise and temperate spirits, and the king tyed his actions to the rules of good counsell, and not to young, passionate, and single advice.

Thirtie yeares now passed, and all the old guides of his youth dead, but De Burgo, a man in whom nothing of worth was wanting but moderation, whose length of dayes giving him the advantage of sole power, his owne ambition and age gave him desire and art to keep out others. This bred to him the fatal envie of most, which the proud title of earle, and offices then bestowed on him, much increased. Sin by this had wrought, as in it selfe, so in the affection of the people, a revolution; the affection of their fathers forgotten, and the surfet of long peace having led them perchance into some abuses. From thence the commons (to whom everie dayes presence seeme worst) commend the forgone ages; they never remembred and condemne the present, though they knew neither the disease thereof, nor the remedie. To this idle and usuall humour fals in some noble spirits, warme and overweening, who, being as truly ignorant as the rest, first, by sullyng the wisdom of the present and greatest rulers, making each casuall hap their error, seeme to decypher everie blemish in government, and then by holding certaine imaginarie and fantastick formes of common-weale, flatter their owne beleefes and abilities that they could mould any state to those generall rules, which, in particular applications, will prove them grosse and idle absurdities, confirmed in their owne worths by Sommers and Spencer: they take it a fit time to work themselves into action and authoritie, now a thing they long desired, and thought unwilling to seeme to sue for.

Doubtlesse, the surest in their aimes was yet to become quiet instruments in serving the state, if they had been held worthy; but the king, taught by the new earle, *consilia senum hastas juvenum esse*, and that such wits, for so they would be stiled, *novandis quam gerendis aptiores*, fitter in being fierie to disorder than to settle affaires, either delayed or denyed their desires; for wise princes will ever chuse their instrument, *negotiis et nonsupra*, creatures out of free election, that are only otherwise without freenesse or power.

Among this unequall medley there were of nobilitie, Pembroke, Gloucester, Hartfield, darlings of the multitude; some for the merits of their fathers, whose memories they held sacred, as pillars of publike libertie, and oppressours of encroaching monarchie. Others of the genterie, Fitz-Geffery, Bardolfe, Grisby, Mansell, and Fitz-John, spirits of as much acrimony and arrogant spleene as the places from whence they were elected, camp, court, or countrey, could afford any. These by force would effect what by cunning the others did effect; but all impatient to see their ends thus frustrate, and that so long as the king followed the directions of the earle of Kent they had small hopes of their desires. They made often meetings; and, as one saith of them, *clam nocturnis colloquiis aut flexa in vesperum diem*. At last, Sommers and Spencer, two that were far in opinion with the rest, gentlemen that, by foraine education and employment, were better qualified than usually men of those times, and that set upon their owne deserts the best places when the streame should turne, which some of them did unworthily obtaine, (for he died in actuall rebellion, *justiciarius Angliæ*, against his majesty,) advised that the surest means to remove the great and good obstacle, the earle of Kent, out of the way of their advancement, was, by sifting into his actions, and siding with his enemy, Peter, bishop of Winchester, an evill man, but gracious with the king;

aiming that the worthiest driven out by the worst, they should ever be able to match him with his owne vices, which will be more visible as he is more potent, and so remove him at pleasure; or else give over the king to such ministers as, losing him the hearts of the people, might smooth him a way to their bad desires: *honores quos quieta rep. desperant, perturbata consequi se posse arbitrantur.*

This counsell heard and approved, and put in execution, the corrupt and ambitious bishop is easily ensnared to their part, by money, and opinion of greater power. Articles are in all hast forged and urged against the earle; as, sale of the crowne lands, waste of the kings treasure, and, lastly, that which those doubtfull times held capitall, giving allowance to any thing that might breed a rupture between the subjects and the soveraigne, as he had done in making way with the king to annihilate patents granted in his nonage, and enforced his subjects to pay, as the record saith, *Non juxta singulorum facultatem, sed quicquid justiciarius estimabat.* Well, he cleared himself of all but the last, and did worthily perish by it; for acts that fill princes coffers are commonly the ruine of the first inventors. Bad times corrupt good counsels, and make the ministers yeeld to the lust of princes; but this king cannot therefore passe blamelesse, that would so easily banish all former merits of so good a servant, for that himselfe was therein chiefe in fault: but princes natures are more voluble and more sooner cloyed than others, more transitorie their favours; and as their minds are large, so they easily overlook their first elections, having no further necessitie in the fastnesse of their affections than their owne satisfaction.

The bishop now alone manageth the state, chuseth his chiefe instrument, Peter de Rivallis, a man like himselfe, displaceth the natives, and draweth Poytovins and Britons into offices of best truth and benefit, and the king into evill opinion of his people; for nothing is more against the nature of the English than to have strangers rule over them. Of this mans time, Wendover, an author then living, saith, *Judicia committuntur injustis leges ex legibus, pax discordantibus, justitia, injuriosis.* Thus the plot of the tumultuous barons went cleere; and had not the discreet bishop calmed all with dutifull perswasions, and enforming the king, the support of this bold mans power (whose carriage before lost his father Normandy, his treasure, and the love of his people, and in that the crowne,) would, as by his teaching the son to reject, in passion, the just petition of his loyall subjects, as, of late, the earle-marshall the due of his office, draw all the state into discontent, by his bad office and corrupt manners; and doubtlesse, the rebellious lords had ended this distemper (as their designes) in a civill war.

Denials from princes must be supplied with gracious usage, that though they cure not the sore, yet they may abate the sence of it: best it is that all favours come directly from themselves, denials and things of bitterness from their ministers.

Thus are the strangers all displaced and banished, Rivallis extortions ransackt by many strick commissions; and the bishop himselfe, sent disgraced to his see, finds now, *nullam quæsitam scelere potentiam diuturnam*, and that in princes favours there is no distance betweene mediocritie and precipitation; so dangerous are the wayes of majestie, and men still foolish to strive to run. The faction, still frustrate of their malicious ends, begin to sow upon their late grounds of the peoples discontent, *querelas et ambiguos de principe sermones turbulentia vulgi*, and took it up a fashion to endeare and glorifie themselves with the senselesse multitude, by depraving the kings discretion and government; whose nature, too gentle for such insolent spirits, was forced (as Trivet sayes) to seek, as he presently did, advice and love amongst strangers, seeing no desert could purchase it at home: all bore themselves like tutors and controllers, few like subjects and counsellours.

God, we see, holdeth the hearts of princes, and sends them such counsellours as the qualitie of the subjects meriteth; for Mountford, a French-man, became the next object of the kings delight, a gentleman of choyse blood, education, and feature. On this

mans content the heady affection of the soveraigne did so much dote, that, at his first entrie of grace, in envie of the nobilitie, he made him earle of Leicester; and in no lesse offence of the clergie, by violating the rights of holy church, gave him his vowed vailed sister to wife, more of art than usefull. Some have deemed this act of the kings making the tye of his dependencie the strength of his assurance, so both at his will.

Mountford, made wanton with the dalliance of majestie, forgetteth moderation; for seldome moderation in youth attendeth great and sudden fortunes: he draweth all affaires publike into his hands, all favours must pass from him, preferments by him, all suits addressed to him; the king but as a cypher set to add to his figure the more of number.

Great was the soveraignes errour, when the hope of servants must recognite itselfe to the servant, which ought immediately to come from the goodnesse and good election of himselfe: though princes may take, above others, some reposefull friend, with whom they may participate their neerest passions, yet ought they so to temper the affaires of his favour, that they corrupt not the affaires of their principalitie.

The great and gravest men began to grieve, when the unworthy, without honour or merit, dealt thus alone in that which should passe their hands, and to over-leap their yeares to the greatest honours and offices, and therefore ran along with the rising grace of the kings halfe brethren, (though strangers,) hoping to divide so the possession of grace, which they saw impossible to breake.

Leicester, confident of his majesties love, and impatient either to beare rivall in favour, or partner in rule, opposeth them all, but findeth, in his ebb of favour, the fortunes of others; for this king could as easily transfer over his love as settle his affection. Great, we see, must be the art and cunning of that man that keeps him afloat the streame of soveraigne favour, sithence the change of princes wils (which, for the most part, are full of fancies, and so unsaciate,) are hardly arrested: who so would this, must only intend the honour and safetie of his master, and, despoyled of all other respects, transforme himselfe to his inward inclination, work necessitie of employment; by undergoing the offices of most secrecie, either of public service or princes pleasures, beat downe he must competitors of worth by the hand of others, conceale his own greatnesse in publicke with a fained humilitie, and what in potencie or government he affecteth, to let rather seeme the work of others, than any appetite of his owne.

Now were the raines of rule, fitly taken by this advantage, put alone into the hands of the kings halfe brethren, Adam, Guido, Godfrey, and William; himselfe, as before, *ex magna fortuna tantam licentiam usurpans*; for to act his owne part he was ever ready drawn, when hee had such worthy servants as would often, for his honour, urge it.

These ministers (as Wallingford terms them) *tanta elati jactantia, quod nec superiorem sibi intelligunt, nec parem melitis, et molitis adulationibus, animum regis pro libito voluntatis orationis tramite deliniantes*, doe alone their list; they fill up the places of justice and trust with their country-men, put out the English, exact of whom and who they please, wast the treasure and crown-lands on themselves and followers, set prices on all offices, and raine the law within the rule of their owne brests; the usuall reply of their servants to the plaints of the kings subjects being, *Quis tibi rectum faciet quod dominus meus vult, dominus rex vult*. These strangers seemed, in their lawlesse carriage, not to have been omitted, but to have entered the land by conquest: the great they enforced not to obey, but serve; and the meane to live so, as they might justly say, they had nothing: yet, lest the king should heare the grones of his people, and greedinesse of his ministers, which good and able men would tell him, they bar all wayes; suspition being the best preserver of their owne defects, aimeth at those who have more of vertue than themselves, as fearing them most.

Thus is the capacitie of government in a king, when it falleth to be a prey to such

lawlesse minions, the ground of infinite corruption in all the members of the state : all take warrant, generally, from princes weaknesse, of licentious libertie ; and greatnesse makes profit particularly by it, and therefore gives way to encrease ill, to encrease their gaines.

A famine accompanieth these corruptions, and that so violent, as the king is enforced to direct writs to all shires, *Ad pauperes mortuos sepeliendos famis media deficientes*. Famine proceedeth, *et secutus est gladius tam terribilis, ut nemo inermis secure possit per provincias pervagare* ; for all the villages of the kingdome were left a prey to a lawlesse multitude, who, *per divisas partes itinerantes velut per consensum aliorum*, as the record said, did imply that the factious lords suspected that the king had given some heart to this commotion. Ambitious peeres bring ever fuell to popular fires : nor was the church without a busie part in this tragick work ; for Walter, bishop of Winchester, and Robert of Lincolne, to Mountford and his faction *præcordialiter adhærebant*, and were far engaged : in such designes church-men are never wanting ; and the distaffe of present government, as well in church as in common-weale, will ever be a knot of strength for such unquiet spirits, who alwayes frame to themselves some other forme than the present, as well in religion as in temporall estates, being that with which the giddy multitude winneth the best opinion, and did at this time fitly suit the peoples humours, so much distasting the new courts of the clergie, their pomp, their greedinesse, and the popes extortious.

A faire pretext it was to the factious bishops to use their bitter pens and speeches so far against some religious orders, ceremonies, and state of the church, that one of them incurred the sentence of excommunication at Rome, and treason at home ; for he enjoyned the earle of Leicester, *in remissione peccatorum, ut causam illam* (meaning the rebellion) *usque ad mentem assumerat asserens pacem ecclesie Anglicanæ sine gladio materiali nunquam firmere posse*. It was not the best doctrine this man could plant by liberty and war, when the first church rose by patience and prayer. True piety bindeth a subject to desire a good soveraigne with a bended knee, rather in time to desire abatement than to resist authority : church-men therefore ought not alwayes to lead us in the rules of loyalty, but knowledge of our own duty in difficult points of religion ; where an humble ignorance is a secure knowledge, we may relie on them. To suppress these troubles, and supply the kings necessities, a parliament was called, much to the liking of these lords, who as little meant to supply the king as he did desire to acquit the state ; their ends at this time being onely to open at home the poverty of their master, to lessen his reputation abroad, and to brave out their own passions freely, which these times of liberty permits. Here they began to tell him he had wronged the publique, in taking to his private election the justice, chancellor, and treasurer ; it should be onely by the common counsell of the realme : commending the bishop of Chichester for denying the delivery of the great seal, but in parliament, where he received it.

They blame him there to have bestowed the best places of trust and benefit on strangers, and to leave the English unrewarded ; to have undone the trade of merchandise, by bringing in mulds and heavie customes ; and to hurt the common liberty, by *non obstantes* in his patents ; to make good monopolies for private favourites, that he had taken from his subjects. *Qui quid habuerunt in osculentis et poculentis rusticorum enim bigas equos viva, victualia ad libitum capit* ; that is, judges were sent in circuit, under the pretext of justice to fleece the people, *Causis fictis quæcunque poterant deripuerunt* ; and that Sir Robert de Purslan had wrong from the borderers of his forests, under pretence of incroachment or assarts, great summes of money ; and therefore they wonder he should demand relief from his so piled and poled commons, that, by these former extremities, *Et per auxilia prius data ita depauperentur ut parum aut nihil habeant in bonis* : advising him withall, that, since his needlesse expences, *postquam rex regni cæpit esse*, were summed up to be by them above £800000, it were fitting to pul from his favourites, who

had gleaned the treasure of the kingdom, and shared the old lands of the crown; some one of whom the lords described to be *miles literatus*, or *clericus militaris*, that had, in short space, from the inheritance of avarice grown to the possession of an earldom; and Mansel, another inferiour clerke, that rose to dispend, in annuall revenues, 4000 m.; whereas more moderate fees would have become a penman no better qualified than with the ordinary fruits of a writing-school: yet told, if a moderate supply would suit with his occasions, they were content to performe so far relief, in obedience, as the desert of his carriage should merit towards them: and so, as the record saith, *Dies data fuit in tres septimanus, ut interius rex excelsus suos corrigeret, et magnates ejus obtemperarent voluntati*; at which day, upon new grant of the great charter, admittance to his counsell (some persons elected by the commons,) and promise to relie upon the natives, and not on strangers, for advice hereafter, they spare him such a pittance as must force him again to their devotion for a new supply.

Thus the parliaments, that were ever before a medicine to heal up any rupture in the princes fortunes, are now grown worse than the maladie, since malignant humours began to rule more than well composed tempers. The king, by this experience of the intents of his rebellious subjects, finding the want of treasure was the way whereby they enthralled his majesty, begins to play the good husband, closeth his hand of waste, and resolved himselfe, (too late,) to stand alone.

Experience is pernicious to the private, and dangerous to the good of the state, when it never learnes to do, but with undoing, and never seeth order, but when disorder shewes it: yet still, alas! such was his flexibility, when he came to be pressed by his French minions, that he could not hold his hands any longer from their vast desires and endlesse wastes; so that an authour, then living, saith, it became a by-word, Our inheritance is converted to strangers, and our houses to aliens. Followers to a king excessive in gifts are excessive in demands, and cut them not out by reason, but by examples; favours past are not accounted; we love no bounty but what is meer future: the more that a prince weakeneth himselfe in giving, the poorer he is in friends; for such prodigality in the soveraigne ever ends in the spoil and rapine of the subject. Yet before the king could again submit himselfe, as he had the last parliament, to so many brave and strict inquirers of his disloyall subjects, he meaneth to passe thorow all the shifts, that extremity of need, which greatnesse could lay before him.

He beginneth first with the sale of lands, and then of jewels; pawneth Gascony, and, after, his imperiall crown; and when he had neither credit to borrow, (having so often failed the trust he had made,) nor mortgage of his own, he then layeth to pawn the jewels of Saint Edwards shrine; and, in the end, not having meanes to defray the debts of court, was inforced to break up house, and, as Paris sayeth, with his queen and children, *cum abatibus et prioribus humilia satis hospitia quarunt et prandia*.

This low ebbe that again the kings improvidence had brought him unto gave great assurance to the rebellious lords that they should now, at last, have the soveraigne power left a prey to their ambitious designes; and to bring it faster on, they desire nothing more than to see the kings extremity constrain a parliament; for at such times princes are ever lesse than they should, subjects more.

To hasten on the time, and apt the meanes, there are some certain seditious humours that the kings necessity must repair itselfe upon the fortune and liberty of the people, that, having nothing of his own, he might and meant to take of others; for kings may not want as long as subjects have meanes to supply.

This took effect just to their mindes, and wrought a little moving in the state, which doubtless had flamed higher, if the king had not assuaged it by proclamation, wherein he declared, *Quod quidem malevoli sinistra pradicantes illi falso suggererunt illum vel eos indebitè gravari, ac jura et libertates regni subvertire, ut per suggestiones dolosas et omnino falsas eorum corda à sua dilectione et fidelitate averterent*; but desireth then, that

Hujusmodi animorum suorum perturbatoribus ne fidem adhiberent; for that he was ever ready to defend them from the oppressions of the great lords, *Et omnia jura et consuetudines eorum debitas bonas et consuetas in omnibus et per omnia plenius observare*; and that they may rest off, that *secure de voluntate libera literas suas fecit patentes*.

But seeing still that majesty and right subsist not without meanes and power, and himself had of neither so much as would stop the present breach in his own wants, or his subjects loyalties, he flieth to the bosom of his people for relief and counsell. At Oxford they met in parliament, where his necessities met with so many undutifull demands, that he was forced to render up unto rebellious wils his regall power: here the commons, knowing that, *cum eligere inciperent*, they were *loco libertatis*, stood with the king to have the managing of the state put to the care of 24, whereof 12 by their election, whereto they look strictly, the other by him, who in all things else was left a cypher; and in this, either by fear or advice, filled up his number with Mountford, Gloster, and Spencer, which, beside the weakening of his own part, won to these his late opposites an opinion of great interest they had got into his favour. He hath now neither left him election of publike officer nor private attendance; his halfe brethren and their followers he must dispoil of all fortunes, and exile, by proscription under his own hand; commanding the processe *pro transfectione fratrum suorum* to be directed to the Earl of Hartford and Surrey, and not to passe either money, armes, or ornaments, *nisi in forma quam dicti comites inquirerent*; and, after departure, enjoined the men of Bristow, that they should not permit any stranger *sive propinquos regis applicare in portu*, but so to behave themselves therein that as well the king *quam magnates sui eos merito commendare debeant*.

Thus we see how easily mens estates do change in a moment, and how hard it is to make good use of things ill gotten; and thus changing solid power into the rules of power, and these by popular elections, made the state beleieve, that, by this forme of limited policy, they had utterly suppressed the minde of mankind, for ever dreaming upon the imaginary humours of licentious sovereignty.

But it fell out nothing so; for now every man began to estimate his own worth, and to hammer his head upon all designs that might enlarge his power and command: then began the great men to pull from the body of the countrey and regall sovereignty such royall suitors as neighboured any of their own seats, whereunto they inforced the service, and, as the record saith, *ad sectas indebitas et servitutes intolerabiles subditos reges compulerunt*: thus raising indeed mannours to become great honours; and, rending asunder the regall justice, made themselves of so many subjects, while they lived in duty, *totidem tyrannos*, as the book of Saint Alban saith, when they had left their loyalty, *magnas duxerunt magnates regni super subditos regis servitutes et oppressiones*; which they bore patiently; for excesse of misery, having no ease but custome, made men willing to lay the foundation of servitude by the length of sufferance, which found no other ease nor end untill the quiet of this kings raigne.

Mountford, Gloster, and Spencer, the heads of this rebellious plot, having, by the late provision, drawn to the hands of their 24 tribunes of the people the entire manning of the state, and finding this power too much dispersed to worke the end of their desires, forced again the king, at London, to call a parliament, where they delivered over the authority of the 24 unto themselves, and created a triumvirat, *non constituendo resp. causa*, (as they first pretended for their own ends,) but to make a speedier way to one of them, as it fatally did, to become *dictator perpetuus*.

Ambition is never so high but she thinks still to mount; that station that lately seemed the top, is but a step to her now, and what before was great in desiring, seemes little now in power.

These three elect new counsellors, and appoint *quod tres ad minus alternatim semper in curia sint*, to dispose of the custody of castles, *et de aliis omnibus regni negotiis*. The

chief-justice, chancellor, and treasurer, with all officers, *majores et minores*, they reserve themselves the choyce, and bind the king to this hard bargain, upon such strange security, that he is contented, under the great seal and oath, to loosen to them the note of legall duty, whensoever he assumed to himself his regall dignity. *Liceat omnibus de regno nostro contra nos insurgere, et ad gravamen nostrum opem et operam dare, ac si nobis in nulla tenerentur.*

This prodegy of fortune, in whom she had set a pitifull example of her inconstancy, finding no part of his sovereignty left but the bare title, and that at their leaves, beggeth succour of Urban the Fourth against his disloyall subjects. The pope, by bull, cancelleth his oath and contract, and armeth him with excommunications against all those that turne not with speed to their due and old obedience: sithence promises made by men that cannot say they are at liberty are light, and force hath no power to make just interest. These lords, on the other side, that had impeded their wings with the eagles feathers, and like no gain but what was raised out of the ashes of monarchy, made head against their sovereigne, and, to make him the better, called in some French forces.

Thus the common-wealth turned again her sword into her own bowels, and invited her ancient enemies to the funeral of her liberty; so that it was not a wonder she did not, at this time, passe under a foreigne servitude: and though these men were more sensible of their disgrace than others miseries, yet found they no better pretext for private interest than that of the publike; and therefore, at the entry into this war, they cried liberty, although, when they came nere to an end, they never spake once of it. At Lewis the armies met, where the king endeavoured a reconciliation, but in vain; for perswasions are ever unprofitable when justice is inferior to force: the sword decided the difference, and gave the two kings and their eldest sonnes prisoners.

The person, as well as the regall power, being thus in the hands of Mountford and Gloster, found neither bond of security nor expectation of liberty, but what the emulous competition of greatnesse, which now began to break out betwixt these mighty rivals gave hope of; for Leicester meaning, by incroaching by his partner, to himselfe the person of the king and his followers, the best portion of the spoil, and to draw more fruit from this advantage than it should in fellowship yield, dissolved the knot of their amity.

Equall authority with the same power is ever fatall, we see, to great actions; for to fit mindes to so equal a temper that they should not have some motions of dissenting, is impossible.

Mountford having thus broke all faith with his confederate, and duty to his sovereigne, leaves the path of moderation and wisdom, to come to the king by that of pride and distrust.

To him he telleth that his aymes and ends had no other object ever but order of the state and ease of the people; that he did not in this carry affection against duty, but well knew how to rein his desires to his just power, and so no lesse to his majesties content, if he would be ruled; which was, to command the castles and forts of his now opposites, Gloster and the rest, into his hands:—it was hard to this king thus to take a law from his inferior. But necessity in sovereigne affairs doth often force away all formability; and therefore those poor princes who now, at the victors discretion, seemed to have been onely raised to shew the inconstancy of fortune, and vanity of man, suted himselfe, with incomparable wisdom, to the necessity of the time; neither did humility now wrong majesty, when there was no other meanes to contain spirits so insolent but dissembling.

He therefore summoneth, in his own person, the forts of his fastest friends to yield to his greatest enemies.

These he intreateth in shew to his lodging, but in effect his prison, and saw himselfe forced to arme against his friends, and to receive new law from him to whom he lately

thought to give it. Thus Leicester is become the darling of the common rout, who easily change to every new master; but the better durst not sail along his fortune by the light of his glory. Chrystall, that fairly glistereth, doth easily break; and as the assent of usurped royalty is slippery, so the top is shaking, and the fall fearfull: to hold this man then happy, at the entry of his false felicitie, was but to give the name of the image to the metall that was not yet moulten; for by this, the imprisoned prince was escaped, and fast assured of Gloster, by the knot of his great minde and discontent, and both with the torne remainder of the royall army united, and by speedy march arrived, (unlookt for,) nere Eversham, to the armed troopes of the secure rebels, whom they instantly assail; for it was no fit season to give time, when no time did assure so much as experience did promise.

Spencer and other lords of the faction made towards the prince with the best speed of march, but could not break out, being hurried along the storme of the giddy multitude. Publike affection depends on the conduct of fortune, private on our carriage; we must beware, therefore, of running down steep hills with weighty bodies; they once in motion, *subferuntur pondere*, steps are then voluntary. Leicester, at that instant with the king, and out of the tempest, might have escaped, if his carriage and hope had not made him more resolute by misfortune, so that he could neither forsake his followers nor his ambition; thus, making adversity the exercise of his vertue, ran and fell. Private cogitations make more or lesse of fortune, but thoughts, we see, once raised to the height of rule, are no more in our own power, having no mean to step upon, between the highest of all and precipitation.

The king, by this happy accident freed and obeyed, began to search the ground of his former miseries, and why that vertue and fortune that had settled and maintained so long, under his ancestors, the glory of his empire, had cast him, in his time, off, and conspired with her enemies, to her almost ruine, as if the genius of the state had quite forsaken her.

Here he findes his wastfull hands had been too quicke, both over the persons and estates of his people, the griping avarice of his civill magistrates, and lawlesse liberty of his martial followers, the neglect of grace, and breach of his word, to have left the nobility at home and necessity, his reputation abroad, making merchandise of peace and war, as his last refuge; so, leaving his old allies, became enforced to betake himselfe to persons doubtfull or injured; and that, by giving over himselfe to sensuall security, and referring all to base, greedy, and unworthy ministers, whose counsell was ever more subtile than substantiall, he had thrown downe those pillars of soveraignty and safety, reputation abroad, and reverence at home.

He therefore now maketh sweetnesse and clemency the entrance of regained rule; for the faults of most of the rebels he forgot:—a gracious kinde of pardoning, not to take knowledge of offences. Others he forgave, that they might but live to the glory of his goodnesse; for the fewer killed, the more remain to adorne his trophe. Tyrants shed bloud for pleasure, kings for necessity: yet, least his justice and power might so much suffer in his grace and mercy, some few he punished by small fines, some by banishment, as the guiltlesse, yet unpittied sonnes of the arch-traitor. Treason so hatefull is to the head, that it draweth, (wee see,) the carriage of the innocent children into a lasting suspect; and what is supition in others, is guilt in them.

To the constant followers of his broken fortunes he giveth, but with more wary hand than before, the forfeitures of his enemies. Immoderate liberality he had found but a weak meanes to win love; for it left more in the gathering than it gained in the getting; and his bounty, bestowed without respect, was taken without grace, discredited the receiver, detracted from the judgement of himselfe, blunted the appetites of such as carried their hopes out of vertue and service.

Thus, at last, he learned that reward and reprehension, justly laid, do ballance govern-

ment, and that it much importeth a prince, if the hand be equall that holdeth the scale. In himselfe, he reformed the naturall errours of his youth ; for princes manners, though a mute law, have more of life and vigour than those of letters ; and though he did sometimes touch upon the verge of vice, he forbore to enter the circle. The courts, wherein, at this time, the faults of good men did, not only by approbation, but imitation, receive true comfort and authority, for their crimes were now become examples and customes, he purged severely, since from thence proceeds the regular or irregular conditions of the common state. Expence of house service he measured by the just rule of his proper revenues, and was heard often to say that his errors of wast had been the issue of the subjects blood. The insolency of his souldiers, made lawlesse by the late libertie of civill armes, he spendeth in forraigne expeditions, having seen that the quiet spirits underwent all the former calamities, and the others were never satisfied but in the miseries of innocents, and would, if they had no other enemy abroad, seek out one at home, as they had done before.

The rigor and corruption of these judicciall officers he examineth and redresseth by strict commission ; for the seem of their security became a murmur of his own cruelty.

The seates of judgement and councill he filleth up with men nobly borne ; for such attract with least offence the generous spirits to respect and reverence : the inabilities he measureth not by the favour of private information, as before, but generall ; for every man may in particular deceive, and be deceived, but no one can all, nor all one. And to discover his own capacity now, and shew what part he meaneth to leave hereafter in all deliberate expeditions, he sitteth himselfe in councill dayly, and disposeth the affaires of most weight in his own person.

Councillors, be they never so wise or worthy, are but as accessaries, not principall in sustentation of the state ; their office must be subjection, not fellowship, in consultation of moment ; ability to advise, not authority to resolve ; for as to live, the prince must have a particular soul, so to rule, his proper and interne councill : without the one, he cannot demurre truely, without the other he can never securely be a prince ; for it offendeth as well the minister of merit as the people, to force obedience to one incapable of his own greatnesse, and unworthy of his fortune.

This wonderous change to the generall state, so helplesse lately, to recover their former liberty, that they sought now for nothing but the mildest servitude, brought them home again to his devotion and their duty.

He that will lay, (we see,) the foundation of greatnesse upon popular love, must give them ease and justice ; for they measure the bond of their true obedience by the good alwayes received.

This peace ever after attended his age and house, and he happily lived to fashion his successour, and to make him partner of his experience and authority, whose down-hard education trained him from that intemperance which makes man inferiour to beasts, and framed him to affect glory and vertue, which made him superiour to men : so that all the actions of his future raigne were exact grounds of discipline and policy ; who, as he was the first of his name since the Conquest, so was he the first that settled lawes and state ; deserving to wear the title of Englands Justin, and the proud title to have freed the crown from the subjection and wardship of his peeres ; shewing himselfe, in all his actions, ever after, capable of command, not the realme only, but the whole world. Thus do the wrong of our enemies, more than our own discretion, make us sometimes both wise and fortunate.

The Charge of the Scottish Commissioners against Canterburie and the Lieutenant of Ireland; together with their Demand concerning the Sixt Article of the Treaty: whereunto is added, the Parliaments Resolution about the Proportion of the Scottish Charges, and the Scottish Commissioners thankfull Acceptance thereof. 1641.

The Lord is knowne by the judgement which he executeth. The wicked is snared in the workes of his owne hands.

The principal object of the Scottish commissioners to parliament was, the utter destruction of Archbishop Laud, whom they alleged to be the deviser of that unfortunate service-book which occasioned the first breach between the two kingdoms. Heylin has considerably softened the share which Laud had in this obnoxious compilation. The Scottish bishops had requested from the king such a form of common prayer. Charles referred their representative, Dr John Maxwell, to Dr Laud, then bishop of London, with a message, expressing, "That it was his majesty's pleasure that he (Bishop Laud) should receive instructions from some bishops of Scotland concerning a liturgy for that church; and that he was employed from Dr Spotswood, archbishop of St Andrews, and other prelates there, about it. Bishop Laud told him, he was clear of opinion, that, if his majesty would have a liturgy settled there, it were best to take the English liturgy, without any variation, that so the same service-book might be established in all his majesty's dominions; which he thought would have been a great happiness to the state, and a great honour and safety to religion. To this Dr Maxwell replied, that he was of a contrary opinion, and that not he only, but the bishops of that kingdom, thought their countrymen would be much better satisfied if a liturgy were framed by their own clergy, than to have the English liturgy put upon them; yet he added, that it might be according to the form of our English service-book. The king inclined to have the English service-book established in Scotland: and in this condition Bishop Laud held that business for two, if not three years, at least. Afterward, the Scottish bishops still pressing the king that a liturgy framed by themselves, and in some few things different from ours, would relish better with their countrymen, they at last prevailed with his majesty to have it so, and carried it against Laud, notwithstanding all he could say or do to the contrary. Then his majesty commanded him to give the bishops of Scotland his best assistance in this work. He obeyed with no small reluctance: but wheresoever he had any doubt, he did not only acquaint his majesty with it, but writ down most of the amendments and alterations in his majesty's presence."—HEYLIN'S *History of Presbytery*, p. 222.

The Scottish nation, however, were of a very different opinion, and, as appears from the following articles of charge by their commissioners, considered Laud as the chief mover of those alterations and additions in which the common prayer proposed to their church differed from that adopted in England. Dr Robert Baillie, who had distinguished himself in the controversy, by several treatises against the service-book, and by a tract called the *Canterburian Self-conviction*, attended the commissioners to London, and writes, upon the 2d December, 1640,—“For the present, I have my arms full of my old friend, his Little Grace, as they style him. If his process were once closed, which yet is not begun, the most of my errand here were at a point.”—BAILLIE'S *Letters*, vol. i. p. 222. The matter did not, however, remain long in suspense. On the 18th December, the house of commons preferred an impeachment against him, which was instantly followed up by the subsequent charges on the part of the Scottish commissioners. These appear to have been drawn by Baillie, who writes to the presbytery of Irvine, 19th December, 1640,—“Our pieces against Canterbury and Lieutenant are now ready. The first moulding of both were laid on me. When all had perused the two draughts, and our friends in the lower house considered them, the one was given to Mr Henderson, the other to Loudon and Mr Archibald, to abridge and polish. Both we and the English are panting for these two processes. The parliament held off to meddle with these two men, till we be ready to join. It was resolved, that the petition against episcopacy, root and branch, should be delayed till first we had gotten Canterbury down, and the parliament had removed all the rest out of the house, by a premunire for

their canons: yet we are so long detained by Traquair's fencing for his own head, ere we can come to the minor, where Canterbury stands to be concluded, as we hope, in a deep bocardo, that the people's patience could no longer keep in; so yesterday a world of honest citizens, in their best apparel, in a very modest way, went to the house of commons, sent in two aldermen with their petition, subscribed, as we hear, by 15,000 hands, for removing episcopacy, the service-book, and other such scandals out of their church. It was well received. They were desired to go in peace, and to send some three or four of their number, on Thursday night, to attend some answer against that time. We, God willing, will be in hands with his Little Grace; and sundry petitions, of several shires, to every one whereof some thousands of hands are put, will be given in against episcopacy. God speed all well."—*Letters*, I. 224.

NOVATIONS in religion, which are universally acknowledged to be the main cause of commotions in kingdomes and states, and are knowne to be the true cause of our present troubles, were many and great, besides the bookes of Ordination and Homilies. 1. Some particular alterations in matters of religion, pressed upon us without order, and against law, contrary to the forme established in our kirk. 2. A new booke of Canons and Constitutions Ecclesiasticall. 3. A Liturgie, or Booke of Commone Prayer, which did also carry with them many dangerous errors in matters of doctrine. Of all which we chalenge the prelate of Canterbury as the prime cause on earth.

And first, that this prelate was the author and urger of some particular changes, which made great disturbance amongst us, wee make manifest, 1. By fourteen letters, subscribed W. Cant, in the space of two years, to one of our pretended bishops, Bannatine, wherein hee often enjoyneth him and other pretended bishops to appear in the chappell in their whites,* contrary to the custome of our kirk, and to his promise, made to the pretended bishop of Edinburgh, at the coronation, that none of them after that time should be pressed to weare these garments; thereby moving him, against his will, to put them on for that time: wherein he directeth him to give order for saying the English service in the chappell twice a-day: for his neglect, shewing him that hee was disappointed of the bishopricke of Edinburgh: promising him, upon his greater care of these novations, advancement to a better bishopricke: taxing him for his boldnesse in preaching the sound doctrine of the reformed kirkes, against Master Mitchell, who had taught the errors of Arminius, in the point of the extent of the merit of Christ: bidding him send up a list of the names of councillours and senators of the colledge of justice who did not communicate in the chappell, in a forme which was not received in our kirk: commending him, when he found him obsequious to these his commands: telling him that hee had moved the king the second time for the punishment of such as had not received in the chappell; and wherein hee upbraideth him bitterly, that, in his first synod at Aberdeen, hee had onely disputed against our custome of Scotland, of fasting sometimes on the Lords-day; and presumptuously censuring our kirk, that in this we were opposite to Christianity itselfe; and that amongst us there were no canons at all. More of this stuffe may be seene in the letters themselves.

Secondly, by two papers of memoirs and instructions, from the pretended bishop of Saint Androis to the pretended bishop of Rosse, comming to this prelate, for ordering the affaires of the kirk and kingdome of Scotland; as not onely to obtaine warrants, to order the exchequer, the privy-counsell, the great commission of surrenders, the matter

* These white garments appeared so foul in the eyes of the Scottish nation, that if they saw but a black and white dog, they nick-named the cur a bishop. This ought to have been anticipated; for, as we learn from one who attended King James's journey, "To be opposite to the pope," says the writer, "is to be presently with God. To conclude, I am perswaded, that if God and his angels, at the last day, should come down in their whitest garments, they would run away, and cry, The children of the chapel are come again to torment us; let us fly from the abomination of these boys, and hide ourselves in the mountains."—*A Perfect Description of Scotland*. London, 1659, 12mo.

of Balmerino's processe, as might please our prelates, but warrants also for sitting of the high commission court once a-week in Edinburgh; and to gain from the noblemen, for the benefit of prelates and their adherents, the abbacies of Kelso, Arbroith, S. Androis, and Lindors; and in the smallest matters to receive his commands; as, for taking downe galleries and stone-walls in the kirks of Edinburgh and Saint Androis, for no other end but to make way for altars and adorations towards the east, which, besides other evils, made no small noise and disturbance amongst the people, deprived hereby of their ordinary accommodation for publique worship.

The second novation which troubled our peace was, a booke of canons and constitutions ecclesiasticall obtruded upon our kirk, found, by our General Assembly, to be devised for establishing a tyrannicall power, in the persons of our prelates, over the worship of God, over the consciences, liberties, and goods of the people, and for abolishing the whole discipline and governement of our kirk, by generall and provinciall assemblies, presbyteries, and kirk-sessions, which was settled by law, and in continuall practise since the time of reformation. That Canterbury was master of this worke is manifest.

By a booke of canons sent to him, written upon the one side onely, with the other side blanke, for corrections, additions, and putting all in better order, at his pleasure, which accordingly was done, as may appeare by interlinings, marginalls, and filling up of the blanke page with directions sent to our prelates; and that it was done by no other than Canterbury is evident by his magisteriall way of prescribing, and by a new copy of these canons, all written with Saint Androis' owne hand, precisely to a letter, according to the former castigations, sent backe for procuring the kings warrant unto it; which accordingly was obtained, but with an addition of some other canons, and a paper of some other corrections: according to which, the booke of canons, thus composed, was published in print. The inspection of the bookes, instructions, and his letters of joy for the succeſse of the worke, and of other letters of the prelate of London, and the Lord Sterling, to the same purpose, all which we are ready to exhibite, will put the matter out of all debate.

Besides this generall, there be some things more specially worthy to be adverted unto, for discovering his spirit. 1. The 4. canon of chap. 8. : for as much as no reformation in doctrine or discipline can be made perfect at once in any church, therefore it shall and may be lawfull for the church of Scotland, at any time, to make remonstrance to his M., or his successors, &c. Because this canon holdeth the doore open to more innovations, he writeth to the prelate of Rosse, his private agent¹ in all this worke, of his great gladnesse that this canon did stand behind the curtaine, and his great desire that this canon may be printed fully, as one that was to be most usefull. Secondly, the title prefixed to these canons by our prelates. Canons agreed upon to be proponed to the severall synods of the kirk of Scotland, is thus changed by Canterbury. Canons and constitutions ecclesiasticall, &c. ordained to be observed by the clergy. He will not have canons to come from the authority of synods, but from the power of prelates, or from the kings prerogative. Thirdly, the formidable canon, cap. 1. 3., threatening no lesse than excommunication against all such persons whosoever shall open their mouthes against any of these bookes, proceeded not from our prelates, nor is to be found in the copy sent from them, but is a thunderbolt forged in Canterburies own fire. 4. Our prelates, in divers places, wnesse their dislike of papists. A minister shal be deposed if hee bee found negligent to convert papists, chap. 18. 15. The adoration of the bread is a superstition to be condemned, chap. 6. 6. They call the absolute ne-

¹ Dr John Spottiswood, archbishop of St Andrews, a learned and pious man, as well as an accurate and candid historian. His interference in the business of the service-book obliged him, in 1639, to fly from Scotland: he reached London with difficulty, nor did he long survive the journey.

² Dr John Maxwell, afterwards bishop of Ross, attended upon Laud in London, as agent for the Scottish episcopal church.

cessity of baptisme an errour of popery, chap. 6. 2. But in Canterburies edition, the name of papists and popery is not so much as mentioned. 5. Our prelates have not the boldnesse to trouble us, in their canons, with altars, fonts, chancels, reading of a long liturgie before sermon, &c.; but Canterbury is punctuall and peremptory in all these. 6. Although the words of the tenth canon, chap. 3., be faire, yet the wicked intentions of Canterbury and Ross may bee seen in the point of justification of a sinner before God, by comparing the canon as it came from our prelates, and as it was returned from Canterbury, and printed. Our prelates say thus, It is manifest that the superstition of former ages hath turned into a great prophanenesse, and that people are growne cold, for the most part, in doing any good, thinking there is no place to good workes, because they are excluded from justification. Therefore shall all ministers, as their text giveth occasion, urge the necessity of good workes, as they would be saved, and remember that they are *via regni*, the way to the kingdome of Heaven, though not *causa regnandi*, howbeit they be not the cause of salvation. Here Ross giveth his judgement, That hee would have this canon simply commanding good workes to be preached, and no mention made what place they have or have not in justification. Upon this motion, so agreeable to Canterburies mind, the canon is set down as it standeth, without the distinction of *via regni*, or *causa regnandi*, or any word sounding that way, urging onely the necessity of good works. 7. By comparing canon 9., chap. 18., as it was sent in writing from our prelates, and as it is printed at Canterburies command, may be also manifest that hee went about to establish auricular confession, and popish absolution. 8. Our prelates were not acquainted with canons for inflicting of arbitrary penalties; but in Canterburies book, wheresoever there is no penaltie expressly set down, it is provided that it shall be arbitrary, as the ordinary shall think fittest. By these, and many other the like, it is apparent what tyrannicall power he went about to establish in the hands of our prelates, over the worship and the souls and goods of men, over-turning from the foundation the whole order of our kirk; what seedes of popery he did sow in our kirk; and how large an entry hee did make for the grossest novations afterward, which hath beene a maine cause of all their combustion.

The third and great novation was, the booke of common prayer, administration of the sacraments, and other parts of divine service, brought in, without warrant from our kirk, to be universally received, as the only forme of divine service, under all highest paines, both civill and ecclesiasticall; which is found, by our nationall assembly, beside the popish frame and formes in divine worship, to containe many popish errors and ceremonies, and the seeds of manifold and grosse superstitions and idolatries, and to be repugnant to the doctrine, discipline, and order of our reformation, to the Confession of Faith, constitutions of generall assemblies, and acts of parliament, establishing the true religion. That this also was Canterburies worke wee make manifest.

By the memoirs and instructions sent unto him from our prelates, wherein they gave a speciall account of the diligence they had used to doe all which herein they were enjoyned, by the approbation of the service-booke sent to them, and of all the marginall corrections, wherein it varieth from the English booke; shewing their desire to have some few things changed in it; which, notwithstanding, was not granted. This we find written by Saint Androis owne hand, and subscribed by him, and nine other of our prelates.

By Canterburies owne letters, witnesses of his joy when the book was ready for the presse; of his prayers that God would speed the worke; of his hope to see that service set up in Scotland; of his diligence to send for the printer, and directing him to prepare a black letter, and to send it to his servants at Edinburgh, for printing this booke; of his approbation of the proofes sent from the presse; of his feare of delay in bringing the worke speedily to an end, for the great good (not of that church, but) of the church; of his encouraging Rosse, who was entrusted with the presse, to go on in

this peece of service without feare of enemies: all which may be seene in the autographs: and by letters sent from the prelate of London to Rosse, wherein, as he rejoyleth at the sight of the Scottish canons, which, although they should make some noise at the beginning, yet they would be more for the good of the kirk than the canons of Edinburgh for the good of the kingdome, so, concerning the liturgy, he sheweth, that Rosse had sent to him, to have an explanation from Canterbury of some passages of the service-booke, and that the presse behoved to stand till the explanation come to Edinburgh; which, therefore, he had in haste obtained from his grace, and sent the dispatch away by Canterburies owne convaiance.

But the booke it selfe, as it standeth, interlined, margined, and patcht up, is, much more than all that is expressed in his letters, and the changes and supplements themselves, taken from the masse-book and other Romish ritualls, by which he maketh it to vary from the book of England, are more pregnant testimonies of his popish spirit, and wicked intentions, which he would have put in execution upon us, than can bee denied. The large declaration professeth, that all the variation of our booke from the book of England, that ever the king understood, was in such things as the Scottish humour would better comply with, than with that which stood in the English service. These popish innovations, therefore, have beene surreptitiously inserted by him, without the kings knowledge, and against his purpose. Our Scottish prelates do petition that something may be abated of the English ceremonies, as the crosse in baptisme, the ring in marriage, and some other things.* But Canterbury will not only have these kept, but a great many more, and worse superadded, which was nothing else but the adding of fewell to the fire. To expresse and discover all, would require a whole booke: we shall onely touch some few, in the matter of the communion.

This booke inverteth the ordour of the communion in the booke of England, as may be seen by the numbers setting downe the orders of this new communion, 1. 5. 2. 6. 7. 3. 4. 8. 9. 10. 15. Of the divers secret reasons of this change we mention one onely, in joyning the spirituall praise and thanksgiving, which is, in the booke of England, pertinently after the communion, with the prayer of consecration before the communion, and that under the name of memoriall or oblation; for no other end, but that the memoriall and sacrifice of praise, mentioned in it, may be understood according to the popish meaning. *Bellar. de Missa*, lib. 2. cap. 21. Not of the spirituall sacrifice, but of the oblation of the body of the Lord.

It seemeth to bee no great matter, that, without warrand of the book of England, the presbyter, going from the north end of the table, shall stand, during the time of consecration, at such a part of the table, where hee may, with the more ease and decencie, use both hands; yet, being tried, it importeth much as that he must stand with his hinder parts to the people; representing (saith Durand,) that which the Lord said of Moses, "Thou shalt see my hinder parts." Hee must have the use of both his hands, not for any thing he hath to doe about the bread and wine, for that may bee done at the north end of the table, and bee better seen of the people, but (as we are taught by the rationalists,) that he may, by stretching forth his armes, to represent the extension of Christ on the crosse, and that hee may the more conveniently lift up the bread and wine above his head, to be seen and adored of the people, who, in the rubrick of the generall confession, a little before, are directed to kneel humbly on their knees,

* In the same perfect description of Scotland above quoted, we have the people's opinion on these rites. "They christen without the cross, marry without the ring, receive the sacrament without repentance, and bury without divine service; they keep no holydays, nor acknowledge any saint but S. Andrew, who, they say, got that honour by presenting Christ with an oaten cake, after his forty days fast. They say likewise, that he that translated the Bible was the son of a malster, because it speaks of a miracle done by barley loaves; whereas they swear they were oaten cakes, and that no other bread, of that quantity, could have sufficed so many thousands."

that the priests elevation, so magnified in the masse, and the peoples adoration may goe together: that, in this posture, speaking with a low voyce, and muttering, (for sometimes hee is commanded to speake with a lowde voyce, and distinctly,) hee bee not heard by the people: which is no lesse a mocking of God, and his people, than if the words were spoken in an unknowne language. As there is no word of all this in the English service, so doth the book in King Ed. time give to every presbyter his liberty of gesture; which yet gave such offence to Bucer, (the censurer of the book, and even, in Cassanders own judgement, a man of great moderation in matters of this kinde,) that he calleth them *nunquam satis execrandos Missæ gestus*, and would have them to be abhorred, because they confirme to the simple and superstitious *ter impiam et exitialem missæ fiduciam*.

The corporall presence of Christ's body in the sacrament is also to be found here; for the words of the masse-book serving to this purpose, which are sharply censured by Bucer, in King Ed. liturgie, and are not to be found in the book of England, are taken in here: Almighty God is incalled, that, of his almighty goodnesse, he may vouchsafe so to blesse and sanctifie, with his word and spirit, these gifts of bread and wine, that they may bee unto us the body and bloud of Christ.

The change here is made a work of God's omnipotencie. The words of the masse, *ut fiant nobis*, are translated, in King Edward's booke, "that they may be unto us;" which are againe turned into Latine by Alesius, *ut fiant nobis*. On the other part, the expressions of the booke of England, at the delivery of the elements, of "feeding on Christ by faith," and of eating and "drinking in remembrance that Christ died for thee," are utterly deleated. Many evidences there bee, in this part of the communion, of the bodily presence of Christ, very agreeable to the doctrines taught by his secretaries, which this paper cannot containe. They teach us that Christ is received in the sacrament *corporaliter*, both *objectivè* and *subjectivè*. *Corpus Christi est objectum quod recipitur, et corpus nostrum subjectum quo recipitur*.

The booke of England abolisheth all that may import the oblation of any unbloody sacrifice; but here we have, besides the preparatorie oblation of the elements, which is neither to be found in the booke of England now, nor in King Edward's booke of old, the oblation of the body and bloud of Christ, which Bellarmine calleth *sacrificium laudis, quia Deus per illud magnopere laudatur*. This also agreeth well with their late doctrine. We are ready, when it shall be judged convenient, and we shall be desired, to discover much more matters of this kind; as, grounds laid for *missa sicca*, or the half messe; the private messe, without the people; of communicating in one kind; of the consumption by the priest, and consummation of the sacrifice; of receiving the sacrament in the mouth, and not in the hand, &c.

Our supplications were many against these books, but Canterbury procured them to be answered with terrible proclamations. Wee were constrained to use the remedy of protestation; but for our protestations, and other lawful meanes, which we used for our deliverance, Canterbury procured us to be declared rebels and traitors in all the parish kirks of England: when we were seeking to possesse our religion in peace, against these devices and novations, Canterbury kindleth warre against us. In all these it is known that he was, although not the sole, yet the principall agent and adviser.

When, by the pacification at Berwick, both kingdomes looked for peace and quietnesse, he spared not openly, in the hearing of many, often before the king, and privately at the counsell-table, and the privy jointo, to speak of us as rebels and traitors, and to speake against the pacification, as dishonourable, and meet to be broken. Neither did his malignancie and bitterness ever suffer him to rest, till a new warre was entred upon, and all things prepared for our destruction.

By him was it that our covenant, approven by nationall assemblies, subscribed by his M. commissioner, and by the lords of his M. counsell, and by them commanded to

be subscribed by all the subjects of the kingdome, as a testimony of our duty to God and the king, by him was it still called ungodly, damnable, treasonable; by him were oaths invented, and pressed upon divers of our poore countrey-men, upon the pain of imprisonment, and many miseries, which were unwarrantable by law, and contrary to their nationall oath.

When our commissioners did appeare to render the reasons of our demands, he spared not, in the presence of the king and committee, to raile against our nationall assembly, as not daring to appeare before the world and kirkes abroad, where himselfe and his actions were able to endure tryall, and against our just and necessary defence, as the most malicious and treasonable contempt of monarchicall government that any by-gone age had heard of. His hand also was at the warrant for the restraint and imprisonment of our commissioners, sent from the parliament, warranted by the king, and seeking the peace of the kingdomes.

When we had, by our declarations, remonstrances, and representations, manifested the truth of our intentions, and lawfulness of our actions, to all the good subjects of the kingdome of England; when the late parliament could not be moved to assist, or enter in warre against us, maintaining our religion and liberties, Canterbury did not onely advise the breaking up of that high and honourable court, to the great grieve and hazard of the kingdome, but (which is without example) did sit stil in the convocation, and make canons and constitutions against us, and our just and necessary defence; ordaining, under al highest paines, that hereafter the clergy shall preach, 4 times in the yeare, such doctrine as is contrary, not only to our proceedings, but to the doctrine and proceedings of other reform'd kirks, to the judgement of all sound divines and politiques, and tending to the utter slavery and ruining of all estates and kingdomes, and to the dishonour of kings and monarchs. And, as if this had not been sufficient, he procured six subsidies to be lifted of the clergy, under paine of deprivation to all that should refuse. And, which is yet worse, and above which malice itselfe cannot ascend, by his meanes a praier is framed, printed, and sent through all the paroches of England, to bee said in all churches in time of divine service, next after the prayer for the queene and roiall progeny, against our nation, by name of trayterous subjects, having cast off all obedience to our anointed soveraigne, and comming, in a rebellious manner, to invade England; that shame may cover our faces, as enemies to God and the king.

Whosoever shall impartially examine what hath proceeded from himselfe, in these two books of canons and common praier; what doctrine hath beene published and printed these yeares by-past in England, by his disciples and emissaries; what grosse popery, in the most materiall points, we have found, and are ready to shew, in the post-hume writings of the prelate of Edinburgh and Dumblane, his owne creatures, his neerest familiars, and most willing instruments to advance his counsells and projects, shall perceive that his intentions were deepe and large against all the reformed kirks, and reformation of religion; which, in his majesties dominions, was panting, and by this time had rendered up the the ghost, if God had not, in a wonderfull way of mercy, prevented us: and that if the pope himselfe had beene in his place, he could not have beene more popish, nor could he more zealously have negotiated for Rome, against the reformed kirks, to reduce them to the heresies in doctrine, the superstitions and idolatry in worship, and the tyranny in government, which are in that see, and for which the reformed kirks did separte from it, and come forth of Babel. From him certainly hath issued all this deluge, which almost hath overturned all. We are therefore confident that your lordships will, by your meanes, deale effectually with the parliament, that this great fire-brand be presently removed from his majesties presence, and that he may be put to

* At this time, nothing could equal the cordial compliments which passed between the Scottish commissioners and the parliament.

tryall, and put to his deserved censure, according to the lawes of the kingdome; which shall be good service to God, honour to the king and parliament, terror to the wicked, and comfort to all good men, and to us in speciall, who, by his meanes, principally, have been put to so many and grievous afflictions, wherein we had perished, if God had not beene with us.

We do indeed confesse that the prelates of England have beene of very different humours, some of them of a more hot, and others of them men of a more moderate temper; some of them more, and some of them lesse inclinable to popery; yet what knowne truth and constant experience hath made undeniable, we must, at this opportunity, professe, that, from the first time of reformation of the kirk of Scotland, not only after the comming of King James, of happy memory, into England, but before, the prelates of England have beene, by all meanes, incessantly working the overthrow of our discipline and government: and it hath come to passe, of late, that the prelates of England having prevailed, and brought us to subjection in the point of government, and finding their long waited for opportunity, and a rare congruity of many spirits and powers ready to co-operate for their ends, have made a strong assault upon the whole external worship and doctrine of our kirk: by which their doing, they did not aime to make us conforme to England, but to make Scotland first, (whose weaknesse in resisting they had before experienced in the novations of government, and of some points of worship), and thereafter England, conforme to Rome, even in these matters wherein England had seperated from Rome ever since the time of reformation:—an evill, therefore, which hath issued, not so much from the personall disposition of the prelates themselves, as from the innate quality and nature of their office, and prelaticall hierarchy, which did bring forth the pope in ancient times, and never ceaseth till it bring forth popish doctrine and worship, where it is once rooted, and the principles thereof fomented and constantly followed; and from that antipathy and inconsistency of the two formes of ecclesiasticall government, which they conceived, and not without cause, that one iland, united also under one head and monarch, was not able to beare; the one being the same, in all the parts and powers, which it was in the times of popery, and now is in the Roman church; the other being the forme of government received, maintained, and practised by all the reformed kirks; wherein, by their owne testimonies and confessions, the kirk of Scotland had amongst them no small eminency. This also wee represent to your lordships most serious consideration, that not only the fire-brands may be removed, but that the fire may be provided against, that there be no more combustion after this.

*The Charge of the Scottish Commissioners against the Lieutenant of Ireland.**

IN our declarations we have joyned with Canterbury the lord-lieutenant of Ireland, whose malice hath set all his wits and power on work, to devise and doe mischief against our kirke and countrey.

No other cause of his malice can we conceive, but, first, his pride and supercilious disdain of the kirk of Scotland, which, in his opinion, declared by his speeches, hath not in it almost any thing of a kirk; although the reformed kirks, and many worthy divines of England, have given ample testimony to the reformation of the kirk of Scotland.

Secondly, Our open opposition against the dangerous innovation of religion intended, and very farre improved in all his majesties dominions; of which hee hath shewed

* See the foregoing tracts respecting Strafford.

himselfe, in his owne way, no lesse zealous than Canterbury himselfe; as may appeare by his advancing of his chaplain, D. Bramble, not onely to the bishoprick of Derry, but also to be vicar-generall of Ireland; a man prompted for exalting of Canterburian popery and arminianism; that thus himselfe might have the power of both swords, against all that should maintaine the reformation: by his bringing of D. Chappell, a man of the same spirit, to the university of Dublin, for poysoning the fountaines, and corrupting the seminaries of the kirk.

And thirdly, When the primate of Ireland did presse a new ratification of the articles of that kirke in parliament, for barring such novations in religion, hee boldly menaced him with the burning, by the hand of the hang-man, of that confession, although confirmed in former parliaments.

When hee found that the reformation begun in Scotland did stand in his way, he left no meanes unessaied to rub disgrace upon us and our cause. The peeces printed at Dublin, *Examen conjurationis Scotticane*, the ungirding of the Scottish armour, the pamphlet bearing the counterfeite name of Lysimachus Nicanor; all three so full of calumnies, slanders, and scurrilities against our countrey and reformation, that the jesuits, in their greatest spite, could not have said more; yet not onely the authors were countenanced and rewarded by him, but the bookes must beare his name, as the great patron both of the worke and workman.

When the nationall oath and covenant, warranted by our generall assemblies, was approved by parliament in the articles, subscribed, in the kings name, by his majesties high commissioner, and by the lords of privie-counsell, and commanded to be sworne by his majesties subjects of all rankes; and particular and plenary information was given unto the lieutenant, by men of such quality as he ought to have beleaved, of the loyalty of our hearts to the king, of the lawfulnessse of our proceedings, and innocency of our covenant and whole course, that he could have no excuse; yet his desperate malice made him to bend his craft and cruelty, his fraud and forces against us; for, first, he did craftily call up to Dublin some of our countrymen, both of the nobility and gentry, living in Ireland, shewing them that the king would conceive and account them as conspirers with the Scots, in their rebellious courses, except some remedy were provided; and, for remedy, suggesting his own wicked invention, to present unto him and his counsell a petition, which he caused to be framed by the bishop of Raphoe, and was seene and corrected by himselfe, wherein they petitioned to have an oath given them, containing a formall renunciation of the Scottish covenant, and a deep assurance never so much as to protest against any of his majesties commandements whatsoever.

No sooner was this oath thus craftily contriv'd, but, with all haste, it is sent to such places of the kingdome where our countrey-men had residence; and men, women, and all other persons above the yeares of sixteen, constrained either presently to take the oath, and thereby renounce their nationall covenant, as seditious and trayterous, or with violence and cruelty to be haled to the jayle, fined above the value of their estates, and to be kept close prisoners: and, so far as we know, some are yet kept in prison, both men and women of good quality, for not renouncing that oath which they had taken forty yeares since, in obedience to the king who then lived. A cruelty ensued, which may parallell the persecutions of the most unchristian times; for weake women, dragged to the bench to take the oath, died in the place, both mother and child: hundreds driven to hide themselves, till, in the darknesse of the night, they might escape by sea to Scotland, whither thousands of them did flye, being forced to leave corne, cattell, houses, and all they possessed, to bee a prey to their persecuting enemies, the lieutenants officers; and some indited and declared guilty of high treason, for no other guiltinesse but for subscribing our nationall oath: which was not onely impiety and injustice in itselfe, and an utter undoing of his majesties subjects, but was a weakning of

the Scots plantation, to the prejudice of that kingdome, and his majesties service, and was a high scandall against the kings honour, and intolerable abuse of his majesties trust and authority; his majesties commission, which was procured by the lieutenant, bearing no other penalty than a certification of noting the names of the refusers of the oath.

But this his restlesse rage and insatiable cruelty against our religion and country can not be kept within the bounds of Ireland.

By his meanes a parliament is called; and although, by the sixe subsidies granted in parliament not long before, and by the base meanes which himselfe and his officers did use, as is contained in a late remonstrance, that land was extreemely impoverished, yet, by his speeches, full of oaths and asseverations that we were traytors and rebels, casting off all monarchicall government, &c., he extorted from them foure new subsidies, and, *indicta causa*, before wee were heard, procured that a warre was undertaken, and forces should be leaved against us, as a rebellious nation: which was also intended to be an example and precedent to the parliament of England for granting subsidies, and sending a joynt army for our utter ruine.

According to his appointment in parliament, the army was gathered, and brought downe to the coast, threatning a daily invasion of our countrey, intending to make us a conquered province, and to destroy our religion, liberties, and lawes, and thereby laying upon us a necessity of vast charges, to keepe forces on foot on the west coast, to waite upon his comming.

And as the warre was denounced, and forces leaved before wee were heard, so, before the denouncing of the warre, our ships and goods on the Irish coast were taken, and the owners cast into prison, and some of them in irons. Frigats were sent forth to scoure our coasts, which did take some and burne others of our barkes.

Having thus incited the kingdome of Ireland, and put his forces in order there against us, with all haste he commeth to England.

In his parting, at the giving up of the sword, he openly avowed our utter ruine and desolation, in these, or the like words:—If I returne to that honourable sword, I shall leave of the Scots neither root nor branch.

How soone he commeth to court, as before he had done very evill offices against our commissioners, clearing our proceedings before the point, so now he useth all meanes to stirre up the king and parliament against us, and to move them to a present warre, according to the precedent and example, of his owne making, in the parliament of Ireland. And finding that his hopes failed him, and his designes succeeded not that way, in his nimblenesse, he taketh another course that the parliament of England may be broken up; and despising their wisdom and authority, not onely, with great gladnesse, accepteth, but useth all means that the conduct of the army, in the expedition against Scotland, may be put upon him; which accordingly he obtaineth, as generall captaine, with power to invade, kill, slay, and save, at his discretion; and to make any one or more deputies in his stead, to doe and execute all the power and authorities committed to him.

According to the largenesse of his commission, and letters patents of his devising, so were his deportments afterwards; for when the Scots, according to their declarations, sent before them, were comming, in a peaceable way, farre from any intention to invade any of his majesties subjects, and still to supplicate his majesty for a settled peace, he gave order to his officers to fight with them on the way, that the two nations once entred in blood, whatsoever should be the successe, he might escape tryall and censure, and his bloody designes might be put in execution against his majesties subjects of both kingdomes.

When the kings majesty was againe enclined to hearken to our petitions, and to compose our differences in a peaceable way, and the peeres of England, convened at

Yorke, had, as before, in their great wisdom and faithfulness, given unto his majestie counsels of peace, yet this fire-brand still smoketh, and, in that honourable assembly, taketh upon him to breath out threatnings against us as traytors, and enemies to monarchiall government, that we be sent home againe in our blood, and he will whip us out of England.

And, as these were his speeches in the time of the treaty, appointed by his majesty, at Rippon, that, if it had beene possible, it might have beene broken up, so when a cessation of armes was happily agreed upon there, yet he ceaseth not, but still his practises were for warre: his under officers can tell who it was that gave them commission to drawe neere in armes beyond the Teese, in the time of the treaty at Rippon.

The governours of Barwicke and Carlile can shew from whom they had their warrants for their acts of hostility, after the cessation was concluded. It may be tryed how it commeth to passe that the ports of Ireland are yet closed, our countrey-men for the oath still kept in prison, traffique interrupted, and no other face of affaires than if no cessation had been agreed upon.

We therefore desire that your lordships will represent to the parliament, that this great incendiarie, upon these and the like offences, not against particular persons, but against kingdomes and nations, may be put to a tryall, and, from their knowne and renowned justice, may have his deserved punishment.

16th December, 1640.

*The Scottish Commissioners Demand concerning their Sixt Article.**

CONCERNING our sixt demand, although it hath often come to passe that these who have beene joyned by the bonds of religion and nature have suffered themselves to be divided about the things of this world; and although our adversaries, who no lesse labor the division of the two kingdomes than we doe all seeke peace, and follow after it, as our common happinesse, doe presume that this will be the partition-wall, to divide us, and to make us lose all our labours taken about the former demand; wherein, by the helpe of God, by his majesties princely goodnesse and justice, and your lordships noble and equall dealing, we have so fully accorded, and to keep us from providing for a firme and well-grounded peace; by the wisdom and justice of the parliament of England, which is our greatest desire, expressed in our last demand,—we are still confident, that as we shall, concerning this article, represent nothing but what is true, just, and honourable to both kingdomes, so will your lordships hearken to us, and will not suffer yourselves, by any slanders or suggestions, to be drawne out of that straight and safe way wherein yee have walked since the beginning.

It is now, we suppose, knowne to all England, especially to both the honourable houses of parliament, and, by the occasion of this treatie, more particularly to your lordships, that our distresses in our religion and liberties were of late more pressing than we were able to beare; that our complaints and supplications for redresse were answered, at last, with the terrours of an army; that after a pacification, greater preparations were made for warre, whereby many acts of hostilitie were done against us, both by sea and land; the kingdome wanted administration of justice, and wee constrained to take armes for our defence; that we were brought to this extreame

* This demand was one of the most important subjects of discussion between the English parliament and Scottish commissioners, as it respected the charges of the Scottish army since the last pacification. Upon this point the king founded some hopes of their disagreeing, in which case, the Scottish army must have disbanded, or rendered themselves odious by plundering. The demand was very cautiously worded, to avoid room for such an issue.—See *Baillie's Letters*, vol. I. p. 225, 233.

and intollerable necessity,—either to maintaine divers armies upon our borders, against invasion from England or Ireland, still to be deprived of the benefit of all the courts of justice, and not onely to maintaine so many thousands as were spoiled of their ships and goods, but to want all commerce by sea, to the undoing of merchants, of saylors, and many others, who lived by fishing, and whose callings are upholden, from hand to mouth, by sea trade; any one of which evils is able, in a short time, to bring the most potent kingdome to confusion, ruine, and desolation: how much more, all the three at one time combined to bring the kingdome of Scotland to be no more a kingdome: yet all these beloved wee either to endure, and under no other hope than of the perfect slavery of ourselves and our posterity, in our soules, lives, and meanes, or to resolve to come into England, not to make invasion, nor with any purpose to fight, except we were forced, God is our judge, our actions are our witnesses, and England doth now acknowledge the truth, against all suspitions to the contrary, and against the impudent lyes of our enemies, but for our reliefe, defence, and preservation, which we could find by no other meanes, when we had essayed all meanes, and had at large expressed our pungent and pressing necessities to the kingdome and parliament of England. Since, therefore, the war on our part (which is no other but our comming into England with a guard) is defensive, and all men doe acknowledge that, in common equity, the defendant should not be suffered to perish in his just and necessary defence, but that the pursuer, whether by way of legall processe, in the time of peace, or by way of violence and unjust invasion, in time of warre, ought to beare the charges of the defendant,—we trust that your lordships will thinke that it is not against reason for us to demand some reparation of this kind, and that the parliament of England, by whose wisdom and justice wee have expected the redresse of our wrongs, will take such course as both may, in reason, give us satisfaction, and may, in the notable demonstration of their justice, serve most for their owne honour.

Our earnestnesse in following this our demand doth not so farre wrong our sight, and make us so undiscerning, as not to make a difference betweene the kingdome and parliament of England, which did neither decerne nor set forward a warre against us, and that prevalent faction of prelats and papists who have moved every stone against us, and used all sorts of meanes, not onely their counsells, subsidies, and forces, but their kirk canons, and prayers for our utter ruine, which maketh them obnoxious to our just accusations, and guilty of all the losses and wrongs which this time past wee have sustained: yet this wee desire your lordships to consider, that the estates of the kingdome of Scotland, being assembled, did endeavour, by their declarations, informations, and remonstrances, and by the proceedings of their commissioners, to make knowne unto the counsell, kingdome, and parliament of England, and to forewarne them of the mischief intended against both kingdomes, in their religion and liberties, by the prelates and papists, to the end that our invasion from England might have been prevented, if, by the prevalence of the faction, it had beene possible: and therefore wee may now, with the greater reason and confidence, presse our demand, that your lordships, the parliament, the kingdome, and the king himselfe, may see us repaired in our losses, at the cost of that faction by whose meanes we have sustained so much damage, and which, except they repent, will find sorrow recompenced for our griefe, torments for our toyle, and an infinite greater losse for the temporall losses they have brought upon a whole kingdom, which was dwelling by them in peace.

All the devices and doings of our common enemies were to beare downe the truth of religion, and the just liberties of the subjects in both kingdomes. They were confident to bring this about one of two wayes: either by blocking us up by sea and land, to constraîne us to admit their will for a law, both in kirk and policy, and thus to make us a precedent for the like miserie in England; or, by their invasion of our kingdome, to compell us furiously, and without order, to break into England; that the two nations

once entred into a bloody warre, they might fish in our troubled waters, and catch their desired prey. But, as wee declared before our comming, we trusted that God would turne their wisdom into foolishnesse, and bring their devices upon their owne pates, by our intentions and resolutions to come into England, as among our brethren, in the most peaceable way that could stand with our safety, in respect of our common enemies, to present our petitions for settling our peace by a parliament in England, wherein the intentions and actions, both of our adversaries and yours, might be brought to light, the kings majesty and the kingdome rightly informed, the authors and instruments of our divisions and troubles punished, all the mischiefs of a nationall and doubtfull warre prevented, and religion and liberty, with greater peace and amity than ever before, established, against all the craft and violence of our enemies. This was our declaration before wee set our foot into England, from which our deportments we since have not varied. And it hath bin the Lords wonderfull doing, by the wise counsels and just proceedings of the parliament, to bring it, in a great part, to passe, and to give us lively hopes of a happy conclusion; and therefore wee will never doubt but that the parliament, in their wisdom and justice, will provide that a proportionable part of the cost and charges of a worke so great and so comfortable to both nations bee borne by the delinquents there, that, with the better conscience, the good people of England may sit under their owne vines and fig-trees, refreshing themselves, although upon our greater paines and hazard, yet not altogether upon our cost and charges, which we are not able to beare.

The kingdome of England doth know and confesse that the innovation of religion and liberties in Scotland were not the principall designe of our common enemies, but that, both in the intention of the workers, whose zeale was hottest for settling their devices at home, and in the condition of the worke, making us, whom they conceived to be the weaker for opposition, to bee nothing else but a leading case for England: and that, although, by the power of God, which is made perfect in weaknesse, they have found amongst us greater resistance then they did feare, or either they or our selves could have apprehended; yet, as it hath beene the will of God that wee should endure the heate of the day, so, in the evening, the pretious wages of the vindication of religion, liberties, and lawes, are to be received by both kingdoms, and will enrich, wee hope, to our unspeakable joy, the present age and the posteritie, with blessings that cannot bee valued, and which the good people of England esteeme more than treasures of gold, and willingly would have purchased with many thousands. We do not plead that conscience and piety have moved some men to serve God upon their owne cost, and that justice and equity have directed others, where the harvest hath been common, to consider the paines of labouring, and the charges of the sowing; yet this much may we say, that had a forraine enemy, intending to reduce the whole island into popery, made the first assault upon our weaknesse, wee nothing doubt but the kingdome of England, from their desire to preserve their religion and liberties, would have found the way to beare with us the expense of our resistance and lawfull defence: how much more, being invaded, although not by England, yet from England, by common enemies, seeking the same ends, wee expect to be helped and relieved.

Wee will never conceive that it is either the will or the well and honour of England that wee should goe from so blessed a worke, after so many grievous sufferings, bearing on our backs the insupportable burdens of worldly necessities and distresses, re turn to our countrey empty and exhausted, in which the people of all rankes, sexes, and conditions, have spent themselves. The possessions of every man who devoted himselfe heartily to this cause are burdened, not onely with his own personall and particular expense, but with the publike and common charges; of which if there bee no reliefe, neither can our kingdome have peace at home, nor any more credit for commerce abroad; nor will it bee possible for us, either to aide and assist our friends, or

to resist and oppose the restlesse and working wickednesse of our enemies: the best sort will lose much of the sweetnesse of the enjoying of their religion and liberties, and others will run such wayes and undirect courses as their desperate necessities will drive them into: wee shall be but a burthen to ourselves, a vexation unto others, of whose strength we desire to be a considerable part, and a fit subject for our enemies to worke upon, for obtaining their now disappointed, but never dying desires.

Wee will not alledge the example of other kingdomes, where the losses of necessarie and just defence had been repaired by the other party; nor will wee remember what helpe wee have made, according to our abilities, to other reformed kirks; and what the kingdome of England, of old and of late, hath done to Germany, France, and Holland; nor doe we use so many words, that England may be burthened, and we eased, or that this should be a matter of our covetousnesse, and not of their justice and kindnesse:—justice, in respect of our adversaries, who are the causes of the great misery and necessity to which wee have been brought: kindnesse, in the supply of our wants, who have beene tender of the welfare of England as of our own; that, by this equality and mutuall respect, both nations may be supported in such strength and sufficiencie that wee may bee the more serviceable to his majesty, and abound in every good work, both towards one another, and for the comfort and reliefe of the reformed kirks beyond the seas, that we may all blesse God, and that the blessing of God may be upon us all.

The English Peeres Demand concerning the preceding Articles.

Whether this be a positive demand, or onely an intimation of the charge, thereby to induce the kingdome of England to take your distressed estate into consideration, and to afford you some friendly assistance.*

The Scottish Commissioners Answer to this Demand.

Wee would be no lesse willing to bear our losses, if wee had abilitie, than wee have beene ready to undergoe the hazard; but because the burthen of the whole doth farre exceed our strength, wee have (as is more fully conceived in our papers) represented to your lordships our charges and losses, not intending to demand a totall reparation, but of such a proportionable part, as that wee may, in some measure, beare the rema-

* This, which Baillie terms a very captious question, was tendered by the earl of Bristol; but, he adds, so wisely was the answer penned by Mr Henderson, that Bristol wished to withdraw his question.

"With great care an answer was penned, by Mr Henderson, to that very dangerous proposition. You have it in the inclosed paper. All was delivered to the parliament. Both the houses being called together, Bristol made a very pertinent and favourable report of all had past, and by this good office put away that suspicion which we began to conceive of his too hot reasoning against us in the treaty. Mandeville read, with the best tone he could, the reasons of our demands: Paget and Wharton, our good friends, read two answers to Bristol's two propositions:—all was received in silence, with some favour by the far most part. The greatness of the matter itself, and many other weighty affairs, hindered the parliament to make any conclusion therein; so our treaters had a vacation; yet were they not idle, but very diligent in soliciting and informing the members of the houses. Our enemies were not idle here: divers, in both houses, were very averse from this demand, and burst out into words, in several places, of dislike; yet God kept us in this difficulty. The matter coming to the lower house, on Thursday the 21st, it was much debated *pro et contra*, and referred to the next day: at which time, after some hot reasoning by our sure friends, it was voiced, first, that our demands should be voiced; then, that it should be voiced instantly; and, thirdly, by the most part it was carried that a supply, and sustenance for our losses and charges, should be granted to us; reserving the measure to their farther consideration. Of this we are very glad, and bless God for his favour; for this all men took for the greatest difficulty we had."—*Baillie's Letters*, I. 237.

ment; which wee conceive your lordships (having considered our reasons) will judge to bee a matter, not of our covetousnesse, but of the said justice and kindnesse of the kingdome of England.

Proposition of the Peeres to proceed to the other Demands during the debate of the Scottish Losses.

That, in the interim, whilst the houses of parliament take into consideration your demand of losses and dammages, you proceed to settle the other articles of the peace and intercourse betwixt the two kingdomes.

Answer to the Peeres Demand.

Wee have represented our losses, and thereby our distressed condition, ingenuously, and, in the singlenesse of our hearts, with very great moderation, passing over many things which to us are great burthens, that there might be no difficulty, nor cause of delay on our part, hoping that the honourable houses of parliament would thereby be moved, at their first conveniencie, to take the matter to their consideration.

We doe not demand a totall reparation, nor doe we speake of the payment till we consult about the settling of a solid peace, at which time the wayes of lifting and paying the money may be considered: wee doe onely desire to know what proportion may be expected; that this being once determined, and all impediments, arising from our by-past troubles, removed, wee may, with the greater confidence, and more hearty consent on both sides, proceed to the establishing of a firme and durable peace for time to come.

It is not unknowne to your lordships what desperate desires and miserable hopes our adversaries have conceived of a breach upon this article; and we doe foresee what snares to us, and difficulties to your lordships, may arise upon the postponing and laying aside of this article to the last place.

And therefore, that our adversaries may be out of hope, and we out of feare, and that the settling of peace may be the more easie, we are the more earnest, that, as the former articles have bin, so this may be, upon greater reasons considered, in its owne place and order.

Your lordships, upon the occasion of some motions made heretofore of the transposing of our demands, doe know, that not onely the substance, but the order of the propounding of them is contained in our instructions: and as we can alter nothing without warrant, the craving whereof will take more time than the houses of parliament will bestow upon the consideration of this article, so are wee acquainted with the reasons, yet standing in force, which moved the ordering of this demand: and therefore let us still be earnest with your lordships that there be no halting here, where the adversaries did most, and we did least of all, by reason the justice and kindnesse of the houses of parliament, expect it.

Answer of the Parliament to the preceding Demand.

Resolved upon the question,
That this house thinke fit that a friendly assistance and reliefe shall be given to-

¹ This proposition, on account of the delay which it involved, highly alarmed the commissioners, whose exigencies were pressing.

wards supply of the losses and necessities of the Scots, and that, in due time, this house will take into consideration the measure and manner of it.

The Scottish Commissioners Answer.

As wee doe with all thankfulness receive the friendly and kind resolution of the parliament concerning our sixth demand, and doe therein acknowledge your lordships noble dealing, for which wee may assure that the whole kingdome of Scotland will at all occasions expresse themselves in all respect and kindnesse, so doe we entreat your lordships to represent to the parliament our earnest desire that they may bee pleased, how soone their conveniencie may serve, to consider of the proportion ; wishing still, that, as wee expect from our friends the testimonies of their kindnesse and friendly assistance, so the justice of the parliament may be declared, in making the burden more sensible to the prelates and papists (our enemies, and authors of all our evils,) than to others, who never have wronged us ; which will not only give unto us, and the whole kingdome of Scotland, the greater satisfaction, but will also (as wee doe conceive) conduce much to the honour of the kings majesty and parliament. Wee doe also expect that your lordships will bee pleased to report unto us the answer of the parliament, that wee may, in this, as in our former articles, give accompt to those who sent us.

The Peeres Demand upon the above written Answer.

Wee desire to understand, since (as wee conceive) the particulars are like to require much time, whether wee may not, from you, let the parliament know, that (whilst they are debating of the proportion, and the wayes how their kind assistance may bee raised,) you will proceed to the agreeing of the articles of a firme and durable peace, that thereby both time may bee saved, and both sides proceed mutually, with the greater cheerfulness and alacrity.

The Scottish Commissioners Answer to the preceding Demand.

As we desire a firme peace, so it is our desire that this peace may bee, with all mutuall alacrity, speedily concluded ; therefore let us entreat your lordships to shew the parliament, from us, that how soone they shall be pleased to make the proportion knowne to us, that wee may satisfie the expectation of those who have entrusted us, (which we conceive may be done in a short time, since they are already acquainted with all the particulars of our demand,) wee shall stay no longer upon the manner and ways of raising the assistance, which may require a longer time, and yet, we trust, will bee with such conveniencie determined, as may serve for our timous reliefe, but, remitting the manner and wayes to the opportunities of the parliament, shall most willingly proceed to the consideration of the following articles, especially to that which wee most of all desire,—a firme and blessed peace.

January. 16.

Resolved on the question,

That this house doth conceive that the summe of three hundredth thousand pounds is a fit proportion for that friendly assistance and reliefe, formerly thought fit to bee given, towards the supply of the losses and necessities of our brethren of Scotland :

and that this house will, in due time, take into consideration the manner how, and the time when, the same shall be raised.

Answer of the Scots Commissioners.

We intreat your lordships, whose endeavours God hath blessed in this great work, to make knowne to the parliament, that we doe no lesse desire to shew our thankfulness for their friendly assistance and reliefe than we have been earnest in demanding the same; but the thankfulness which we conceive to be due doth not consist in our affections or words at this time, but in the mutuall kindnesse and reall demonstrations to bee expected from the whole kingdome of Scotland in all time comming; and that not onely for the measure and proportion which the parliament hath conceived to bee fit, and which (to begin our thankfulness now) we doe, in the name of the whole kingdome, cheerfully accept of, but also for the kinde and Christian manner of granting it unto us, as to their brethren; which addeth a weight above many thousands, and cannot bee compensated but by paying their reciprocall love and duty of brethren; and for the resolution to consider in due time of the raising of the same for our reliefe; which also maketh the benefit to be double. This maketh us confident that God (whose working at this time hath been wonderfull) hath decreed the peace and amity of the two kingdomes, and will remove all rubbes out of the way; that our enemies will at last despaire to divide us, when they see that God hath joyned us in such a fraternity; and that divine Providence will plentifully recompence unto the kingdome of England this their justice and kindnesse, and unto Scotland all their losses, which shall not by these and other means amongst ourselves be repaired, but by the rich and sweet blessings of the purity and power of the gospell, attended with the benefites of an happy and durable peace, under his majesties long and prosperous reigne, and of his royall posterity, to all generations.

A True Description, or rather a Parallel between Cardinall Wolsey, Archbishop of York, and William Laud, Archbishop of Canterbury.

Printed in the year 1641.

This was one of the various triumphant publications by which the character of Laud was assailed, after his power was fallen, and his person committed to the Tower.

THERE be two primates or archbishops throughout England and Wales,—Canterbury and York, both metropolitans; York of England, Canterbury of all England; for so their titles run. To the primate of Canterbury be subordinate thirteen bishops in England, and four in Wales: but the primate of York has at this time but two suffragans in England, namely, the bishops of Carlisle and Durham, though he had, in King Lucius days, (who was the first Christian king of this our nation,) all the prelacy of Scotland within his jurisdiction, Canterbury commanding all from this side the river Trent to

the furthest limits of Wales, and York commanding all from beyond the Trent, to the utmost bounds of Scotland; and, hitherto, their prime archiepiscopall prerogatives may (not improperly) be paralleled.

In the time of Henry the First were potent famous prelates, Anselme of Canterbury, who durst contest against the king, and Girald of York, who denied to give place or any precedence at all to Anselme. Thomas Becket, who was first chancellour, and after archbishop of Canterbury, in the reign of Henry the Second, bore himself so insolently against the king his soveraigne, that it cost him his life, being slain in the church, as he was going to the altar. But, above all, the pride, tyrannie, and oppression of the bishop of Ely, in the reigne of Richard the First, wants example; who was at once chancellor of England and regent of the land, and held in his hand at once the two archbishopricks of York and Canterbury; who never rid abroad without a thousand horse, for his guard, to attend him; whom we may well parallel with the now great cardinall of France: and need he had of such a traine, to keep himself from being pulled to pieces by the oppressed prelates and people, equally extorting from the clergie and laetie: yet he, in the end, disguising himself in the shape of an old woman, thinking to passe the sea at Dover, where he awayted on the strand, a pinace being hired for that purpose, he was discovered by a sailor, and brought back, to abide a most severe sentence. Stephen Lancthon, archbishop of Canterbury, in the time of King John, would not absolve the land, being for six years together indicted by the pope, till the king had paid unto him and the rest of the bishops eighteen thousand marks in gold:—and thus I could continue the pride of the prelacie, and their great tyrannie through all the kings reigns; but I now fall upon the promist parallel, betwixt Thomas Wolsey, archbishop of York, and cardinall, and William Laud, doctor in divinity, and archbishop of Canterbury.

They were both the sons of mean and mechanick men,—Wolsey of a butcher, Laud of a cloth-worker: the one born at Ipswich, (threescore miles,) the other in Reading, thirty-miles distant from the city of London: both of them very toward, forward, and pregnant grammarschollars, and of singular apprehensions; as suddenly rising to the first forme in the school. From thence, being young, they were removed to the university of Oxford,—Wolsey admitted into Maudlin college, Laud into St Johns: and as they were of different times, so they were of different statures, yet either of them well shap'd, according to their proportions: Wolsey was of a competent talnesse, Laud of a lesse size, but might be called a pretty man, as the other a proper man: both of ingenious and acute aspects, as may appear by this mans face, the others picture. In their particular colleges they were alike proficient; both as active of body as brain; serious at their private studies, and equally frequent in the schools; eloquent orators, either to write, speak, or dictate; daintie disputants; well verst in philosophy, both morall, physicall, and metaphysicall, as also in the mathematicks; and neither of them strangers to the muses; both taking their degrees according to their time: and, through the whole academie, Sir Wolsey was called the Boy Batchelour, and Sir Laud the Little Batchelour.

The main study that either of them fixt upon was theologie; for though they were conversant in all the other arts and sciences, yet that they solely profest, and by that came their future preferment. Wolsey, being batchelour, was made school-master of Maudlin school, in Oxford; but Laud came in time to be master of St Johns college, in Oxford; therein transcending the other; as also in his degrees of master of art, batchelour of divinitie, and doctor of divinity; when the other being suddenly called from the rectorship of his school, to be resident upon a country benefice, he took no more academical degrees than the first, of batchelour; and taking a strange affront by one Sir Amius Paulet, a knight in the country, who set him in the stocks, he endured likewise divers other disasters; but that disgrace he made the knight pay dearly for, after

he came to be invested in his dignity.* Briefly, they came both to stand in the princes eye. But, ere I proceed any further, let me give the courteous reader this modest caveat,—that he is to expect from me only a parallel of their acts and fortune, but no legend of their lives: it therefore briefly thus followeth:—

Both these from academicks coming to turn courtiers, Wolsey, by his diligent waiting, came to insinuate himself into the breasts of the privy counsellors. His first employment was in an embassie to the emperour, which was done by such fortunate and almost incredible expedition, that by that only he grew into first grace with King Henry the Seventh, father to King Henry the Eighth. Laud, by the mediation and means wrought by friends, grew first into favour with King James, of sacred memory, father to our now royall soveraigne King Charles. They were both at first the kings chaplains: Wolsey's first preferment was to be dean of Lincoln, of which he was after bishop; Laud's first ecclesiastical dignity was to be dean of St Davids, of which he was after bishop also: and both these prelaticall courtiers came also to be privy-counsellors. Wolsey, in the beginning of Henry the Eighth's reign, was made bishop of Tournay, in France, soon after bishop of Lincoln, and, before his full consecration (by the death of the incumbent) was ended, translated to the archbishoprick of York; and all within the compasse of a year. Laud, though not so suddenly, yet very speedily, was from St Davids removed to London, and from London to Canterbury, and this in the beginning of the reign of King Charles. Thus you see they were both archbishops; and as Laud was never cardinall, so Wolsey was never Canterbury.

But in some things the cardinall much exceeded Canterbury, as in holding all these bishopricks at once, when the other was never possest but of one at one time. The cardinall also held the bishoprick of Winchester, of Worcester, Bath and Wells, with a fourth, and two abbotships, in *commendum*: he had, besides, an hat sent him from Rome, and made himself cardinall, that (being before but York) he might over-top Canterbury. But our William, howsoever he might have the will, yet never attained to that power; and howsoever he could not compasse a hat from Rome, yet made the means to have a consecrated mitre sent from Rome, which was so narrowly watch'd, that it came not to his wearing. Moreover, the cardinall extorted the chancellorship from Canterbury; but we find not that Canterbury ever either trencht upon the jurisdiction, or took any thing away from the archbishoprick of York.

Wolsey likewise far out-went him in his numerous train, and the noblenesse thereof, being waited on not only by the prime gentry, but even of earls and earls sons, who were listed in his family, and attended him at his table; as also in his hospitalitie, his open house being made free for all comers; with the rare and extraordinary state of his palace, in which there were daily uprising and down-lying a thousand persons, who were his domestick servants; moreover, in his many entertainments of the king with masks and mighty sumptuous banquets; his sumptuous buildings; the prince-like state he carried in his forraigne embassages, into France, to the emperor, &c., in which he spent more coin in the service of his king, for the honour of his country, and to uphold the credit of his cardinals cap, than would (for the time) have paid an army-royal. But I answer, in behalfe of our Canterbury, that he had never that means or employment by which he might make so vain-glorious a show of his pontificalitie or archiepiscopall dignitie; for unbounded minds may be restrained within narrow limits; and therefore the parallel may something hold this too.

They were also, in their judicial courts, equally tyrannous; the one in the chancerie, the other in the high commission: both of them at the council-board and in the star-chamber alike draconically supercilious. Blood drawn from Dr Bonner's head, by the

* Paulet was confined for some time in London, where he built a splendid house, and decorated the front with various emblems of the cardinal's dignity, in hopes to mollify his resentment.

fall of his crosse, presaged the cardinals downfall : blood drawn from the ears of Burton, Prin, and Bastwick, was a prediction of Canterbury's ruin : the first accidental, the last premeditate, and of purpose. The cardinall would have expelled all the lutherans and protestants out of the realme ; this our Canterbury would have exil'd both our Dutch and French church out of the kingdom. The cardinall took main delight in his foole Patch,* and Canterbury took much delight in his partie-coloured cats. The cardinall used for his agents Bonner and others ; Canterbury for his ministers, Duck, Lamb, and others. They both favoured the see of Rome, and respected his holinesse in it : the cardinall did professe it publickly, the archbishop did reverence it privately. The cardinals ambition was to be pope ; the archbishop strove to be patriarch : they both bid fairly for it, yet lost their aime : and far easier it is for men to descend than to ascend.

The cardinall (as I have said) was very ambitious : the archbishop was likewise of the same mind, though better moulded, and of a more politick brain, having a close and more reserved judgement in all his observations, and more fluent in his deliverie. The cardinall was very curious in his attire, and ornament of his body, and took great delight in his traine, and other his servants, for their rich apparell ; the archbishop his attire was neat and rich, but not so gaudy as the cardinals was, yet took as much felicitie in his gentlemens rich apparell, especially those that waited on his person, as ever the cardinall did, though other men paid for them : and if all men had their own, and every bird her feather, some of them would be as bare as those that professe themselves to be of the sect of the adamists. To speak truth, the archbishops men were all given to covetousnesse and wantonnesse ; that I never heard of was in the cardinals men.

As the cardinal was sumptuous in his buildings, as that of Whitehall, Hampton-court, &c., as also in laying the foundation of two famous colleges, the one at Ipswich, where he was born, the other at Oxford, where he had his breeding, so Christ Church, which he left unfinished, Canterbury hath since repaired ; and wherein he hath come short of him in building, though he hath bestowed much on St John's college, yet he hath out-gone him in his bountie of brave voluminous books, being fourscore in number, late sent to the Bodleian or university library. Further, as the cardinall was chancellour of England, so Canterbury was chancellour of Oxford ; and as the cardinall, by plucking down of some small abbies, to prepare stone for his great structures, opened a gap for the king, by which he took the advantage utterly to raze and demolish the rest, so Canterbury, by giving way for one bishop to have a temporall triall, and to be convicted, not by the clergy, but the laity, so he left the same path open, both for himself and the rest of the episcopacy ; of which there before scarce remained a precedent.

I have paralleled them in their dignities : I will conclude with a word or two concerning their down-falls. The cardinall fell into the displeasure of his king ; Canterbury into an extreme hatred of the commons : both were arrested of high treason ; the cardinall by processe, Canterbury by parliament ; the cardinall at Keywood Castle, near York, Canterbury at Westminster, near London : both their falls were speedy and sudden. The cardinal sate as this day in the high court of chancery, and within two days after was confined to his house ; Canterbury as this day sate at the counsell-board, and in the upper house of parliament, and the same day committed to the Black Rod, and from thence to the Tower. The cardinall dyed at Leicester, some say of a flux ; Canterbury remains still in the Tower, only sick of a fever. *Vanitas vanitatum omnia vanitas.*

* The name of this fool passed into a sort of general epithet for those who were supposed to resemble him in point of intellect. Hence the word *patch*, so often used in old plays as a term of contempt.

The Petition of the Gentlemen and Students of the University of Cambridge, offered to both Houses, upon Wednesday, being the fifth day of January, 1642, upon the arrival of that News to them of the Bishops late Imprisonment; with their Appeal to his most Excellent Majesty. 1642.

Humbly and plainly sheweth,

THAT, if the very front of our requests be assaulted with a refusal, before we further declare, we, in all humility and observancy, desire not to be admitted; so may we happily ease ourselves of a danger, to be bold where we ought, although not where we may.

Yet, if we may be heard to those (we mean yourselves) whose ears cannot, and (we dare say) must not to any whatsoever just requests, we again, as in our former prostration, thus desire you, and, if the expression be more humble, beg of you:

First, Not to believe this in itself fictitious, humoursome, affronting, and, if not presumptuous, *uno cætera diximus*, those epithets, which, we know, but if not know, wish, from yourselves, are not undeservedly, nor unjustly, nor illegally sent forth against those, who, according to your loss, your too much abused patience, (Heaven grant a speedier execution to your commands,) daily, hourly, abuse,

Et Regem et Regnum.

* Secondly, Although we are not *vox ipsa academice*, nor all regent-masters in the cause, yet we hope the liberal sciences may be as prevalent as the mechanical, intruding, not with swords, but knees, which had not yet been bended, but in this alone our impetration.

Now, our most honoured senates, may we now, with what a too tedious preamble lulled you, now again awake you.

We, the gentlemen and students of the university of Cambridge, do utterly, from our hearts, shoot back those arrows of aspersion, newly cast upon us, to be seducers.

To be seducers is an easy matter, you'll say, if sophistry, with her fallacies, may intitle us.

But we have sucked better milk from the tears of our mother; our mother, who never yet was more dejected, yet, from the dust, may ride upon the clouds, and in her due time shine, nay, out-shine the female conquest in the Revelation. The pillars of the mother is the church; you know it all: who Christians are, are those *incarcerati*; those who, like Joseph in the pit, or St Peter with the jailor; those who, with St Paul, may pray to be let down by a basket: (pardon our interruption.) May the whole and holy assembly be pleased too: our meaning was good, although the fault of that omission was pardoned before the reiteration.

Again, your supplicants, who, if without guns or feathers, or those whose reasons are far lighter than their feathers.

(Give us leave, yet without musquet-shot, we beseech you, to jog you by the elbow, a term-phrase or adagy meanly given, if you are given to cavil.)

Meanly, that is, indifferently. But what need we fear a verbal answer, where too many real are so near at hand?

Pro aris et focis was the Roman empress; *pro focus* for a king, *pro aris* for a temple; so on their very hearths they did adore a majesty: so knew a king which way to go to St Paul's cathedral, which to the Exchange.

Again, we are ready, with our lives and bloods, to present all collegiate chapels, if that they lay in our power, as well in *interioribus quam exterioribus*; not acknowledging more or less divine service than with what, as in former times, our more primitive Christians

did, with erected bodies, and drawn weapons, stand to the doxology creed, and responsals to the church.

All this we protest, and have hitherto really professed in these too much to be lamented times, although our warrant, so far as we can read, was allowed of by Edward the Sixth, *Separata maria continuatum usque ad annum et tempus vicesimum septimum Caroli regis*; to whose majesty, whose person, whose religion we appeal to: to his majesty, as God's vicegerent, to his person, as God's representative image, to his religion, as God himself alone.

By this only consequence,

*Ubi religio,
Ibi templum,
Ubi templum,
Ibi Deus.*

*Templum Deme,
Demas Deum,
Deme templum,
Demas Deum.*

The true Copy of a Letter, sent from the most Reverend William, Lord Archbishop of Canterbury, to the University of Oxford, when he resigned his Office of Chancellor. Published by occasion of a base Libel and Forgery, that runs under this Title: and also the Answer of the University to the said Letter. Oxford, printed by Leonard Lichfield, Printer to the University, Anno Dom. 1641; Quarto, containing twelve Pages.

Three months after Laud's imprisonment, he deemed it proper, for the reasons expressed in the following letter, to resign his office of chancellor of the university of Oxford. His fall was complete; and he was now, in some degree, neglected by the parliament, as no longer an object of dangerous suspicion. Philip, Earl of Pembroke and Montgomery, was his successor in the chancellorship, of which he was soon afterwards deprived, as well on account of the current of his politics as of his total incapacity.

To my very loving Friends, the Vice-Chancellor, the Doctors, the Proctors, and the rest of the Convocation of the University of Oxford.

AFTER my hearty commendations, &c., these are to remember my love to that whole body; that love, than which never any chancellor bore greater, or with more ferventness and zeal to the publick good and happiness of that place. And I do heartily pray all and every of you to believe me; for most true it is, that the unfortunateness of my great affliction doth not trouble me for any one thing more, than that I can be no further usefull or beneficial to that place, which I so much love and honour.

I was once resolved not to resign my place of chancellor till I saw the issue of my troubles one way or other: and this resolution I took, partly because I had no reason to desert myself, and occasion the world to think me guilty, and partly, because I have found so much love from the university, that I could not make myself willing to leave it till some greater cause should take me off from that which I so resolved on.

That cause, if I be not much mistaken, doth now present itself; for I see the university hath great need of friends, great and daily need. I see my trial not hastened, so that I am neither able to assist your great occasions myself, nor procure friends for them. I see that if you had another chancellor, you could not want the help which now you do. And I cannot but know, that were your love never so great to me, it must needs cool, when you see me able to give no assistance, and yet fill the place which should afford it to you: and I should hardly satisfy myself that I love you so well as I do, if I did not further your good happiness by all the means I can, and even by this my resignation.

The serious consideration of these things, and the foresight which I have, that I shall never be able to serve you as I have done, have prevailed with me, at this time, to send the resignation of the chancellorship to your body, met in convocation; and I do hereby pray you that it may be publickly read and accepted, the time being now most fit; that so your honourable succeeding chancellor may presently appoint an able deputy for the government, according to his own judgment.

And now, I do earnestly desire of you all, either to remember or to know that I never sought or thought of the honour of this place to myself; and yet that, since it was by the great favour and love of that university laid upon me, I have discharged it, by God's grace and goodness to me, with great pains and care; and God's blessing, I humbly thank him, hath not been wanting. And I profess singly, and from my heart, if there be any good which I ought to have done to that place, and have not done it, it proceeded from want of understanding or ability, not will or affection. And though I do, for the causes aforesaid, resign this place, yet I shall serve it still with my prayers, so long as God continues my life.

And as I doubt not but God will bless you with an honourable chancellor, and one able to do more for that place than I have been, so I pray God to give you a peaceable and quiet election, and to direct it to the good of this his church, and the honour and happiness of that famous university; that you may have no miss, in the least, of me, who, after your prayers heartily desired, now writes himself, the last time,

Your very loving, poor friend, and chancellor,

W. CANT.

From the Tower, June 25, 1641.

Amplissimo et Reverendissimo Domino Gulielmo Archi-Præsuli Cantuariensi.

Reverendissime Archi-Præsul—Hoc enim solum tibi (sic voluisti) nomen relictum est—

NOVISSIMÆ literæ tuæ, amoris, sed et doloris, plenæ, fecerunt ut dehinc nos planè ere dirutos diruptosque profiteri debeamus. Cum effusissimo amoris tuo, verbis (quod unicum nobis suppetit peculium) ut paria faceremus, nunquam sperandum fuit; nedum dolori nostro verba nos reperturos paria; ne si passis quidem eloquentiæ velis vehi, et totâ doloris prærogativâ frui liceret. Hodie verò, ut sunt tempora, ad justissimum dolorem nostrum non levis hic accessit cumulus, quòd eum in sinu premere et quasi strangulare necesse habeamus; quibus ne illud quidem tutò queri licet, in ea nos tempora incidisse, in quibus singulari tuæ prudentiæ et erga nos amoris consultissimum visum sit, nostraque quàm maximè interesse, ut Res ac Fortunas nostras à tuis segregare habeamus et sejunctas. Quanquam verò supremo numini sic visum est, et illud nobis beneficii loco imputandum haberes, quòd maximum beneficiorum tuorum, teipsum, à nobis segregares, et cancellarii munus abdicares; affectus tamen tuus erga academiam nostram propensissimus, tum literis tuis novissimis, tum aliis frequentibus argumentis abundè testatus, dubitare nos non sinit, quin, deposito invidioso cancellarii titulo, aman-

tissimi patroni affectum adhuc in sinu tuo retineas. Quamdiu manuscripta¹ illa *κειμήλια* tua, orientis spolia, et verè *ἡλὲν ἀναθήματα* bibliothecam nostram illustrabunt; quamdiu lectura Arabica, à te² dotata, frequentabitur; quamdiu antiquitatis vindices simul et testes antiqua³ numismata visentur; quamdiu castigatio disciplina, mores emendati, morumque canon statuta vigeant; quamdiu pro studio partium bonarum artium studia colentur; quamdiu literis honos, honori literæ erunt, cancellarium adhuc esse te, sentient præsens ætas; fuisse, postera agnoscet. Dehinc, immortalitatis securus, gloriæque tuæ superstes, diu hinc posteritati tuæ intersis; ac demum, ubi mortalitatis numeros omnes impleveris, plenus annis abeas, plenus honoribus, illis etiam quos abdicasti. Ita vovet

Amplitudini tuæ omni cultûs ac observantiæ nexu devinctissima,

ACADEMIA OXON.

Dat. è Domo Convocat. 6 Julii, 1641.

A Letter from Archbishop Laud to the Vice-Chancellor.

Master Vice-Chancellor,

AND you, gentlemen, the rest of my ancient friends and fellow-students, God, whose judgments are inscrutable, before whom the wisdom of the children of men is but foolishness, hath been pleased to lay his afflictions on me with a heavy hand; glorified be his name in all his works; but no one among all the numbers of my miseries hath, or does more afflict me, then that I am, by my misfortunes, made incapable of serving you, and that famous nurse of good letters, your university, (of which I had sometimes the honour to be chancellor,) with that intire zeal and devotion which my intentions aimed at: Man purposeth, and God disposeth; otherwise, had his Almighty will been concurrent to my wishes, my endeavours should have rendered Oxford the glory of the Christian world, for good literature; but mens hopes resemble much sun, that at his rising and declension casts large shadows, at noon, when he is cloathed in all his brightness, casts little or none at all: when we are farthest from our expectations, they appear nearest to our hopes; our hopes feeding our imaginations with the prosperity of our intents, which then approach swiftly to ruin, like quite spent tapers, that give a sudden flash ere they extinguish. It was just so with me, who now, instead of all the honours I possessed, am a prisoner, and so like to continue; and would take it as an ample testimony of God Almighty's mercy to me, were I but assured to carry my grey hairs down to the grave in peace: but his will be done in earth, as it is in heaven. I shall endeavour to make the best of my sufferings, that I may say, with the psalmist, "It was good for me that I was in trouble." And surely I shall so demean myself towards God, my king, and the commonwealth, in this my durance, that in my very enemies I shall beget compassion, in you, my friends, a hearty sorrow for my miseries, which have taught me that true dictamen of wisdom, that I shall advise all, especially you of mine own calling, the clergy, never to meddle with things above your reach; I mean state affairs; but to devote yourselves solely to the service and worship of God, the true feeding the flocks committed to your charge; for dangerous it is to meddle with the council of kings, especially for those who have professed themselves ministers of the Almighty, on whose laws they ought only to meditate; the affairs of state being theatres, on which whosoever acts his part, though it appear to him comical in the be-

¹ MSS. Cod. plus quàm MCCC. De quibus plus quàm CCCXXX Linguis Oriental. scripti, et paulò minus C. Ling. Gr.

² Salarium professoris Ling. Arab. XL. lb. Annuae.

³ Hebr. Græc. Roman. Famil. et Imper. Britannicæ.

ginning, the end will produce his own tragedy, if he look not with the greater care to his performance; as it happened to that most famous clergyman of all our nation, that great cardinal Woolsey; whom some (in a merry mockery) have unaptly made my parallel in dignity and fortune: who, laden with disgraces, *jam sumus ergo pares*, not long before his departing minute, exclaimed, that if he had served God but with half that integrity he had done the king, he would not have so deserted him in his old age. How I have served my king, then whom no man ever had the happiness to serve a more gracious master, the world must be my judge; how I have performed my duty to God, of that, my own conscience; nor shall I strive to give the world satisfaction in that point, only desire them to remember that divine command, "Judgenot, lest you be judged." Howsoever I have demeaned myself, it is enough I now suffer, without either repining at the will of the Almighty, or exprobrating mine accusers with the least accusation of malice, though never man hath had so many scandalous abuses cast upon him; none ever (considering my calling) having been made so notorious a subject for ridiculous pamphlets and ballads.* But it is not I alone that have indured injuries of that nature; they have fallen, with the same licentious petulancy, upon betters; and I have long since studied that precept of the wise man, "When a fool reviles thee, regard him not:" and so enough of this matter, and all other, but the main cause of my writing to you. Impute this needless exordium to my human weakness, which is always prone to tediousness in relation of its misfortunes to those it is confident will lament and pity them; an instance whereof we have in children, who use to bemoan themselves to their mothers and nurses, purposely to have them bemoan them. But to my bussines:—It is not unknown to you, gentlemen, nor to me, though darkness and the shadow of death have even encompassed me round, what myriads of increasing mischiefs these times have produced in this languishing and almost expiring kingdom; dissensions, wars, blood-sheds reigning in every place; fellow-subjects, like the ancient sword-players in the Roman cirques and amphitheatres, butchering one another, merely for their delight in blood.

*Fraternus acies alteraque jura profanis,
De certata odiis,*

* One Henry Walker, an iron-monger, the same who, on King Charles entering the city of London, cried out, "To your tents, O Israel!" and threw a pamphlet, so entitled, into his coach, was active in exercising his wit against the fallen archbishop. He wrote the bishop of Canterbury's dream, Canterbury's pilgrimage, and Canterbury's change of diet. Wood records the other insults with which the fallen prelate was assailed by the triumphant fanatics.

"Among, and above the rest, there were three men, viz. Hen. Burton, a minister in Friday Street, in London, Dr John Bastwick, a physician, and William Prynne, a common lawyer, who had been censured in the star-chamber, for notorious libels, printed and published by them, against the hierarchy. The faction of the Brownists, and these three saints, with their adherents, filled the press almost daily with ballads and libells, full of all manner of scurrility, and more untruth, both against the archbishop's person and his calling. They were cried about London streets, and brought (many of them) to Westminster, and given into divers lords' hands, and into the hands of the gentlemen of the house of commons, and yet no order taken by either house to suppress the printing of such known and shameless lies as most of them contained; a thing which many sober men found fault withal, and which, as 'twas then believed, had hardly been seen in any civil commonwealth, Christian or other. Besides these libels and ballads, which were sung about the streets, they made base pictures of the archbishop, putting him into a cage, and fastening him to a post, by a chain at his shoulder, and the like. Divers of these libels made sport in taverns and ale-houses, where too many were as drunk with malice as with the liquor they sucked in. Against which his only comfort was, that he was fallen but in the same case with the prophet David, Psal. lxi. 'For they that sate in the gate spake against me, and I was the song of the drunkards.' From that time till his death, and after, these libels and ballads continued without controul. But this was not all; for some of these rascally people came to him in the Tower, taunted at, and gave him very foul and ill language; and some there were that took opportunity to preach in the chapel of St Peter ad Vincula, within the said Tower, purposely to abash and confound him, (if present, as sometimes he was;) particularly one Jorcelin, who preached there on the fifteenth of May, 1642, with vehemency becoming Bedlam, with treason sufficient to hang him in any other state, and with such particular abuse to the archbishop, that women and boys stood up in the church, to see how he could bear it. Histext was Judges, v. 23. 'Curse ye Meroz,' &c."—Wood's *Athenæ*, II. 59.

May fitly be applied to the condition of our distressed country, whose soul is, as were, divided from the body, and itself only the carcase of that England it was formerly; the kings gracious majesty, by fatal fears and misconstructions, being separated from the body of the common-wealth, the honourable, the high court of parliament. And if any comfort can arrive to make a man love his misery, or take delight in his enthrallment, certainly I have, that my durance was inflicted on me before this sad and lamentable breach (which Heaven, in its great mercy, soon knit up) happened betwixt his majesty and his parliament; for, had I been at liberty, and enjoyed the gracious ear of my sovereign, as formerly, surely I had not been to have had that aspersion cast upon me, as the author of this distraction; such a fatality as always attendant on persons high in the favour of their prince, to have all the misfortunes of the commonwealth inflicted on them, who may be, perchance, not only innocent, but have also indeavoured to have diverted from the state those mischiefs of which they are suspected by some, and by some concluded to have been the main incendiaries. And surely I could wish, so my sufferings might have impeached the impetuous current of the kingdoms miseries, that I had undergone a thousand deaths before this disjunction had fallen out between the high court of parliament and his majesty, who being, as I am informed, now with you at Oxford, and intending there to reside, I thought myself engaged in conscience to intimate my intentions to you, and to give you that counsel which if any one had given me in my prosperity, I might, perchance, at this instant not have been unhappy. I know there are among you divers of great and able souls, take heed, I beseech you, lest you pervert those excellent gifts which God and education hath conferred upon you, by intruding yourselves into the affairs of the state, and inverting religion, to advance and cherish the present distractions. The king is not amongst you; a good and gracious prince he is, as ever Heaven blest this land with. Do not you, by any ends whatsoever, increase the number of those malignants who have given fire to all the cedars of Lebanon, at once kindled a flame, which, in a moment hath almost burn'd up all the glories of this kingdom. Let neither the disgraces cast on the clergy by some factious spirits, without the licence or patronage of the parliament incense you to cherish the distractions betwixt his majesty and that honourable and wise assembly, nor hope of preferment seduce you to it; for, credit me, who hath more experience in such affairs than many of you, though the beginning of proceedings of that nature may, in fair and specious outsides, court your imaginations, their period will be nothing but confusion and bitterness to the undertakers, as other sins are, which like subtile panthers, display their gorgeous spots to intice the traveller to gaze upon them, till the careless wretches are surely in their reach, and then they assault and devour them. It is ill going between the bark and the tree, (says the proverb;) take heed of it: there is as near a relation betwixt the king and his parliament; and though they may a while be separated, that violence cannot be long lived; it will at last conclude in the ruin of those that have caused this separation; they will be sure to suffer. It cannot be but offences must come; but woe be to them from whom they come: mischiefs always meet their catastrophes in the destruction of their authors. Since, then, his majesty hath graciously been pleased to honour your university and city with his royal presence, like good Samaritans, endeavour to pour balm and oil into the wound of the commonwealth; labour, as much as in you lies, to compose these dissensions. It is your calling to propagate peace as well as the gospel, which is the testimony of peace, given by the King of Peace to the children of men. You may inform his majesty, even out of your pulpits, and boldly, that nothing is more perquisite to the duty of a sovereign, than to acquire and advance the good of his subjects; which can no way so well and suddenly be effected, as by a fair accommodation of peace between his royal self and his high court of parliament: And, as an incitement to move his majesty to think of it, if such a wretched man as I be not quite lost to his memory, tender this to him, as the humblest petition of his unfortunate servant,—that his goodness

would vouchsafe to reflect on my sufferings, who am impossibilitated, by his absence, of ever coming to my tryal, and so likely to end my days in a prison: but this only as the least motive, because it is for myself. But further, beseech his highness, from me, to look with a compassionate and tender eye on the religion, nobility, and commons of this unhappy kingdom, and, by a speedy reconciliation with the honourable the high court of parliament, at once finish all their miseries. And, lastly, pray you signify to his majesty, that I lay my life down in all humility at his royal feet, beseech God day and night for his prosperity, peace, and happiness, desiring no longer life for any end but this, to see his majesty, the glory of our Israel, return to his Jerusalem, all differences attoned betwixt him and his parliament, which are the continual prayers of his highness's humblest servant, and your true friend,

W. C.

FINIS.

A briefe Relation of the Death and Sufferings of the Most Reverend and Renowned Prelate the Lord Archbishop of Canterbury; with a more perfect Copy of his Speech, and other Passages on the Scaffold, than hath beene hitherto imprinted, From the Collections of Sir Francis Eyles Haskins Styles, Baronet.

JEREM. XXVI. 14, 15.

14. As for mee, behold I am in your hands, do with mee as seemeth good and meete unto you:
15. But know ye for certaine, that if yee put mee to death, ye shall surely bring innocent blood upon yourselves, and upon this city, and upon the inhabitants thereof, &c.

It is a preposterous kinde of writing, to beginne the story of a great man's life at the houre of his death; a most strange way of setting forth a solemn tragedie, to keepe the principall actor in the tyring-house till the play be done, and then to bring him on the stage, onely to speake the epilogue, and receive the plaudites: yet this must bee the scope and method of these following papers. To write the whole life of the most reverend and renowned prelate the lord archbishop of Canterbury, would require more time then publike expectation can endure to heare of. Those that can judge (as all wise men may) of the brightnesse and glories of the sunne, in his highest altitude, by the clearnesse of his going downe, or that can *ortum solis in occasu quærere*, discern the rising of the sunne (as once Straton did) by the reflection of his beames in a westerne cloud, may, by the glorious manner of his death and sufferings, presented in these short remembrances, conjecturẽ at the splendour of those rare endowments, both of grace and nature, wherewith his former life was adorned and beautified. The ordinary and unsatisfied reader may, for his farther satisfaction, repaire to Master Pryn's Breviate of his life and actions, though published of purpose to defame him, and render him more odious to the common people: concerning which, the reader may observe, in briefe, that all which Mr Pryn's industrious malice hath accused him of in those collections is, that hee was a man of such eminent vertues, such an exemplary piety towards God, such an unwearied fidelity to his gracious soveraigne, of such a publike soule towards church and state, so fixt a constancy in friendship, and one so little biassed by his private interesses,—that this age affords not many equals: and it would trouble Plutarch (if he were alive) to find out a fit pa-

Just. hist. l. 11.

rallel with whom to match him. All, therefore, I shall doe, at the present time, (and 'tis the last publique office I shall doe him,) is, to lay down the story of his death and sufferings, together with a view of those plots and practises which were set on foote, to pluck a few yeares from a weake old man, and bring him to an unnaturall, calamitous end; for though that maxime in philosophy is most true and certaine, that *corruptio est in instanti*, that death comes to us in a moment, or in the twinkling of an eye, as the Scriptures phrase is; yet are there many previous dispositions which make way unto it, all which are comprehended in the name of death. And in that latitude of expression doe we take the word, in laying downe the story of his death before you; which, being writ out of an honest zeale to truth, and a sincere affection to his name and memory, shall either bee approved of, or at least excused.

1 Cor. 15. 52.

II.
Opt. de Sabis.
Donatist. l. 1.

It was the practice and position of the antient donatists, (the predecessours and progenitors of the modern puritan,) *occidere quemcunq. qui contra eos fecerit*; to kill and make away whoever durst oppose their doings, or was conceived to be an hinderance to their growing faction: and by this card their followers in these kingdomes have beene steered of late, imprisoning and destroying all who have stood against them. It is long since they entertained such desperate purposes against the life and person of the lord archbishop, threatening his death in scattered libels, telling him that his life was sought for; that neither God nor man could endure so vile a counsellour to live any longer. This was about the end of March, 1629, and was the prologue to those libells, full of threats and scandalls, which, yeare by yeare, exasperated and inflamed the people, till they had made them ripe for mischiefe, and readily prepared to execute whatever their grand directours should suggest unto them. Saint Paul did never fight more frequent and more terrible combats with the beasts of Ephesus, for the promotion of the gospell, then he with these untractable and fiery spirits, who most seditiously opposed his religious purposes of settling unity and uniformity in this church of England. And in this state things stood till the year 1640, in which not onely many factious and seditious people, in and about the city of London, made an assault by night on his house at Lambeth, with an intent to murder him, had they found him there, but the whole faction of the Scots declared, in a remonstrance to the English nation, that one of the chiefe causes which induced them to invade this realme was, to remove him from his majesty, and bring him to the punishment which he had deserved. The manner of their comming hither, and the great entertainment given them by the faction here, shewed plainely that they were not like to bee sent away without their errand, and makes it evident that his ruine was resolved on in their secret counsells, before the parliament was called, or that they had declared so much by their will revealed.

III.
Decemb. 18,
1640.

March 1, 1640.

The parliament had not long continued but he is named for an incendiary, by the Scottish commissioners, and thereupon accused of treason by the house of commons. And although no particular charge was brought against him, but only a bare promise to prepare it in convenient time, yet was he presently committed to the custody of the gentleman-uscher, and by him kept in duresse till the end of February, (being full tenne weeks;) about which time his charge was brought unto the lords, but in generals only, and longer time required for particular instances. And yet upon this Lydford law (by which they used to hang men first, and endite them afterwards*) was he committed to the Tower, being followed almost all the way by the rascall multi-

* In Scotland, *Jedburgh justice* is synonymous to Lydford law. The English proverb is alluded to by Brown, in his burlesque verses on the village of Lydford.

I oft have heard of Lydford law;
That in the morn they hang and draw,
And sit in judgment after.

tude, who barbarously pursued him, with reproach and clamours; to the very gates, and there detained, contrary to all law and justice, almost four yeares longer. This was the first great breach which was made by parliament in the liberties of the English subject, (save that their like proceeding with the earle of Strafford was a preparative unto it,) and was indeed the very gappe at which the slavery and oppression under which this miserable nation doth now pine and languish did break in upon them. What right could meaner persons looke for, when as so great a peere was doomed to so long imprisonment, without being called unto his answer? What else hath filled so many prisons, in most parts of the kingdome, with the best and wealthiest of the subjects, but the most dangerous effects and consequences of this woful president? which, as it was the leading case unto all our pressures, so might those pressures have beene remedied, had the subjects made his case their owne, and laboured to prevent it in convenient time. But such a miserable infatuation had befallen them generally, that seeing they did see, but would not perceive.

Matth. 13. 14.

IV.

But yet the malice of his enemies was not so contented; for though some of the more moderate (or rather the lesse violent) lords, who did not pierce into the depth of the designe, gave out that they intended only to remove him from his majesty's care, and to deprive him of his archbishoprick, (which resolution, notwithstanding, being taken up before any charge was brought against him, was as unjust, though not so cruell, as the others;) yet they shewed, only by this overture, that they did reckon without their hosts, and might be of the court, perchance, but not of the counsell. The leading and predominant party thought of nothing lesse then that he should escape with life, or go off with liberty; only, perhaps, they might conceive some wicked hopes, that either the tediousnesse of his restraint, or the indignities and affronts which day by day were offered to him, would have broke his heart, not formerly accustomed to the like oppressions: and then, like Pilate in the Gospel, they had called for water, and washed their hands before the multitude, and said that they were innocent of the blood of that righteous person; thinking that, by such wretched figge-leaves, they could not only hide their wickednesse, and deceive poore men, but that God also might be mocked, and his all-seeing eye deluded, to which all hearts lye open, all desires are knowne, and from which no secrets can be hidden. To this end, not content to immure him up within the walls of the Tower, they robbe him of his meniall servants, restraints him to two only of his number, and those not to have conference with any others, but in the presence of his warder; and, in conclusion, make him a close prisoner, not suffering him to go out of his lodging, to refresh himselfe, but in the company of his keeper. And all this while they vex his soul continually with scandalous and infamous papers, and set up factious and seditious preachers to enveigh against him, in the pulpit, to his very face; so to expose him to the scorne both of boyes and women; who many times stood up, and turned towards him, to observe his countenance, to see if any alteration did appear therein. And to the same ungodly end did they divest him of his archiepiscopall and episcopall jurisdiction, conferring it on his inferior and subordinate officers; sequester his rents, under pretence of maintenance for the king's younger children, (as if his majesties revenues, which they had invaded, were not sufficient for that purpose;) convert his house at Lambeth into a prison, and confiscate all his coals and fewell to the use of their gaoler; deprive him of his right of patronage, and take into their owne hands the disposing of all his benefices; seize upon all his goods and books which they found at Lambeth; and, in conclusion, rifle him of his notes and papers: not only such as were of ordinary use and observation, but such as did concerne him in the way of his just defence.¹ In which they did not any

Matth. 27. 24.

Octob. 26, and
Novem. 29, 1642.

May 9, 1643.

As, May 15, 1642.

Oct. 23, 1641.

Nov. 8, 1642.
Jan. 5, 1642.
May 16, 1643.
May 9, 1643.
May 31, 1643.

¹ Prynn, upon the 31st April, 1643, seized his diary, his book of devotions, and his private papers, rifling even his pocket, for such as might be concealed there. He promised restitution; but of twenty-one bundles of papers, stated to be essential to his defence, only three were returned to the archbishop previous to his trial.

thing, from the first to the last, but in a proud defiance to the lawes of the land, which they most impudently violated in all these particulars: and more than so, they had proceeded, steppe by steppe, to this height of tyranny a whole year almost before they had digested their generall charge into particular accusations, or ever called him to his answer, in due forme of law.

v.

But God had given him such a measure, both of strength and patience, that these afflictions, though most great and irkesome, did make no more impressions on him than an arrow on a rocke of adamant; for at his first commitment he besought his God (as Master Prynne observes, out of his *Manuall of Devotions*) to give him full patience, proportionable comfort, and contentment with whatsoever he should send; and he was heard in that he prayed for; for notwithstanding that he had fed so long on the bread of carefulnesse, and dranke the water of affliction, yet, as the Scripture telleth us of the foure Hebrew children, his countenance appeared fairer and fatter in flesh than any of those who eat their portion of the king's meat, or dranke of his wine. And he was wont to say to his private friends, that, he thanked God, he never found more sweet contentment in his greatest liberty then in the time of that restraint. And certainly it was no wonder that it should be so, he being conscious to himselfe of no other crimes, which drew that fatall storme upon him, then a religious zeale to the honour of God, the happinesse of the king, and the preservation of the church in her peace and patrimony, as he professeth at his death, before all the people. So that, despairing of successe in the way intended, his enemies fell upon another, but more desperate course, which was, to ship him for New England, and make him subject to the insolencies of Wells and Peters, two notorious schismatics. But this being put to the question, in the house of commons, was rejected by the major part; not out of pity to his age, or consideration of his quality, nor in respect unto the lawes so often violated, but to preserve him yet a while, as a stale, or property, wherewith to cheat the citizens of some further summes, and to invite the Scots to a new invasion, when their occasion so required; for it was little doubted, by discerning men, but that the Scots, who made their first invasion on a probable hope of sequestering the lord archbishop and the earle of Strafford from his majesties counsels, and sped it so well in their designe, that they, who were recompensed already with the death of the one, would easily be tempted to a second journey, upon assurance to be glutted with the blood of the other.*

April 20, 1643.

VI.

And this appears more plaine and evident, in that, about the coming on of the Scots, which was in the midst of January, 1643, they did again revive the businesse, which had long lain dormant, causing the articles which they had framed in maintenance of their former accusation to be put in print about that time, as is apparent by the test of John Browne, their clerke, dated the 17th of that month. And as the Scots advanced or slackned in their marches southward, so did they either quicken or retard the worke; till, hearing of the great successes which they had in Yorkshire, they gave command to Master Prynne (a man most mischievously industrious to disturbe the publique) to prosecute the charge against him, and bring him to his long expected triall; as he reports it of himself: who, having rifled him of his papers, and thereby robbed him of those helpe which hee had purposely reserved for his just defence, and having personal quarrels of his owne to revenge upon him, was thought to be the fittest blood-hound in the whole kennell to pursue the scent. And now there was no talke but of quick dispatch. When hatred doth accuse, and malice prosecute

In his Epistle to the Breviate.

* Ludlow, an unexceptionable evidence, speaks this out very plainly:—"About the 16th of the same January, the Scots marched into England; and having Berwick secured for them, the first thing they attempted was, the taking of Newcastle, which they did by storm; the lords and commons, for their encouragement, having sentenced, and caused execution to be done upon William Laud, archbishop of Canterbury, their capital enemy on the 10th of the same month."—LUDLOW'S *Memoirs*, Edin. 1751, l. 72.

and prejudice and prepossession sit upon the bench, God help the innocent: there's nothing but a miracle can preserve him then; and so it proved in the event. They called him often to the barre, both before and after; caused a strict inquisition to be made into all his actions: they winnowed him like wheate, and sifted him to the very bran, (which was, you know, the devil's office :) they had against him all advantages of power and malice, and witnesses at hand upon all occasions; but still they found his answers and his resolutions of so good a temper, his innocence and integrity of so bright a dye, that as they knew not how to dismisse him with credit, so neither could they find a way to condemne him with justice. And though their consciences could tell them that hee had done nothing which deserved either death or bonds, yet, either to reward or oblige the Scots, who would not think themselves secure whilst his head was on, they were resolved to bring him to a speedy end: onely they did desire, if possible, to lay the odium of the murther upon the common people: and therefore Serjeant Wilde, in a speech against him, having aggravated his supposed offences to the highest pitch, concluded thus: That he was guilty of so many and notorious treasons, so evidently destructive to the commonwealth, that he marvelled the people did not teare him in pieces as hee passed between his barge and the parliament houses. Which barbarous and bloody project, when it would not take, and that, though many of the rabble did desire his death, yet none would be the executioner, they then employed some of their most malicious and most active instruments to goe from dore to dore, and from man to man, to get hands against him, and so petition those to hasten to his condemnation, which must, forsooth, be forced to their owne desires: (whereof, and of the magistrates standing still, and suffering them to proceed without any check, he gave them a memento in his dying speech.) This being obtained, the businesse was pursued with such heate and violence, that by the beginning of November it was made ready for a sentence; which some conceived would have beene given in the King's Bench, and that their proofes (such as they were) being fully ripened, hee should have beene put over to a Middlesex jury. But they were onely some poor ignorants which conceived so of it. The leading members of the plot thought of no such matter; and, to say truth, it did concern them highly not to goe that way; for though there was no question to be made at all but that they could have packed a jury to have found the bill, but, by a clause in the attainder of the earle of Strafford, they had bound the judges not to declare those facts for treason, in the time to come, for which they had condemned and executed that heroicke peer: and therefore it was done, with great care and caution, to proceed by ordinance, and vote him guilty first in the house of commons; in which being parties, witnesses, and judges too, they were assured to passe it as they would themselves; which was done accordingly, about the 20th of November.

But yet the businesse was not done; for the lords stuck at it: some of which having not extinguished all the sparks of honour, did, by the light thereof, discover the injustice of so foule a practice, together with the danger that might befall themselves, if once disfavoured by the grandees of that potent faction:—a thing so stomacked by the commons, that, after some evaporations of their heate and passion, which broke out into open threats, they presently drew and sent up an ordinance to the lords, tending to dispossesse them of all power and command in their armies. But fearing this device was too weak to hold, they fall upon another and a likelier project, which was, to bring the lords to sit in the commons house, where they were sure they should be inconsiderable, both for power and number. And to effect the same with more speed and certainty, they had recourse to their old arts, drew down Sir David Watkins, with his general muster of subscriptions, and put a petition in his hands, to be tendred by him to the houses, that is, themselves; wherein it was required, amongst other things, that they would vigorously proceed unto the punishment of all delinquents: and that.

Luke 22. 31.

VII.

Mat. 27. v. 18,
22, 23, 24, 26.

Act. 23, v. 13,
20, 22, &c.

for the more quick dispatch of the publick businesses of the state, the lords would please to vote and sit together with the commons. On such uncertaine termes, such a ticklish tenure, do they now hold their place and power in parliament, who so officiously complied with the house of commons, in depriving the bishops of their votes, and the churches birth-right. And this was it which helped them in that time of need; for by this (though stale and common) stratagem did they prevaile so far upon some weak spirits, that the earles of Kent, Pembroke, Salisbury, and Bullingbrook, the lords North, Gray of Wark, and Brews,* (a Scotchman, but an English baron, and generally called the earle of Elgin,) resolved to yield unto the current of so strong a streame, and thought they made a gaining voyage, if, by delivering the lord archbishop to the peoples fury, they might preserve themselves in the peoples favour. And we know well, both who it was, and what end he came to, who, though he knew that the accused party was delivered him out of envy onely, and that he found no evill he was guilty of, yet being wearied with the clamours and the crucifiges of the common people, and fearing that some tumult would be made about it, delivered him unto his enemies, to be put to death. And for those other lords who withdrew themselves, and neither durst condemne nor protect the innocent, (though far the major part, as it is reported,) it is not easy to determine whether their conscience were more tender, their collusion grosser, or their courage weaker. All I shall say is onely this, that Claudias Lysias, in the Acts, had beene as guilty of Saint Paul's death as any of the forty who had vowed to kill him, if, upon notice of the plot which was laid to murther him, he had brought him down unto the people, or not conveyed him, with a strong guard, to the court of Felix. The journies end must needs be foule, which such lewd and crooked waies do conduct unto. And it is worth your observation, that the same day, the fourth of January, in which they passed this bloody ordinance, (as if therein they would cry quittance with his sacred majesty, who on the same accused the six guilty members,) they passed another for establishing their new directory; which, in effect, is nothing but a totall abolition of the common prayer booke; and thereby shewed unto the world how little hopes they had of settling their new forme of worship, if the foundation of it were not laid in blood.

VIII.

The bill being thus dispatched in the house of lords, (if still they may be called the lords, which are so over-loaded by the common people,) there wanted yet the king's assent to give life to it, which they so far contemned, (they had more reason to despare of it,) that they never sought it. They had screwed up their ordinances to so high a pitch, that never act of parliament was of more authority; and having found the subjects so obedient as to yield unto them in matters which concerned them in their goods and liberties, it was but one step more to make triall of them whether they would submit their lives to the selfe same tyranny; and this they made the first experiment in this kind, both of their own power and the people's patience; he being the first man, as himselfe noted in his speech, (which words are purposely omitted in Hindes copy of it,) that was ever put to death by ordinance in parliament; but whether he shall be the last, further time will shew. Certaine it is, that, by this ordinance, they have now made themselves the absolute masters of the subjects life, which they can call for at their pleasure, as, no doubt, they will, and left him nothing but his fetters he can call his owne. Just as it was observed by our gracious soveraigne, upon occasion of the ordinance for the 20th part, that the same power which robbed the subject of the twentieth part of their estates, had by that only made a claime, and entituled itselfe to the other nineteen, whensoever it should be thought expedient to hasten on the generall mine;

Declaration
about the twen-
tieth part.

* Sir Philip Warwick assures us, that Lord Bruce, when charged, by him, with his share in the death of Laud, bid him "believe him in nothing he should ever aver, if it were not true, that he was not present, nor concurred in that vote." Six lords, therefore, formed the house of peers which passed such a mean and unanimous resolution.

in which his majesty hath proved but too true a prophet. And though, perhaps, some of the people were well pleased with this bloody ordinance, and ran with joy to see it put in execution, yet all wise men doe looke upon it as the last groane or gaspe of our dying liberty. And let both them and those who passed it be assured of this, that they who doe so gladly sell the blood of their fellow-subjects, seldome want chapmen for their owne, in an open market.

And here it was once observed that the predominant party of the United Provinces, to bring about their ends, in the death of Barneveldt, subverted all those fundamentall lawes of the Belgick liberty, for maintenance whereof they took up arms against Philip the 2. : so would I know which of those fundamentall lawes of the English government have not been violated by these men in their whole proceedings ; for preservation of which lawes, (or rather under colour of such preservation,) they have bewitched the people unto this rebellion. It is a fundamentall law of the English government, and the first article in the *Magna Charta*, that the church of England shall be free, and shall have her whole rights and privileges inviolable ; yet, to make way unto the condemnation of this innocent man, and other the like wicked and ungodly ends, the bishops must be voted out of their place in parliament, which most of them have held farre longer in their predecessors, then any of our noble families in their pregenitours. And if the lords refuse to give way unto it, (as at first they did,) the people must come downe into the house in multitudes, and cry, No bishops, no bishops, at the parliament doores, till, by the terror of their tumults, they extort it from them. It is a fundamentall law of the English liberty, that no free man shall be taken or imprisoned without cause shewne, or be detained without being brought unto his answer, in due form of law ; yet here we see a free-man imprisoned tenne whole weekes together, before any charge was brought against him, and kept in prison three years more, before his generall accusation was by them reduced into particulars, and, for a yeere, almost, detained close prisoner, without being brought unto his answer, as the law requires. It is a fundamentall law of the English government, that no man be disseised of his freehold or liberties, but by the knowne lawes of the land ; yet here wee see a man disseised of his rents and lands, spoyled of his goods, deprived of his jurisdiction, divested of his right and patronage ; and all this done when hee was so farre from being convicted by the lawes of the land, that no particular charge was so much as thought of. It is a fundamentall law of the English liberty, that no man shall be condemned, or put to death, but by lawfull judgement of his peeres, or by the law of the land, *i. e.* in the ordinary way of a legall tryall : and, sure, an ordinance of both houses, without the royall assent, is no part of the law of England, nor held an ordinary way of trial for the English subject, or ever reckoned to be such in the former times. And, finally, it is a fundamentall law in the English government, that if any other case, (than those recited in the statute of King Edward 3.) which is supposed to be treason, doe happen before any of his majesties justices, the justices shall tarry, without giving judgement, till the cause be shewne and declared before the king and his parliament, whether it ought to be judged treason or not ; yet here wee have a new found treason, never knowne before, nor declared such by any of his majesties justices, nor ever brought to be considered of by the king and his parliament, but onely voted to be such by some of those few members

IX.

Magna Ch. c. 1.

Magna Ch. c. 29 ; 28 Ed. 3. : and the petition of rights.

Magn. Chart. c. 29 ; 28 Edw. 3.

Ibid.

25 Edw. 3.

* On this subject, Sir Philip Warwick observes,—“ What this word ordinance signified, was grown so unintelligible, that I could never meet with any who clearly could expound it, either by good books or authority : but this, on all hands, was agreed on, that an ordinance was never of universal force, but where the king concurred in it, and then it was esteemed as a law is now ; and when it passed from the two houses singly, it was only in parliament-time, and had no force longer, and never had force or general influence upon the people, nor further extent than to the two houses. So that it was as much impudence, and imposition upon men's understandings, to have it extended to any private man's estate, as it was injustice and cruelty to make it reach unto the decapitation of the remnant and gray beard. And thus we may see how this body of men who cry out against arbitrary government in a private, can, when to blood, remorselessly execute it by themselves.”—Sir P. WARWICK'S *Memors*, p. 100.

which remaine at Westminster, who were resolved to have it so, for their private ends. Put all which hath been said together, and then tell me truly, if there be any difference (for I see not any) between the ancient Roman slaves and the once free-born subjects of the English nation, whose life and liberty, whose goods and fortunes depend on the meere pleasure of their mighty masters.

- X. But to returne unto our story. The passing of the ordinance being made knowne unto him, he neither entertained the newes with a stoicall apathie, nor wailed his fate with weake and womanish lamentations, (to which extreames most men are carried in this case,) but heard it with so even and so smooth a temper, as shewed he neither was afraid to live, nor ashamed to die. The time betweene the sentence and the execution he spent in prayers and applications to the Lord his God; having obtained, though not without some difficulty, a chaplaine of his owne to attend upon him, and to assist him in the worke of his preparation, though little preparation needed, to receive that blow which could not but be welcome, because long expected; for so well was he studied in the art of dying, (especially in the last and strictest part of his imprisonment,) that, by continuall fasting, watching, prayers, and such like acts of Christian humiliation, his flesh was rarified into spirit, and the whole man so fitted for eternal glories, that he was more then halfe in heaven before Death brought his bloody (but triumphant) chariot to convey him thither. He that had so long been a confessour, could not but thinke it a release of miseries to be made a martyr. And, as is recorded of Alexander the Great, that the night before his best and greatest battaile with Darius, the Persian, he fell into so sound a sleepe that his princes hardly could awake him when the morning came; so is it certified of this great prelate, that, on the evening before his passover, the night before the dismall combat betwixt him and death, after he had refreshed his spirits with a moderate supper, he betook himselfe unto his rest, and slept very soundly, till the time came in which his servants were appointed to attend his rising:—a most assured signe of a soule prepared. The fatall morning being come, he first applied himselfe to his private prayers, and so continued, till Pennington,¹ and other of their publique officers, came to conduct him to the scaffold, which he ascended with so brave a courage, such a chearfull countenance, as if he had mounted rather to behold a triumph, than to be made a sacrifice, and came not there to die, but to be translated. And, to say truth, it was no scaffold, but a throne; a throne, whereon he shortly was to receive a crowne, even the most glorious crowne of martyrdome.² And though some rude, uncivill people reviled him, as he passed along, with opprobrious language, as loth to let him go to the grave in peace, it never discomposed his thoughts, nor disturbed his patience; for he had profited so well in the schoole of Christ, that when he was reviled, he reviled not again; when he suffered, he threatened not, but committed his cause to him that judgeth righteously. And, as he did not feare the frownes, so neither did he covet the applause of the vulgar herd, and therefore rather chose to read what he had to speake unto the people, than to affect the ostentation either of memory or wit, in that dreadfull agony; whether with greater magnanimity or prudence, I can hardly say. As for the matter of his speech, besides what did concerne himselfe and his owne purgation,

Plutarch in
Alexander.

Friday, Jan.
10, 1644.

1 Pet. 2. 23.

¹ Lord-mayor of London, and then lieutenant of the Tower.

² "When sentence was given upon him, this good archbishop, who was naturally fearful of a violent death, was so assisted by God's grace, that he was modestly forward to undergo it; and upon the day of his execution, he undauntedly marched to the scaffold, though he was haunted by two ill spirits, Hugh Peters and Sir John Clotworthy, all his way thither; who, even upon the scaffold, (like instruments of the great adversary of mankind,) were disturbing him by inhumane interrogatories, when he had most need to have had his thoughts in best repose. But, forgiving them and all the world besides, with great steadiness, gravity, and piety, he appeared to make his own funeral sermon with less passion than he had, in former times, made the like for a friend. His speech is well worth the reading, and his most Christian deportment in laying down his life is most worthy the remembering. And so we shall leave him, now removed from London, (where he was first buried,) interred with his faithful friend, Archbishop Juxon, in St. John's College, in Oxford, to which they were both very great benefactors."—Sir P. WARWICK'S *Memoirs*, p. 171.

his great care was to cleare his majestie and the church of England from any inclination unto popery; with a perswasion of the which the authors of our present miseries had abused the people, and made them take up armes against their soveraigne. A faithfull servant to the last. By meanes whereof, as it is said of Sampson, in the booke of Judges, Judg. 16. 30. that the men which he slew at his death were more then they which he slew in his life, so may it be affirmed of this famous prelate, that he gave a greater blow unto the enemies of God and the king at the houre of his death than he had given them in his whole life before; of which I doubt not but the king and the church will find speedy fruits. But this you will more clearly see by the speech itselfe, which followeth here, according to the best and most perfect copies.

A Speech of the L. Archbishop of Canterbury, spoken at his Death, upon the Scaffold, on the Tower-hill, January 10, 1644.

XL.

Good People,

This is an uncomfortable time to preach, yet I shall begin with a text of scripture: Heb. xii. 2. "Let us run with patience that race which is set before us, looking unto Jesus, the author and finisher of our faith, who, for the joy that was set before him, endured the crosse, despising the shame, and is set down at the right hand of the throne of God."

I have been long in my race; and how I have looked to Jesus, the author and finisher of my faith, he best knowes. I am now come to the end of my race; and here I finde the crosse a death of shame; but the shame must be despised, or no coming to the right hand of God: Jesus despised the shame for me, and God forbid but I should despise the shame for him. I am going apace (as you see) towards the Red Sea, and my feet are now upon the very brinke of it; an argument, I hope, that God is bringing me into the land of promise; for that was the way through which he led his people; but before they came to it, he instituted a passeover for them; a lambe it was; but it must be eaten with sowre hearbs. I shall obey, and labour to digest the sower hearbs, as well Exod. 12. 8. as the lambe: and I shall remember it is the Lord's passeover: I shall not thinke of the herbs, nor be angry with the hand which gathereth them, but looke up only to Him who instituted that, and governes these; for men can have no more power over me than what is given them from above. I am not in love with this passage through the Red John 19. 11. Sea; for I have the weaknesse and infirmities of flesh and blood plentifully in me; and I have prayed with my Saviour, *ut transiret calix iste*, that this cup of red wine might Luke 22. 42. passe from me; but if not, God's will (not mine) be done; and I shall most willingly drinke of this cup as deepe as he pleases, and enter into this sea, yea, and passe through it, in the way that he shall lead me.

But I would have it remembred, (good people,) that when God's servants were in this boysterous sea, and Aaron among them, the Egyptians, which persecuted them, (and did, in a manner, drive them into that sea,) were drowned in that same waters, while they were in pursuit of them. I know my God, whom I serve, is as able to deliver me from this sea of blood as he was to deliver the three children from the furnace; and (I most Dan. 3. humbly thanke my Saviour for it) my resolution is now as theirs was then: they would not worship the image the king had set up; nor will I the imaginations which the people are setting up; nor will I forsake the temple and the truth of God, to follow the bleating of Jeroboams calfe, in Dan and in Bethel. And as for this people, they are, at this day, miserably misled. (God, of his mercy, open their eyes, that they may see the right way;) for at this day the blind lead the blind, and, if they goe on, both will certainly Luke 6. 36. fall into the ditch. For my selfe, I am (and I acknowledge it in all humility) a most grievous sinner many waies, by thought, word, and deed; and I cannot doubt but that

God hath mercy in store for me, (a poore penitent,) as well as for other sinners. I have now, upon this sad occasion, ransacked every corner of my heart, and yet (I thank God,) I have not found (among the many) any one sinne which deserves death by any knowne law of this kingdome; and yet, hereby, I charge nothing upon my judges; for if they proceed upon prooffe, (by valuable witnesses,) I, or any other innocent, may be justly condemned; and I thank God, though the weight of the sentence lye heavy upon me, I am as quiet within as ever I was in my life. And though I am not only the first archbishop, but the first man that ever dyed by an ordinance of parliament, yet some of my predecessors have gone this way, though not by this meanes; for Elphegus was hurried away, and lost his head by the Danes; and Symon Sudbury in the fury of Wat Tyler and his fellowes: before these, Saint John Baptist had his head danced off by a lewd woman; and Saint Cyprian, archbishop of Carthage, submitted his head to a persecuting sword:—Many examples, (great and good;) and they teach me patience; for I hope my cause, in Heaven, will looke of another dye than the colour that is put upon it here. And some comfort it is to me, not only that I goe the way of these great men, in their severall generations, but also that my charge (as fowle as 'tis made) lookes like that of the Jewes against Saint Paul, (Acts, xxv. 3;) for he was accused for the law and the temple, *i. e.* religion: and like that of Saint Stephen, (Acts, vi. 14,) for breaking the ordinances which Moses gave, *i. e.* law and religion, the holy place and the temple, (verse 13.) But you will say, doe I then compare myselfe with the integrity of Saint Paul and Saint Stephen? No, farre be that from me; I only raise a comfort to myselfe that these great saints and servants of God were laid at, in their times, as I am now. And 'tis memorable, that Saint Paul, who helped on this accusation against Saint Stephen, did after fall under the very same himselfe. Yea, but here's a great clamour that I would have brought in popery: I shall answer that more fully by and by. In the mean time, you know what the Pharisees said against Christ himselfe,—“If we let him alone, all men will believe in him, *et venient Romani*, and the Romans will come, and take away both our place and the nation.” Here was a causelesse cry against Christ, that the Romans will come: and see how just the judgement of God was: they crucified Christ for feare lest the Romans should come, and his death was it which brought in the Romans upon them; God punishing them with that which they most feared: and I pray God this clamour of *venient Romani*, (of which I have given no cause,) helpe not to bring them in; for the pope never had such a harvest in England since the reformation as he hath now, upon the sects and divisions that are amongst us. In the meane time, “by honour and dishonour, by good report and evill report, as a deceiver, and yet true, am I passing through this world.” 2 Cor. vi. 6, 8. Some particulars also I think it not amisse to speak of.

And first, this I shall be bold to speake of:—the king, our gracious sovereign, he hath been much traduced also for bringing in of popery; but, on my conscience, (of which I shall give God a very present accompt,) I know him to be as free from this charge as any man living; and I hold him to be as sound a protestant (according to the religion by law established) as any man in this kingdome, and that he will venture his life as farre and as freely for it; and I thinke I doe, or should know, both his affection to religion, and his grounds for it, as fully as any man in England.

The second particular is concerning this great and populous city, (which God blesse.) Here hath been, of late, a fashion taken up, to gather hands, and then go to the great court of this kingdome, (the parliament,) and clamour for justice, as if that great and wise court, before whom the causes come, (which are unknown to the many,) could not or would not doe justice but at their appointment:—a way which may endanger many an innocent man, and plucke his blond upon their owne heads, and perhaps upon the cities also: and this hath been lately practised against myselfe; [the magistrates standing still, and suffering them openly to proceed from parish to parish without checke,] God

John 11. 48.

Reader, the words included in [] are left out in the speech published by Hinde.

forgive the setters of this, (with all my heart I begge it;) but many well meaning people are caught by it. In Saint Stephen's case, when nothing else would serve, they stirred up the people against him; and Herod went the same way when he had killed Saint James; yet he would not venture upon St Peter, till he found how the other pleased the people. But take heed of "having your hands full of blood;" for there is a time (best knowne to himselfe) when God (above all other sinnes) "makes inquisition for blood;" and when that inquisition is on foot, the psalmist tell us "That God remembers." (But that's not all:) "He remembers, and forgets not the complaint of the poore;" that is, "Whose blood is shed by oppression," verse 9. Take heed of this. "'Tis a fearfull thing to fall into the hands of the living God," but then especially, when he is making inquisition for blood: and (with my prayers to avert it) I doe heartily desire this city to remember the prophesy that is expressed, Jer. xxvi. 15.

Acts 6. 12.

Isa. 1. 15.

Psal. 9. 12.

Heb. 10. 31.

See the words at large in the title of this relation.

The third particular is the poore church of England: It hath flourished and beene a shelter to other neighbouring churches, when stormes have driven upon them. But, alas! now 'tis in a storme itself, and God only knowes whether, or how it shall get out: and (which is worse than a storme from without) it is become like an oake cleft in shivers, with wedges made out of its owne body; and at every cleft prophanes and irreligion is entering in, while, as Prosper speakes, (in his second book, *De vitæ contemptu*, cap. 4,) men that introduce prophanes are cloaked over with the name *religionis imaginariæ*, of imaginary religion; for we have lost the substance, and dwell too much in opinion; and that church which all the jesuits machinations could not ruine, is fallen into danger by her owne.

The last particular (for I am not willing to be too long) is myself. I was borne and baptized in the bosome of the church of England, established by law; in that profession I have ever since lived, and in that I come now to dye. This is no time to dissemble with God, least of all in matter of religion; and therefore I desire it may be remembered I have alwaies lived in the protestant religion established in England, and in that I come now to dye. What clamours and slanders I have endured for labouring to keepe a uniformity in the externall service of God, according to the doctrine and discipline of this church, all men know, and I have abundantly felt.

Now, at last, I am accused of high treason in parliament, a crime which my soule ever abhorred. This treason was charged to consist of these two parts,—an endeavour to subvert the lawes of the land, and a like endeavour to overthrow the true protestant religion established by law. Besides my answers to the severall charges, I protested my innocency in both houses. It was said, prisoners protestations at the barre must not be taken. I can bring no witsse of my heart, and the intentions thereof; therefore I must come to my protestation, not at the barre, but my protestation, at this hour and instant of my death, in which I hope all men will be such charitable Christians as not to thinke I would dye and dissemble, being instantly to give God an account for the truth of it. I doe therefore, here, in the presence of God and his holy angels, take it, upon my death, that I never endeavoured the subversion either of law or religion: and I desire you all to remember this protest of mine, for my innocency in these, and from all treasons whatsoever. I have beene accused likewise as an enemy to parliaments. No; I understand them, and the benefit that comes by them, too well to be so; but I did mislike the misgovernments of some parliaments many waies; and I had good reason for it; for *corruptio optimi est pessima*, there is no corruption in the world so bad as that which is of the best thing in itselfe; for the better the thing is in nature, the worse it is corrupted. And that being the highest court, over which no other have jurisdiction, when 'tis mis-informed, or mis-governed, the subject is left without all remedy. But I have done. I forgive all the world, all and every of those bitter ene-

mies which have persecuted me, and humbly desire to be forgiven of God first, and then of every man, whether I have offended him or not: if he doe but conceive that I have, Lord, doe thou forgive him, and I beg forgiveness of him. And so I heartily desire you to joyne in prayer with me.

The arch-
bishops prayer
upon the scaf-
fold.

O! eternall God, and mercifull father, looke downe upon me in mercy; in the riches and fullnesse of all thy mercies look upon me; but not till thou hast nailed my sinnes to the crosse of Christ; not till thou hast bathed me in the blood of Christ; not till I have hid myselfe in the wounds of Christ; that so the punishment due unto my sinnes may passe over me. And since thou art pleased to try me to the uttermost, I humbly beseech thee, give me now, in this great instant, full patience, proportionable comfort, and a heart ready to dye for thy honour, the king's happinesse, and this churches preservation. And my zeal to these (farre from arrogancy be it spoken) is all the sinne (humane frailty excepted, and all incidents thereto) which is yet known to me, in this particular for which I now come to suffer: I say, in this particular of treason; but otherwise my sinnes are many and great. Lord, pardon them all, and those especially (what-ever they are) which have drawne downe this present judgement upon me; and when thou hast given me strength to beare it, doe with me as seems best in thine own eyes; and carry me through death, that I may looke upon it in what visage soever it shall appeare to me, amen. And, that there may be a stop of this issue of blood, in this more then miserable kingdom, (I shall desire that I may pray for the people too, as well as for myselfe,) O Lord, I beseech thee, give grace of repentance to all blood-thirsty people; but if they will not repent, O Lord, confound all their devices, defeat and frustrate all their designes and endeavors upon them, which are or shall be contrary to the glory of thy great name, the truth and sincerity of religion, the establishment of the king, and his posterity after him, in their just rights and priviledges, the honour and conservation of parliaments in their just power, the preservation of this poore church in her truth, peace, and patrimony, and the settlement of this distracted and distressed people under their ancient lawes, and in their native liberties. And when thou hast done all this, in meere mercy for them, O Lord, fill their hearts with thankfullnesse, and with religious, dutifull obedience to thee and thy commandments, all their daies. So, amen, Lord Jesus, amen, and receive my soule into thy bosome, amen. Our Father which art, &c.

XII.

The speech and prayers being ended, he gave the paper which he read unto Doctor Sterne, desiring him to shew it to his other chaplaines, that they might know how he departed out of this world, and so prayed God to shew his mercies and blessings on them. And noting how one Hinde had employed himselfe in taking a copy of his speech, as it came from his mouth, he desired him not to doe him wrong in publishing a false or imperfect copy: which, as Hinde promised him to be carefull of, calling for punishment from above if he should doe otherwise, so hath he reasonably well performed his promise; the alterations or additions which occurre therein being perhaps the worke of those who perused his papers, and were to authorise them to the publicke view, to fit it more unto the palate of the city faction, and make it more consistent with the credit of those guilty men who had voted to his condemnation. This done, he next applied himselfe to the fatall blocke, as to the haven of his rest; but finding the way full of people, who had placed themselves upon the theatre, to behold the tragedy, he desired he might have room to dye, beseeching them to let him have an end of his miseries, which he had endured very long. All which hee did with so serene and calm a mind, as if he had beene rather taking order for another man's funerall, then making way unto his owne. Being come near the blocke, he put off his doublet, and used some words, to this effect:—God's will be done; I am willing to goe out of this world; no man