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### The Declaration or Remonstrance of the Lords and Commons, in Parliament Assembled. with Divers Depositions and Letters Thereunto Annexed

England and Wales. Parliament (1642)

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THE  
DECLARATION  
OR  
REMONSTRANCE  
OF  
The Lords and Commons,  
in PARLIAMENT assembled.

With divers depositions and Letters  
thereunto annexed.

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Die Jovis 19. Maii. 1642.

*It is this day ordered by the Lords and Commons in Parliament  
assembled, that this Declaration, together with the Depo-  
sitions, shall be forthwith printed and published.*

Jo: Browne, Cleric. Parliamen.

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L O N D O N,  
Printed for Joseph Hunscoth and John Wright. 1642.

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LONDON,  
Printed for Joseph Hunscock and John Wright. 1642.

A  
DECLARATION  
OF BOTH HOUSES OF  
PARLIAMENT.



He infinite mercy, and providence of the Almighty God hath been abundantly manifested since the beginning of this Parliament, in great variety of protections and blessings whereby hee hath not onely delivered us from many wicked Plots, and designs, which if they had taken effect would have brought ruine, and destruction upon this Kingdome; but out of those attempts hath produced diverse evident, and remarkable advantages to the furtherance of those services, which we have bene desirous to performe to our Sovereigne Lord the King, and to this Church and State in providing for the publique peace, and prosperity of his Majesty, and all his Realmes: which in the presence of the same all-seeing deity, we protest to have been, and still to be the onely end of all our counsells and endeavours, wherein we have resolved to continue freed, and enlarged from all private aimes, personall respects or passions what soever.

In which resolution we are nothing discouraged, although the heads of the malignant party disappointed of that prey, the Religion and liberty of this Kingdome, which they were ready to seize upon, and devour before the beginning of this Parliament, have still persisted by new practises, both of force and subtilty, to recover the same againe: for which purpose they have made severall attempts for the bringing up of the Army; they afterwards projected the false accusation of the Lord *Kimbolton*, and the five members of the House of Commons, which being in it selfe of an odious nature, they yet so farre prevailed with his Majesty as to procure him to take it upon himselfe; but when the unchangeable duty and faithfulnessse of the Parliament could not be wrought upon by such a fact as that, to withdraw any part of their re-

verence and obedience from his Majesty, they have with much art, and industry advised his Majestie to suffer divers unjust scandalls, and imputations upon the Parliament, to be published in his name, whereby they might make it odious to the people, and by their helpe to destroy that, which hitherto hath been the onely meanes of their owne preservation.

For this purpose they have drawn his Majesty into the Northerne parts far from the Parliament, that so false rumours might have time to get credit, and the just defences of the Parliament finde a more tedious, difficult, and disadvantageous access, after those false imputations and slanders had been first rooted in the apprehension of his Majesty, and his Subjects, which the more speedily to effect, they have caused a Presse to be transported to *Yorke*, from whence severall papers, and writings of that kinde are conveyed to all parts of the Kingdome, without the authority of the great seale, in an usuall and illegall manner, and without the advice of his Majesties Privy Counsell; from the greater, and better part whereof having withdrawne himselfe, as well as from his great Councell of parliament, he is thereby exposed to the wicked and unfaithfull counsellors of such as have made the wisdom, and justice of the Parliament dangerous to themselves, and this danger they labour to prevent by hiding their owne guilt, under the name and shadow of the King: insuing into him their owne feares, and as much as in them lies, aspersing his royall person and honour with their owne infamy, from both which it hath alwayes been as much the care as it is the duty of the Parliament, to preserve his Majesty, and to fix the guilt of all evill actions and counsellors, upon those who have been the authors of them.

Amongst divers writings of this kinde, wee the Lords and Commons in Parliament, have taken into our consideration two printed papers; the first containing a declaration which they received from his Majesty in answer of that which was presented to his Majesty from both Houses of Parliament at *Newmarket* the ninth of *March*. 1641. The other his Majesties answer to the petition of both Houses presented to his Majesty at *Yorke* the 26 of *March*. 1642. Both which are filled with harsh censures, and causelesse charges upon the Parliament concerning which we hold it necessary to give satisfaction to the Kingdome, seeing we find it very difficult to satisfy his Majesty, who to our great griefe, we have found to be so engaged to, and possessed by those misapprehensions which evill counsellors have wrought in him, that our most humble and faithfull Remonstrances, have rather irritated and imbit-

imbittered, then any thing allayed or mitigated the sharpe expressions which his Majesty hath been pleased to make in answer unto them, for the manifestation whereof, and of our owne innocency, wee desire that all his Majesties loving subjects may take notice of these particulars.

We know no occasion given by us which might move his Majesty to tell us that in our declaration presented at Newmarket, there were some expressions different from the usuall language to Princes.

Neither did we tell his Majesty either in words or in effect, that if he did not joyne with us in an Act which his Majesty conceived might prove prejudiciall, and dangerous to himselfe, and the whole Kingdome, we would make a Law without him, and impose it upon the people. That which we desired, was, that in regard of the imminent danger of the Kingdome, the Militia, for the security of his Majesty, and his people, might be put under the command of such noble and faithfull persons, as they had all cause to confide in, and such was the necessity of this preservation, that we declared, that if his Majesty should refuse to joyne with us therein, the two Houses of Parliament being the supreme Court and highest councill of the Kingdome, were enabled by their owne authority to provide for the repulsing of such imminent, and evident danger, not by any new Law of their owne making as hath been untuly suggested to his Majesty, but by the most ancient Law of this Kingdom, even that which is fundamentall and essentiall to the constitution and subsistence of it.

Although we never desired to encourage his Majesty to such replies as might produce any contestation betwixt him and his Parliament, of which wee never found better effect, then losse of time, and hindrance of the publique affaires; Yet We have beene farre from telling him of how little value his words would be with us, much lesse when they are accompanied with actions of Love and Justice, His Majesty hath more reason to finde fault with those wicked counsellours, who have so often bereaved him of the honour, and his people of the fruit, of many gracious Speeches, which hee made to them such as thole in the end of the last parliament; That in the word of a King, and as he was a Gentleman he would redresse the grievances of his People aswell out of Parliament as in it, were the searching the Studies and Chambers, yea, the Pockets of some, both of the Nobility, and Commons the very next day; The Commitment of Master *Bellasis*, Sir *John Hosham*, and Master *Crew*, the continued oppressions by Ship money, Coat and Conduct money, with the manifold imprison-

ments, and other vexations thereupon, and other ensuing violations of the Lawes and Liberties of the Kingdome, (all which were the effects of evill counsell, and abundantly declared in our generall Remonstrance of the State of the Kingdome) actions of love and Justice, suitable to such words as those.

As gracious was his Majesties Speech in the beginning of this Parliament; That he was resolved to put himselfe freely, and cleerly upon the Love and affection of his English Subjects, whether his cautelless complaints and Jealousie, the unjust imputations so often cast upon his Parliament, his deniall of their necessary defence by the Ordinance of the *Militia*, his dangerous absenting himselfe from his great councill, like to produce such a mischief his division in the Kingdome have not beea more suitable to other mens evill counsells then to his owne words, will easily appeare to any indifferent Judgement.

Neither have his latter speeches been better used, and preserved by these evill and wicked counsellors; could any words be fuller of Love, and Justice then those in his answer to the Message sent, to the House of Commons the 31<sup>st</sup> of December 1641. We doe engage unto you solemnly the word of a King that the security of all, and every one of you from violence, is and ever shall be as much our care, as the preservation of Us and our children; and could any actions be fuller of injustice and violence then that of the Attorney generall, in falsely accusing the six Members of Parliament, and the other proceedings thereupon, within three or fower dayes after that Message, for the full view whereof let the declaration made of those proceedings be perused, and by those instances (we could ad many more) Let the world Judge, who deserves to be taxed with disavewing his Majesties Words, they who have as much as in them lies, staynd and sullied them with such fowle counsells, or the Parliament, who have ever manifested with joy, and delight their humble thankfulness for those gracious words, and actions of love, and Justice, which have been conformable thereunto.

The King is pleased to disavow the having any such evill Counsell or Counsellors as are mentioned in our Declaration to his knowledge, and we hold it our duty, humbly to avow there are such, or else we must say, that all the ill things done of late in his Majesties name, have bene done by himselfe, wherein we should neither follow the direction of the Law, nor the affection of our owne hearts, which is as much as may be to cleere his Majestie from all imputation of misgovernment, and to lay the fault upon his Ministers; the false accusing of six members of Parliament, the

Justifying

Justifying Mr. Attorney in that false accusation, the violent comming to the house of Commons, the detiall of the Militia, the thrape Messages to both houses, contrary to the Customes of former Kings, the long and remote absence of his Majesty from Parliament; the heavy and wrongfull taxes upon both houses, the Cherishing and countenancing a discontented party in the Kingdome against them, these certainly are the fruits of very ill Counsell, apt to put the Kingdome into a Combustion, to hinder the supplies of Ireland, and to countenance the proceedings and pretentions of the Rebels here, and the Authors of these evill Counsells, we conceive must needs be knowne to his Majesty, and we hope our labouring with his Majesty, to have these discovered, and brought to a just censure, will not so much wound his honour in the opinion of his good Subjects, as his labouring to preserve and conceale them.

And whereas his Majesty saith, he could wish that his owne immediate Actions which he avowes on his owne honour, might not bee so roughly censured under that Common stile of evill Counsellors: Wee could alid heartily wish that we had not cause to make that stile so Common, but how often and unprofitably soever these wicked Counsellors fix their dishonour upon the King; by making his Majesty the Authour of those evill actions, which are the effects of their owne evill Counsells; We his Majesties Loyall and dutifull subjects can use no other stile according to that *Maxim* in the Law, the King can doe no wrong, but if any ill be committed in matter of state, the Council; if in matters of Justice, the Judges must answer for it.

We lay no charge upon his Majesty, which should put him upon that apologie, concerning his faithfull and zealous affection of the protestant profession; Neither doth his Majesty enleavour to cleere those, in greatest authority about him, by whom (wee say) that designe hath been potently carried on for divers yeares, and we rather wish that the mercies of heaven then the Judgements may be manifested upon them, but that there have beene such, there are so plentifull and frequent evidences, that we beleeeve there is none either protestant or Papist, who hath had any reasonable view of the passages of latter times, but either in feare or hope, did expect a suddaine issue of this designe.

We have no way transgressed against the Act of Oblivion, by Remembering the intended warre against Scotland, as a Branch of that designe to alter religion, by those wicked Councils, from which God did then deliver us, which we ought never to forget.

That the Rebellion in Ireland was framed and cherishd by the Popish and Malignant party in England, is not only affirmed by the Rebels,



but may be cleared by many other proofes ; The same Rebellious principles of pretended Religion, the same politique ends are apparant in both, and their malicious designs and practices are maskt, and disguised with the same false colour of their earnest zeale to vindicate his Majesties prerogative from the supposed oppression of the Parliament, how much these treacherous pretences have beene countenanced by some evill Counsell about his Majestie may appear in this, that the Proclamation, whereby they were declared traytors was so long withheld as to the second of *January*, though the Rebellion broake forth in *October* before, and then no more but forty Coppies appointed to be printed, with a speciall command from his Majestie not to exceed that number, and that none of them should be published till his Majesties pleasure were further signified, as by the warrant appeares, a true Coppie whereof is herunto added, So that a few only could take notice of it, which was made more observeable, by the late contrary proceedings against the Scots, who were in a very quick and sharpe manner proclaimed, and those proclamations forthwith dispersed, with as much diligence as might be thorough all the Kingdome, and ordered to be read in all Churches, accompanied with publique prayers and execrations ; another evidence of favour, and countenance to the Rebels in some of power about his Majestie is this, that they have put forth in his Majesties name, a causelesse complaint against the Parliament ; which speaketh the same language of the Parliament which the Rebels doe, thereby to raise a beleefe in mens mindes, that his Majesties affections are alienated, as well as his person is removed from that his great councill, All which doth exceedingly retard the supplies of *Ireland*, and more advance the proceedings of the Rebels, then any Jealousie or misapprehension begotten in his Subjects, by the declaration of the Rebels. Injunction of *Rosselli*, or information of *Trestram Whiccombe*, so that considering the present state and temper of both kingdomes, his Royall presence is farre more necessary here then it can be in *Ireland*, for redemption or protection of his Subjects there.

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And whether there be any cause of his Majesties great indignation for being reproch'd to have intended force or threatening to the Parliament : We desire them to consider who shall read our declaration in which there is no word tending to any such reproach, and certainly wee have beene more tender of his Majesties honour in this point, then hee whosoever he was that did write this declaration, where in his Majesties name, hee doth call God to witnesse, hee never had any such thought or resolution of bringing up the Army, which truly, will seeme

seeme strange to those, who shall read the deposition of Master *Goring*, Information of Master *Percie*, and divers other examinations of Master *Wilmot*; Master *Pollard* and others, the other examination of Captaine *Legg*, Sir *Jacob Ashley*, Sir *John Connyers*, and consider the condition and nature of the Petition, which was sent unto Sir *Jacob Ashley*, under the approbation of *C. R.* which his Majesty doth now acknowledge to bee his owne hand, and being full of scandall to the Parliament, might have proved dangerous to the whole kingdome, if the Army should have interposed betwixt the King and them, as was desired.

We doe not affirme that his Majesties warrant was granted for the Passage of Master *Iermine*, after the desire of both houses for restraint of his Servants, but only that he did passe over after that restraint by vertue of such a warrant. We know the warrant beares date the day before our desire, yet it seemes strange to those who know how great respect and Power Mr. *Iermine* had in Court, that he should beginne his Journey in such hast, and in apparrell so unfit for Travaile, as a black Sattin suit, and White Bootes, if his going away were designed the day before.

The Accusation of the Lord *Kimbolton*, and the five members of the house of Commons is called a breach of priviledge, and truly so it was, and a very high one, farre above any satisfaction that hath beene yet given, how can it be said to be largely satisfied, so long as his Majestie laboured to preserve Mr. Attorney from punishment; who was the visible Actor in it, so long as his Majesties hath not only Iustified him, but by his letter declared, that it was his duty to accuse them, and that hee would have punished him, if he had not done it, So long as those members have not the meanes of cleering their Innocency, and the Authors of that malicious charge undiscovered, though both houses of Parliament have severall times petition his Majestie to discover them, & that not only upon grounds of Common Justice, but by Act of Parliament; his Majestie is bound to doe it, so long as the King refuseth to passe a Bill for their discharge, alleadging that the Narrative in that Bill, is against his honour, whereby hee seemes still to avow the matter of that false, and scandalous accusation, though he deserts the prosecution, offering to passe a Bill for their acquittal, yet with intimation that they must desert the avowing their owne innocency, which would more wound them in honour, then secure them in Law.

And in vindication of this great priviledge of Parliament, wee doe not know that we have invaded any priviledge belonging to his Majestie, as is alleadged in this declaration.

But we looke not upon this only in the Notion of a breach of priviledge

Mr. Iermine's escape by his Majesties warrant

Accusation of the Lo. Kimbolton

ledge, which might be, though the accusation were true, or false, but under the Notion of a haynous crime, in the attorney and all other Subjects, who had a hand in it, a Crime against the law of nature, against the rules of Iustice, that innocent men should be charged with so great an offence as Treason, in the face of the highest Iudicatory of the Kingdome, whereby their lives and estates, their blood and honour are endangered, without witnes, without evidence, without all possibility of reparation, in a Legall Course, yet a crime of such a nature, that his Majesties command can no more warrant, then it can any other Act of Injustice. it is true that those things which are evill in their owne nature, such as a false testimony or false accusation, cannot be the Subject of any Command, or induce any obligation of obedience upon any man, by any authority whatsoever, therefore the Attorney in this case, was bound to refuse to execute such a command, unlesse he had had some such evidence or Testimony, as might have warranted him against the parties, and belyable to make satisfaction if it should prove false, and it is sufficiently knowne to every man, and adjudged in Parliament, that the King can be neither relater, informer nor witness, if it rest as it is without further satisfaction, no future Parliament can be safe, but that the members may be taken, and destroyed at pleasure, yea the very principles of government, and Justice wil bee in danger to bee dissolved.

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We doe not conceive that numbers doe make an assemblee unlawfull, but when either the end or manner of their Carriage, shall be unlawfull, divers iust occasions might draw the Citizens to Westminster, where many publique and private Petitions, and other Causes were depending in Parliament, and why that should bee found more faultie in the Citizens, then the resort of great numbers every day in the tearme to the ordinary Courts of Justice we know not; that those Citizens were notoriously provoked and assaulted at Westminster, by Colonell *Linsford* Captaine *Hild*, with divers others, and by some of the servants of the Arch-Bishop of Yorke is sufficiently proved, and that after ward they were more violently wounded and most barbarously mangled with Swords by the Officers and Souldiers neere *White-Hall*, many of them being without weapons, and giving no cause of distast, as is likewise proved by severall testimonies, but of any scandalous or seditious misdemeanors of theirs, that might give his Majesty good cause to suppose his own person or those of his Royall Consort, or Children to be in apparant danger, we have had no prooffe ever offered to either House, and if there had been any complaint of that kinde, it is noe doubt the Houses would have beene as forward to joyne in an order for the suppressi-

suppressing of such Tumults as they were, not long before upon another occasion when they made an order to that purpose, Whereas those Officers and Souldiers which committed that violence upon so many of the Citizens at *Whitehall*, were cherisht and fostred in his Majesties House, and when not long after, the Common Council of *London* presented a Petition to his Majesty, for reparation of those injuries, his Majesties Answer was (without hearing the prooffe of the complainants) that if any Citizen were wounded or ill intreated, his Majesty was confidently assured, that it happened by their owne evill and corrupt demeanors.

We hope it cannot be thought contrary to the dury and wisdom of a Parliament, if many concurring and frequently reiterated and renewed advertizements from *Rome, Venice, Paris*, and other parts, if the sollicitation of the Popes *Nuntio* and our owne discontented fugitives, doe make us jealous and watchfull for the safety of the State. And We have bene very carefull to make our expressions thereof, so easie and so plaine to the capacity and understanding of the people, that nothing might justly stick with them, with reflection upon the Person of his Majesty. Wherein We appeale to the judgement of any indifferant person, who shall read and peruse our owne Words.

We must maintaine the ground of our feares, to be of that moment, that We cannot discharge the trust and duty which lyes upon us, unlesse Wee doe apply our selves to the use of those meanes, to which the Law hath enabled us in cases of this nature, for the necessary defence of the Kingdom, and as his Majesty doth graciously declare the Law shall be the Measure of his power, so doe We most heartily professe, that We shall alwayes make it the rule of our obedience.

*Prudent omissions in the Answer.*

The next poynt of our Declaration was with much caution artificially passed over by him who drew his Majesties Answer, it being indeed the foundation of all our misery and his Majesties trouble, that he is pleased to heare generall taxes upon his Parliament, without any particular charge to which they may give satisfaction, & that he hath often conceived displeasure against particular persons upon misinformation, & although those informations have bin clearly proved to be false, yet he would never bring the accusers to question, which layeth an impossibility upon honest men of clearing themselves, and gives encouragement unto false and unworthy persons to trouble him with untrue and groundlesse informations. Three particulars we mentioned in our Declaration, which the Penner of that Answer had good cause to omit: the words supposed to be spoken at *Kensington*, the pretended Articles against the *Queen*, and the ground-

lesse accusation of the six Members of the Parliament, there being nothing to be said in defence or deniall of any of them.

Concerning his Maiesties desire to ioyne with his Parliament, and with his faithfull Subjects in defence of Religion, and publike good of the Kingdome; we doubt not but he will doe it fully when euill Counsellors shall be removed from about him, & untill that be, as we shewed before of words, so must we also say of Lawes, that they cannot secure us; witnesse the Petition of Right, which was followed with such an inundation of illegall taxes that we had iust cause to thinke that the payment of eight hundred and twenty thousand pounds was an easie burthen to the Common-wealth in exchange of them, and we cannot but iustly thinke that if there be a continuance of such ill Counsellors and favour to them, they will by some wicked device or other, make the Bill for the Triennial Parliament, and those other excellent Lawes mentioned in his Maiesties Declaration, of lesse value then words.

That excellent Bill for the continuance of this Parliament was so necessary, that without it we could not have raised so great sums of money for the service of his Maiesty & the Common-wealth as we have done, and without which the ruine and destruction of the Kingdom must needs have followed. And we are resolved, the gracious favour of his Maiesty expressed in that Bill, and the advantage and security which thereby we have from being dissolved, shall not incourage us to doe any thing, which otherwise had not bene fit to have bene done. And we are ready to make it good before all the world, that although his Maiesty hath passed many Bills very advantagious for the Subiect, yet in none of them have we bereaved his Maiesty, of any iust, necessary, or profitable Prerogative of the Crowne.

We so earnestly desire his Maiesties returne to *London*, that upon it, we conceive depends the very safety and being of both his Kingdomes. And therefore we must protest, that as for the time past, neither the government of *London*, nor any Lawes of the Land, have lost their life and force for his security; So for the future, we shall be ready to doe or say any thing that may stand with the duty or honour of a Parliament, which may raise a mutuall confidence betwixt his Maiesty and us; as wee doe wish, and as the affaires of the Kingdome doe require.

Thus far the Answer to that which is called his Maiesties Declaration hath led us, now we come to that which is intituled his Maiesties Answer to the Petition of both Houses, presented to him at *York* the 26. of *March*, 1642. In the beginning whereof, his Maiesty wisheth that our Priviledges on all parts were so Stated, that this way of correspondence

dency might be preserved, with that freedome which hath bene used of old; we know nothing introduced by us, that gives any impediment hereunto, neither have we affirmed our Priviledges to be broken, when his Majesty denies us any thing, or gives a reason why he cannot grant it, or that those who advised such denyall were enemies to the peace of the Kingdome, and favourers of the Irish Rebellion, in which asperision, that is turned into a general aserision, which in our Votes is applyed to a particular case, wherefore we must maintaine our Votes, that those who advised his Majesty to contradict that which in both Houses in the Question concernig the Militia, had declared to be Law, and command it should not be obeyed, is a high breach of priviledge, and that those who advised his Majesty to absent himselfe from his Parliament, are enemies to the peace of the Kingdome, and iustly to be suspected to be favourers of the Rebellion in *Ireland*: the reasons of both are evident, because in the first, there is as great a derogation from the trust and authority of Parliament; and in the second, as much advantage to the proceedings and hopes of the Rebels, as may be, and we hold it a very causelesse imputation upon the Parliament, that we have herein any way impeacht, much lesse taken away the freedome of his Majesties Vote, which doth not import a liberty for his Majesty to deny any thing, how necessary soever for the preservation of the Kingdome, much lesse a Licence to evill Counsellors, to advise any thing though never so destructive to his Majesty, and his people.

By the Message of the twentieth of *January*, his Majesty did propound to both Houses of Parliament, that they would with all speed fall into a serious consideration of all those particulars which they thought necessary as well for the upholding and maintaining his Majesties just and Regall authority, and for the settling his Revenue, as for the present and future establishing our Priviledges, the free and quiet enjoying our estates, the Liberties of our Persons, the security of the true Religion professed in the Church of *England*, and the settling of Ceremonies in such a manner as may take away all iust offence, and to digest it into one entire body,

To that point of upholding and maintaining his Royall authority, We say nothing hath been done to the prejudice of it, that should require any new provision; To the other of settling the revenue, the Parliament hath no way abridged or disordered his just revenue, but it is true that much wast and confusion of his Majesties estate hath bene made by those evill and unfaithfull Ministers whom he hath employed in the managing of it, whereby his owne ordinary expences would have bene disappointed, and the safety of the Kingdome more endangered, if the Parliament

had not in some measure provided for his Household, and for some of the Forts, more then they were bound to doe, and they are still willing to settle such a revenue upon his Majestie as may make him live Royally, plentifully and safely, but they cannot in wisdome and fidelity to the Common-Wealth, doe this, till he shall chuse such Counsellours and Officers as may order and dispose it to the publicke good, and not apply it to the ruine and destruction of his people as heretofore it hath bene, but this and the other matters concerning Our selves, being workes of great importance, and full of intricacie, will require so long a time of deliberation, that the Kingdome might be ruined before Wee should effect them, wherefore We thought it necessary, first to be suitors to his Majestie so to order the Militia, that the Kingdome being secured, Wee might with more ease and safety apply our selves to debate of that Message wherein We have bene interrupted by his Majesties denial of the Ordinance concerning the same, because it would have bene in vaine for Us to labour in other things, and in the meane time to leave our selves naked to the malice of so many enemies, both at home and abroad, yet We have not bene altogether negligent of those things which his Majestie is pleased to propound in that Message, We have agreed upon a Booke of Rates in a larger Proportion then hath bene granted to any of his Majesties Predecessors, which is a considerable support of his Majesties publicke charge, and have likewise prepared divers Propositions and Bills for preservation of our Religion and liberties, which Wee intend shortly to present to his Majestie, and to doe whatsoever is fit for Us to make up this unpleasent breach betwixt his Majestie and the Parliament.

Whereas divers exceptions are here taken concerning the Militia, first, that his Majestie never denied the thing, but accepted the persons, (except for Corporations) onely that hee denied the way, to which We answer, that that exception takes off London, and all other great Townes and Cities, which makes a great part of the Kingdome, and for the way of Ordinance, it is antient, more speedy, more easily alterable, and in all these and other respects, more proper and more applicable to the present occasion, then a Bil, which his Majestie calls the only good old way of imposing upon the subjects; It should seeme that neither his Majesties Royall Predecessors, nor our Ancestors, have heretofore bene of that opinion, 37 Ed. 3. Wee find this Record: the Chancellor made declaration of the Challenge of the Parliament, the King desires to know the griefes of his Subjects, and to redresse inormities. The last day of the Parliament the King demanded of the whole Estates,

whether

whether they would have such things as they agreed on, by way of Ordinance or Statute, who Answered by way of Ordinance, for that they might amend the same at their pleasures, and so it was.

But his Majestie objects further, that there is somewhat in the preface, to which he could not consent with Justice, to his honour and innocence, and that thereby he is excluded from any power in the disposing of it: these objections may seeme somewhat, but indeed will appeare nothing, when it shall be considered, that nothing in the Preamble layes any charge upon his Majestie, or in the body of the Ordinance, that excludes his Royall Authority in the disposing or execution of it, But onely it is provided that it should be signified by both Houses of Parliament, as that channell through which it will be best derived, and most certainly, to those ends for which it is intended, and let all the world judge, whether Wee have not reason to insist upon it, that the strength of the Kingdome should rather be ordered according to the direction or advice of the great Councell of the Land, equally intrusted by the King and by the Kingdome, then that the safety of the King, Parliament and Kingdome should bee left at the devotion of a few unknowne Counsellours, many of them not intrusted at all by the King in any publike way, nor at all confided in by the Kingdome.

We wish the danger were not imminent, or not still continuing, but cannot conceive that the long time spent in this debate is evidence sufficient, that there was no such necessity or danger, but a Bill might easilie have bin prepared, for when many causes doe concurre to the danger of a State, the interruption of any one may hinder the execution of the rest, and yet the designe be still kept on foot for better oportunities: who knowes whether the ill successe of the Rebels in Ireland hath not hindred the insurrection of the Papists here? whether the preservation of the six Members of the Parliament, falsely accused, hath not prevented that plot of the breaking the neck of the Parliament, of which wee were informed from France, not long before they were accused? yet since his Majesty hath bin pleased to expresse his pleasure, rather for a Bill then an Ordinance, and that he sent in one for that purpose, wee readily entertained it, and with some small and necessary alterations, speedily passed the same: But contrary to the custome of Parliament, and our expectation grounded upon his Majesties owne invitation of us to that way, and the other reasons manifested in our Declaration, concerning the *Militia*, of the fifth of *May*, instead of his Royall assent, we met with an absolute refusall.

If the matter of these our Votes. 15. and 16 of *March*, be according



to Law, we hope his Maieſty will allow the Subjects to be bound by them, becauſe he hath ſaid he will make the Law the Rule of his Power, and if the queſtion be whether that be Law which the Lords and Commons have once declared to be ſo, who ſhall be the Iudge? Not his Maieſty, for the King iudgeth not of matters of Law, but by his Courts, and his Courts, though ſitting by his authority, expect not his Aſſent in matters of Law, not any other Courts, for they cannot Iudge in that caſe becauſe they are Inferiour, no appeale lying to them from Parliament, the Iudgement whereof is in the eye of the Law, the Kings Iudgement in his higheſt Court, though the King in his perſon be neither preſent nor aſſenting thereunto.

The Votes at which his Maieſty takes exceptions are theſe.

## I.

That the Kings abſence ſo far remote from the Parliament, is notonely an obſtruction, but may be a deſtruction to the Affairs of Ireland.

## II.

That when the Lords and Commons ſhall declare what the Law of the Land is, to have this not onely queſtioned, and controverted, but contradicted, and a command that it ſhould not be obeyed, is a high breach of the priviledge of Parliament.

## III.

That thoſe perſons that adviſed his Maieſty to abſent himſelfe from the Parliament, are enemies to the Peace of the Kingdome, and juſtly may be ſuſpected to be favourers of the Rebellion in Ireland.

That the Kingdome hath bin of late, and ſtill is in ſo eminent danger both from enemies abroad, and a Popiſh and diſcontented partie at home, that there is an urgent and inevitable neceſſity of putting his Maieſties ſubjects into a poſture of defence, for the ſaſeguard both of his Maieſty, and his people,

That the Lords and Commons fully apprehending this danger, and being ſenſible of their owne duty, to provide a ſutable prevention, have in ſeverall Petitions addreſſed themſelves to his  
Majeſty

Maiesty, for the ordering and disposing the Militia of the Kingdome, in such a way as was agreed upon by the wisdome of both Houses, to be most effeual and proper for the present exigents of the Kingdome, yet could not obtaine it, but his Maiestie did severall times refuse to give his Royall Assent thereunto.

That in this case of extreame danger, and his Maiesties refusall the Ordinance of Parliament agreed upon by both Houses for the Militia, doth oblige the people, and ought to be obeyed by the fundamentall Lawes of this Kingdome.

By all which it doth appeare that there is no Colour of this Tax, that we goe about to introduce a new Law, much lesse to exercise an arbitrary power, but indeed to prevent it, for this Law is as old as the Kingdome. That the Kingdome must not be without a means to preserve it selfe, which that it may be done without confusion, this Nation hath intrusted certaine hands with a Power to provide in an orderly and regular way, for the good and safety of the whole, which power, by the Constitution of this Kingdome, is in his Maiesty, and in his Parliament together, yet since the Prince being but one person, is more subject to accidents of nature and chance, whereby the Common-Wealth may bee deprived of the fruit of that trust which was in part reposed in him, in cases of such necessity, that the Kingdome may not bee enforced presently to returne to its first principles, and every man left to do what is aright in his own eyes, without either guide or rule. The Wisdome of this State hath intrusted the Houses of Parliament with a power to supply what shall be wanting on the part of the Prince, as is evident by the constant custome and practice thereof, in cases of nonage, naturall disability, and captivity, and the like reason doth and must hold for the exercise of the same power in such cases, where the Royall trust cannot be, or is not discharged, and that the Kingdome runs an evident and imminent danger thereby; which danger, having beene declared by the Lords and Commons in Parliament, there needs not the authority of any person or Court to affirme, nor is it in the power of any person or Court to revoke that judgement.

We know the King hath wayes enough in his ordinary Courts of justice to punish such seditious Pamphlets and Sermons as are any way prejudicial to his Rights, Honour, & authority; and if any of them have beene so insolently violated and vilified, his Majesties owne Councell and Officers have been too blame, and not the Parliament; we never did restraine any proceedings of that kind in other Courts, nor refuse any fit complaint to us. The Protestation Protested was referred by the Commons House to a Committee, and the Author being not produced, the Printer committed to prison, and the Booke voted by that Committee, to be burnt; but Sir *Edward Deering* who was to make that report of the Votes of that Committee, neglected to make it; The Apprentizes Protestation was never complained of, but the other seditious Pamphlet, *To your Tents oh Israel* was once questioned and the full prosecution of it was not interrupted by any fault of either House, whose forwardnesse to doe his Majesty all right, therein may plainly appeare, in that a Committee of Lords and Commons was purposely appoynted to take such informations as the Kings Councell should present, concerning seditious words, practises or tumults, Pamphlets or Sermons, tending to the derogation of his Majesties Rights, or Prerogative; and his Councell were enjoyed by that Committee, to enquire and present them, who severall times met thereupon, and received this Answer and Declaration from the Kings Councell, that they knew of no such thing as yet.

If his Majesty had used the service of such a one in penning this Answer, who understood the Lawes, and government of this Kingdome, hee would not have thought it legally in his power to deny his Parliament a guard, when they stood in need of it, since everie ordinary Court hath it; neither would his Majestie, if he had beene well informed of the Lawes, have refused a guard as they desired, it being in the power of inferior Courts to command their owne guard, neither would he have imposed upon them such a guard under a Commander, which they could not confide in; which is clearly against the Priviledges of Parliament, and of which they found very dangerous effects, and therefore desired to have it discharged; but

But such a guard and so commanded, as the Houses of Parliament desired, they could never obtain of his Majestie, and the placing of a guard about them contrary to their desire, was not to grant a guard to them, but in effect to set one upon them: All which considered, we beleeve in the judgements of any indifferent persons, it will not be thought strange if there were a more then ordinarie resort of people at *Westminster*, of such as came willingly of their own accord to be witnesses and helpers of the safetie of them whom all his Majesties good subjects are bound to defend from violence and danger; or that such a concourse as this, they carrying themselves quietly and peaceably (as they did) ought in his Majesties apprehension, or can in the interpretation of the Law, be held tumultuarie and seditious.

When his Majestie in that question of violation of the Laws had expressed the observation of them indefinitely without any limitation of time, although we never said or thought any thing that might look like a reproach to his Majestie, yet we had reason to remember that it had been otherwise; lest we should seem to desert our former Complaints and proceedings: thereupon as his Majestie doth seem but little to like or approve of them: for although he doth acknowledge here that great mischief that grew by that arbitrary power then complained of, yet such are continually preferred and countenanced as were friends or favourers, or related unto the chief Authors and Actors of that Arbitrarie Power, and of those false colours, suggestions of imminent danger and necessitie, whereby they did make it plausible unto his Majestie; and on the other side, such as did appeare against them, are daily discountenanced and disgraced: which whilst it shall be so, we have no reason to judge the disease to be yet killed and dead at roots; and therefore no reason to bury it in oblivion. And whilst we behold the Spawnes of those mischievous Principles, cherisht and fostered in that new generation of Councellours, friends and Abettors of the former, or at least concurring with them in their malignancie against the proceedings of this Parliament, we cannot think our selves secure from the like or a worse danger.

And here the Penner of this Answer bestows an admonition

tion upon the Parliament, bidding us take heed we fall not upon the same errour, upon the same suggestions: but he might have well spared this, till he could have shewed wherein we had exercised any power otherwise then by the rule of the Law, or could have found a more authentique or a higher Judge in matters of Law, then the high Court of Parliament.

It is declared in his Majesties name, that he is resolved to keep the rule himself, and to his power to require the same of all others: we must needs acknowledge that such a resolution is like to bring much happinesse and blessing to his Majestie, and all his Kingdoms; yet with humilitie we must confesse, we have not the fruit of it, in that Case of my Lord *Kimbolton*, and the other five Members accused contrary to Law, both Common Law, and the Statute Law, and yet remaineth unsatisfied, which Case was remembred in our Declaration as a strange and unheard of violation of our Laws: But the Penner of this Answer thought fit to passe it over, hoping that many would read his Majesties Answer, which hath been so carefully dispersed, which would not read our Declaration.

Whereas after our ample thanks, and acknowledgement of his Majesties favour in passing many good Bills, we said that truth and necessitie inforced us to adde this, that in or about the time of passing those Bills, some designe or other hath been a foot; which if it had taken effect, would not onely have deprived us of the fruit of those Bills, but would have reduced us to a worse condition of confusion, then that wherein the Parliament found us. It is now told us, that the King must be most sensible of what we cast upon him, for requitall of those good Bills, whereas out of our usuall Tenderresse of his Majesties Honour, we did not mention him at all: but so injurious are those wicked Councillours to the name and Honour of their Master and Sovereigne, that as much as they can they lay their own infamy and guilt upon his Shoulders.

Here God also is called to witness His Majesties upright intentions at the passing of those Laws; this we will not question, neither did we give any occasion of such a solemne asseveration as this is: The devill is likewise defied to prove there was any designe with His Majesties knowledge or privities;

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This might well have been spared, for we spake nothing of his Majestie; But since we are so far taxed as to have it affirmed that we laid a notorious and false imputation upon His Majestie, we have thought it necessarie for the just defence of our own innocencie, to cause the oaths and examinations which have been taken concerning the designe to be published in a full Narration, for satisfaction of all His Majesties subjects, out of which we shall now offer some few particulars, whereby the world may judge whether we could have proceeded with more tendernesse toward His Majestie then we have done. Master *Goreing* confesseth, that the King first asked him whether he were ingaged in any Caball concerning the Army, and commanded him to joyn with Master *Piercy* and Master *Jermyn*, and some other whom they should find within at Master *Peircy's* Chamber, where they took the oath of secrecie, and then debated of a designe propounded by Master *Jermyn* to secure the Tower, and to consider of bringing up the Army to London, and Captain *Legg* confessed, he had received the draught of a Petition in the Kings presence, and His Majestie acknowledgeth it was from His own hand; and whosoever reads the summe of that Petition, as it was proved by the Testimony of Sir *Jacobe Ashley*, Sir *John Conyers*, and Captain *Legg*, will easily perceive some points, in it apt to beget in them some discontent against the Parliament. And can any man beleieve there was no designe in the accusation of the Lord *Kimbolton* and the rest, in which His Majestie doth avow himself to be both a Commander and an Actor; these things being so, it will easily appear to be as much against the rules of Prudence, that the Penner of this Answer should entangle His Majestie in this unnecessarie Apologie; as it is against the rules of Justice, that any reparation from us should be either yielded, or demanded.

It is professed in His Majesties name, that he is truly sensible of the Burthens of His people; which makes us hope that he will take that course which will be most effectual to ease them of these burthens, that is, to joyn with his Parliament in preserving the peace of the Kingdom, which by his absence from them hath been much endangered, and which by hindring the voluntarie Adventures for recovery of Ireland, and disabling

the Subjects to discharge the great tax laid upon them, is like to make the war much more heavie to the Kingdom. And for His Majesties wants, the Parliament have been no cause of them, we have not diminished His just Revenue, but have much cas'd His publike Charge, and somewhat his private. And we shall be readie, in a Parliamentary way, to settle His revenue in such an Honorable proportion, as may be answerable to both, when he shall put himself into such a posture of Government, that His Subjects may be secure to enjoy His just protection, for their Religion, Laws, and Liberties.

We never refused His Majesties gracious offer of a free and Generall Pardon, onely we said it could be no securitie to our present fears and jealousies: And we gave a reason for it, that those fears did not arise out of any guilt of our own Actions, but out of the evill designs and attempts of others; and we leave it to the world to judge, whether we herein have deserved so heavie a Tax and exclamation (that it was a strange world when Princes proffered favours are counted reproaches, such are the words of His Majesties Answer) who do esteeme that offer as an Act of Princely grace and bountie, which since this Parliament began we have humbly desired we might obtain, and do still hold it very necessaric and advantagious for the generalitie of the Subject, upon whom these Taxes and Subsidies lie heaviest, but we see upon every occasion how unhappie we are in His Majesties misapprehensions of our words and actions.

We are fully of the Kings mind as it is here declared, that he may rest so secure of the affections of His Subjects, that he should not stand in need of forraigne force to preserve him from oppression, and are confident that he shall never want an abundant evidence of the good wishes and assistance of His whole Kingdom, especially if he shall be pleased to hold to that gracious resolution of building upon that sure foundation, the Law of the Land: but why His Majestie should take it ill, that we having received informations so deeply concerning the safetie of the Kingdom, and should think them fit to be considered of, we cannot conceive; for although the name of the person was unknown, yet that which was more substantiall to the probabilitie of the Report was known (that is) that

That he was servant to the Lord *Digby*, who in his presumptuous Letter to the Queenes Majesty, and other Letters to Sir *Lewis Dives*, had intimated some wicked Proposition suitable to that Information, but that this should require reparation, wee hold it as farre from Justice as it is from truth, that wee have mixt any malice with these rumours, thereby to feed the feares and jealousies of the People.

It is affirmed his Majestie is driven (but not by us yet) from us, perchance hereafter if there be opportunity of gaining more credit, there will not be wanting who will suggest unto his Majestie, that it is done by us. And if his Majestie were driven from us, wee hope it was not by his owne feares, but by the feares of the Lord *Digby*, and his retinue of Cavaliers, and that no feares of any Tumultuary violence, but of their just punishment for their manifold insolence and intended violence against the Parliament. And this is expressed by the Lord *Digby* himselfe, when he told those Cavaliers, that the principall cause of his Majesties going out of Towne was to save them from being trampled in the dirt; but of his Majesties person there was no cause of feare in the greatest heate of the peoples indignation after the accusation, and his Majesties violent comming to the House, there was no shew of any evill intention against his Regall Person, of which there can be no better evidence then this, that he came the next day without a Guard into the Citie, where he heard nothing but Prayers and Petitions, no threatnings or irreverent speeches, that might give him any just occasion of feare, that wee have heard of, or that his Majestie express; for he stayed neere a weeke after at *White Hall*, in a secure and peaceable condition, whereby wee are induced to beleieve, that there is no difficultie nor doubt at all, but his Majesties residence neere *London* may be as safe as in any part of the Kingdome: We are most assured of the faithfullnesse of the Citie and Suburbes; And for our selves wee shall quicken the vigour of the Lawes, the industry of the Magistrate, the authoritie of Parliament, for the suppressing of all tumultuary insolencies whatsoever, and for the vindicating of his Honour from all insupportable and insolent scandalls, if any such shall be found to be rayfed upon him, as are mentioned in this Answer, and therefore wee



thinke it altogether unnecessary and exceeding inconvenient to adjourne the Parliament to any other place.

Where the desire of a good understanding betwixt the King and the Parliament, is on both parts so earnest as is here profest of his Majestie to be in him, and wee have sufficiently testified to be in our selves, it seemes strange wee should be so long asunder, it can be nothing else but evill and malicious Councell, misrepresenting our carriage to him, and in disposing his favour to us, and as it shall be farre from us to take any advantage of his Majesties supposed straits, as to desire much lesse to compell him to that which his Honour or interest may render unpleasant and grievous to him, so wee hope that his Majestie will not make his owne understanding or reason the rule of his Government, but will suffer himselfe to be assisted with a wise and prudent Councell, that may deal faithfully betwixt him and his people; And that he will remember that his resolutions doe concerne Kingdomes, and therefore ought not to be moulded by his owne, much lesse by any other private person, which is not alike proportionable to so great a trust, and therefore we still desire and hope that his Majesty will not be guided by his owne understanding, or to thinke those Courses straights and necessities, to which he shall be advised by the Wisdome of both Houses of Parliament; which are the Eyes in this Politique Body, whereby his Majestie is by the Constitution of this Kingdome to discern the differences of those things which concerne the publique peace and safetie thereof.

Wee have given his Majestie no cause to say, that wee doe meanly value the discharge of His publique dutie, whatsoever Acts of Grace or Justice have been done, they proceeded from his Majestie by the advice and Councell of his Parliament; yet wee have and shall alwayes answer them with constant gratitude, obedience, and affection; and although many things have been done since this Parliament of another nature, yet wee shall not cease to desire the continued protection of Almighty God upon His Majestie. And most humbly Petition him to cast from him all those evill and contrary Councells which have in many particulars formerly mentioned, much detracted from the Honour of his Government, the happinesse

of his owne Estate, and prosperitie of his people.

And having past so many dangers from abroad, so many Conspiracies at home, and brought on the publique worke so farre, through the greatest difficulties that ever stood in opposition to a Parliament, to such a degree of successe, that nothing seemes to be left in our way able to hinder the full accomplishment of our desires and endeavours for the publique good; unlesse God in his justice, doe send such a grievous Curse upon us, as to turne the strength of the Kingdom against it selfe, and to effect that by their owne folly and credulitic, which the Power and Subtiltie of their and our enemies could not attaine, That is, to divide the people from the Parliament, and to make them serviceable to the ends and aimes of those, who would destroy them. Therefore wee desire the Kingdome to take notice of this last most desperate and mischievous Plott of the malignant partie, that is acted and prosecuted in many parts of the Kingdom, under plausible Notions, of stirring them up to a care of preserving the Kings Prerogative, maintaining the Discipline of the Church, upholding and continuing the reverence and solemnitie of Gods Service, incouraging of Learning. And upon these grounds, divers mutinous Petitions have been framed in *London, Kent,* and other Counties, and sundry of his Majesties Subjects have been sollicitated to declare themselves for the King, against the Parliament: and many false and foule aspersions have been cast upon our proceedings, as if wee had been not onely negligent, but averse in these points: whereas wee desire nothing more, then to maintaine the putitie and power of Religion, and to Honour the King in all His just Prerogatives: and for encouragement and advancement of pietie and learning, wee have very earnestly endeavoured, and still doe to the uttermost of our Power, that all Parishes may have learned, pious, and sufficient Preachers, and all such Preachers competent Livings.

Many other Bills and Propositions are in preparation for the Kings Profit and Honour, the peoples safetie and prosperitie, In the proceedings whereof, wee are much hindered by His Majesties absence from the Parliament, which is altogether contrary to the use of his Predecessors, and the Priviledges of Parliament.

Parliament, whereby our time is consumed by a multitude of unnecessary Messages, and our innocency wounded by causelesse and sharpe invectives. Yet wee doubt not, but wee shall overcome all this at last, if the people suffer not themselves to be deluded with false and specious shewes, and so drawne to betray us to their owne undoing, who have ever been willing to hazard the undoing of our selves, that they might not be betraid by our neglect of the trust reposed in us, but if it were possible, they should prevaile herein; yet wee would not faile through Gods grace still to persist in our duties, and to looke beyond our owne lives, estates, and advantages; as those who thinke nothing worth the enjoying without the libertie, peace, and safetic of the Kingdome: nor any thing too good to be hazarded in discharge of our Consciences, for the obtaining of it; And shall alwayes repose our selves upon the Protection of Almighty God; which wee are confident shall never be wanting to us (while wee seeke his glory) as wee have found it hitherto, wonderfully going along with us in all our proceedings.



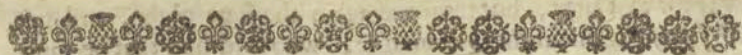
**I**t is his Majesties pleasure that you forthwith Print in very good Paper, and send unto me, for his Majesties Service, fortie Copies of the Proclamation inclosed, leaving a convenient space for his Majestie to signe above, and to affix the Privie Signet underneath: And his Majesties expresse Command is, that you Print not above the said number of fortie Copies, and forbear to make any further publication of them, till his pleasure be further signified, for which this shall be your Warrant.

Edw. Nicholas.

Whitchhall 2. January, 1641.

For His Majesties Printer.

THE



## The Examination of Colonell Go- ring, taken June 19. 1641.

To the **H**E saith, That in *Lent* last (as he remembers) about first *Int.* the middle of it, Sir *John Suckling* came to him on *Sunday* morning as he was in his bed: And this Examinee conceiving he had come to him about some businesse of money that was between them; and thereupon falling upon that discourse, Sir *John Suckling* told him he was then come about another businesse, which was to acquaint him, That there was a purpose of bringing the Army to *London*, And that my Lord of *New-castle* was to be Generall, and he, this Examinee, Lieutenent Generall, if he would accept of it. And farther said, That he should hear more of this businesse at Court: to which this Examinee answered only this, Well, then I will go to the Court; which was all that passed between them at that time, to the best of this Examinees remembrance.

To the second, He cannot depose.

To the third, He saith, That as he was coming in his Coach in the street, out of the *Covent-Garden* into *S<sup>t</sup> Martins Lane*, he met there Mr *Henry Fermyn*, who was likewise in a Coach; and seeing this Examinee, sent his Foot-man to him, desiring him to follow him, because he would speak with him; which this Examinee did: And Mr *Fermyn* going a little further, alighted, and went into a house (to which house, as this examinee was but yesterday informed, Sir *John Suckling* did then usually resort) and thither this Examinee followed him; and coming after him to the top of the *Stayres*, Mr *Fermyn* said to him, He had somewhat to say to him concerning the Army, but that this was no fit place to speak of it, and desired him to meet him that evening at the Court, on the *Queens* side; which this Examinee accordingly did; and meeting Mr *Fermyn* in the *Queens* drawing Chamber, he was there told by him, That the *Queen* would speak with him, and thereupon Mr *Fermyn* brought him into the *Queens* Bed-chamber: But before this Examinee could enter into any discourse with the *Queen*, the *King* came in, and then this Examinee did withdraw, and went

away for that time, but returned again the same night, and met Mr *Fermyn* again on the Queens side, who told him that he must necessarily meet with some Officers of the Army, to hear some Propositions concerning the Army. The next day, being *Monday*, this Examine came again to the Court in the after-noon, and went into the Queens drawing-Chamber, where Her Majesty then was, who was pleased to tell him that the King would speak with him, and bade him repair to the room within the Gallery, into which Room the King soon after came; and His Majesty asked him if he was engaged in any Cabale concerning the Army: to which he answered, That he was not: whereupon His Majesty replied, I command you then to joyn your self with *Peircy*, and some others whom you will finde with him. And His Majesty likewise said, I have a desire to put my Army into a good posture, and am advised unto it by my Lord of *Bristol*: which was the effect of what passed between the King and this Examine at that time. This Examine meeting afterwards with Mr *Fermyn*, Mr *Fermyn* told him that they were to meet that evening at nine of the Clock with Mr *Peircy*, and some others, at Mr *Peircy*s Chamber; and accordingly Mr *Fermyn* and he went thither together, and there found Mr *Peircy* himself, Mr *Wilmot*, Mr *Ashburnham*, Mr *Pollard*, Mr *Oneal*, and Sir *John Bartley*; Mr *Peircy* then in the first place rendered an Oath to this Examine and Mr *Fermyn*, the rest saying they had taken that Oath already: this Oath was prepared in writing, and was to this effect, *That they should neither directly nor indirectly disclose any thing of that which should be then said unto them, nor think themselves absolved from the secrecy enjoyed by this Oath, by any other Oath which should be afterwards taken by them.*

They having taken the Oath, Mr *Peircy* declared, That they were were resolved not to admit of any body else into their Councells: And Mr *Fermyn* and this Examine moved that Sir *John Suckling* might be received amongst them; which being opposed by the rest, after some debate, it was laid aside: And some speech there was of Sir *John Suckling* his being employed in the Army; but how it was agreed upon, this Examine doth not remember.

After this, Mr *Peircy* made his Propositions, which he read out of a paper, which were to this effect, That the Army should presently be put into a posture to serve the King, and then should send up a Declaration to the Parliament, of these particulars, *viz.* That nothing

nothing should be done in Parliament contrary to any former Act of Parliament, which was explained, That Bishops should be maintained in their Votes and Functions, And the Kings Revenue be established. From these Propositions none of Mr Percyes Company did declare themselves to dissent. Then came into consideration, if the Army should not immediately be brought to London, which, as this Examinee remembers, was first propounded by Mr Jermyn, and also the making sure of the Tower. These things this Examinee did urge, to shew the vanity and danger of the other Propositions, without undertaking this. In the conclusion, this Examinee did protest against his having any thing to do in either designe; for the proof of which, he appeals to the consciences of them that were present, and so parted with them. About this businesse this Examinee saith, That they had two meetings, and cannot distinguish what passed at the one, and what at the other, but the result of all was as he formerly declared: further then which, he cannot depose.

*To the fourth Int.* He can say no more then he hath already said.

*To the fifth Int.* He saith, That the very day that Sir John Suckling first moved this unto him, he gave some touch of it to my Lord Dungarvan: and the day after his second meeting at Mr Percyes Chamber, he discovered it to my Lord of Newport, and desired him to bring him to some other Lords, such as might be likeliest to prevent all mischief: And accordingly the next day my Lord of Newport brought him to my Lord of Bedford, my Lord Say, and my Lord Mandevill, to whom he imparted the main of the businesse, but not the particulars, in regard of his Oath; and desired them to make use of it as they should see cause, for the safety of the Common-wealth, but not to produce him, nor name any person, except there were a necessity for it. He further saith, That he did at the same time make a Protestation unto those Lords, of his fidelity unto the Common-wealth, and of his readinesse to run all hazards for it.

George Goring.

# Master PERCIES

## LETTER written to the Earle of NORTHUMBERLAND,

June 14<sup>th</sup>. 1641.

**W**Hat with my own innocency and the violence I heare is against me, I finde my selfe much distracted; I will not ask your counsell, because it may bring prejudice upon you; but I will with all faithfulness and truth tell you what my part hath been, that at least I may be cleared by you whatsoever becomes of me.

When there was 50000 pound designed by the Parliament for the English Army, there was as I take it a sudden demand made by the Scots at the same time of 25000 pound, of which there was but 15000 pound ready, this they pressed with so much necessity as the Parliament after an Order made, did think it fit for them to deduct 10000 pound out of the fifty formerly granted, upon which, the souldiers in our house were more scandalized, amongst which I was one, and sitting by Wilmott and Ashburnham, Wilmott stood up and told them, if such papers as that of the Scots would procure monies, he doubted not but the Officers of the English Army might easily do the like, but the first order was reversed notwithstanding, and the 10000 pound given to the Scots; this was the cause of many discourses of dislike amongst us, and came to this purpose, that they were obliged by the Parliament; and not by the King, this being said often one to another, we did resolve, that is, Wilmott, Ashburnham, Pollard, Ormsby, and my selfe to make some expression of serving the King in all things he would command us, that were honourable for him and us, being likewise agreeable to the fundamentall lawes of the kingdome, that so farre we should live and dye with him. This was agreed upon by us, not having any communication with others, that I am coupled now with all; and further, by their joynt consent I was to tell his Majesty thus much from them; but without I was to order the matter so, as that the King might apprehend this as a great service done unto him, at this time when his affaires were in so ill a condition, and they were most confident that they could engage the whole Army thus farre, but further they would undertake nothing, because they would neither infringe the liberties of the Subject, or destroy the Lawes, to which I and every one consented; and having their sence, I drew

drew the Heads up in a paper, to which they all approved when I read it; and then we did by an oath promise to one another to be constant and secret in all this, and did all of us take that oath together. Well Sirs, I must now be informed what your particular desires are, that so I may be the better able to serve you, which they were pleased to do, and I did very faithfully serve them therein, as farre as I could: this is the truth and all the truth upon my soule. In particular discourses after that, we did fall upon the petitioning the King and Parliament for money, there being so great arrears due to us, and so much delays made in the procuring of them, but that was never done.

The preserving of Bishops functions and votes.

The not disbanding of the Irish Army, untill the Scots were disbanded too.

The endeavouring to settle his revenew to that proportion it was formerly, and it was resolved by us all, if the King should require our assistance in these things, that as farre as we could, we might contribute thereunto without breaking the Lawes of the kingdome, and in case the King should deny these things being put to them, we would not flye from him.

All these persons did act and concurre in this as well as I. This being all imparted to the King by me from them, I perceived he had been treated with by others concerning something of our Army, which did not agree with what we proposed, but enclined a way more high and sharpe not having limits either of Honour or Law, I told the King he might be pleased to consider with himselfe, which way it was fit for him to hearken unto. For us, we were resolved not to depart from our grounds, and if he employed others we should not be displeas'd whosoever they were: but the particulars of their designe, or the persons, we desired not to know, though it was no hard matter to gesse at them; in the end I believe the dangers of the one, and the justice of the other, made the King tell me he would leave all thoughts of other propositions but ours, as things not practicable, but desired notwithstanding that Goring and Jermine, who were acquainted with the other proceedings, should be admitted amongst us: I told him, I thought the other Gentlemen would never consent to it, but I would propose it; which I did, and we were all much against it; but the King did presse it so much, as at the last, it was consented unto, and Goring and Jermine came to my chamber, there I was appointed to tell them, after they had sworne to secrecy, what we had proposed which I did: but before I go on to the debate of the wayes, I must tell you, Mr. Jermine and Goring were very earnest Suckling should be admitted, which we did all decline; and I was desired by all our men to be resolute in it, which I was, and gave many reasons; whereupon I remember M. Goring made answer, he was so engaged with Suckling, he could not go or do any



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thing without him Yet in the end, so that we would not oppose Suckling his being employed in the Army, that for his meeting with us they were contented to passe it by. Then we took up againe, the wayes were proposed, which took a great debate, and theirs (I will say) differed from ours in violence, and height, which we all protested against and parted, disagreeing totally; yet remitting it to be spoken of by me, and Jermaine, to the King, which we both did. And the King constant to his former resolution told him, that all those wayes were vaine and foolish, and would think of them no more. I omitted one thing of M. Goring, he desired to know, how the chiefe Commanders were to be disposed of, for if he had not a condition worthy of him, he would not go along with us, we made answer that no body had thought of that, we intending if we were sent downe, to go all in the same capacity we were in, he did not like that by no means, and upon that did work so by M. Chidley, that there was a Letter sent by some of the Commanders to make him Lievtenant Generall: and when he had ordered this matter at London, and M. Chidley had his instructions, then did he go to Portsmouth pretending to be absent when this was a working: we all desired my Lord of Essex or my Lord of Holland, and they (if there were a Generall) Newcastle, They were pleased to give out a report I should be Generall of the Horse; but I protest, neither to the King or any else did I ever so much as think of it: my Lord of Holland was made Generall and so all things were laid aside: and this is the truth, and all the truth I know of all these proceedings; and this I do and will protest upon my faith; and Wilmote, Ashburnham, and Oneale, have at severall times confessed and sworne, I never said any thing in this businesse, they did not every one agree unto, and would justifie. This relation I send you, rather to informe you of the truth of the matter, that you may know the better how to do me good: But I should thinke my selfe very unhappy to be made a betrayer of any body; what concerned the Tower or any thing else I never medled withall, nor never spoke with Goring, but that night before them all; and I said nothing but what was consented unto by all my party. I never spoke one word to Suckling, Carnarvan, Davenant, or other creature: me thinks if my friends and kindred knew the truth and justice of this matter, it were no hard matter to serve mee in some measure.

Die

*Die Martis 10. Maii, 1640.*

The Examination of Captain James Chudleigh.

*To the first Interogatory, and to the second;*

**T**His Deponent saith, That about March and April last he was at Burrowbrig, where divers Officers and Commanders of the Army met, to whom he used some speeches concerning the Parliament, that he saw no probability that the Army would be suddenly paid by the Parliament, because they had promised so much to the King, and to the Scots, as well as to the Army; but that the King did commiserate their case, and said, That if they would be faithfull to him, he would pawn his Jewels rather than they should be unpaid; and saith further, That he knows of such a Letter sent by the Army to my Lord of Northumberland, to be shewed to the Parliament; and that he told them at that meeting, that the Parll. was much displeas'd with that Letter, and that those who had subscribed it should be sent for up particularly, that my Lord of Essex, and my Lord of Newport had expressed much dislike of that Letter, and of them who had sent it, and said, that they had forfeited their necks: which he had from Sir Iohn Suckling, Master D'avenant, and (as he conceives) from Sergeant Major Willis: And this he declared to those Officers, as giving them an account of his journey, and the service in which they had employ'd him.

*To the third Interogatory;*

He saith he hath answered before.

*To the fourth Interogatory;*

That Sergeant Major Willis told him upon the way; as they were in their journey down into the North, that Colonell Goring was a brave Gentleman, and fit to command the Army, and that the King had a good inclination to him, that he should be Lieutenant Generall; and saith further, that before he came out of London, Sir Iohn Suckling had likewise highly commended him, and said he was fitter to command in chief, then any man he knew, and that the Army was not now considerable, being without a head, and indeed was but a party (Colonell Goring being away) who commanded a Brigado, and that they did undiscree'tly to shew their teeth except they could bite, which the said Sir Iohn Suckling wish'd him to declare unto the Army, saying, He could not do a better service to the Officers who had employ'd him, then to let them know it, wherupon he did acquaint them with it accordingly.

*To*

*To the fifth Interogatory;*

That Sir Iohn Suckling brought him into some room of the Queens side at White-Hall, where Master Iermyn and he had private conference together, and oftentimes looked towards this Deponent: Sir Iohn Suckling afterwards told him, that the King would be well pleased if the Army would receive Colonell Goring to be their Lieutenant Generall, and said that Master Henry Iermyn said so.

*To the sixth Interogatory;*

That Master Davenant told him, that things were not here as they were apprehended in the Army, for that the Parliament was so well affected to the Scots, as that there was no likelyhood the Army should have satisfaction so soon as they expected it.

*To the seventh Interogatory;*

That when he brought the Letter from the Army, he met vvith Master Davenant, vvho told him it vv as a matter of greater consequence then he imagined, and thereupon brought him to Master Henry Iermyn, and Master Iermyn told him he heard he brought such a Letter, and asked to see a copy of it, vv which this Deponent did shevv unto him, and Master Iermyn asked if he might not shevv it to the Queen, and offered to bring this Deponent to her, vv which he excused himself of, lest he should have anticipated my Lord Generall from shevving the Letter first himself.

*To the eighth Interogatory;*

That after he had brought up that Letter, he staid some 8 or 9 dayes in London, before he returned down to the Army.

*To the ninth Interogatory;*

That Sergeant Major V Villis told him most of the noble Gentlemen in England would shevv themselves for the Army: And that the French that vv ere about London vv ould receive Commanders from them, to joyn vvith them: And besides, that there vv ould a thousand horse likewise be raised to come to their assistance, vv which horse at last he confessed vv ere to be found by the Clergy.

*To the tenth Interogatory;*

That Sergeant Major Willis said moreover, that the Army vv ould be very vv ell kept together, for that the Prince vv as to be brought thither, vv which vv ould confirm their affections: vv which this Deponent did declare at Burrovvbrig unto the Officers, and doth beleve Willis did the like; and V Villis told them also, that if my Lord of Nevvcastle vv as their Generall, he vv ould feast them in Nottinghamshire, and vv ould not use them roughly, but that they should be governed by a Councell of vv ar.

*To the eleventh Inter.*

That both Serjeant Major *Willis* and this Deponent, did perswade the Officers at that meeting, to write a Letter to Colonell *Goring*, which was to let him know, that they would heartily embrace him to be their Lieutenent Generall, if it was his Majesties pleasure to send him downe, which Letter was subscribed by Colonell *Fielding* and Colonell *Vavasour*, and divers others; and was by him brought to London upon Monday, where not finding Colonell *Goring*, he delivered it to Sir *John Sucklin*, who carried it to the King, and afterwards brought him to kisse the King and *Queenes* hand, and within a day or two returned the Letter to him againe, which Letter this Deponent the Saturday after carried downe himselfe to Colonell *Goring* to *Portsmouth*.

*To the 12 Inter.*

That there was likewise a Letter written to Mr. *Endimion Porter*, assigned by Colonell *William Vavasour* and Colonell *Fielding*, which was to this effect, to desire him to informe his Majestie, that the Army was very faithfull to him, and no doubt need be made by his Majestic concerning their proceedings. This Letter Sir *John Sucklin* would not have to be delivered, but took it himselfe, for that he said Mr. *Porter* knew nothing of the Kings intentions.

*To the 14 Inter.*

That when he came to *Portsmouth*, Colonell *Goring* shewed him the strength of that place, and told him, that if there should bee any mutiay in London, the *Queene* meant to come downe thither for her safetic, and that she had sent him downe money to fortifie it.

*To the 15 Inter.*

That what he learned from Serjeant Major *Willis*, he got from him by degrees, as he urged it from him by way of discourse; and that *Willis*, Sir *John Sucklin*, and Mr. *Davenant*, did all of them give him great charge to keep things secret, and to be very carefull to whom he communicated any thing, which he accordingly observed; for he dealt with the Officers there severally.

*James Chudleigh.*

This Examination taken in the presence of Vs,

*Essex.*

*Warwick.*

*P. Howard.*

*W. Howard.*

Die Martis 18 Maii.

## The second Examination of Cap. Chudleigh.

To the 31.

THAT at the meeting at Burrowbrig, hee declared unto the Officers some thing out of a paper, which he read, and told them that he had received it from Mr. *Iermyn*. and that Mr. *Iermyn* had received it from the King. And he said likewise, that some others about the King were acquainted with it, and named Mr. *Endimion Porter*, to whom he thought the King had declared in this businesse.

To the 34.

That Mr. *Iermyn* asked him, if hee thought the Army would stick to their Officers, in case the King and Parliament should not agree, or words to that effect.

Hee saith further, that hee had set downe all those things in writing, which hee declared to the Officers at Burrowbrig, and thought to have sent it downe to them; but upon better consideration hee went himselfe, and read it to them out of that paper, but severally, and not to them all together. And particularly, that hee read it to Lievtenant Colonell *Balvard*, and to Lievtenant Colonell *Lunsford*, That he did not acquaint them all with it, and the reason why he did not, was because he conceived some were of more judgement than others, and fitter to be trusted with matters of secrecie.

James Chudleigh.

Essex.

Warwick.

W. Say and Seale.

Howard.

The Examination of Thomas Ballard, Lievtenant Colonell to the Lord Grandison, taken May 18. 1641.

THAT he did meet at Burrowbridge, being sent to by Captaine *Chidley*, and none other; but he found there Serjeant Major *Willis*, and divers other Officers of the Army: this was some time in April last, as he remembreth.

That Mr. *Chidley* did propound to him certaine propositions, which as he affirmed, hee did receive from Mr. *Henry Iermyn*, and from another great man which he might not name. Captaine *Chidley* further said, that *M. Iermyn* told him that he received those propositions from the King: But *Chidley* told him further, that when he kissed the Kings hand, his Majestie said nothing to him of any such propositions. The first proposition was That he should not acquaint either Sir *Jacob Ashley*, or Sir *John Conyers*, with any thing of this designe. The second, that if there were occasion, the Army should remove their Quarters into Nottingham-shire, where the Prince and the Earle of New-Castle should meet them with a thousand Horse, and all the French that were in London should bee mounted, and likewise meet them. These propositions were read by Captaine *Chidley*, out of a paper, which hee said he had written himselfe, thinking to have sent them downe; but upon better consideration hee brought them downe himselfe. That they likewise should desire, that Colonell *Goring* should be the Lievtenant-Generall to the Army: There was likewise offered a Paper to this effect, as hee was then told, That if the King would send Colonell *Goring* to be Lievtenant-Generall, they would accept of him; which Paper he, this Examinat, refused to read, or to see his hand to it: but heard that divers others signed it. He further saith, that there was no other Paper propounded to him to be signed, nor to any other to his knowledge. Hee further saith, that this was not delivered to the Officers in publique, but severally.

He likewise saith, That presently after Colonell *Vavasour* said publickly, that hee never consented to these propositions in his heart, and desired that there might be a meeting immediately, whereupon they agreed upon a meeting at York the Wednesday following, at which meeting they generally concluded, not to interesse themselves in any of those designes that had been propounded to them by Captaine *Chidley*; and they presently writ by the Post to Captaine *Chidley* to London, that if hee had not delivered the Paper, he should forbear to deliver it.

Thomas Ballard.

*The Examination of Captaine Legg, taken May the 18. 1641.**To the 19. Inter.*

HE saith, That he heard of a meeting at Burrowbridge, but was not there present, but was present at another meeting at York not long after where he was told that the King was not well satisfied with the affections of the Officers to his service; and therefore it was thought fit, to make a Declaration of their readinesse to serve his Majestie; which Declaration was accordingly drawne, but not finding any great cause for it, it was after torne. He further saith, That the night before the meeting at Burrowbridge, hee spoke with Captaine *Chidley* at York, who perswaded him to goe to Burrowbridge, where he had propositions to impart to the Army; but this Examinee refusing to goe, hee would not acquaint him with them at that time; but told them that divers Lords, and Officers of the Army were fallen off from the King, naming the Earle of Essex, the Earle of Newport, Commissary *Wilmott*, Colonell *Ashburnham*, and others, which this Examinee so much disliked, that they forbore any further discourse.

*Will. Legg.**The Examination of Colonell Vavalour, taken the 29. of May 1641.*

That at the meeting at *Burrowbridge*, Serjeant Major *Willis* and Captaine *Chidley*, or one of them, told the Officers there, that the Parliament had taken great offence at the Letter which they had written up to my Lord of *Northumberland*; and that those who had subscribed it, should be questioned, and that there was small hopes of money from the Parliament for the present.

That the King would take it very well, if he might have assurance from them, that they would accept of Colonell *Goring* for their Lieutenant General, and wished that the Army were united.

When the King had this assurance from them, there should come a General that would bring them money, this they said they had good Commission to deliver unto them, having received it from Master *Henry Iermyn* and Sir *John Suckling*, hee likewise saith Captain *Chidley*.

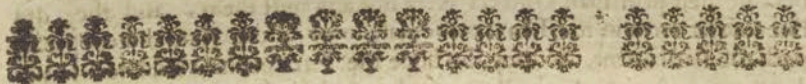
*Chidley* spake it with more confidence, and Sergeant Major *Willis* rather as having heard it from others: he further saith, there was a Letter written to Colonell *Goring*, for to let him know if the King would send him downe with a Commission to be Lieutenant Generall, they would willingly receive him, and this Letter was proposed unto them by Captaine *Chidley* and Sergeant Major *Willis*. There was another letter written to Mr. *Endrion Porter*, which as he remembers was to let him know, that though the Army was now commanded by Sir *Jacob Ashley*, yet if that it were his Majesties pleasure to appoint Colonell *Goring* to be Lieutenant Generall, they were confident the Army would receive him the better being only subscribed by Colonell *Fielding* and himselfe. And further sayeth that he heares this Letter was never delivered, for that Sir *John Suckling* told Master *Chidley* that Master *Porter* was a stranger to the business.

Colonell *Vavasor*.

This Examination taken afore Vs,  
*Mandevile*.

*Howard*.

*Ph. Wharton*.



*Charles R.*

Colonell *Goring* these are to command you to provide with all speed a ship for this Bearer to carry him to Diepe or Calais or any other Port of France, that the winde may be good for, and if there be any of my ships or Pinnaces ready to goe forth, you shall command the Captain or Master of such ship or Pinnace to receive him and his servants and carry him into France, for which this shall bee a warrant to the Captain or Master you may employ, and hereof you nor they are not to faile as you or they will answer the contrary at your perills.

Given at White-Hall this 14. of May, 1641.

To our Trusty and Well-beloved Servant  
George Goring Governour of Perisemouth.



The Examination of Captaine  
*William Legg*, taken upon Oath before  
 the Lords Committees upon *Saturday*  
 the 30. of October, 1641.

*To the first Interrog.*

Saith, That hee doth know Master *Daniel Oneale* who was Serjeant Major to Sir *John Commers*, doth not certainly remember the precise time going from the Army to London, nor of his return back, but beleeveth he returned about *June* and *July*.

*To the ninth.*

That hee was at Yerde when the said Master *Oneale* returned thither from London, and can say no more to this ninth Interrog.

*To the tenth.*

That there was a Petition prepared to be delivered to the parliament from the Army, which consisted of many particulars, as to shew how much they suffered for want of Martiall Law, and for want of pay, and because their principall Officers were not amongst them, and they did likewise set forth in it, That as the wisdom of the King did cooperate with the Parliament, So they did hope the Parliament would doe something concerning the Kings Revenue; but saith he doth not remember what this particular was which was desired, and further that they heard of great tumults about London, and therefore offered themselves to serve the King and Parliament: with the last drop of their bloods. He saith that this Petition was approved of by all the Officer that saw it, but was laid aside till further consideration should be had of the manner of the delivery, That himselfe was afterwards sent for to London by order of the house of Commons, and was examined, and after his examination when hee saw there was no further use to be made of that Petition hee burnt it.

Hee farther saith, That he staid in this Towne some five or sixe dayes, and was with the King, and had some speech with His Majesty about a Petition to come from the Army, and gave him an account of the Petition that was formerly burnt, and there he received another Petition to the same effect with the other, but handsomlier written, upon which there

was a direction indorsed to this purpose, This Petition will not offend, yet let it not be shewn to any but Sir *Jacob Ashley*.

He farther saith there was no name to this direction but only two Letters, but what those Letters were, he will not say nor cannot swear who writ those two Letters, because hee did not see them written.

He saith he did deliver the same paper with the directions to Sir *Jacob Ashley*, and told him withall here is a paper with a direction, you know the hand, keepe it secret, I have shewed it to no body, if there be no occasion to use it, you may burne it, and saith hee spake no more of it to him, till after my Lord of Hollands comming downe to be Generall, and then he spake to him to burne it.

*William Legg.*

*The Examination of Sir Jacob Ashley taken before the Lords Committees  
this twenty ninth of Octobe., 1641.*

*To the first Interog.*

He saith that he hath known Serjeant Major *Daniel Oneal* very long and that he was long absent from the Army the last Sommer, but knows not at what time he did returne, nor knows not how long it was that he stayed in the Army before his going into the Low Countries, but thinks it to be about three weeks.

*To the second Interog.*

He saith that Mr. *Oneale* told him after his comming downe last, that things being not so well betwixt the King and Parliament, hee thought a Petition from the Army might doe very much good, and asked him if a draught of such a Petition were brought unto him, whether he would set his hand unto it, the particulars which he desired to have the Army received in, were the want of Martiall Law, want of pay, and for words spoken in the House of Parliament against the Army, as that the City was disaffected to the Kings Army, and would rather pay the Scots then them.

*To the third Inter.* He cannot answer.

*To the fourth Inter.* He cannot answer.

To

*To the fifth Inter.*

He saith that hee received a Letter by the hands of Captaine *Legg*, the tenour where of as far as he remembers was to this effect, the Letter being written in two sides of paper and somewhat more, first that divers things were pressed by parties to intuse into the Parliament things to the Kings disadvantage, and that divers tumults and disorders were neere the Parliament to the disservice of the King, divers other particulars were contained in this Letter, and in the close of this Letter, it was recommended to this Examinat that he should get the hands of the Officers of the Army to such a declaration to be sent to the Parliament, and that this would be acceptable to the King. Hee further saith, hee knowes not of whose hand writing it was, nor who delivered it to Captaine *Legg*.

*To the 7. Inter.*

He saith that Mr. *Oneal* telling him of the dislikes which were between the King and the Parliament and of those things which were done to the disadvantage of the King, they must fight with the Scots first and beate them before they could move Southward; and that done, they must spoyle the Countrey all along as they goe, and when they doe come to London; they would finde resistance by the Parliament and the Scots might rallie and follow them: to which *Oneale* replied, what if these Scots could be made neutrall: This Examinat then said, that the Scots would lay him by the heels, if he should come to move such a thing, for that they would never breake with the Parliament.

Presently replied; I wondred that Counsell should be so laid as had been spoken of: of the marching of the Army to the South.

*8. Inter. D.*

Hee further sayes that there was at the end of the Letter a direction to this effect. Captaine or *William Legg*, I command you that you shew this Letter to none but *Iacob Ashley*, above this direction were set these two Letters,

*C. R.*

*Iacob Ashley.*

The

The Examination of Sir *John Coniers*, taken  
upon Oath before the Lords Committees upon  
Friday the 29. of *October* 1641.

**T**O the first Interrog. he saith, That he knows very well Master *Daniel O-Neale*, who was Serjeant Major to his Regiment; that the said *O-Neale* came up to London about *November* last, and returned to the Army about Mid-summer.

To the second, That *O-Neal* after his returne to the Army in Summer, spake twice unto this Examinant of a Petition to be sent from the Army to the Parliament, and told him, that because they did not know if himself would consent unto it, they would first petition him, that he would approve of it, but that as yet there were but few hands to that petition which was to be preferred to him, and therefore would not shew it him.

To the fourth, That the said *O-Neale* used perswasions to this Examinant, that he would serve the King; that if he did not, he should be left alone, and would but ruine himself, for that all the Troups under him were that way enclined: That therefore he should adhere to the King, and go those wayes that the King would have him; or words to that effect.

To the fifth, That he saw a paper, containing some directions for a Declaration to be subscribed unto by the Officers of the Army: which paper was in Sir *Jacob Ashleys* hand: he saith it was long, containing two sides of a sheet of paper, or thereabout: the effect whereof was something concerning Martiall law, and better payment of the Army, together with some other particulars; that it was to be directed to the Parliament, and that there were two Letters, viz. *C.R.* at the end. That he doth not know who brought it to Sir *Jacob Ashley*, but that both of them were very much troubled at it. He saith further, that there was a direction at the end of the writing, that no body should see it but Sir *Jacob Ashley*, and the two letters *C.R.* were as he remembers to that direction; but whether before or after that direction he cannot affirme.

To the seventh, That he never heard Master *O-Neale* himselfe speak of his going to New-castle, but that he heard it from others, and as he takes it, from his wife the Lady *Coniers*; and that whosoever it was that told him so, told him withall, that *O-Neale* himselfe said so.

*Jo. Coniers.*

The second examination of Sir *John Coniers*,  
taken before the Lords Committees upon  
Saturday the 30. of *October*.

**T**o the fourth inter. That Master *O-Neal* said to him, that if he this Examinant, had been well known to the King, the King would have written to him, and therefore he conceived, this Examinant should doe well to write unto the King; to which he replied, That he could not serve the King in that point, and therefore he thought, it would be of no use, to trouble the King with his letters.

To the fifth, That the paper mentioned in his former examination to have beene scene by him in Sir *Jacobs Ashleys* hand, contained directions for a Petition to be presented to the King and Parliament: In which, was a clause to this effect, That whereas all men ought to give God thanks, for putting it into the Kings heart, to condescend to the desires of the Parliament, not only to deliver up unto them many of his servants and others, who were neere unto him to bee at their disposing, but also to doe many things, which none of his Ancestors would have consented unto, as giving way to the Triennuall Parliament: and granting many other things for the good of his Subjects, yet notwithstanding some turbulent spirits, backt by rude and tumultuous mechanick persons, seemed not to be satisfied, but would have the totall subversion of the government of the State, that therefore the Army, which was so orderly governed, notwithstanding they had no martiall Law, and ill payment, and but few Officers, being of so good comportment, might be called up to attend the person of the King and Parliament for their security. This Examinant further saith, that there were many other passages in this Petition which he doth not now remember, only that there was some expression of a desire, that both Armies should bee disbanded for the ease of the Kingdome; and likewise a direction to procure as many of the Officers hands, as could be gotten.

To the seventh, That he remembers wel it was not his wife, but Sir *Jacob Ashley*, that said to him those words, *O-Neal* goes, or else *O-Neal* saith he wil go to New-Castle; but which of the sayings it was, he doth not wel remember; but saith he replied to it, that *O-Neal* said, nothing to him of that.

This Examinant further saith, that he took occasion upon these passages from *O-Neal*, to command him and Sir *John Bartlet* and all the other Officers to repaire to their Quarters, to be ready to perfect their accounts with the Country against the time they should be called for. *Io. Coniers.*

The Examination of Sir Foulke Huncks, taken before the Lords  
Committees upon Friday, Octob. 29. 1641.

**T**O the first Interrog. he saith, that he doth well know Master Daniel O-Neale, who was Serjeant Major to Sir John Comiers; That hee went from the Army to London about the time that the King came out of the North to the Parliament; and that he returned again to the Army, about that time when Commissary *Wilmot* and the other Souldiers were committed by the Parliament.

To the second. That the said O-Neale perswaded him this Examinant to take part with the King, or something to that purpose; and that thereupon this Examinant acquainted the Lievtenant Generall with it, and presently repaired to his own Quarter, to keep the Souldiers in order; where he staid not above two or three dayes, till he heard that O-Neal was fled. He further saith, that O-Neale dealt with him to have the troops move; To which he replied, that he had received no such direction from his Superiours, nor from the King: And that then he offered him a paper, and pressed him to signe it; whereupon he this Examinant asked, if the Generall, or Lievtenant Generall had signed it; to which O-Neale answering they had not, he said, that he would not be so unmannerly as to signe any thing before them, and refused to read it. He saith likewise that Captain *Armstrong* was present at the same time, and that O-Neale offered it to him; who looking upon this Examinant, this Examinant did shake his head at him, to make a signe that he should not doe it, and withall went out of the roome: and *Armstrong* afterwards refused it, giving this reason, That he would not signe it when his Colonell had refused it; which hee told this Examinant.

To the third he saith, That O-Neale told him he had very good authority for what he did; but did not tell him from whom.

To the seventh. That Master O-Neale told him he was to goe to the Scottish Army, but saith he doth not know for what end and purpose he would go thither; for that he this Examinant shunned to have any thing more to doe with him.

Foulk Huncks.

The Examination of Sir William Balfour Lievtenant of the  
Tower, taken the second of June.

**T**O the first Interrog. he saith he was commanded to receive Captain *Billingley* into the Tower with 100. men for securing of the place, and that he was told they should be under his command.

To the second Interrog. he saith, The Earle of Strafford told him it would be dangerous in case he should refuse to let them in.

To the third Interrog. He referreth himself to the former depositions of the three women, taken before the Constable and himself. And further saith, That the Earle of Strafford himselfe, after he had expostulated with him for holding Master *Slingsby* at the Tower gate; and after his telling the said Earle he had reason so to doe, in regard of what the women had deposed, by which it appeared there was an escape intended by his Lordship; himselfe acknowledged hee had named the word *Escape* twice or thrice in his discourse with Master *Slingsby*, but that hee meant it should be by the Kings authority, to remove him out of the Tower to some other Castle; and that he did ask Master *Slingsby* where his brother was, and the ship.

To the fourth Interrog. This Examinant saith, the Earle of Strafford sent for him some three or foure dayes before his death, and did strive to perswade him that he might make an escape; and said, for without your connivence I know it cannot be; and if you will consent thereunto, I will make you to have 20000. pounds paid you, besides a good marriage for your sonne: To which this Examinant replied, he was so farre from concurring with his Lordship, as that his honour would not suffer him to connive at his escape; and withall told him, hee was not to be moved to hearken thereunto.

W. Balfour.

Ex. in presence of us

Essex.

Warwick;

L. Wharton

Mandevile.

James Wadsworth lies at the halfe Moone in Queens-Street,  
at Cockets house a Joyner divers Officers lye,  
which is the next doore.

Coll. Lindsey.

Capt. Kirk,

Die Martis 4. Maii 1641.

James Wadsworth.

HE saith that one Ancient Knot told him severall times the last week, that Sir *John Suckling* was raising of Officers for three Regiments for Portugall: and saith that hee this Examinant was at the Portugall Ambassadours on Sunday last, and then the Ambassadour told him that he knew not Sir *John Suckling*, nor any thing at all of Sir *John Sucklings* raising of men for Portugall; and the Ambassadour himselfe had no Commission to treat for any men till he heard out of Portugall.

Tuesd

Tuesday the 11. of May, 1641.

## The Examination of *John Lanyon.*

**H**E was upon Easter Eve last, and severall times since, troubled by Captaine *Billingley* to enter into an expedition for *Portugall* with Sir *John Suckling*. And when this Examinant told him that he was His Majesties servant, and could not goe without leave, Captaine *Billingley* bid him take no care for that, he should have leave procured, and further desired him to get as many Canoneers as he could.

This Examinant doubting whether they were recall in that Designe, repaired to the Portugall Ambassadors, and there understood from his Secretary, that he was willing to have men, but they knew neither Sir *John Suckling*, nor Captaine *Billingley*; neither had they from them any Commission to raise men.

Helikewise saith, that Captaine *Billingley* did after sollicite this Examinant to come to Sir *John Suckling*, and that upon Sunday was senight last Sir *John Suckling* and Captaine *Billingley*, with many other Officers, repaired unto his house in the afternoone, and there staid two houres at least; The Examinant not comming in, they left a note hee should be with them that night at the Sparragus Garden at Supper; whereof this Examinant failing, Captaine *Billingley* comes againe to his house the Monday morning, and not finding him there, left word that he must needs come to the Covent Garden to Sir *John Suckling*s lodging, which accordingly he did; but not finding him there, the same day, he was with Captaine *Billingley* at the Dog Tavern in Westminster, at which time he did farther appoint this Examinant upon Wednesday to promise Sir *John Suckling* a meeting at the Dolphin in Grayes Inne lane about nine of the clock in the forenoon, where the same day came some thirty more which were appointed by Sir *John Suckling* and Captaine *Billingley*; but neither Sir *John Suckling* or *Billingley* came, only there came one and gave them money, and so dismiss them for the present.

This Examinant further saith, that Captaine *Billingley* having notice that he had some store of Armes of his owne, told him, Sir *John Suckling* would buy them all, if he pleased to sell them.

Captaine *Billingley* likewise told this Examinant, that Sir *John Suckling* had furnished himselfe for money, and all the company.

*John Lanyon.*



Quarto die Maii, 1641.

**E**lizabeth Nutt, wife of William Nutt of Tower-street London, Merchant, and Anne Bardsey of Tower-street aforesaid widow, say, that they being desirous to see the Earle of Strafford, came to Anne Vyner wife of Thomas Vyner Clerk to the Lievtenant of the Tower, whose lodging being neare to the Kings Gallery, wherethe said Earl useth to walk, carried them to a back doore of the said Gallery, the said Earl with one other being then walking. And they three being then there, and peeping through the key hole and other places of the doore to see the said Earle, did heare him and the said other party conferring about an escape, as they conceived, saying, that it must be done when all was still, and asked the said party where his brothers ship was, who said she was gone below in the River, and heard him say, that they three might be there in twelve houres, and doubted not to escape if some thing which was said concerning the Lievtenant of the Tower, were done; but what that was, as also wherethey might be in twelve houres, they could not heare by reason that when they walked further off, they could not perfectly heare. And the said Ms Nutt and Ms Bardsey say, that they heard the said Earl then say, that if this Fort could be safely guarded or secured for three or foure months, there would come aid enough; and divers other words tending to the purposes aforesaid, which they cannot now remember.

And further all of them say that they heard the said Earle, three times mention an escape, saying, that if any thing had been done, his Majesty might safely have sent for him; but now there was nothing to be thought on, but an escape: And heard the said other partie telling his Lordship, that the outward gates were now as surely guarded as those within. To whom the said Earle said, the easier our escape that way, pointing to the East, if the said party and some others should obey the directions of the said Earle: But what those were they know not; but heard the said party answer, they would doe any thing his Lordship should command.

Anne Vyner,

Anne Bardsey,

Signum,

Eliza. E. N. Nutt

## The Superfcription of the Letter.

For my worthy Friend Sir Lewes Dyves Knight,  
at the Earle of Brisfolls house in  
Queen-street,

London.

Deare Brother,

I Hope you will have received the Letter which I wrote unto you from aboard Sir *John Pennington*, wherein I gave you account of the accident of *O. Neals* man, and why I thought fitting to continue my journey into Holland; going still upon this ground, that if things goe on by way of accommodation, by my absence the King will be advantaged: If the King declare himself, and retire to a safe place, I shall be able to wait upon him from hence, as well as out of any part of England, over and above the service which I may doe him here in the mean time. Besides that, I found all the Ports so strict, that if I had not taken this opportunity of Sir *John Penningtons* forwardnesse in the Kings service, it would have been impossible for me to have gotten away at any other time.

I am now here at Middleborough, at the Golden Fleece upon the Market, at one *George Petersons* house, where I will remaine till I receive from you advertisement of the state of things, and likewise instructions from their Majesties; which I desire you to hasten unto me by some safe hand: and withall to send unto me a cypher, whereby we may write unto one another freely. If you knew how easie a passage it were, you would offer the King to come over for some few dayes your selfe. God knowes I have not a thought towards my Countrey to make me blush, much lesse criminall; but where Traytors have so great a sway, the honestest thoughts may prove most treasonable.

Let *Dick Sherley* be dispatcht hither speedily, with such black cloaths and linaen as I have: and let your letters be directed to the Baron of Sherborn, for by that name I live unknowne. Let care be taken for Bills of Exchange.

Middleborough  
Jan. 20. 1641.

Yours.

The Examination of *Owen Connelly* Gent.  
 taken before us whose names ensue  
 the 22. of *October* 1641.

**W**Ho being duly sworne and examined, saith, That hee being at *Monmore* in the County of *London-Derry* on Tuesday last, he received a Letter from Colonell *Hugh Oge. Mac-Mahon*, desiring him to come to *Connagh* in the County of *Monayhan*, and to be with him on Wednesday or Thursday last; whereupon he this Examinant came to *Connagh* on Wednesday night last, and finding the said *Hugh* come to *Dublin*, followed him hither: He came hither about six of the clock this Evening, and forthwith went to the lodging of the said *Hugh*, to the house neer the *Boot* in *Oxmantowne*, and there he found the said *Hugh*, and came with the said *Hugh* into the towne, neere the *Pillory*, to the lodging of the Lord *Mac-quire*; where they found not the Lord within: and there they drank a cup of Beere, and then went backe again to the said *Hugh* his lodging. He saith that at the Lord *Mac-quire* his lodging the said *Hugh* told him that there were and would be this night great numbers of Noblemen and Gentlemen of the *Irish* Papists, from all the parts of the Kingdome, in this Towne, who with himselfe had determined to take the *Castle of Dublin*, and possessethemselves of all his Majesties Ammunition there, and to morrow morning being *Saturday*; and that they intended first to batter the *Chimneys* of the said Town; and if the *City* would not yeeld, then to batter down the houses, and so to cut off all the *Protestants* that would not joyne with them.

He saith further, that the said *Hugh* then told him, that the *Irish* had prepared men in all parts of the Kingdom, to destroy all the *English* inhabiting there to morrow morning by ten of the clock; and that in all the *Sea-ports* and other Townes in the Kingdome, all the *Protestants* should be killed this night; and that all the *Posts* that could bee, could not prevent it. And further saith, that he moved the said *Hugh* to forbear the executing of that businesse, and to discover it to the State for the saving of his own estate: who said, that he could not help it: But said, that they did owe their due allegiance to the King, and would pay him all his Rights, but that they did this for the tyrannicall Government was over them; and to imitate *Scotland*, who got a priviledge by that course. And he further saith, that when he was with the said *Hugh* in his lodging the second time, the said *Hugh* swore that hee should not goe out of his

his lodging that night, but told him that he should goe with him the next morning to the Castle, and said, if this matter were discovered, some body should die for it: Whereupon this Examinant feigned some necessity for his easement, went downe out of the Chamber, and left his sword in pawne, and the said *Hugh* sent his man downe with him; And when this Examinant came downe into the yard, finding an opportunity, he this Examinant leaped over a wall and two pales, and so came to the Lord Justice *Parsons*.

October 22.

1641.

*Owen Oconnelly.*

*William Parsons.*

*Tho: Rotherham.*

*Rob: Merideth.*

The examination of *Mark Paget* Parson of *Moylestowne*, neare *Kingale* in *Ireland*, and Deane of *Rosse* there, had and taken at *Plimmouth*, in the County of *Devon*: before *Thomas Coely* Merchant, Maior of the Burrough of *Plimmouth* aforesaid, *William Birch*, and *Iob: Bownd*, Merchants, three of his Majesties Justices of the Peace, within the said Burrough, the fourth day of *March*, 1641.

The said Examinant saith, that he came from *Kingale* this day was seven-night, and saith, that the Rebellion in *Ireland* is generall; (except the Port Townes and Fortifications) and saith, that hee conceiveth that the Forces of the Rebels in *Munster* is betweene twenty or thirty thousand, which lie neare *Corke* and *Bandam* Bridge, in two bodies; whereof the chiefe of one is *Baron Longhland*, the Lord *Mungarret*, the Lord *Dunboine*, and divers other Lords: and the chiefe of the other are *Macarte Reath*, *Teage Adowne*, *Teage Adun van Durmer*, *Glacke*, and *Macke Pnenning*, and divers others. And this Examinant hath for certaine heard, that the Earle of *Clarrickard* is likewise in Armes in *Cannogh* against the English Protestants; and further saith, that he knoweth that the Rebels have very good intelligence out of England, of all passages here, and for the molt part speedier then the English have there: and further saith, that they threaten that assoone

as they have rooted out the Brittain and English there, to invade *England*, and assist the Papists in *England*. And further saith, that they have the Popes Legate amongst them (as they report) who sits constantly in counsell with Sir *Philome O-neale*, (who writes himselfe now Prince *O-neale* from his Palace *(Charlemount)*;) the Lord *Meggennys* and divers others, who directed and advised the rest of the Rebels. And farther saith, That the *Irish* Rebels doe report that they have the Kings Warrant and Great Seale for what they doe, and say they are his Majesties true Subjects; and that the *English* Protestants are Rebels, and not they. And further saith, that the Rebels doe generally report that there are three factions in *England*, whereof one is the Kings; which consists for the most part of Courtiers and Bishops, with some few Lords and Gentry: Another the Puritans, which is supported by the House of Commons, some Lords, and the Corporations and Cities in *England*: And the third is the *Queenes*, which they say is the greatest; and consists of the Catholiques, some Lords, all the Priests and Jesuites, besides the expectation they have of forraine forces: And farther saith, that they report that the *Queenes* faction will set such a division betweene the two others, that it will root out both of them at last. And farther saith, that the said *Irish* doe bragge that the *Queenes* faction hath the command of most of the Fortes and Forces of *England*. And this Examinant farther saith, that he knoweth this to be usually reported amongst them, for that he hath lived in *Ireland* these two and thirty yeares, and beene incumbent of the said Church eighteene yeares, and hath heard divers of the *Irish* Papists of the better sort to affirme so much, which doth much hearten the Rebels, and dishearten the *English*: And farther saith, that the Rebels have taken the Iron-workes at *Glannorreth*, and great quantities of Iron; and there, and else-where cast Ordinance, make Muskets, heads for Pikes, Skeanes, and other weapons; and farther saith, that the greatest part of the nine thousand *Irish* Souldiers which the Earle of *Strafford* had at *Nockvargas* in *Ireland*, and there exercised and trayned a long tyme, are the most expert Commanders, Leaders, and Officers amongst the Rebels.

*Thomas Ceely* Maior.

*Madame,*

I Shall not adventure to write unto your Majestie with freedom, but by expresses, or till such time as I have a cipher, which I beseech your Majestie to vouchsafe me. At this time therefore I shall onely let your Majestie know where the humblest and most faithfull servant you have in the world is; Here at *Middleborough* where I shall remaine in the privatest way I can, till I receive instructions how to serve the King and your Majesty in these parts. If the King betake himselfe to a safe place, where he may avow and protect his servants from rage (I meane) and violence, for from Justice I will never implore it, I shall then live in impatience and in misery, till I waite upon you. But if after all he hath done of late, he shall betake himselfe to the easiest and complyingest wayes of accommodation: I am confident, that then I shall serve him more by my absence then by all my industry, and it will be a comfort to me in all calamities, if I cannot serve you by my actions, that I may doe it in some kinde by my sufferings for your sake; having (I protest to God) no measure of happiness or misfortune in this world, but what I derive from your Majesties value of my affection and fidelity.

*Middleborough the 21.  
of January, 1641.*

**F I N I S.**

I shall not attempt to write more your Majesty with this  
 I hope, by the way, of all that I have a share  
 which I desire your Majesty to know. At this time  
 therefore I shall only let your Majesty know where the  
 himself and most faithful servant you have in the world is;  
 I have as yet no more to say, where I shall remain in the private  
 way I can, still receive instructions how to love the King  
 and your Majesty in these parts. If the King please himself  
 in a little time, what he may say and prove his servants  
 from my (I mean) and violence, for from Justice I will ne-  
 ver stand off, I shall then live in innocence and in mild-  
 ness with you. But if after all the pain done of late, he  
 shall please himself to be cruel and cruel ways of  
 accommodation; I can consider, that then I shall leave him  
 more by my absence than by all my industry, and it will be a  
 comfort to me in all countries, if I cannot leave you by my  
 actions, that I may do a little more by my sufferings for  
 your sake; being I protest to God, no manner of happi-  
 ness or contentment in this world, but what I derive from your  
 Majesty's love of my affection and fidelity.

F I N I S