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THE GOVERNMENT'S POLICY TOWARD  
CATHOLICS IN ENGLAND

1625-1629

by

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B. A. Montana State University, 1953

presented in partial fulfillment of the requirements for  
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MONTANA STATE UNIVERSITY

1956

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## CHAPTER I

### THE RISE OF THE CATHOLIC QUESTION

The basic religious policies of the Church of England were established when for various economic, political and personal reasons, Henry VIII separated the church from Papal control in a series of seven acts passed by Parliament from 1532-1534. Henry sought little more than an end to Papal authority, (with all its political ramifications), in England. During his reign Henry strove to preserve the forms of the Catholic Church intact; in 1539 he reestablished the basic dogma of that religion.

Paradoxically, Henry entrusted the education of his son to men dedicated to Protestant teachings. He even assured the predominance of these men on the Council of Regency which would rule in the young king's minority. In 1547, at the age of nine, Edward VI became King of England. The Duke of Somerset, as head of the Council, became the leading figure in the administration. With the support of Bishop Cranmer, he almost immediately began to make basic changes in the church. Changes were made in fundamental articles of faith and in the ceremony of the Mass which Henry had preserved virtually intact. Images, church plate, and vestments were ruthlessly destroyed and so too were many art treasures in England. Conservative clergy failing to keep up with the changes were swept aside and replaced by men subscribing to the new theology. The new doctrines left behind many of the Catholics who had gone along with the separation from Rome as

long as their religious beliefs were left untouched; this group was now forced to separate from the established church in order to satisfy their own religious convictions. The trend toward Protestantism quickened considerably after the Duke of Northumberland, by a coup d'etat, replaced the Duke of Somerset as head of the government.

This era of change ended abruptly with the death of Edward VI, July 6, 1553. Mary, a fanatic Roman Catholic, succeeded him and, with Cardinal Pole by her side, began undoing the work of the innovators. Mary set out to make her changes in a conservative fashion calculated not to alarm the people. Her first, and most serious, mistake came in arranging to marry Philip II of Spain in 1554. In so doing she aroused the fears of the people since it was made clear that a reconciliation with Rome was inevitable. This prospect frightened many, especially those who had profited by the confiscation of church property.

Reconciliation called forth persecution. Not only bishops like Cranmer, Latimer, and Ridley, but laymen as well were burned as heretics. To complicate matters, Pope Paul IV and Philip II quarreled. As a result of this disagreement, England was dragged into a war with France, who supported the Papal cause. The war failed to awaken the support of the English people. The return to Rome brought only war and persecution; it is little wonder that Englishmen began to long for freedom from both. This freedom was soon forth-

coming since Mary and Cardinal Pole both died November 17, 1558.

Elizabeth succeeded her half-sister to the throne. The first Parliament met in January, 1559, and the religious policy of the reign became clear with the passage of two acts; the Act of Supremacy and the Act of Uniformity. Under the Act of Supremacy the crown was restored to supreme ecclesiastical authority. Under its provisions persons were subject to the jurisdiction of their own diocese and were not answerable to any outside authority in matters of religion. All ecclesiastical appeals to Rome were forbidden. All payments due to Rome from archbishoprics and bishoprics were now to be paid into the exchequer. In addition, archbishops, bishops and clergy were to be elected and consecrated within the realm. All of the members of the clergy were required to take an oath of submission to the crown in order to retain their benefices. Furthermore, all subjects were freed from the payment of any fees to Rome and all Papal dispensations were declared void. Parliament also prescribed an oath of allegiance which all who received their pay from the crown were obliged to take.

Heavy penalties were provided for those rash enough to continue to assert the supremacy of any foreign power. First offenders were liable to lose all of their real and personal property; if the guilty person did not own property valued at twenty pounds he could receive the sentence of one year in prison. Clergymen falling under the provisions of

this act could be deprived of all titles and benefices pertaining to their office. Second offenders were subject to the penalties provided in the Second Statute of Praemunire,<sup>1</sup> or imprisonment at the king's pleasure. Diehards who continued their resistance beyond the second offence could be found guilty of high treason and sentenced to death.<sup>2</sup>

Religious practice was established by the Act of Uniformity passed the same year. It restored the book of common prayer and standardized the ritual. Any individuality, when discovered, could be punished by law. First offenders might lose their benefices and be imprisoned for six months. Second offenders could be deprived of their benefices permanently, and a third offence could be punished with life imprisonment. Non-clerics who violated the Act of Uniformity might be imprisoned for one year for the first offence and life for any repetition of their misdeeds. To encourage piety as well as uniformity, a fine of a shilling was pro-

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1. The Statutes of Praemunire originated in the reigns of Edward III and Richard II. The first statute was passed to regulate the use of courts other than those of the king; offenders who refused to submit to the king's justice forfeited their goods and bodies at the king's pleasure. The second statute further restricted the ecclesiastical courts and the authority of the Papal bulls and excommunications, directed against the king's Majesty, were subject to the same penalties. Henry Gee & William Hardy, Documents Illustrative Of English Church History, London, 1896, 422-58.

2. Ibid., 103-22.



vided for those who failed to attend church service on Sundays and Holy days.<sup>3</sup>

The queen showed no desire to use force on those people whose consciences were affronted by the dogma of the state church. She was willing to wink at a certain amount of dissent so long as those people remained loyal in other respects. Unfortunately, relations between the Catholics and the crown deteriorated more and more as the reign progressed; principally because of the external pressure which was brought to bear on the Catholics. This situation developed mainly because of the Papal attitude towards Elizabeth, support of the intrigues of Mary Queen of Scots, the establishment of a Jesuit mission in England, and the general intervention of the Spanish government in English politics.

The activities of Mary Queen of Scots touched off the final sequence of events which brought the Roman Catholics into disfavor and inspired the enacting of laws designed to repress them. In November of 1569 the Earls of Westmorland and Northumberland revolted in favor of the Scottish Queen. In spite of some aid from Rome the rebellion was speedily crushed. Its initial success, however, induced Pope Paul IV to bring Elizabeth to trial in absentia. She was found guilty and was excommunicated and declared deposed; the Pope absolved all Englishmen from their oath of allegiance to the queen.

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3. Ibid., 458-67.

To the Catholics in England this Papal bull was a disaster of the first magnitude; prior to its issuance these people had been able to remain useful and loyal citizens, paying a small tax for the privilege of worshipping as they chose. Now, the recusant Catholics were forced to choose between obedience to the state or to the Pope; if they chose to obey the Pope they were traitors to the queen since the Catholics were forbidden to obey any royal commands. The choice was not easy. It was simple--excommunication or death.

The government replied to the Papal bull by tightening up the laws against recusancy; it became high treason to publish a Papal bull in England and anyone caught bringing in Catholic religious articles became subject to the penalties of praemunire.

A young English Catholic founded Douai College, in France, to train priests for the English mission. Several of these clergymen were executed but the mission continued to grow. In 1581 Parliament passed an act to increase the fines for absence from church and declared that anyone joining the Church of Rome would be considered a traitor.

Following a plot by Francis Throckmorton and others to assassinate Elizabeth, the government decided to execute Mary Queen of Scots to eliminate at least one source of disaffection. The Catholic element then became tied to Spanish and Papal politics.

As a result of the Throckmorton plot and the attempted

invasion by the Spanish Armada, a wave of legislation designed to eliminate the Catholic element was enacted by Parliament. They first passed an act against the Catholic clergy; under its provisions, all Jesuits, seminaries, and non-sectarian priests ordained by the authority of the Bishop of Rome were declared banished from the kingdom. According to the statute, none of these people was to be allowed readmission to the country, even for limited periods, without special permission from the crown. Any priest rash enough to return without obtaining permission was automatically declared to be guilty of high treason and could be sentenced to death.

As a further step toward stamping out the ordination of English Catholics, all subjects studying in seminaries outside England were ordered to return within six months and take the oath of allegiance; those failing to take the oath could be found guilty of high treason. Another provision aimed at destroying the seminaries on the continent provided punishment for those giving material aid to these seminaries or to priests outside England; anyone violating this act was subject to the statute of Praemunire. Parliament provided fine of one hundred pounds for any subjects who sent their children abroad to be educated, without first obtaining royal permission.<sup>4</sup>

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4. Ibid., 485-92, 498-508.

Laws were enacted in 1593 for the suppression of recusancy among the laity. All Catholics over sixteen were restricted to an area of five miles from their homes. Violators might have their goods confiscated during their lifetime. Persons not owning land worth twenty marks or goods valued at forty pounds who violated this act and in the future failed to comply with the Act of Uniformity, by attending the Anglican church regularly, were banished from the kingdom. If a person refused to leave the country, he might be judged a felon and sentenced to death. Anyone suspected of being a Jesuit or priest who refused to answer to the king's officers could be imprisoned without bail until he was ready to answer. Recusants who made public submission by attending church and abiding by the laws were freed from the penalties of this act upon taking the oath of submission.<sup>5</sup> During Elizabeth's reign it was estimated that there were 120,000 recusants in England and at least 250 who defied the religious laws were put to death.<sup>6</sup>

Elizabeth was succeeded by James I in 1603. The new

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5. Ibid., 498-508.

6. John Moorman, A History Of The Church In England, New York, 1954, 207.

king was suspicious of the Roman Catholics from the first, yet he had no wish to persecute them. In fact, as indicated by his first speech to Parliament, James genuinely hoped for a reconciliation with Rome. These dreams were blasted by the Gunpowder Plot in 1605. Parliament had already re-enacted the old Elizabethan religious statutes. The Gunpowder Plot, of which the vast majority of Roman Catholics were completely innocent, provided an excuse to pass even more rigid laws against recusancy.

To escape the penalties of the law, many Catholics, who came to be called crypto- or pseudo-Catholics, attended the Anglican services, at least occasionally. To make it more difficult for these people, Parliament made it mandatory to receive the sacraments as well. Failure to comply with this regulation could result in a ruinous fine. An oath of allegiance was also designed which was virtually impossible for a true Catholic to take since it required the renunciation of principles which were considered basic to his faith. Anyone who refused to take this oath when it was tendered to him became subject to the penalties of Praemunire. The oath demanded recognition of the king as the lawful and rightful sovereign. It denied the right of the Pope to depose heretical princes, and the taker was required to swear a solemn oath to support the king in the event of a revolution undertaken by a Papal decree of deposition. The oath also required the denial of the doctrine that the subjects of a deposed king

could be absolved from their allegiance or that such a monarch could lawfully be killed by his subjects. Another act reinforced an old Elizabethan act that all recusants, not engaged in business or trade, be banned from an area within ten miles of the City of London; these people were forbidden to travel more than five miles from their homes without special license from the Privy Council.<sup>7</sup>

These statutes virtually completed the legislation erected to eliminate the Papal element from English society. The laws were quite plain but their enforcement was another matter. The laws never were enforced absolutely by any of the English sovereigns in this period. They were used rather as a potential weapon to render the Catholic element harmless. As the various disputes with Rome dragged on and the popular dislike of all things associated with Rome grew more intense, it became more and more difficult for both the civil and ecclesiastical administration to pursue a middle course as Parliament echoed the populace in demanding the rigid enforcement of those laws. The effects of this tension were to play a prominent role in the problems confronting James' successor, Charles I.<sup>8</sup>

7. Gee and Hardy, 498-534; Godfrey Davies, The Early Stuarts, Oxford, 1952, 204-5.

8. This background material is based upon the following sources: W.H. Frere, The English Church In The Reigns Of Elizabeth and James I, London, 1904; Moorman, 161-243; G.M. Trevelyan, History Of England, II, Garden City, 1953, 37-173; Gee and Hardy, 250-395.

Foreign affairs also played a prominent role in influencing the course of James' reign. The first Stuart continued the basic foreign policy of Elizabeth: peace and the security of England. He was even more pacific than the queen and hoped to use a balance of power to maintain peace between the Catholic and Protestant countries. As early as 1610 James hoped for a marriage between his eldest son, Henry, and the Spanish Infanta, since he hoped that an alliance between the strongest powers on either side would implement his policy of peace. When Henry died in 1612 the prospects of a matrimonial alliance waned, at least temporarily.

Other aspects of English foreign policy favored Protestantism. In 1608, James' only daughter, Elizabeth, was married to Frederick, the Elector of the Palatinate and the self-appointed leader of Protestantism in Central Europe. At James' request the Dutch also adhered to this union and England very nearly became the leader of a Protestant coalition.

Prospects of such a coalition declined considerably with the arrival of the new Spanish ambassador to England, the Count of Gondomar. The Count astutely judged the king and concluded that he was vain, timid, peace-loving and disliked persecution. These traits could serve the interests of Spain admirably if the king were handled properly. However correctly Gondomar may have judged the king, he failed completely in his analysis of the English people. He seems to have assumed

that the people were Protestant simply to please their king and out of fear of persecution. He appears to have believed that if only the penal laws, as all the legislation against recusants was called, were repealed, the people would fall back into the old pattern of Catholicism at once. In this conclusion he was totally wrong.

The Ambassador's one objective was to render England ineffective in the struggle for religious supremacy being waged on the continent. To implement this policy, he hoped either to ally England to Spain or at least insure her neutrality, which, he felt, would tip the scales in favor of the Catholic powers. To achieve this end Gondomar resurrected the old idea of a marriage alliance between the two countries. In this idea James wholeheartedly concurred. He acted on the assumption that such a treaty would insure peace, not just English neutrality; he might also have received an added inducement from the emptiness of the exchequer, since the Infanta's dowry was expected to amount to 600,000 crowns. The chief difficulty lay in the Spanish demand that all children born of the marriage were to be educated as Catholics and allowed to remain so without impairing their rights to the throne. In addition, the penal laws were to be suspended. With popular opinion toward Catholics and Spaniards what it was James dared not make a public announcement to this effect but as a sop to Spain he released one hundred priests from prison allowing them to leave the country in 1618.



In August of 1619 the Bohemian revolution inaugurated the Thirty Years' War. Frederick, James' son-in-law, accepted the crown of Bohemia without awaiting James' approval. A year later Frederick's forces were defeated and the victorious Spanish army, serving the Holy Roman Emperor, invaded the Palatinate. Public opinion in England swerved behind Frederick, but James remained aloof. He may have been pleased that his son-in-law should be a crowned king, but he was afraid that Spain would hold him responsible. Many of the common people cried out for a war with Spain, fearing that the Catholic resurgence on the continent would mean the destruction of Protestantism throughout Europe.

A war with Spain was the last thing that James wanted; furthermore he was more realistic in evaluating England's effectiveness in a land war on the continent than were his subjects. When Gondomar returned to London, James eagerly sought to enlist him in support of Frederick. He even went so far as to propose the partition of the Netherlands in return for Spanish support.<sup>9</sup> When Spain completed the conquest of the Palatinate, James tried to secure its return to Frederick as one of the terms of the impending marriage treaty between England and Spain.

Parliament met in 1621 and pledged their wholehearted

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9. Davies, 54.

support to the king in the event of a war with Spain. In this they mirrored the feelings of the majority of Englishmen. Parliament also aimed at the crushing of the Catholics who had increased rapidly under the government's pro-Spanish policy. A typical Stuart quarrel with Parliament ensued and James dissolved the session.

Gondomar rejoiced at the dissolution since James was now virtually unable to do anything effective to help Frederick's cause; he was forced more and more into the arms of Spain. James pleaded with Gondomar to intercede for Frederick in Vienna. The Elector's cause was virtually hopeless since the entire Palatinate was in the hands of Austrian and Spanish troops; the Emperor had turned the province over to Maximilian of Bavaria.<sup>10</sup>

The negotiations for the marriage treaty proceeded very slowly. The Duke of Buckingham, the royal favorite, became impatient and proposed that he and Prince Charles should go in person to Madrid to facilitate the arrangements. After much doubt and hesitation James gave his consent and the small party left for Spain. The Spanish rejoiced at the arrival of the Prince, taking it as a sign that he intended to become a Catholic. The presence of Charles and Buckingham did nothing to further the match; if anything it created new obstacles to be resolved. When the basic agreement was

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10. Davies, 55-58; Samuel Gardiner, History Of England, London, 1884, V, 31-3.

finally concluded delay after delay arose in obtaining the dispensations from Rome. A major reason for this delay may have been the strange opposition of the English Jesuits, normally motivated by Spanish policy, to the marriage. The Catholic clergy in England supported the match wholeheartedly, hoping to find a protector in the young Infanta. However, the influence of the Jesuits was very strong. Two of their number, Talbot and Silisdon, went to Rome to dissuade the Pope from granting the dispensations.<sup>11</sup> When the Pope finally did grant the dispensation its use was hedged with an oath that the King of Spain must make sure that the concessions to the English Catholics had been secured before the marriage could take place.<sup>12</sup>

To fulfill the pledge given by Philip of Spain to the Pope, James and the Privy Council were obliged to swear to certain articles in the marriage treaty. One of these provided that the Infanta was to be surrounded by a household which was to be nominated by the King of Spain. Twenty-four priests and a bishop, subject to no law save that of their ecclesiastical superiors, were to be included in that household in contravention of the laws of England. This article also specified that a Catholic church, open to the public, was to be build on the site chosen by the queen for her residence.

11. Ethelred Taunton, The History Of The Jesuits In England 1580-1773. London, 1901, 406-7.

12. Gardiner, V, 31-33.

Four secret clauses were also to be sworn to by the members of the English government; one required that no new laws were to be passed against the Catholics and that they were to be granted a perpetual toleration, throughout the king's dominions, to practice their religion freely in their own homes. In addition, no Catholic was to be subject to any laws which did not equally affect the rest of the subjects of the crown. James and Charles both vowed that the Princess would never be forced to witness anything which would be repugnant to her faith, nor were they ever to attempt to convert her to the state religion. In addition both promised to do their best to get all of the articles, including the secret clauses, approved by Parliament and to persuade them to repeal the penal laws.<sup>13</sup>

Even after these concessions were made delays continued to arise until at last Charles and Buckingham gave up and returned home. The voyagers expressed doubts as to the sincerity of the Spaniards which disturbed James greatly. Both the Prince and Buckingham were resolved to have nothing more to do with the Spanish match, so it now became James's turn to create delays. He hoped to gain definite assurances about the Palatinate in return for proceeding with the marriage. The Spaniards finally set a definite date for the marriage. Just three days before the wedding was to take place James sent a

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13. Gardiner, V, 67-70.

dispatch demanding a further delay. This abrupt request, after all the preparations for the wedding had been completed, was considered a public insult to the crown of Spain. With this bit of "diplomacy" any hope of a marriage alliance between the two countries virtually came to an end.<sup>14</sup>

Parliament was summoned February 19, 1624, to discuss the affairs of the nation and to provide for the king's needs. Charles and Buckingham went before Parliament to relate the details of the Spanish negotiations, which they edited to paint the government in the best light possible. One effect of Buckingham's narrative was for Commons to institute a bill to increase the penalties against the Catholics. On February 28, 1624, the marriage treaties with Spain were condemned by the House of Lords. Commons followed suit on March 3. Charles, Buckingham, and Parliament were eager for a war with Spain, since a naval war with that country would be virtually self-supporting as the English privateers might prey upon Spanish commerce. James, on the other hand, thought in terms of a land war to help Frederick regain control of the Palatinate. With the Prince and the Royal favorite supporting the popular party, James finally gave way and gave his assent to the dissolution of the Spanish treaties. This decision made war almost inevitable.

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14. Edward, Earl of Clarendon, The History Of The Rebellion And Civil Wars In England, Oxford, 1849, I, 15-33; Gardiner, V, 1-170.

In a speech to the House of Lords, Charles gave his promise that never again would the Catholics profit by the terms of his marriage. Commons drew up a petition to the crown for the enforcement of the laws against recusants and asked a pledge that the Catholics would never again be included in a treaty of marriage, to which James gave his approval.<sup>15</sup>

While Parliament had offered its support in a war with Spain, it was not long before Buckingham and Charles joined the king in making plans for the recovery of the Palatinate. To implement this somewhat ambitious foreign policy it was necessary to find allies. English diplomacy worked full time to fill this need. A treaty was quickly arranged with the Dutch by which England agreed to pay for 6,000 troops to help the Dutch in their fight for independence from Spain. James outfitted 12,000 men under Count Mansfeld, a soldier of fortune, but neither France nor the Dutch were willing to receive them; the small army, ill-provisioned and equipped as it was, wasted away in idleness. Another treaty was arranged with Christian IV of Denmark, who agreed to lead a force into Germany if the English would agree to pay for the maintenance of 7,000 soldiers. Where the money to pay for these subsidies was to be found no one could tell, least of all the government when it signed the treaties.

The alliance which was to crown this diplomatic edifice

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15. Gardiner, V, 209-222.

was to be based upon the ancient hatred of France and Spain. What better ally could be found to further the cause against Spain? And what better way to begin such a friendship than by joining the two countries in a matrimonial alliance? So ran the thinking of the king and Buckingham.

Negotiations were opened but almost immediately they ran into a snag; the French demanded concessions for the English Catholics. James and Charles both refused even to consider the demand and instructed their ambassadors to make their position clear to the French. La Vieuville, the French minister, exceeded his instructions by telling the English that a simple letter promising to spare the Catholics would be sufficient since it was merely intended to satisfy the Pope. To show the value of an alliance with France, three armies were ordered to prepare for active duty. When Louis XIII heard of this proposal he dismissed La Vieuville and placed the direction of the government in the hands of Cardinal Richelieu. The new minister proposed that England grant concessions equal to those granted to Spain in the previous treaty. Both James and Charles were outraged and refused to consider the proposition, but they acted without considering the Duke of Buckingham who had been away from court. With visions of great glory before him and the whole continent at his feet, the Duke threw himself wholeheartedly into the French cause since he considered an alliance with that country

as essential to his plans. Little by little he led the royal pair from one concession to another until the French had received everything that they wanted. James was at least able to tell his conscience that he had not violated his promise to Parliament. He had given his word that such concessions would never again be embodied in a treaty and he was simply required to write a letter to guarantee that the Catholics would be as well treated as they would have been under the terms of the Spanish treaty. Charles was not so fortunate; he had promised the House of Lords that the Catholics would not profit by his marriage. When he signed the required letter it would be in direct violation of his pledge to Parliament.

Before giving their final assent to the treaty the English sought in vain to get some written assurances of aid for the recovery of the Palatinate; they would even have been glad for a written promise that France would continue to help support Count Mansfeld's army. Louis XIII would offer only vague, verbal assurances. Even then the French king and his ministers were hoping to use England to support their own league with Venice and Savoy for the recovery of the Valtelline. To justify their position the French claimed that a written agreement to support the Protestant heretics against a Catholic country would not only outrage the Pope and make it impossible to gain the necessary dispensations for the marriage, but it would alienate the Catholic princes of Germany whom



the French hoped to win to their own cause. At last the English capitulated and the marriage treaty was signed November 10, 1624, and ratified a month later.

According to the terms of the treaty the marriage was to be performed according to the ceremony which was used by Henry IV. When the queen arrived in England the marriage contract was to be ratified without any further religious ceremony. Complete religious freedom was to be granted to the royal bride and her attendants. One of the clauses of the treaty provided that Henrietta Marie was to have complete charge of all children born of the marriage until they reached the age of thirteen. The Princess brought a dowry of 800,000 crowns and signed an agreement whereby she renounced forever for herself and her descendants any right to inherit the crown of France.<sup>16</sup> Besides these general terms, the treaty contained four secret stipulations. One required that all of the Catholics, clergy and laity alike, imprisoned since the breach with Spain, be liberated as soon as possible. The government was also required to cease persecuting Catholics solely because of their religion. In addition, all property seized since the failure of the Spanish treaty had to be restored to the rightful owners. To show its good faith, the government was required to give a full pardon to twenty priests for all of their past offences, and this pardon

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16. John Lingard and Hilaire Belloc, The History Of England, New York, 1912, VII, 274-5.

was issued May 20, 1625.<sup>17</sup>

At the time of the ratification James wrote the required letter and Charles was obliged to sign the following pledge which was to play a prominent part in his later difficulties with Parliament.

I the undersigned Charles, Prince of Wales, after having seen the promise of the Most Serene King of Great Britain, my very honored Lord and father, and in conformity with it, promise on the faith and word of a Prince, both for the present and the future, in everything that is and shall be in my power, that, in contemplation of the Most Serene Princess Madame Henrietta Marie, sister of the most Christian King of France, I will promise to all the Roman Catholic subjects of the Crown of Great Britain the utmost of liberty and franchise in everything regarding their religion, which they would have had in virtue of any articles which were agreed upon by the treaty of marriage with Spain, not being willing that the aforesaid Roman Catholic subjects should be disquieted in their persons and goods for making profession of their aforesaid religion, and for living as Catholics, provided, however, that they use the permission modestly, and render the obedience which, as good and true subjects, they owe to their King. I also promise through kindness to them, not to constrain them to any oath contrary to their religion, and I wish that my engagement, which I now sign, should be attested by a Secretary of State.<sup>18</sup>

Neither Charles nor Buckingham cared about toleration one way or the other; with them the entire arrangement was simply an expedient to obtain the marriage and military aid.<sup>19</sup>

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17. John Rushworth, Historical Collections, London, 1659, I, 173.

18. Gardiner, V, 277-8.

19. This account of the negotiation of the French marriage is based upon Gardiner, V, 249-79; Lingard and Belloc, VII, 255-76; Davies, 57-9.

The English government was immediately required to give effect to the treaty. On December 24, 1624, the courts were ordered to suspend further prosecution of recusants under the penal laws, and two days later Lord Keeper Williams was ordered to secure the release of all prisoner held for religious reasons.<sup>20</sup>

Scarcely had the marriage agreement been concluded when events occurred in France which were to have a vital effect on the foreign and domestic policy of both countries. The French Huguenots had been quiet since the signing of the Peace of Montpellier, which ended the last civil war. By the terms of that treaty the French monarch had agreed to raze the fortifications which had been built outside the city of Rochelle; instead the inhabitants watched the bastions of Fort Louis growing stronger day by day. The Rochellese declared that either the fort must be destroyed or it would destroy them. Whatever the outcome of the ensuing negotiations would have been can only be guessed; for two brothers, the Dukes of Rohan and Soubise, decided to resolve the issue by force. On December 24, 1624, just two days after the signing of the Anglo-French marriage agreement, Soubise sailed into the harbor of Blavet, in Brittany, and carried off six French warships to Rochelle. Louis XIII was furious but

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20. Conway to Williams, December 30, Calendar Of State Papers, Domestic, 1624-25, London, 1858, 39, Hereafter cited, Cal.S.P.Dom.

virtually helpless to avenge the insult without a larger navy than remained under his command. Cardinal Richelieu proposed asking aid from the States-General and England. The Dutch consented at once since they needed French subsidies to continue their struggle with Spain. In England James was indignant at the effrontery of Soubise; any action with even a passing resemblance to rebellion outraged his entire sense of values. Besides, James was actively engaged in preparations for war with Spain and any action which would prevent the wholehearted support of France was to be viewed with apprehension. In these circumstances, it was only natural for him to promise aid. A few days before his death, James signed a contract with Louis to lend France the royal ship Vanguard and seven merchant vessels for a period of six to eighteen months to serve against anyone except his Brittanic Majesty.<sup>21</sup>

On May 8, 1625, the ships were ordered to leave for France,<sup>22</sup> but Sir John Coke, a confidant of Buckingham and a commissioner of the navy, gave secret orders to Admiral Pennington, an ardent Protestant who commanded the small squadron, to stay clear of the civil war in France.<sup>23</sup> These

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21. Gardiner, V, 300-2, 328.

22. Salvetti's Despatches, May 9, 1625, Skrine Mss., (Historical Manuscripts Commission, London, 1887), 11; (Hereafter cited H.M.C.)

23. Coke to Pennington, May 18/28, Cal.S.P.Dom., 1625-26, 74.

instructions were in direct violation of the terms of the agreement.

A few days later Buckingham arrived in Paris to crown the marriage treaty with a defensive and offensive alliance which was so important to English foreign policy. In his efforts he had the full support of Cardinal Richelieu despite England's failure to grant toleration to Catholics under the terms of the marriage contract.<sup>24</sup> Possibly because of Buckingham's impetuous behavior Louis drew back from the strict agreement which the duke proposed. He agreed to pay 100,000 pounds toward the subsidies earmarked for the King of Denmark and was willing to pay his share toward Count Mansfeld's army for another seven months, but he absolutely refused to make open war against the House of Habsburg.

Bitterly disappointed, since he staked not only his own future but the future of his country on this alliance, Buckingham took out his pique by attempting to make love to the Queen of France, an act not designed to endear him, or England, to Louis' heart. In an attempt to repair the breach in the alliance system, Secretary of State Morton was dispatched to the Netherlands to offer the Dutch a share in the war with Spain. If this attempt had succeeded it would have widened the breach between England and France since the war would have taken on the tinge of an anti-Catholic crusade.<sup>25</sup>

24. For government's policy toward Catholics, see Chapter Two.

25. Salvetti's Despatches, April to July, Skrine Mss., (H.M.C.), 12-33; Gardiner, V, 328-35; Davies, 61-4.

The eight ships to be lent to France after many delays were finally assigned to go over with the naval squadron which was to escort the new queen, Henrietta Marie, to England.<sup>26</sup> However, with the failure of the French alliance the government became less and less enthusiastic about the possibility that those ships might be used against Protestants. Charles had already been forced to promise Parliament that the religious laws would be enforced, and Parliament, upon which the government must depend for the additional financial supplies necessary to carry on the war with Spain, would undoubtedly resent the use of English ships to coerce the French Huguenots, especially since England was gaining very little in return.

To satisfy Parliament the administration determined upon a course of double dealing which became characteristic of the reign. Sir John Coke was instructed to order Pennington not to surrender his ships until after he convoyed the queen to England, and to refuse to become intangled in French domestic questions. When the admiral arrived at Dieppe on June 13, 1625, the French demanded the use of the ships against Rochelle. Pennington said that his orders did not call for taking aboard a French admiral and troops, so he could do nothing without further instructions. While awaiting an answer, he conveniently discovered that his ships were

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<sup>26.</sup> Salvetti's Despatches, June 20, 1625, Skrine Mss., (H.M.C.), 21.

suffering from exposure to the sea and winds, so he raised anchor and returned to England.

To this example of bad faith the French ambassador protested vigorously. Charles' position was made somewhat easier, on the surface at least, because the Huguenots had sent representatives to Paris in an attempt to end the civil war. Richelieu assured Charles that a mere demonstration of English support to the French government would insure the success of the negotiations. Charles was unwilling to trust the Cardinal but finally decided to order Pennington to turn the ships over to the French representatives. The English captains and owners of the merchantmen immediately protested that the French had threatened to put them under martial law and forced them to serve against the Huguenots. Sir John Coke proposed that Charles tell Pennington to report the mutinous attitude of the officers and men which could then be used as a sham to delay the ultimate delivery of the ships. In this manner most of the summer was spent. Finally, on July 15, 1625, a peace was signed between the Huguenots and France; Pennington was ordered to turn the ships over to the French. Although Louis was unaware of the extent to which he had been double-crossed, the many delays did nothing to improve relations between the two countries.<sup>27</sup>

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27. Gardiner, V, 375-394; Davies, 16-4.

Meanwhile the arrival of the queen in England did not bring forth peace and harmony between the two nations either. Many Catholics continued to be dragged unceremoniously before the judges. The day after the king and queen arrived in London the French ambassadors paid their respects. M. La-Ville-Aux-Clercs complained of the violations of the treaty and demanded the settlement of the queen's household, since some non-Catholics had already been granted appointments in contravention of the treaty. The ambassadors complained that some of the French attendants of the queen had been ill-treated in an attempt to force them to leave, and were also upset because Catholics had been forbidden to attend Mass in the queen's chapel, and they warned that a continuation of the government's attitude would force France to seek terms with Spain. Charles promised to carry out his agreements but pleaded the necessity of temporizing while Parliament was in session.<sup>28</sup>

Parliament declared strongly for the enforcement of the religious laws and intimated that compliance might be taken into consideration in the granting of money. The king said nothing but the French ambassadors complained loudly, especially the Marquis d'Effiats, who originally negotiated the

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28. Pesaro to the Doge, July 4, Calender Of State Papers Venetian, 1625-26, 98-100, (Hereafter cited Cal.S.P.Ven.) Salvetti's Despatches, July 4, 1625, Skrine Mss., (H.M.C.), 24.



marriage agreement and assured his government that these matters had all been satisfactorily arranged. The ambassadors were incensed because Catholics were being persecuted more and more frequently instead of being granted the promised amnesty. Complaint of the introduction of English and Scottish Protestants into the queen's household was also made.<sup>29</sup> Charles finally consented to allow the English Catholics to hear Mass in the queen's chapel; however, it was assumed that ways would be found to prevent them from making use of the privilege.<sup>30</sup>

The French ambassadors finally left with assurances that all their demands would be met. The royal household was finally settled after a bitter scene in which one of the Duke of Buckingham's representatives became so offensive that the French threatened to throw him out the window. Even after an agreement had been reached the French women had no official position at court since they had not taken the oath of allegiance.<sup>31</sup> Salvetti reported that the English Catholics had given up hope of any amelioration in their position.<sup>32</sup> With the departure of the French, neither country had dip-

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29. Salvetti's Despatches, July 11, 1625, Skrine Mss., (H.M.C.), 25; Pesaro to the Doge, July 11, Cal.S.P.Ven., 1625-26, 106.  
30. Pesaro to the Doge, July 18, Cal.S.P.Ven., 1625-26, 118.  
31. Pesaro to the Doge, August 18, Ibid., 129.  
32. Salvetti's Despatches, August 19, 1625, Skrine Mss., (H.M.C.), 30.

lomatic representatives in their respective capitals and the relations between the two powers had deteriorated considerably.<sup>33</sup> The absence of emissaries did not indicate the breaking off of diplomatic relations since it was not common in the seventeenth century to maintain constant diplomatic representation between countries.

Disputes continued to arise despite the nominal agreement reached.<sup>34</sup> Nor were these domestic difficulties entirely the fault of the reorientation of English foreign and domestic policy as a result of the failure of the military alliance with France. The queen and her French attendants often offended the English and the Protestants by their behavior.

On Sunday...there preached at the queen's court before the officers Protestant, the minister of the town. In the middle of the sermon, the queen, with her Lord Chamberlain and the ladies of honor, came through that congregation, and made such a noise as was admired, insomuch as the preacher was at the stand, and demanded whether he might continue or no, but they still went on and they passed through the hall where the sermon was preaching (sic) and went on to the court gates, and before the sermon ended returned the same way...with greater noise than before. It is said that the queen was put to it by her bishop, confessor, and priests.<sup>35</sup>

The English disliked the presence of the Bishop of Mende and the twenty-four priests of the Oratory and all of these actions were attributed to their evil councils.

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33. Pesaro to the Doge, August 22, Cal.S.P.Ven., 1625-26, 149.

34. Pesaro to the Doge, August 26, Ibid., 151.

35. Mead to Stuteville, October 3/13, 1625, Court And Times Of Charles I, (ed. Birch), I, 50, (hereafter cited, Court, And Times.)

France soon sent a new ambassador, M. Blainville, to try to adjust the differences between the two countries, particularly to try to get the king to revoke the new proclamations to enforce the laws against the recusant Catholics. He was also instructed to make another attempt to settle the troublesome problem of the queen's retainers, since twenty-five of them had already given up and returned home. Blainville soon found that he could make no headway with Charles about the orders banishing priests and enforcing the collection of the monetary penalties against recusants.<sup>36</sup>

By November 14, 1625, the Venetian ambassador was writing to his government that the French ambassador had succeeded in arousing the suspicion of a Catholic revolution which, he said, was unfortunate since they were already suspected of ill-will and sedition. By so doing the position of the Catholics was made even more uncomfortable. The English in their turn protested the persecution of the French Huguenots at the same time that France was attempting to coerce the English into the toleration of a seditious religious sect.<sup>37</sup> The Tuscan resident reported that the Catholic question became day by day more stringent, especially the position of the French in the household of the queen, for whom no remedy could be found. While the French were

36. Pesaro to the Doge, October 7, 25, November 3, Cal.S.P. Ven., 1625-26, 177, 189, 198-9.

37. Pesaro to the Doge, November 14, Ibid., 212-3.

disgusted they had little hope that Blainville could do very much to remedy matters since they felt that it was too late.<sup>38</sup>

The discussions continued during the next week with Secretary Conway pointing out that England would be plagued by a party of rebels like those which harrassed France and Spain, if they granted the terms demanded by the French regime. Blainville conceded the argument and asked only that "good" Catholics remain unmolested. Charles insisted absurdly, probably with a view to his empty exchequer, that the collection of the fines from the recusants was not a violation of the treaty; he also told Blainville that he did not wish to go to extremes.<sup>39</sup>

Fresh matter for contention arose over the coming coronation. Neither nation was willing to yield on the religious ceremonies to be used in the crowning of the queen, so it became necessary to postpone her coronation.<sup>40</sup>

Unfortunately, in an attempt to impress Parliament, the Bishop of Durham was ordered by the government to arrest all English Catholics attending Mass in the chapel of the French ambassador. A large group of constables was posted outside the gates to grab the Catholics as they left. Everything went according to schedule until the French gentlemen

38. Salvetti's Despatches, November 20, 1625, Skrine Mss., (H.M.C.), 36.

39. Pesaro to the Doge, November 21, 25, December 12, Cal. S.P.Ven., 1625-26, 221, 231, 244.

40. Pesaro to the Doge, February 25, Ibid., 311.

grew angry, drew their swords, and attacked the officers. Two men were wounded and the French held one of their captives over their heads and paraded him under the windows of the ambassador's house as a trophy. The noise attracted the neighbors who gladly joined, and the spectacle was well on the way to becoming a riot when the Bishop of Durham and the Earl Marshall appeared to restore order. The ambassador screamed that the English would pay for this violation of the law of nations.<sup>41</sup> While Charles did not violate international law it might be argued that he did not use good judgment in deliberately offending Blainville.

The intimacy between the queen and M. Blainville annoyed Charles, who felt that the ambassador encouraged her opposition and generally meddled in their private, domestic difficulties. As a result Charles, allowed his personal feelings to intrude upon affairs of state and forbade Blainville to appear at court.<sup>42</sup> This increasing the growing ill-will between the two powers.

Relations between the Frenchmen of the household and the king moved rapidly toward a climax. Charles barely tolerated the interference of the priests of the Oratory in his dom-

41. Salvetti's Despatches, March 13, 1626, Skrine Mss., (H.M.C.), 65; Pesaro to the Doge, March 13, Cal.S.P. Ven., 1625-26, 350-1; Gardiner, VI, 70-1.

42. Sir Benjamin Rudyard to Sir Francis Nethersole, March 19/29, Cal.S.P.Dom., 1625-26, 288.

estic affairs and when he found out that the queen's confessor had persuaded her to walk from St. James' house to the gallows at Tyburn and kneel in the dust in honor of the Catholic martyrs who had been executed there, Charles's patience evaporated.<sup>43</sup> This, coupled with the refusal of the Frenchwomen to allow the Countesses of Denbigh, Hamilton, and Carlisle to enter the queen's presence, was simply more than he was willing to tolerate.<sup>44</sup> Charles took Henrietta aside and while he was informing her of his decision, the hated attendants were rounded up and ordered to go to Denmark house to await their return to France.<sup>45</sup>

The queen retained her old nurse, two priests, and several minor servants. In fact, she was much better served by her new English attendants who had much greater respect for her rank; however, these facts were lost on Louis XIII. Relations between the two countries became much more strained after he listened to the tales of the returning Frenchmen. The French king immediately lodged a protest against the action and against the treatment of the English Catholics.<sup>46</sup>

The English Catholics and the dispute over the queen's retinue were not the only sources of friction pulling England and France apart. The Huguenots were again at odds with their

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43. Pory to Mead, July 11, 1626, Court And Times, I, 119-22.

44. To Mead, July 21, 1626, Ibid., 132.

45. To Mead, August 14, 1626, Ibid., 134-5.

46. Alvisè Contarini to the Doge, August 21, Cal.S.P.Ven., 1625-26, 515.

monarch, so Charles sent the Earls of Holland and Carlisle to help mediate for them. Nor was that all. The question of neutral rights presented a very serious problem for the two powers. Ever since the war between England and Spain had broken out, French ships were seized for carrying contraband to the Spanish Netherlands. In October, 1626, a whole string of French prizes was brought into Plymouth as Buckingham was preparing to go to France. He ordered the confiscation of money found aboard the ships. When the prizes were brought to London, Charles compounded the error by ordering the sale of the prize goods before the admiralty court passed judgment on the case. Blainville protested. Before Charles answered his complaint two English ships were seized at Rouen and the French were threatening a general embargo. Faced with this opposition Charles reversed himself and ordered the restoration of the French property.<sup>47</sup>

With the spectre of Rochelle risen to haunt him, Charles decided that Parliamentary politics required him to demand the return of the eight ships which had been lent to France and were compelled to serve against their fellow Protestants. The French finally agreed to restore the Vanguard, a ship of the royal navy, but refused to release the seven hired merchantmen. Charles determined to relieve Rochelle, which could hardly be done without causing a war. With this prospect in

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47. Gardiner, VI, 39-45.

view the government ordered the re-seizure of the French goods and shipping. Peace between the Huguenots and their government averted the crisis at the last minute. Charles was piqued because he was not recognized in the treaty as the protector of the Huguenots, and because of his irritation refused to consider Richelieu's very serious proposals for an alliance against Spain.<sup>48</sup>

Seizures continued on both sides. At length, the French elected to send Marshall Bassompierre to try to adjust not only the shipping question but the problems of the household and the English Catholics as well. The new ambassador promptly told Henrietta Marie that she would be well advised to make the best of her position; he pleased Charles by admitting that the king had a legitimate grievance against the attendants. However, Bassompierre did protest the breach of the contract.<sup>49</sup>

Charles finally agreed to reinstate the Bishop of Mende, six priests, a chamberlain, two ladies of the bed-chamber, and miscellaneous French attendants not to exceed forty or fifty persons. He also promised to mitigate the penal statutes somewhat. In return, Bassompierre offered to pay the remaining 400,000 crowns due on the queen's dowry if the English would give security for the 50,000 crowns to which the queen was

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48. Gardiner, VI, 39-58; Davies, 63-4.

49. Gardiner, VI, 141-2; Lingard and Belloc, VII, 314-5.



entitled under the terms of the marriage contract. The government released sixteen secular priests, out of the fifty asked for by the ambassador, on the condition that the Marshall would take them back to France when he returned.<sup>50</sup>

Bassompierre stayed a little longer to try to work out more definite concessions for the recusants. His mission became harder since many of the Protestants were opposed to the re-admission of the priests to the queen's household, let alone any real concessions which would suspend the religious laws.<sup>51</sup> Despite opposition the Marshall succeeded in getting the government to agree to instruct the archbishops of York and Canterbury to suspend the operations of the pursuivants and informers who violated the privacy of the Catholics by their constant searches. Charles also agreed to stop imprisoning Catholics purely for religious reasons.<sup>52</sup> With his negotiations completed Bassompierre left, over the protests of Charles and Buckingham who wanted him to stay until the dispute over neutral rights had been settled, too.<sup>53</sup> If the dispute over neutral rights had been settled at that time it

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50. Alvisè Contarini to the Doge, November 13, Cal.S.P.Ven., 1626-27, 8-9; Salvetti's Despatches, November 20, 1626, Skrine Mss., (H.M.C.), 94-6.
51. Alvisè Contarini to the Doge, November 20, 27, Cal.S.P.Ven., 1626-27, 20-1, 30-1.
52. Salvetti's Despatches, December 4, 1626, Skrine Mss., (H.M.C.), 98.
53. Alvisè Contarini to the Doge, December 4, Cal.S.P.Ven., 1626-27, 38-9; Contarini relates that the substance of the Marshall's negotiations were told to him by Buckingham, himself.

might have averted a break between the two countries.

As it was, the undeclared maritime war continued all the time Bassompierre was in England, finally culminating in the French seizure of 200 vessels of the English wine fleet at Bordeaux. Injury was added to injury since the French officials deliberately waited until the English merchants had paid for the wine before they impounded the ships. In retaliation the English government issued an order dated December 3, 1626, to seize all French goods and ships in English waters and Buckingham personally ordered Admiral Pennington to attack the shipping in the port of La Havre. Although the raid failed it was an indication of English exasperation.

The final blow to Anglo-French relations was delivered by Louis XIII when he disavowed the negotiations of Marshall Bassompierre and made fresh demands for the household; he also informed Charles that if he cared to set a date for the release of all French shipping then his government would do the same. Charles was furious at the repudiation of the agreement and absolutely refused to consider any other propositions. Open war certainly could not be averted a great deal longer under the circumstances.<sup>54</sup>

In this fashion the high hopes for an alliance between England and France to crush the power of the House of Habs-

54. Alvise Contarini to the Doge, January 22, Cal.S.P.Ven., 1626-27, 97; Gardiner, VI, 152-4.

burg came tumbling to the ground. With this fall it was no longer necessary for either to consider the feelings of the other in dealing with their own religious minorities. Charles particularly had promised a toleration which circumstances made impossible to grant. The failure to do so was a jab at French pride since Louis XIII had boasted of the concessions to the Pope and others. While the violations of the terms of the treaty did not bring on the war in themselves, they did create irritation which made both sides less willing to compromise.

Of the military failures of the English, the French inability to retaliate at sea, and the ultimate fall of La Rochelle nothing need be written. The war died of mutual inertia in 1628; however, no final settlement was concluded until 1629. The peace between the two was due mainly to the efforts of Alvise Contarini, the Venetian ambassador to England, and to the good offices of the Republic of Venice which hoped that a restoration of peace between England and France would result in a combined effort to contain the Habsburgs in Italy.<sup>55</sup>

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55. The peace negotiations may be traced in the despatches of Alvise Contarini to the Doge, May 15, November 18, December 4, 1628 and February 11, 1629, Cal.S.P.Ven., 1628-29, 91, 399, 423, 540-1.

## CHAPTER II

### CATHOLICISM: A DOMESTIC QUESTION

It is important to understand the furor caused by religious issues in the reign of Charles I, since these issues had a vital effect on the relations between the administration and Parliament, which in turn affected the policy toward the Catholics.

One factor affecting public opinion was the Catholic resurgence in France and the Germanies. The effectiveness of this movement led Catholicism to be viewed with alarm and suspicion in most Protestant countries. In England this fear was enhanced by an exaggeration of the number of Catholics living within the realm. Hilaire Belloc has suggested that the distinction between good Anglicans who retained the older forms of worship and concealed Catholics was not always clear to some of the Parliamentary extremists. Belloc estimated that by 1625 about forty per cent of the nearly five million people in England lived in the old traditions.<sup>1</sup> Cardinal Panzani, the Papal envoy to England in 1635, estimated that there were 150,000 Catholics and crypto-Catholics, who occasionally attended Anglican services to avoid persecution.<sup>2</sup> In a population the size of England, 150,000 disaffected people would have been sufficient to justify the

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1. Hilaire Belloc, Charles I, London, 1936, 31-8.

2. Davies, 204.

concern of Parliament, had they all held allegiance to a foreign power, as many people seemed to assume.<sup>3</sup>

Considering the rigorous physical and financial penalties which it was possible to inflict upon recusants, as the Catholics were called, it is little wonder that the majority of the English Catholics concealed their true religion by outward conformity. Few were pious or obstinate enough to defy authority by openly retaining their allegiance to the Church of Rome; one modern writer estimates that in 1604 there were 8,500 avowed Catholics.<sup>3A</sup> The Venetian ambassador, in 1626, fixed the number of loyal Catholics at 10,000.

With these figures in mind, it is easy to imagine how many Parliamentarians were alarmed at any open increase of recusant activities. They could envisage repetitions of the Gunpowder plot or other subversive influences emanating from Rome or Madrid. Their suspicions were heightened by the presence of a Catholic queen, the Bishop of Mende, and the twenty-four priests of the oratory who accompanied her. The presence of these clergymen gave a great impetus to the Cath-

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3. A parallel between the activities of the Communist parties of today and certain subversive elements among the English Catholics who sought the forcible overthrow of their government, seems quite clear.

3A. Davies, 204.

4. Alvise Contarini, "Relaciones", Cal.S.P. Ven., 1626-1627, 617.

olic element<sup>5</sup> not only because of the added number of priests and greater opportunity for attending church services, but also since the young queen's religion, because of her position, gradually became fashionable at court.<sup>6</sup>

These fears were in no way lessened by the schism which was developing in the Church of England. On the one hand was the party led by Laud, Montague, and the other intellectuals, who were the founders of the High Church movement. They sought to overthrow the compromise of Elizabeth and return the church to the ritual and form observed under Henry VIII. These men far outstripped their opponents in matters of dogma, ritual and scholarship; however, the majority of church goers were unimpressed by arguments. They simply resented changes in the rituals to which they had become accustomed. To most, the innovations smacked of a return to Rome and the people opposed them bitterly. Many of the members of Parliament were sympathetic to the Calvinist doctrine which was taking hold of certain elements in the Church of England. In attempting to turn the religious clock back, Charles antagonized these groups deeply. This antagonism resulted in suspicion of the government's entire religious program and in greater fear of the Catholic party which was suspected to be encouraging the Arminian<sup>7</sup> or High Church group.

5. Taunton, 407.

6. Trevelyan, II, 170.

7. The Arminian Party was so called after the monk Arminius who denounced the Calvinist doctrine of predestination.

These suspicions were not without some grounds since the Duke of Buckingham's wife and mother were both Catholics and allowed Jesuits to live in the Duke's home constantly. Besides, some of the highest crown officers were known, or suspected, of being Catholics.<sup>8</sup>

In the context of these opposing forces, the events which followed the signing of the marriage treaty with France can best be evaluated. This mixture of religion and politics continued to play a role in English history until toleration made it less of a factor.

A study of the royal policy toward Catholics breaks down into six distinct phases.<sup>9</sup> The first, or French period, actually began in December, 1624, immediately following the signing of the marriage agreement. At the insistence of the French ambassador, the penal laws were suspended: both the civil and the ecclesiastical courts were ordered to cease all persecutions against Catholics, and the Lord Keeper ordered all Roman Catholics, imprisoned for religious causes, to be released at once.<sup>10</sup>

8. Rushworth, I, 393-400.

9. The phases are: 1-The French period when the laws were relaxed, December-June 1625; 2-The first Parliamentary period, June, 1625 to June, 1626; 3-Beginning of Composition, June 1626-December 1627; 4-Indecisive, December 1627-December 1628; 5-Second Parliamentary period, December 1628-June 1629; 6-Composition and toleration, 1629 to Long Parliament.

10. Conway to Williams, December 30, 1624, Cal.S.P.Dom., 1624-25, 39.

James died on March 27, 1625, and Charles came to the throne. Just three weeks later he was called upon to re-issue the orders implementing the marriage articles. Archbishop Abbot, who leaned toward Calvinism, was ordered to release several Catholic prisoners at the request of the French ambassador, or else prove that they were held for other than religious reasons.<sup>11</sup>

These concessions were necessary to satisfy the Pope so that the dispensations, without which the marriage could not take place, might be obtained. The dispensation was finally granted and the marriage took place by proxy on May 1 in Paris. To coincide with the ceremony, Charles drew up a public proclamation embodying the concessions in the treaty.<sup>12</sup> The proclamation consisted of five ordinances. One provided that Lord Conway, the First Secretary of State, was to issue a public announcement granting perpetual toleration to the English Catholics. The king also planned to renew the orders to the two archbishops forbidding them to proceed with any action against recusants, and instructing the Lord High Treasurer to return all of the money collected from the Catholics since the last feast of St. John and forbade him to receive any more payments until after the next feast day of

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11. Conway to Abbot, April 5/15, Cal.S.P.Dom., 1625-26, 6.

12. King to the Lord Keeper, May 1/11, Cal.S.P.Dom., 1625-26, 16.



that saint. The Catholics were to be given a receipt for the money due just as if it had actually been paid. The ecclesiastical officers were also forbidden to collect the fine of a shilling from recusants refusing to attend Anglican services. Finally, all of the royal officers were ordered to refrain from violating the privacy of the king's Catholic subjects and orders were issued to include them in the general pardon which would be issued at the coronation of the king.<sup>13</sup> A few days later a pardon was granted to twenty-one men, mostly clerks, for offenses against the religious statutes.<sup>14</sup>

Despite these pardons, the relief of the Catholics was not to become official; before the proclamation was promulgated, orders were issued to withhold it. The Catholics were told that they must wait a little longer; with Parliament meeting the following month, any open concessions would be extremely unpopular.<sup>16</sup>

To satisfy the French demands, in the hope of forming a military alliance, Charles continued to comply with the treaty sub rosa by quietly ordering the officials to cease all action against the Roman Catholics, and by ordering the release of those already held. A few days before Parliament

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13. Salvetti's Despatches, May 16, 1625, Skrine Mss., (H.M.C.), 12-13.

14. King to Williams, May 2/12, Cal.S.P.Dom., 1625-26, 19.

16. Gardiner, V, 329.

met, Sir John Hippisley, commander of Dover Castle, was ordered to release two men held for refusing the oath of allegiance, upon complaint of the French ambassador.<sup>17</sup>

As has already been seen, the half-compliances with the treaty failed to satisfy the French, and they were equally unlikely to satisfy Parliament, which had been postponed until the arrival of the queen, June 12, 1625. Parliament's irritation over the concessions was foreshadowed by some of the members who were already in London; they expressed the hope that once Henrietta Marie was within the realm the king would give satisfaction to his subjects instead of yielding to the French ambassador in matters of religion.<sup>18</sup>

Parliament opened on June 28 with an address from the throne and a speech by the Lord Keeper. The members were told that the wishes of the last Parliament had been carried out. This policy, they were informed, resulted in the immediate need of money to outfit the fleet for the impending war with Spain which grew out of the cancellation of the treaty with that country; money was also badly needed to continue the assistance to Charles' allies who were pressing the Holy Roman Emperor for the recovery of the Palatinate.<sup>19</sup>

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17. Conway to Hippisley, June 1/11, Cal.S.P.Dom., 1625-26, 33.  
18. Pesaro to the Doge, June 6, Cal.S.P.Ven., 1625-26, 70.  
19. Rushworth, I, 175-6; Pesaro to the Doge, June 28, Cal.S.P.Ven., 1625-26, 96-100; Gardiner, V, 337-45.

Full credit for this ambitious policy was given to Parliament--the Parliament in which Charles, as Prince of Wales, and the Duke of Buckingham led the popular party into a revival of the ancient hatred of Spain, against the wishes of King James.<sup>20</sup> While Charles boasted of the promises fulfilled, no mention was made of the pledge which he gave on April 15, 1624, before the House of Lords never again to grant concessions to the Catholics in a matrimonial engagement with a foreign country.<sup>21</sup>

From the first it became apparent that Commons intended to hold the king to that promise regardless of any treaties to the contrary. While such matters were reserved to the royal prerogative, Commons still held the power of the purse. When the Speaker of the House of Commons, Sir Thomas Crew, was presented to Charles he expressed the sentiments of the majority when he said that he trusted "the king would be able to recover the Palatinate, and also really to enforce the laws against the wicked generation of Jesuits, Seminaries, priests, and incendiaries ever lying in wait to blow the coals of contention." Lord Keeper Williams, by the king's command, replied that the House might trust his Majesty to choose the proper means of safeguarding his religion.<sup>22</sup>

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20. Clarendon, I, 128-30.

21. Gardiner, V, 222.

22. Ibid., 339.

Crew's sentiment was seconded a few days later when Seymour, one of the members of Commons, proposed a petition to the throne for the execution of the laws against Catholics. Sir John Eliot, a leading member of the opposition to the crown, rose to cry out for the "unity and purity of religion". He also called for the amendment or at least the enforcement of the recusancy laws.<sup>23</sup> His speech was not only an attack on the Catholics, but on the innovators who were trying to introduce changes into the established church. In speaking this way he introduced the whole question of the High Church or Arminian faction. Two books written by Montague and approved by Laud and the king, over the protests of Archbishop Abbot, were violently attacked. These books embodied the principal arguments of the whole Arminian movement; Parliament was particularly irritated because Charles appointed the author to the position of royal chaplain, saving him from their inquisition.<sup>24</sup>

Parliament took time out from its business meetings to ask the king to proclaim a fast to ask for divine intercession to stop the spread of the plague. The fast served a secondary purpose as well since it revealed the Catholic members of Parliament who were unable to join in Protestant prayer.<sup>25</sup>

23. Ibid., V, 342-3.

24. Rushworth, I, 15-22.

25. Salvetti's Despatches, July 11, 1625, Skrine Mss., (H.M.C.), 26.

The session resumed after the fast with speech following speech until finally Commons voted two subsidies, 140,000 pounds, approximately one-fifth of the sum needed to fulfill Charles' foreign commitments. Faced with the humiliating prospect of being unable to keep the promises made to his allies and to finance the war with Spain, the king determined upon a course which was quite rare--the government proposed to ask the House for a second vote of supply in the same session. Charles instructed Secretary Coke to inform Commons of his needs and ask for more financial support. Parliament was reluctant to follow this course since many of the members had already left London to escape the plague. The government decided to adjourn the session and have Parliament reassemble at Oxford in August, 1625.<sup>26</sup> Before the session closed, Parliament delivered the Petition on Religion to his Majesty for approval. They were informed that the king would give them his answer when they met at Oxford; in the meantime, they could judge his intentions by his actions.<sup>27</sup> Charles' promise marked the beginning of the second phase in the government's policy toward the Roman Catholics since it now became necessary to enforce the laws against them in an attempt to pacify Parliament. As if to

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26. Coke to Commons, June 8/18, Cal.S.P.Dom., 1625-26, 23-5.

27. Salvetti's Despatches, July 11, 1625, Skrine Mss., (H.M.C.), 25; Gardiner, V, 365-70.

illustrate his good intentions, Charles promptly issued an order forbidding English Catholics to hear Mass in the queen's chapel.<sup>28</sup>

In the Petition on Religion, Parliament complained about the increase of recusancy and found the principal reasons to be: failure to enforce the statutes against Jesuits, Seminaries, priests, and recusants, partly through the laxity of the government and partially because of defects in the laws themselves. They also deplored the intervention of foreign ambassadors on behalf of the English Catholics; complaint was made about the large number of Catholics gathering in London, where it was felt that their presence was most harmful. The government was also censured for its failure to prevent throngs of Catholics from hearing Mass in the chapels of the foreign ambassadors; also Parliament denounced the laxity in enforcing the laws regarding the education of children abroad, which practice they claimed had been increasing in the last few years. Lack of proper religious training in some parts of the realm was cited as one reason for the spread of Catholicism in those regions; along with this, more diligence in suppressing Roman literature was requested. Actually the key clause in the whole petition came last, since it was felt that the major weakness in the whole program against Cath-

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28. Pesaro to the Doge, July 1, Cal.S.P.Ven., 1625-26, 98-100.

olics grew out of the employment of Catholics and non-conformists in the civil service. Parliament rightly suspected that those who were themselves disaffected in religion would not be ardent in the execution of the statutes which were aimed solely at the enforcement of conformity.<sup>29</sup>

This petition expressed the opinions of the members of Parliament, or at least the majority of them. These opinions were not universally shared, for both the Tuscan and Venetian ambassadors reported that the persecution of Catholics was worse than at any time in recent years.<sup>30</sup>

Charles was not bound to reply officially to this petition until Parliament reassembled at Oxford, but he took steps to carry out his implied promise to enforce the laws made at the close of the session. On July 11, 1625, he issued a proclamation recalling all the children of English Catholics who were studying abroad. He forbade any person ordained by authority of Rome from exercising ecclesiastical supervision over Englishmen. The decree ordered all Jesuits, seminaries, and priests to leave the country by the end of September, never to return under penalty of death.<sup>31</sup> This proclamation officially opened the second phase in the relations between the recusants and their government. There were

29. Salvetti's Despatches, July 11, 1625, Skrine Mss., (H.M.C.), 26; Rushworth, I, 185-6.

30. Salvetti's Despatches, July 11, 1625, Skrine Mss., (H.M.C.), 25; Pesaro to the Doge, July 11, Cal.S.P.Ven., 1625-26, 106.

state and personal reasons preventing the king from going to extremes, and yet he was driven by economic necessity to take some steps to satisfy Parliament. Charles abhorred the shedding of blood for religious reasons, voicing this sentiment on many occasions. He also felt a natural reluctance to offend his young wife whose marriage was a pledge of toleration. Reasons of state made the government reluctant to pursue a more severe policy: the French treaty bound England to a policy of toleration and the administration was reluctant to antagonize France by openly violating the agreement; then too, the government hoped to win advantages for the Huguenots by a show of moderation. Furthermore, a harsh assault on the English Catholics would make it harder to secure allies among the Catholic powers. And yet, Parliament, the sine qua non of the British exchequer, had to be satisfied. The conflict between these opposing necessities goes a long way toward explaining the shifting position of the Roman Catholics in England.

Parliament reassembled at Oxford August 1, 1625, and almost immediately the subject of religion appeared in the debates. Sir Edward Giles displayed a copy of a pardon given to a Jesuit, Alexander Baker, and ten other recusants, dated July 12, 1625, the very date on which the king had given his pledge to execute the laws. Commons was stunned by this revelation. Sir John Eliot rose to blame the king's ministers for abusing the royal confidence. In the dis-



cussion which followed Secretary Conway, Attorney General Heath and even the king, himself, came in for criticism.<sup>32</sup> Finally Secretary Heath, a confidant of the Duke of Buckingham, explained that the pardon fulfilled a promise to the French ambassador given prior to July 12. He asked Parliament to await the king's answer to their petition which, he said, was certain to give them full satisfaction. This statement was taken to indicate a new policy of Charles and the Duke which would sacrifice the Catholics in favor of Parliamentary support. This change grew out of the failure of the proposed military alliance with France and the subsequent necessity of obtaining support at home.<sup>33</sup> Salvetti felt that the renewal of the complaint against the Catholics was raised by the "government party" in order to prevent Commons from making an inquiry into the expenditure of money voted by the previous Parliament.<sup>34</sup> Whether he was right or not, the administration did take steps to enforce the laws.

To illustrate the change of policy toward Catholics, a proclamation for the disarming of recusants was issued October 14, 1625. The Lords Lieutenant were ordered to confiscate all the arms belonging to those convicted or justly suspected of being recusants. They were to be allowed to

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32. Sir John Coke to Lord Brooke, August 4/14, Cowper Mss., (H.M.C.), 208.

33. Rushworth I, 180-5; Gardiner, V, 396-7.

34. Salvetti's Despatches, August 19, 1625, Skrine Mss., (H.M.C.), 31.

keep those weapons which were defensive in nature, but weapons seized were to be turned over to the commanding officers of the trained bands for the use of the troops. 35  
On November 9, 1625, another letter was despatched to define the term "justly suspected." According to the crown lawyers anyone giving overt suspicion of being ill-affected in religion, failure to attend church, receive communion every two or three years, or having relatives or servants who were Catholics, or non-conformists; all these were grounds 36  
for considering a person justly suspected.

As a courtesy to their rank, the fourteen Catholic 37  
Lords received letters from the Privy Council ordering them to surrender their arms to men of equal station, Bishops or Lords appointed by the Council, who also lived in the

35. P.C. to Lords Lieutenant, October 4/14, Acts Of The Privy Council Of England, 1625-26, 188-9; (hereafter cited A.P.C.;) )
36. P.C. to Deputy Lieutenants, October 30/November 9, A.P.C., 1625-26, 226-7.
37. John Rushworth was mistaken in reporting the names of thirteen lords; actually there were fourteen. Cf. Rushworth, I, 198, and A.P.C., 1625-26, 227-8. The lords and the receivers were: Marquis of Winchester, Lord St. John, his son, and the Earl of Shrewsbury who were to turn their arms over to the Bishops of Winchester, Litchfield, Coventry, and Worcester; Lord Montague to the Bishop of Chichester; Lords Colchester and Petre to the Earl of Warwick; Lord Castlehaven to the Bishops of Salisbury and Gloucester; Lord Morley to Lords Derby and Warwick; Lord Vaux to Bishop of Peterborough; Lord Eures to Lord Clifford, Lord Arundel of Wardour to the Bishop of Salisbury; Lord Tenham to the Bishop of Chichester; Lord Herbert to the Bishop of Hereford. Letters, October 30/November 9, A.P.C., 1625-26, 226-7.

counties where their estates were located.

Salvetti wrote that the Catholics were disarmed on the pretext that they would join the Spanish General Spinola if he and his troops effected a landing in England. As grounds for the action the government made use of some compromising letters supposedly written by Catholic members of the Privy Council. Salvetti assured his government that the Catholics had no arms worth mentioning and that the presence of troops along the coast precluded any real danger from the Catholics. He interpreted the disarmament as a move to gratify the people rather than being inspired by any real alarm in government circles.<sup>38</sup>

Further evidence indicating the abandonment of the Catholics<sup>39</sup> came August 7, 1625, when Buckingham, backed by the Earls of Carlisle and Holland, astonished the French representatives by revealing that the religious clauses of the marriage treaty were merely a sham devised by the two courts to deceive the Pope and were never seriously meant to be enforced.<sup>40</sup> Following that interview, the Tuscan resident wrote his government that the English Catholics had given up all hope of obtaining any modification of their position.<sup>41</sup>

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38. Salvetti's Despatches, November 26, 1625, Skrine Mss., (H.M.C.), 98.

39. See Chapter I.

40. Gardiner, V, 417-8.

41. Salvetti's Despatches, August 19, 1625, Skrine Mss., (H.M.C.), 31.

In an attempt to induce Commons to return to the question of finances, Buckingham ordered the king's reply to the Petition of Religion, granting all that they had asked, to be read before a joint assembly of the two houses.<sup>42</sup> This approach failed entirely. Commons continued to criticize the government's foreign policy, openly expressing a want of confidence in the duke. Outraged at the attack on his first minister, Charles dissolved Parliament before anything more could be done about supplying the needs of the treasury. With no more than the original two subsidies, talk of summoning another Parliament was heard in the Privy Council the very next month.<sup>43</sup> As the session closed Salvetti wrote predicting that as important as the Catholic question was in English domestic politics the enforcement of the penal laws would not be sufficient in itself to prevent the next Parliament from taking up where the last one ended.<sup>44</sup>

The "get tough" policy toward Catholics, adopted to appease the popular party, continued after the dissolution. There is considerable evidence that the renewal of persecution was not without effect. One courtier, writing to a friend, said: "The Papists begin to think that there is no more

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42. Salvetti's Despatches, September 29, Skrine Mss., (H.M.C.), 33; Pesaro to the Doge, August 21, 26, Cal.S.P.Ven., 1625-26, 142-3, 146; Rushworth, I, 186-9; Gardiner, V, 417-8.
43. Pesaro to the Doge, August 30, Cal.S.P.Ven., 1625-26, 156-7; Salvetti's Despatches, September 29, 1625, Skrine Mss., (H.M.C.), 33.
44. Salvetti's Despatches, September 15, 1625, Skrine Mss., (H.M.C.), 31.

jesting; they offer 300,000 pounds to regain their former tranquility. M. Blainville, the Ambassador Extraordinary from France is expected hourly on their behalf."<sup>45</sup> It has not been possible to find any other reliable source to check the sum mentioned, but it is considerably higher than any of the suggested amounts offered in similar agreements proposed from time to time.

A possible reason for the continuation of the repressive measures of the government may have been the activity of the Catholics themselves during this period. On October 17, 1625, The deputy lieutenants of Buckinghamshire wrote to the council that there were many unusual gatherings of Catholics in the county. They claimed that these people were stockpiling arms, food and horses in quantities unheard of since the Spanish invasion or the gunpowder treason.<sup>46</sup>

A similar rumor from Essex was reported to Secretary Conway by Sir Francis Barrington, September 19, 1625.<sup>47</sup> The following day Henry Lord Clifford explained to the secretary that the recusants in Northumberland were so strong that not one man in ten could be found to serve the king. This faction, he said, was especially powerful among the gentlemen.<sup>48</sup>

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45. Sir George Goring to Sir Dudley Carleton, September, 8/18, Cal.S.P.Dom., 1625-26, 100.

46. Deputy Lieutenants of Buckingham to the Council, October 5/15, Ibid., 105.

47. Barrington to Council, September 9/19, Ibid., 101.

48. Clifford to Conway, September 13/23, Ibid., 102.

On September 23, 1625, the Earl of Sussex complained of a large meeting of recusants,<sup>49</sup> which had taken place in his district.

Further evidence of Catholic activity came during the same period. Robert Earl of Warwick revealed the existence of an underground communication link between the coast of Essex and Dunkirk, which was kept open by Mr. Shelton whom he called a "great recusant."<sup>50</sup> Sir Francis Coke wrote that great preparations for a general meeting of the recusants were under way at the estates of Sir Henry Shirley and Sir Basil Brookes. Many homes contained private chapels in which the Catholics of Derbyshire could gather to hear Mass. Coke said that he was glad to hear that the king had ordered the collection of the arrears due from the Catholics but<sup>51</sup> feared that a recent Papal dispensation would allow many recusants to avoid the payments by outward conformity. He reported that many of those who had received advance word of<sup>52</sup> the king's order already were attending Anglican services.

The Justices of Surrey reported a tremendous amount of recusant activity on or near the royal estates at Hampton Court. The Privy Council issued orders for an inquiry to be

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49. Ley to Conway, September 13/23, Ibid., 104

50. Warwick to Conway, September 21/October 1, Ibid., 109-9

51. I have found no notice of such a dispensation but some clergymen did report such rumors and some priests connived at it. (see Taunton, 399-420.)

52. Sir Francis Coke to Sir John Coke, November 27/December 7, 1625, Cowper Mss., (H.M.C.), 227-9

made and instructed the justices to tender the oath of allegiance to all those whom they suspected of presenting a danger to the state. Those who refused the oath were to be imprisoned according to the laws.<sup>53</sup> The Bishop of Bangor reported recusant activity and the smuggling of gold to the Catholics of Anglesea.<sup>54</sup>

The government replied to this activity by reinforcing the decrees against Catholics. The deputy lieutenants were ordered to bind over all obstinate recusants to appear at the next assizes.<sup>55</sup> The money collected from fines and composition was to be used in the defense of the kingdom.<sup>56</sup>

The government was very active in carrying forward the program to repress the Roman element in the kingdom. On November 12, 1625, the king granted a commission to the members of the Privy Council to see that the laws against recusants were executed and that the amounts collected were used for the purchase of gunpowder and the repair of forti-

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53. P.C. to Vincent, November 24/December 4, A.P.C., 1625-1626, 246-7.

54. Bangor to P.C., December 8/18. Cal.S.P.Dom., 1625-26, 172.

55. Rudyerd to Nethersole, November 14/24, Ibid., 143.

56. Composition was the payment of a fee to the crown in return for which the payer and his family were entitled to remain away from the state church and practice their religion quietly at home without fear of being molested by the royal officers.

fications.<sup>57</sup> The Venetian ambassador reported that the persecution increased greatly, particularly the collection of the monetary forfeitures.<sup>58</sup>

In keeping with the commission, Sir Thomas Gerrard of Lancaster and sixteen other Catholics were arrested by the Bishop of Chester and imprisoned in London. Gerrard and the others were charged with giving seditious speeches in which the king's life was threatened and a plot against the government discussed.<sup>59</sup> A priest named Johnson was captured by Lord Rochford. To avoid answering questions the captive feigned insanity, but the Privy Council decided to proceed against him and ordered him brought before the Lord Chief Justice, who was instructed to examine him carefully and use his own judgment in disposing of the case.<sup>60</sup>

On November 28, 1625, the Venetian ambassador reported that the disarming of the recusants took place quietly except for Lord Vaux and his brother who resisted.<sup>61</sup> They were brought before the council to answer for their assault on

57. Royal Commission, November 12/22, Cal.S.P.Dom., 1625-1626, 148.

58. Pesaro to the Doge, November 3, Cal.S.P.Ven., 1625-26, 198-9.

59. Mead to Stuteville, November 26, Court And Times, I, 63; Chester to Ley, October 11/21, Cal.S.P.Dom., 1625-26, 122.

60. P.C. to Lord Chief Justice; P.C. to Corington and Denton, P.C. to Lord Chief Justice, October 30/November 9, A.P.C., 1625-26, 225-6.

61. Pesaro to the Doge, November 28, Cal.S.P.Ven., 1625-1626, 231.



Mr. Knightly and the other Justices. For this offense and for words spoken while leaving the council chambers, they were committed to serve in the Fleet and Attorney General Heath received orders to bring charges against them in the Court of Star Chamber.<sup>62</sup> Lord Vaux attempted to excuse his action on the grounds that at first the royal order exempted the titled nobility.<sup>63</sup> He must have misunderstood the first order which simply said that the officers might leave the titled nobles in possession of their weapons since other means had been provided for their disarmament. In no way did the order exempt the nobility from being disarmed.<sup>64</sup>

All through the remaining months of 1625 reports of the completion of the disarming of Catholics came into the council. With few exceptions these reports indicated that the confiscation was rather thorough.<sup>65</sup>

Difficulties arose in Staffordshire because of a delay in receiving the order which gave the Catholics time to hear of it and hide their weapons before the search could be made. The deputy lieutenants assured the council that at the first

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62. Minutes, November 14/24, A.P.C., 1625-26, 238.

63. Pesaro to the Doge, November 28, Cal.S.P.Ven., 1625-1626, 231.

64. P.C. to Deputy Lieutenants, October 30/November 9, A.P.C., 1625-26, 226-7.

65. Reports to the Council, October 19/29, Southhampton; October 25, Lancaster; November 18/28, Cheshire; December, 9/19, Hertford and Nottingham; January 7, Monmouth; Cal.S.P.Dom., 1625-26, 121, 139, 162, 164, 189; PC to Somerset, December 30/January 9, A.P.C., 1625-26, 277-8.

opportunity they would take steps to secure the recusants' arms.<sup>66</sup> The lord lieutenants of Northumberland had a similar problem. They began a search in all parts of the district at the same time but with little success. The head start of the neighboring counties "spoiled the market" as they aptly put it. The Highlanders were extremely industrious in concealing their arms.<sup>67</sup> The council acknowledged the officers' efforts and commended them for the work they had done.<sup>68</sup>

In Derby no arms except those used by the members of the trained bands were discovered in the houses of the recusants. The officers suspected that the Catholics were forewarned and had hidden them, as had been done in other counties.<sup>69</sup> Dorsetshire was a particularly difficult case. The county was reported to be disaffected and the officers were either unable or unwilling to secure the confiscation of recusant weapons. John Arundel alone was reported to have arms for a hundred men buried beneath his floor boards.<sup>70</sup>

The Earl of Kent and Lord Wentworth of Bedfordshire reported that they found nothing but defensive weapons which they allowed the owners to keep.<sup>71</sup>

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66. Deputy Lieutenants of Staffordshire to Council, November 4/14, Cal.S.P.Dom., 1625-26, 143.  
67. Lord Lieutenants of Northumberland to P.C., November 20/30, Ibid., 132.  
68. P.C. to Lieutenants, November 20/30, A.P.C., 1625-26, 257.  
69. Coke to Coke, November 17, Cowper Mss., (H.M.C.), 227-9.  
70. Erle to Conway, December 28/January 7, Cal.S.P.Dom., 1625-26, 189.  
71. Officers to Council, November 10/20, Ibid., 147.

On December 9, 1625, the Earl of Huntingdon announced the completion of the disarming of the recusants of Rutlandshire except for the sheriff, George Shirley. He also remarked that in his county no weapons and very few Catholics were discovered.<sup>72</sup> The Privy Council expressed its gratitude for his service to the crown.<sup>73</sup>

The council received reports on the disarmament of the nobility. On December 16, 1625, the Bishop of Salisbury wrote that he confiscated the arms of Lord Arundel of Wardour; he also inventoried the weapons of the Earl of Castlehaven but as directed by the council, left them in his possession.<sup>74</sup> The Bishop of Chichester seized the arms of Lord Viscount Montague.<sup>75</sup>

On December 5, 1625, the Venetian ambassador wrote to his government that the Catholics were in a much worse position since the king ordered the execution of the laws and removed the restrictions which were formerly placed on the archbishops of Canterbury and York.<sup>76</sup> These churchmen were ordered to proceed against the recusants by excommunication and censure, omitting no lawful means of bringing

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72. Huntingdon to Council, December 9/19, Ibid., 164.

73. P.C. to Huntingdon, December 11/21, A.P.C., 1625-26, 268.

74. Salisbury to Council, December 6/16, Cal.S.P.Dom., 1625-26, 170.

75. Chichester to Council, December 8/18, Ibid., 173.

76. Pesaro to the Doge, December 5, Cal.S.P.Ven., 1625-26, 237.

them to justice. The king encouraged the clergy to expose concealed Catholics wherever they could be found. At the same time he ordered the officers to enforce the old Elizabethan statute restricting Catholics to a five mile area.<sup>77</sup>

Vigilance was maintained in deeds as well as in words. On December 28, 1625, the wife of Sir Thomas Gerrard, two priests and several others were reported to have attended a meeting in Drury Lane.<sup>78</sup> The next day two priests belonging to the household of the French ambassador were mistakenly arrested and, because of their diplomatic immunity, released.<sup>79</sup> In addition, Chief Justice Crewe reported the arrest of three Roman Catholics for seditious speeches.<sup>80</sup>

Early in 1626, a Carmelite priest wrote that the persecution of the Catholics had increased, although no resort had been made to bloodshed. He said that the officers robbed the houses and removed money and other articles beyond the things which they were authorized to seize. All those who refused the oath of allegiance were thrown into prison and their property and goods confiscated. Near London four or five priests were arrested and in one district alone two hundred Catholics were accused.<sup>81</sup> Salvetti confirmed that the persecution grew worse each day and that the laws were much

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77. Rushworth, I, 202

78. To Council, December 18/28, Cal.S.P.Dom., 1625-26, 180.

79. Conway to Abbot, December 19/29, Ibid., 181.

80. Crewe to Council, December 27/January 6 Ibid., 189.

81. Friar Beda to Pardo, December 26/January 5, Ibid., 187.

more rigorously enforced than was usual; he wondered if this activity could be taken as an indication that a new Parliament was about to be called.<sup>82</sup> The Newsletter of the Society of Jesus announced that the religious persecution in England had increased greatly in the past year. It mentioned the excessive zeal of the pursuivants, saying that their activity caused great hardship for the Catholics, and noted that many priests were imprisoned and even the houses of the nobles were broken into and searched. The Jesuits accused the government of using the policy of disarming Catholics as a pretext to search for priests.<sup>83</sup>

On January 17, 1626, a warrant was issued for the arrest of three prominent Jesuits, Fathers Muskett, Smith and Wordington, together with any religious materials found in their possession.<sup>84</sup> New proclamations were issued regularly but some felt that this demonstration of activity was more to impress the coming Parliament than anything else.<sup>85</sup> Even to please Parliament Charles refused to go to extremes. He instructed his officers to explain his intentions to the judges. He said that if priests or Catholics were convicted

82. Salvetti's Despatches, December 24, Skrine Mss., (H.M.C.), 110.

83. Henry Foley, Records Of The English Province Of The Society Of Jesus, "Collectanea, Catalogues, Of Alias, Addentda", II, 1114-18. (hereafter cited Records).

84. Warrant, January 7/17, Cal.S.P.Dom., 1625-26, 216.

85. Chamberlain to Carleton, January 19/29, Court And Times, I, 72; same to same, Cal.S.P.Dom., 1625-26, 226.

and sentenced to death, they would be reprieved by a royal writ. He did not actually want any bloodshed but yet he felt that if these people were completely removed from the fear of such penalties they would never leave the country.<sup>86</sup>

The old dilemma of conflicting promises and motives continued to plague the government. While Charles sincerely wanted to be rid of the "pesky" priests, he could not resolve the personal and political quandary in which he was involved. But the government was not alone in its interest in the activities of the English Catholics. A letter written to Lord Montague suggests that Parliament was making an inquiry of its own prior to the opening of the session.

I have received so acceptable a command that I thought it my part to present it to your Lordship ...the entrance will be the hardest, since there be great ones that must be caught...that the King may know he has done himself good and the commonwealth...I could wish such care taken that not one little Papist should escape, because our Knights of the Shire many take notice how many Papists we have in the county; and if others do the like, there may be a calculation of England by the Parliament, that the King may see the danger he was in.<sup>87</sup>

It should come as no surprise that Lord Montague refused the commission, politely saying that the nobility must wait to be asked by the king. Of course, since he was a Catholic himself, Lord Montague would have little interest in join-

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86. Coventry to Conway, January 20/30, Cal.S.P.Dom., 1625-1626, 228.

87. Sir Richard Knightly to Lord Montague, January 5/15, 1626, Montague Mss., (H.M.C.), III, 257.

ing in such a mission.

The general enforcement apparently was effective for it was reported that priests were arrested almost daily, and the edict restricting Catholics to an area of five miles caused much hardship. Many unable to stand the rigors of imprisonment and loss of two-thirds of their incomes were forced to conform to the state church.<sup>88</sup>

The second Parliament of the reign convened on February 16, 1626. For once religion was not the first topic of discussion. Instead the members turned upon the military and diplomatic failures of the government: the failure of the fleet to capture Cadiz and the deterioration of relations with France, for no apparent reason so far as the members were able to discern.<sup>89</sup> These questions, the dispute over tonnage and poundage, and the abortive attempt to impeach the Duke of Buckingham occupied the attention of Parliament so that religion did not become the major issue during the session.<sup>90</sup>

The Catholics were not completely forgotten. When the committee issued its petition on religion it thanked the king for his diligence in enforcing the laws, but hastened to point out that many suspected of being Catholics were still in the service of the Crown. Probably based upon the results of their investigation before the beginning of the session,

88. Salvetti's Despatches, February 6, 1626, Skrine Mss., (H.M.C.), 143.

89. Gardiner, VI, 51-60.

90. Ibid., 60-70.

the list contained ninety-seven names of those who were known or justifiably suspected of being recusants. Parliament used the same basis for judging recusancy as the government used when issuing the orders for the disarming of the Catholics.<sup>88</sup> If all of these men had been guilty, they would have controlled one hundred and thirty seven jobs, sixty-two of which were important to the enforcement of the religious laws. These jobs included: President of the Council of the North, lords lieutenant, deputy lieutenants, commissioners of the peace, justices of the peace, and a few miscellaneous judgeships. Most of the remaining seventy-five positions included commissioners of the sewers or of the subsidies. The majority of those named in the petition held jobs which were not important to the enforcement of the laws. The most damning case that could have been brought against the government lay in the employment of men like the Earl of Rutland, Viscount Dunbar, Lord Mordant and Lord Scroop, who was President of the Council of the North, all of whom were proven recusants. Several of them held more than one key job in their counties and all were highly placed. In these positions they could easily have turned aside the execution of the penal laws, although no evidence was provided that they had done so.<sup>89</sup> It seems probable that

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88. cf. pp. 52-54.

89. Rushworth, I, 216.



these men were employed because of their position and because they supported the government's program rather than because of their religious beliefs.<sup>90</sup> Following the reading of the ninety-seven names on the floor of the House of Commons, pursuivants were sent out from London to search their homes for sufficient evidence to convict them. No record of the results of the search was found.<sup>91</sup>

Toward the end of March, 1626, Attorney General Heath wrote a letter to the judges of the circuit directing their action in regard to recusants, ordering them to proclaim his Majesty's intention to use the fine money from the purses of Catholics for the benefit of the commonwealth. They were also ordered to see that all recusants were indicted without regard for rank or position. The grand juries were ordered to indict either upon evidence presented or upon their own knowledge. Those indicted were to be certified into the exchequer immediately. Married women who were Catholics were to be committed to the common jail at once unless their husbands redeemed them for a fee of ten pounds a month.<sup>92</sup>

There are two explanations for the issuance of these orders, both stemming from the same basic need. The first

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90. My own idea, based upon the logic that the government would not continue to employ men unpopular with Parliament if they did not support the position of the government.

91. Pesaro to Doge, March 19, Cal.S.P.Ven., 1625-26, 358.

92. Rushworth, I, 216.

reason was to satisfy Parliament in-so-far as possible, in order to obtain financial support. From the constant emphasis upon recusant money, the other reason quite simply seems to have been an additional source of revenue. Obtaining money from the Catholics not only helped the exchequer directly but it deprived the recusants of much of their power to rebel. The threat of financial loss also provided a powerful stimulus to conform. The need for money was graphically demonstrated all through February, 1626, when the government was trying to pawn the crown jewels in Amsterdam. The money obtained from these jewels was to have been used to pay the subsidies promised to the King of Denmark.

Throughout the session of Parliament, government agents were busy seeking out and apprehending Catholics. On February 17, 1626, the Jesuit Wilford was arrested but, because of ill-health, the Duchess of Buckingham was allowed to put up bail for his appearance. Warrants were issued to seize a priest who was saying Mass in the Savoy, and sixteen recusants, including Lady Blackstone, were indicted at Newgate. Ten days later warrants were issued for the arrest of Jesuits and priests "lurking" in the kingdom. The

93. Crow to Buckingham, February 9/19, Cal.S.P.Dom., 1625-1626, 251.

94. Minutes of Council, February ?, Ibid., 266.

95. Officers to Conway, February 7/17, Ibid., 249.

96. Conway to Rochester, February 10/20, Ibid., 252.

97. Report to Council, February 16/26, Ibid., 256.

98. Coke to Monck and Dyer, February 17/27, Ibid., 256.

activity of the royal officers continued and Viscount Wimbledon reported the arrest of four Irish priests who were described as Spanish agents.<sup>99</sup> Early in April the Bishop of Durham received a royal command to arrest all the Catholics who attended Mass in the house of M. Blainville, the French ambassador. The Bishop was told that while such freedom was a bad example at any time, it was especially ill-advised with Parliament in session.<sup>100</sup> The incident which arose from this action not only had serious diplomatic repercussions;<sup>101</sup> it backfired on the government's religious policy. Parliament took advantage of the riot resulting from the arrest of the Catholics to complain of the insolence of the recusants and to propose new acts to curb their behavior. This proposal, the Tuscan resident said, was needless, for with all of the acts against them enforced the Catholics were more repressed than they had been in years.<sup>102</sup> Even Parliamentarians acknowledged the severity of the persecution but they felt that it was merely a device of Buckingham's to gain support. They protested that while the Catholics were chastized at

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99. Wimbledon to Buckingham, February 27/March 9, Ibid., 256.  
100. Warrant, February 22/March 4, A.P.C., 1625-26, 347;  
Rushworth, I, 216; Salvetti's Despatches, March 13, 1626, Skrine Mss., (H.M.C.), 48; Pesaro to the Doge, March 13, Cal.S.P.Ven., 1625-26, 350-1; Gardiner, VI, 70.  
101. cf. p. 30-33.  
102. Salvetti's Despatches, February 13, 1626, Skrine Mss., (H.M.C.), 44-5.

home the government allowed the destruction of the Huguenots in France.<sup>103</sup>

Charles imprisoned many priests to impress Parliament, but even in jail they did not cease to present a problem. They were an expense to the state in prison and furthermore there was no guarantee that they would not continue to propagate the Roman religion even while under restraint. Still the king wished to be rid of them without shedding blood in the name of religion. It was a problem which was discussed by the Privy Council many times. One policy was adopted which allowed Catholic ambassadors to bail priests out of prison on the condition that they would be transported out of the kingdom. In March, 1626, four priests were turned over to the Venetian ambassador to be sent out of England.<sup>104</sup> William Quarles, another Catholic priest, was arrested at Dover and petitioned the Council saying that at the time of his arrest he was trying to leave the country in compliance with the king's order banishing priests. Quarles asked to be released from prison in order to continue his journey out of the country. The Council granted his request on the condition that he furnish bond for his departure. The security was finally arranged and the priest was released five weeks

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103. Pesaro to the Doge, March 13, Cal.S.P.Ven., 1625-1626, 350-1.

104. Royal Writ, March,?, Cal.S.P.Dom., 1625-26, 297.

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later.

Parliament continued and the king abided the dissensions and protests of the members for a considerable time in the hope of gaining supply.<sup>106</sup> He let them proceed with the petition on religion; he allowed them to protest the royal decision for the preferment of Montague; he even bore their inquiry into the failure of the fleet and the criticism of his entire foreign policy. But when they brought articles of impeachment against the royal favorite, Buckingham, even the emptiness of the exchequer could not prevent his interference. On June 25, 1626, Charles dissolved the second Parliament of the reign.<sup>107</sup>

The dissolution of Parliament opened the third phase in the shifting status of Catholics in England. Since the session ended before any money was granted, the government was forced to look for other methods of raising revenue. The Council worked full time trying to devise new sources of money. It applied to the City of London for a loan of 100,000 pounds, offering the remaining crown jewels as security. The loan was refused. Only by applying a great deal of pressure was the government able to persuade the Aldermen to make a personal loan for one-fifth the original sum asked.<sup>108</sup>

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105. Quarles to PC, April 6/16, A.P.C., 1625-26, 413;  
To Newgate Prison, May 22/June 1, Ibid., 459.

106. A term for a grant of money by Parliament, no set value.

107. Gardiner, VI, 91-121.

108. Ibid., 124.

The Privy Council then requested a free gift from the counties equal to the funds which Parliament had proposed to grant before the end of the session. When this too failed,<sup>109</sup> the government extracted nearly 41,000 pounds from the people by means of a forced loan.<sup>110</sup>

No means of raising money, however insignificant, was overlooked in an attempt to finance the wars in Germany and Spain and to provide for a potential break with France. Wealthy men were forced to become baronets after paying a liberal fee into the treasury, and 5,000 pounds worth of plate and jewels were sold abroad.<sup>111</sup>

It was inevitable that the Catholics would be caught up in this financial maelstrom. During this period the government devoted very little effort to imprisoning Catholics unless they were suspected of plotting against the regime. Those convicted of recusancy could be made to pay for their individualism in three ways. In the collection of the subsidies or in the assessment of the forced loan, they were taxed double. Under the laws it was possible for those convicted to lose two-thirds of their goods; to avoid this penalty, and the visits of the pursuivants, a Catholic could "compound" for his offense. Composition was the payment of

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109. Ibid., 130-50.

110. Frederick Dietz, Smith College Studies In History, "The Receipts And Issues Of The Exchequer During The Reigns Of James I, and Charles I," XIII, 4, 144-5.

111. Gardiner, VI, 130-50; Dietz, 144-5.

a fee to the crown in lieu of other payments and it allowed the Catholic to pursue his religion quietly at home and to absent himself from Protestant services. Unfortunately it is very difficult to show the financial value of the Catholics to the crown for several reasons. The principal reason is the failure to register all of the money collected with the exchequer. Some or most of the actual money collected as fines in the courts was paid into the exchequer and the sums are recorded and available. The rolls of the exchequer for this period do not show the payment of composition by the Catholics although other types of composition are listed.<sup>112</sup> It is probable that little, if any, of that money ever did reach the exchequer. Most of it was earmarked for defense and was paid directly to special commissioners who were appointed to handle the money. For example, the money collected from the recusants in the North was turned directly over to Sir John Saville<sup>113</sup> to be spent to outfit six ships for defense of that area. Another quote serves to illustrate the same thing.

The king has conferred the receivership for recusant revenues, south of the Trent, on her (the Duchess of Buckingham) servant, George Fielding, but the Lord Treasurer has made a stay of the grant, being loth (sic) that those monies should go any other way than immediately into the exchequer.<sup>114</sup>

112. Dietz, 141-5.

113. To Mead, June 30/July 9, Court And Times, I, 249.

114. Katherine Buckingham to Conway, July 29/August 8, Cal.S.P.Dom., 1625-27, 277.

In regard to the double taxation paid by the Catholics and aliens, no exact record of the number of Catholics is available, making it impossible to estimate the amount of money gleaned in this fashion. One other factor clouds the total picture of recusant revenue and makes it impossible to tell exactly how much money the Catholics paid in their quest for toleration: the tremendous amount of corruption in government which kept much, if not most, of the money from reaching the crown at all. Rushworth's account, the Venetian ambassador's reports and several royal proclamations all testify that vast sums of money were either embezzled from the funds collected or else extorted from the Catholics as bribes for overlooking their recusancy.

Orders to inaugurate the new policy toward the Catholics were issued almost immediately. The money due to the crown from the execution of the laws was to be used to pay the growing expenses of an active foreign policy. In answer to complaints that inferior officers were excessively oppressive to the Catholics without advantage to the king, commissioners were appointed for the regulation of the Catholic program.

Specific orders were given to the commission to see that no steps were taken which would encourage the Catholics. The Archbishop of York and Sir John Ellis were commissioned under the Privy Seal to compound with the recusants for their estates.<sup>115</sup>

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115. Rushworth, I, 417-8.



The Venetian ambassador wrote home that the persecution grew. Orders were sent to search all the houses of the Catholics and see to the confiscation of their goods.<sup>116</sup>

On April 6, 1626, Pope Urban VIII wrote to the English Catholics granting them the full spiritual benefits of the Jubilee Year (1625) since, because of the persecution, they were not allowed to leave England. The Pope said also that many of them had been despoiled of so much of their property that they would have been unable to afford the trip to Rome, even if they had been permitted to make the journey.<sup>117</sup> The Pope wrote another letter, dated May 30, 1626, again comforting them in their sufferings and urged the Catholics to remain true to their religion and to continue to refuse the oath of allegiance, since it was contrary to their faith.<sup>118</sup> These letters, coupled with the reports of the Tuscan and Venetian ambassadors would seem to confirm the severity of the action taken against the Roman Catholics, particularly in the confiscation of their goods. From the point of view of those oppressed, the government's policy must have been very burdensome; the mere fact that the Pope felt obliged to write two letters of encouragement within a month would indicate how great the temptation to conform must have been. This

116. Contarini to the Doge, June 12, Cal.S.P.Ven., 1625-1626, 439.

117. Urban VIII to English Catholics, April 6, 1626, Foley, Records, "Diary and Pilgrim Book of the English College at Rome.", 536-7.

118. Same to Same, May 10/20, Cal.S.P.Dom., 1625-26, 336.

pocketbook persecution served three ends simultaneously. It was a measure designed to coerce Catholics into conformity by threatening the temporal security of the Catholic and his entire family; this form of oppression provided much needed money for defense; and at the same time confiscating the wealth of the recusants made them relatively harmless to the state by removing the backing necessary for rebellion.<sup>119</sup>

A suggestion was made at court that a loan should be raised among the Catholics in return for which they would have been granted a cessation of the persecution. It was believed that this project was proposed in order to coerce the people into a more ready acquiescence to the forced loan by playing upon their fears of a resurgence of the Catholic movement at home. However, it was extremely unlikely that in any event the Catholics would have put much confidence in this proposal since almost simultaneously orders were issued to the sheriffs and judges to confiscate their property.<sup>120</sup>

It soon became apparent that the order to proceed against the Catholics was not just idle conversation for the Countess of Rutland wrote that the Lady Dormere's lodgings were searched by order of six members of the Privy Council. She reported that Catholics of all stations were presented and indicted; she even heard rumors that a general search of the

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<sup>119</sup>. My own interpretation.

<sup>120</sup>. Correr and Contarini, Ambassadors Extraordinary from Venice, July 10, Cal.S.P.Ven., 1625-26, 469.

homes of the recusant nobles was to be made.<sup>121</sup> The Bishop of Durham and the Mayor of Newcastle received orders to examine several gentlemen, especially Sir Robert Hodgson, for smuggling Catholic literature into the country.<sup>122</sup>

The wave of activity continued throughout May, 1626. Chief Justice Bridgemen of Chester was commended by the Council for breaking up a proposed meeting of the recusants at St. Winifred's Well.<sup>123</sup> The government disapproved of meetings of the recusants since they aroused public indignation and were sources of sedition against the crown. The Recorder of London received orders to investigate a school in Islington suspected of providing religious instruction to the children of Catholics.<sup>124</sup> The Keeper of Marshalsea Prison was ordered to hold fifteen recusants until they decided to conform.<sup>125</sup> One young Catholic received lighter treatment. Robert Fortescue, a member of a good family, was sent to live with the Bishop of London until he changed his views.<sup>126</sup> The persecution continued unabated. Three recusants, unable to stand the pressure, took the oath of conformity and the Mayor of Canterbury was instructed to return their arms.<sup>127</sup>

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121. Countess of Rutland to Mr. Rous, May, 1626, Rutland Mss., (H.M.C.), 20-1.

122. P.C. to Durham, April 15/25, A.P.C., 1625-26, 435; P.C. to Newcastle, April 21/May 1, Ibid., 443.

123. P.C. to Bridgemen, April 30/May 10, Ibid., 452.

124. P.C. to Recorder of London, September 5, Ibid., 1626-7, 222

125. P.C. to Marshalsea, September 13/23, Ibid., 265.

126. P.C. to Bishop of London, September 13/23, Ibid., 265.

127. P.C. to Mayor of Canterbury, October 19/29, Ibid., 317.

A few officers got carried away with their assignment. One group seized three hundred and twenty pounds worth of gold and plate from a widow who had not been convicted according to the law and was not liable to confiscation. Eventually the money was restored to her.<sup>128</sup> Another man, Wilfred Brand, was keeping some trunks for various people; five of them were full of gold. The Privy Council decided that the owners were ill-affected in religion and ordered the Justices of Surrey to confiscate the lot.<sup>129</sup>

Reports of gatherings of recusants again came into the council. The following note expresses the general attitude of the government toward Catholics.

We have received your letter of the 7th of this month whereby you inform us of a great and unaccustomed resort unto the houses of the recusants of that county (Buckingham) and of some other courses held by them which may justly be suspected, whereby your advertisements concur with those which we have received from some other places, but as we approve and commend the care which you have used in that which so nearly concerns the safety of his Majesty and the state so we do expect more exact diligence and a particular and certain discovery and relation of those things which you touch only in general and partly upon reports (sic), the matter being of so high consequence that you may the better perform we do hereby authorize you to make inquiry, search and examination of the truth and reasons of those assemblies or meetings, intercourse, entertainment of company, arms, munitions, practice of arms in houses and parks, conveyance by coach and posting by letters and to give a speedy and full account of all that you shall find, wherein the principle aim must be matters of state assemblies...

<sup>128</sup>. Minutes, October 28/November 7, Ibid., 333.

<sup>129</sup>. P.C. to Justices of Surrey, October 6/16, Ibid., 308.

and therefore, although you are not forbidden to take knowledge of the assemblies and the actions there in point of the Roman religion, yet we do expect that you address your inquiries chiefly as we intimated before to matters of state for this present, there being ordinary legal forms for the other.<sup>130</sup>

The County of Chester also reported unusual gatherings of Catholics. The officers were told that they could make excellent use of the proclamation for disarming the recusants to pull the teeth of those considered dangerous to the state.<sup>131</sup>

The Venetian ambassador reported the progress of the persecution to his government on August 7, 1626. No source is available to check the details of his despatch, but the preceding evidence regarding the extent of the repressive measures taken against those professing the Roman religion would indicate that some credence may be given to his statements.

The persecution has gone very much farther than usual this time; even the beds have been ruthlessly taken from under the sick. The king told the council that he did not intend such barbarity although he did desire the execution of the laws. These confiscations involved great loss to the Catholics and little profit to the royal treasury. Last year (1625) the Catholics parted with 40,000 pounds sterling and only 2,000 of it reached the royal purse.

The Catholics would be willing to give some yearly contribution to his Majesty provided that they gave up persecuting them forever and allowed them to live freely or at least without fear. But

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130. P.C. to Officers of Buckingham, October 15/25, Ibid., 201-2.

131. P.C. to Chester, October 1/11, Ibid., 204-5.

no agreement can be valid without an Act of Parliament, and reasons of state do not permit of any compact being made with them, since they wish to tire them out by constant persecution and compel them to go to church. 132

The Tuscan resident reported the Roman Catholics were in much worse condition than before with very few escaping the penalties provided by the law. He said that many of the officials were very harsh in the treatment of the recusants.<sup>133</sup> The Jesuit Newsletter of 1626 more than confirms Salvetti's observations. According to the Newsletter the Catholics were greatly persecuted and many of them were forced to conform to the state church. The Jesuits reported that even the fine of a shilling was collected for failure to attend Sunday services. This penalty was especially hard for the working men to endure since it made it very difficult for them to subsist. The laws were most strictly enforced in London, Staffordshire, Lancashire, Leicestershire and Northampton.<sup>134</sup>

The views expressed by Alvise Contarini and the other Catholic representatives were not universally shared. The same day that he forwarded his diplomatic pouch to Venice, Dr. Thomas Ryves, a King's advocate, wrote to Secretary

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132. Contarini to the Doge, August 7, Cal.S.P.Ven., 1625-1626, 499.

133. Salvetti's Despatches, June 19, 1626, Skrine Mss., (H.M.C.), 73.

134. Newsletter, Foley, Records, "Collections," 1118-26.

Conway complained of the lack of the enforcement of the laws against recusants. He stated that, at least in the Court of High Commission, no one had been questioned regarding matters of religion since the start of the new reign and very few questioned for transporting money and children out of the kingdom.<sup>135</sup> However, in view of the many remarks to the contrary, Dr. Ryves' evidence does not seem reliable. Attorney General Heath wrote to Secretary Conway to certify that various forms of moderation, un-named in the document, had been used in the execution of the laws.<sup>136</sup> These conflicting accounts can only be resolved by concluding that these men speak of moderation in terms of imprisonment and execution, not in terms of the monetary harshness inflicted upon the recusants.

While lay Catholics suffered principally in their purses, the Roman clergy were not always so fortunate. On August 26, 1626, warrants were issued for the arrest of five Jesuits or seminaries.<sup>137</sup> Two other Jesuits were captured at Canterbury.<sup>138</sup> Two days later the Bishop of Hereford was ordered to imprison two priests immediately since they were enticing many good Anglicans away from the faith.<sup>139</sup> The assault on Catholic clergymen continued with the arrest of two more priests at Newcastle along with the confiscation of

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135. Ryves to Conway, August 7/17, Cal.S.P.Dom., 1625-26, 286.  
136. Heath to Conway, July 29/August 8, Ibid., 389.  
137. Royal Warrants, August 16/26, Ibid., 405.  
138. Canterbury to Abbot, August 1/10, Ibid., 281.  
139. P.C. to Hereford, August 8/18, A.P.C., 1626-27, 170.

all the religious articles in their possession.<sup>140</sup>

It was only natural that the crown put the Catholic clergy under more restraint than the laymen. From the government's viewpoint this was the group to be feared most since they took their orders from Rome or Madrid directly; they, by their very presence, virtually insured the perpetuation of the Catholic minority in England. However, once having been imprisoned, the priests continued to present a problem since the government wanted them out of the country. In August, 1626, Sir John Hippisley, commander of Dover Castle, was ordered to release three priests and put them on the first ship bound for France.<sup>141</sup>

Investigations were launched to correct various abuses of privilege in the royal prisons. The Keeper of Newgate and two of his bailiffs were brought before the Council for allowing imprisoned priests to hold Masses which were attended by persons of all classes.<sup>142</sup> A short time later, the Keeper of Wisbeach was ordered to report on all that had been done to and for the priests and recusants held there.<sup>143</sup>

The campaign against Roman Catholic clergymen continued not only against their persons but against those who helped them as well. George and William Smithison, vintners of London, were arrested and imprisoned for harboring priests.<sup>144</sup>

140. Minutes, May 26/June 5, Ibid., 491.

141. P.C. to Hippisley, July 22/August 1, Ibid., 116.

142. Minutes, August 15/25, Ibid., 190.

143. P.C. to Wisbeach, September 12/22, Ibid., 264-5.

144. Minutes, August 23/September 2, Ibid., 214.



John Tendering was given an open warrant to travel throughout the country conducting his own private priest hunt.<sup>145</sup> Some time later his authority was increased and all royal officers in the kingdom were ordered to help him carry out his commission.<sup>146</sup> One priest and eight lay Catholics were arrested for attempting to leave England without a license,<sup>147</sup> the Council issued blanket orders to arrest any priest trying to leave England to go to Ireland since the government feared an increase in the disaffection of that country.<sup>148</sup>

Dispatches came into the council reporting the progress of the Commissions on Recusant's Lands. Sir John Richardson reported to Secretary Coke that the commissioners had a schedule of a thousand Catholics convicted of recusancy in Durham County alone. He said that it was regrettable that writs of supersedeas<sup>149</sup> out of the exchequer had deprived the king of much of the money due from those people. He said that the people of the county lived in great fear of the Bishop of Durham and Richardson implied that the attitude of that prelate was partially responsible for the failure to derive greater revenue from the recusants of Durham.<sup>150</sup> Unfortunately

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145. Warrant to Tendering, August 26/September 5, Ibid., 222.

146. To Royal Officers, September 22/October 2, Ibid., 288.

147. P.C. to Justice, August 28/September 7, Ibid., 229.

148. P.C. to Lord Treasurer, October 2, Ibid., 287.

149. A writ of supersedeas is a legal form having the effect of staying or delaying, a proceeding, as in suspending the execution of a judgment or payment of a fee.

150. Richardson to Council, September 4/14, Cal.S.P.Dom., 1625-26, 420.

it has been impossible to find out who issued the writs out of the exchequer or why it was done. In a time when money was so sorely needed by the government it provides a strange paradox.

A report from Middlesex indicated that the names of all the recusants in that county were to be read on September 26, 1626; juries were empaneled to convict them so that their property would be forfeited to the crown.<sup>151</sup>

Dr. Smith, the Bishop of Chalcedon, and other members of the Catholic clergy wrote to the Pope, in November, 1626, complaining of the maltreatment and misery of the English Catholics if the king were excommunicated or the people were released from their oaths of allegiance. The priest carrying the letter was arrested and the French ambassador extraordinary, Marshall Bassompierre, upon hearing of the situation, agreed to his detention. He confided to the ambassador from Venice that the whole scheme was a Spanish plot.<sup>152</sup>

The government had not completely forgotten its prior commitments regarding the Catholics. Attempts were made to satisfy the French during the mission of Marshall Bassompierre, although this was done more by promises than by any real action to ease the position of those who remained loyal to the Roman Church.<sup>153</sup> Sixteen secular priests were released to the

151. To Mead, September 15/25, Court And Times, I, 148.

152. Contarini to the Doge, November 20, Cal.S.P.Ven., 1626-27, 24-5.

153. cf., p. 36-8.

French ambassador in an attempt to satisfy that country. Since the persecution had not let up, the Catholics were very dissatisfied with the results of the negotiations.<sup>154</sup> The same day that the sixteen priests were reported to have been released, the Privy Council decided against releasing any more priests to be transported out of the country by the foreign ambassadors because they only came back to cost the government more time and money.<sup>155</sup>

Attempts were made from time to time to secure definite yearly sums from the Catholics in return for the suspension of the penal laws. One such attempt occurred in January, 1627. The king appointed a commission to investigate the condition of the English Catholics, at the instigation of Toby Matthews, the son of the archbishop of York. The general idea was to negotiate a compromise with the Catholics by which they would guarantee to pay an annual sum into the exchequer in return for a cessation of the persecution. In his report, the Venetian ambassador said that the Catholics offered eighty thousand pounds as their part of the bargain. This is an extremely high figure, double that of the most optimistic sums named in any similar agreements. The ambassador also remarked that any sum paid directly to the British government would be of greater use to the king since most of the money

154. Salvetti's Despatches, November 30, 1626, Skrine Mss., (H.M.C.), 94-6; Contarini to the Doge, December 18, Cal.S.P.Ven., 1626-27, 63.

155. Minutes, December 8/18, A.P.C., 1626-27, 399.

taken from the Catholics went into the pockets of the officials.<sup>156</sup> This agreement would have eliminated the "middle man."

No definite agreement was reached at that time, so the government continued the established policy toward the recusants. The Council wrote Lord Walden asking that he discharge Roger Widdrington, who ran the Lord's estates near the Scottish border, because he was a Catholic and encouraged recusancy in that region. The Council remarked that they had no doubt that Lord Walden would conform with their request.<sup>157</sup> Warrants were issued for the arrest of the Bishop of Chalcedon, who represented the French party, and Father Muskett, one of his aids, together with any "massing" equipment or other "seditious" materials in their possession.<sup>158</sup> The repressive measures continued. Sir John Hippisley apprehended four priests near Dover in mid-January, 1627.<sup>159</sup> A few days later, the Council took action to dispose of several cases which had arisen. Three priests were ordered banished, one, a man named Singleton, was to be examined further and if his crime involved matters of state, he was to be turned over to Lord Conway or to the Lord Chief Justice for further action. Thomas

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156. Contarini to the Doge, January 27, Cal.S.P.Ven., 1626-27, 78.

157. P.C. to Walden, December 23/January 3, A.P.C., 1626-27, 436.

158. Conway to London, January 16, Cal.S.P.Dom., 1626-27, 7.

159. Hippisley to Nicholas, January 6/16, Ibid., 7.

Rogers, arrested for seditious speeches, was to be turned over to the judges of the King's Bench.<sup>160</sup>

Gradually the emphasis shifted from imprisonment to the mere collection of money from the recusants. In a sense, all of this repressive activity might have been undertaken to show the Catholics the value of composition and make them glad to pay a fixed fee to be rid of the other exactions.

Late in January, 1627, the treaty of composition again came under discussion. The chief difficulty lay in the inability of the recusants to guarantee the eighty thousand pounds previously agreed upon without the help of the nobility and the wealthy, unprofessed Catholics who attended the state church to protect their property. The nobles, who were for the most part exempt from the exactions, were reluctant to pledge their money to help their less fortunate co-religionists and the wealthy Catholics were afraid to come forward and declare themselves, since once having done so they would always have been forced to share the common peril if the king changed his mind or the Parliament passed new acts against them. The Venetian ambassador said that the entire plan for the agreement originated with the Duke of Buckingham's mother who devoted her energy to devising money-making schemes to help the duke carry out his adventurous plans.<sup>161</sup> The

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160. Minutes, January 12/22, A.P.C., 1626-27, 16.

161. Contarini to the Doge, January 20, Cal.S.P. Ven., 1626-26, 105-6.

duchess would have been the logical one to assume the role of go-between for the Catholics since her friendship with the Jesuits gave her adequate opportunity to contact the leading Catholics of England.

During February, 1627, several petitions for the release of Catholics, being held in prison, were considered by the council, but no record was made of the action taken on the appeals.<sup>162</sup> The Privy Council discussed methods of streamlining the collection and disposition of the money which was being collected from the recusants.<sup>163</sup>

Soon events began to occur which showed even more clearly the modification in the policy toward the Catholics. In a royal decree Charles declared his intention to enforce the laws against the Catholics and their clergymen. However, the proclamation went on to say that in answer to complaints that the Catholics were abused, a commission of peers would be appointed to investigate. The king emphasized that he wanted to see justice for the recusants so long as it did not encourage recusancy or diminish the royal profits. The king then declared that Catholics could now lease the two-thirds of their estates due to the crown for the same fees paid by non-Catholics.<sup>164</sup> The proclamation was an attempt to modify

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162. Minutes, February 5/15, Cal.S.P.Dom., 1626-27, 25.

163. Council to King, February 5/15, Ibid., 47.

164. Royal Proclamation printed in Skrine Mss., (H.M.C.), February 16/26, 1627, 108-9; Contarini to the Doge, February 23, Cal.S.P.Ven., 1626-27, 130-1.

the severity of the laws and at the same time stress the collection of money.<sup>165</sup> This aspect of the change of policy became clear when the government issued an order that in the payment of the forced loan, Catholics and aliens were to be assessed double.<sup>166</sup> While the king had a perfect right under his prerogative to take this action, it was not a course calculated to please Parliament. These modifications, however, did not extend to Scotland; two bishops representing the church returned home with a declaration for the full enforcement<sup>167</sup> of the laws against the Catholics.

As a symbol of the change of tactics three priests and one layman were released on bond.<sup>168</sup> A rather strange sign of the times came when the pastor of Rencourt wrote to the council to certify that one of his parishioners, Martin Crunnelle,<sup>169</sup> was a "good" Catholic, whatever that meant. On March 10, 1627, the decree allowing Catholics to lease their estates was put in force; Alvise Contarini felt that this was some sort of compromise between the recusants and the king.<sup>170</sup> It also seems likely that it was designed to secure a steady annual income for the crown.

165. Proclamation, February 6/16, Cal.S.P.Dom., 1626-27, 57.

166. To Mead, February 23/March 5, Court And Times, I, 195

167. To Mead, Court And Times, I, 195.; Contarini to the Doge, March 16, Cal.S.P.Ven., 1626-27, 131.

168. Heath to Conway, February 11/21, Cal.S.P.Dom., 1626-27, 62-3

169. LaRoche to Council, March 6/16, Ibid., 83

170. Contarini to the Doge, March 19, Cal.S.P.Ven., 1626-1627, 154.

Commissioners and clerks were appointed to handle the influx of money which arose from the revenue derived from the Catholics.<sup>171</sup> The Commissioners of the navy proposed that all of the fines collected north of the Thames, along with the tax on coal, be used to maintain six ships to guard the coasts in that area.<sup>172</sup> The Council assigned one-third of the money collected on the recusants' lands and six pence per chaldron of coal for this purpose. The money was to be disbursed by Sir John Saville.<sup>173</sup> A general command was issued by the king which declared that the money due from the leasing of recusant lands was to be payable only to special receivers appointed by the crown.<sup>174</sup> The government also issued an order that all arrears since 1614 were now due. The Privy Council then passed a resolution which would permit the Catholics to compound for their estates. All such deals were to be certified into the exchequer yearly.<sup>175</sup> In preparation for the collection of the composition, the king appointed a commission headed by the President of the Council of the North and the Archbishop of York, with forty-one others, to supervise the composition agreement with the Catholics.<sup>176</sup> At the

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171. P.C. to Commissioners, March 31/April 9; Warrants, March 20/30, Cal.S.P.Dom., 1626-27, 114, 101.

172. Commission to Council, May 5/15, Ibid., 166.

173. To Mead, June 30/July 9, Court and Times, I, 195.

174. King to Coventry, November 29/December 9, Cal.S.P.Dom., 1626-27, 450.

175. Minutes, June 1/10, A.P.C., 1627, 283-4.

176. Minutes, May 18/28, Ibid., 312-3.



same time, commissioners were appointed out of the exchequer to inquire into the lands held by the recusants to insure that the money which was owed to the crown was actually paid.<sup>177</sup> On July 7 a proclamation was issued requiring all recusants in North England to compound with the commission at York within two months. Once again the king declared that all money collected would be used for the defense of the realm.<sup>178</sup>

The government did not cease its vigilance entirely. In March, 1627, Sir John Hippisley reported the seizure of a ship at Dieppe. Eighteen men, fourteen of them Irish, refused the oath of allegiance and were committed to Dover Castle.<sup>179</sup> The Earl of Totness wrote that an informer revealed to him the location of sufficient arms for forty men which were being concealed by the recusants.<sup>180</sup> April 1, 1627, pursuivants seized a collection of religious books and articles which were presumed to belong to Father Muskett, although the priest himself was not located.<sup>181</sup> On the same day, Lord

177. King to Sheriffs of Kent, December 8, Cal.S.P.Dom., 1626-27, 449; Exchequer to Sheriffs of Northampton, June 13/23, Ibid., 450.

178. Beaulieu to Puckering, July 25/August 4, Court and Times, I, 197; Proclamation, June 27/May 7, Cal.S.P.Dom., 1626-1627, 230; Contarini to the Doge, December 27, Cal.S.P.Ven., 1626-27, 530. One example of the work of the commission was: Henry Lusher, stock and estate worth 80 pounds a year, His composition was to be 4 pounds a year.

179. Hippisley to Buckingham, March 3/13, Cal.S.P.Dom., 1626-27, 78.

180. Totness to Coke, March 16/26, Ibid., 97.

181. To Council, March 22/April 11, Ibid., 105.

Mansfield, lord lieutenant of Nottingham was ordered to go with an informer, Christopher Hawkes, to search for recusants' arms which had been brought in from other counties and were stored in the home of Jervis Markham. If the arms were located they were to be turned over to the royal officers for the army.<sup>182</sup> These weapons were taken into custody, but Markham protested, saying that he wanted either the arms or compensation for them since he conformed to the established church.<sup>183</sup> On May 19, 1627, a warrant was issued to the royal officers to conduct an intensified search for priests.<sup>184</sup>

In July, 1627, Lord Petre's son was imprisoned for transporting gold, silver and letters out of the kingdom. Rumor had it that his father's house had been the scene of a meeting of some of the leading Catholics in England.<sup>185</sup> Later in the month a man called "Old Francis" was also arrested for transporting money and letters to Douai College on the continent. People of all classes participated in this sort of illegal traffic.<sup>186</sup>

As 1627 drew to a close thought was given to the calling of a new Parliament. This decision of the government opened the fourth phase in the relations between the Roman

182. P.C. to Mansfield, March 22/April 1, A.P.C., 1627, 156.

183. Mansfield to Coke, January 21/31, Cal.S.P.Dom., 1626-27, 525.

184. Conway to Pursuivants, March 9/19, Ibid., 1627-28, 170.

185. To Mead, July 13/23, Court And Times, I, 251.

186. Robinson to Coke, July 21/31, Cal.S.P.Dom., 1627-28, 267.

Catholics and the crown. The crown felt that it was necessary to create at least the impression that the recusants were being held in check. To do this the government decreed that priests and lay Catholics attempting to enter the country without taking the oath of allegiance were to be arrested and imprisoned according to the laws. In view of the composition agreements, little could be done to persecute the remaining recusants without destroying the supply of money which these agreements were supposed to bring in.

October 12, 1627, three Catholics who refused the oath, were arrested upon entering the kingdom. Three more were similarly held in November, one of whom, Lionel Wake, was a very wealthy man.<sup>187</sup> The last three, and seven others held for the same offense, were sent to Secretary Conway for final disposition.<sup>188</sup> Some time later Hippisley wrote that two recusants had been left behind when the last group of prisoners had been sent to London. The Duchess of Buckingham asked that one of them, Huddleston by name, should also be brought to London. She agreed to provide a bond for his appearance before the council.<sup>189</sup> At the same time, the Council ordered the keeper of the jail at St. Edmundsbury to send Richard Walker, another recusant, up for questioning.<sup>190</sup>

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187. Hippisley to Conway, November 6/16, Ibid., 425; Mayor of Rochester to Coke, October 2/12, Ibid., 366.  
188. Hippisley to Conway, November 12/22, Ibid., 430.  
189. Same to Same, January 16/26, Ibid., 516.  
190. P.C. To Keeper, December 7/17, A.P.C., 1627-28, 108.

Under orders from Sir John Coke, Hippisley confiscated a chest full of Catholic books which were being smuggled into the country.<sup>191</sup>

A strange pardon was issued to Anthony Viscount Montague for failure to attend church and receive the sacraments, for sending his children abroad to be educated, and for harboring Jesuits and priests. He was also granted a license to travel about the kingdom as he pleased.<sup>192</sup> This was, of course, a definite exception and undoubtedly Montague was given this dispensation because he supported the royal policy and served the government. The pardon was probably granted to protect him from Parliament, since he had been named in the petition on religion drawn up during the preceding session.<sup>193</sup>

The third Parliament of the reign opened on March 27, 1628. First of the grievances to be debated were arbitrary taxation and imprisonment of those who had refused to contribute to the forced loan. Parliament was highly indignant over these actions taken by the government since the dissolution of the last Parliament.

Sir John Eliot, a leader of the popular party, coupled these protests with a denunciation of Rome and her Arminian allies, as he termed them. No other faction, he cried, had

191. Hippisley to Buckingham, January 21/31, Cal.S.P.Dom., 1627-28, 524.

192. Royal Pardon, February 27/March 10, Ibid., 586.

193. Rushworth, I, 216.

any interest in attacking the ancient liberties of the kingdom but that false party of religion which would sacrifice everything to their "Romish" idol. Eliot spoke of the laws of the land which, if properly enforced, would protect the kingdom from religious innovators.<sup>194</sup>

Charles and Buckingham hoped that they would be able to head Parliament off by taking action against the Catholics, both to demonstrate their zeal in religious matters and to arouse the old fears of a "Roman" plot. Their chance came a few days after the opening of the session, the royal officers discovered that a house in Clerkenwell<sup>195</sup> belonging to the Earl of Shrewsbury was being used by the Jesuits as a college. The house was promptly raided and after a brief struggle the nine inmates were seized along with their papers, a library worth 400 pounds, and all the religious articles which were found. A letter was forged which claimed that the Jesuits were keeping alive the quarrel between the Duke of Buckingham and the House of Commons to achieve their own ends.<sup>196</sup> The letter was written in the hope that Parliament would be tricked into a reconciliation with the Duke.

The government tried to make the most of the affair. Sir John Coke arose and referred to "another Parliament of Jesuits and well-wishers" meeting less than a mile from West-

194. Gardiner, VI, 230-7.

195. See Taunton, 404-6.

196. To Mead, March 21/31, Court And Times, I, 230-1; To Secretary Coke, March 15/25, Cal.S.P.Dom., 1627-28, 20; Gardiner, VI, 236-9.

minster. Unfortunately for this strategy, it failed to distract Commons from the business which it had designed for itself. Instead several members launched an attack on the Arminian bishops. Then the members of the House decided that their liberty and the safety of their property must be secured before any discussion of supply. The debate revolved around this problem for some time. Finally, Commons voted five subsidies but did not record the vote, making the grant conditional upon the redress of grievances. This money probably was offered to make their other demands more palatable to the king.<sup>197</sup>

On April 21, 1628, the House of Commons sent the customary petition on religion to the king. In many respects it was very similar to the ones previously drawn up and granted. Some of the points, however, are particularly worth noting since the emphasis and tone changed to meet the fluctuating policy of the government. The king was first thanked for his previous answers to their petitions and for his many acts in suppressing the Roman religion. Then in a prologue, the House spoke out against superstition and idolatry in general before discussing specific grievances.

The first eight articles asked for the enforcement of the laws against Jesuits, seminaries, and priests. The king was informed that many persons had taken advantage of his clemency and returned to England after having been banished.

Commons asked that they be recaptured and left to the law which provided the death penalty. In his answer Charles hedged, saying that these priests would be turned over to the courts, but if any reason developed to stay their execution they would be kept confined, as in previous times, to Wisbeach Castle. This reply is more or less consistent with the decision of the Privy Council in the previous December.

The House requested a closer watch on the ports of the realm to prevent the entry of priests and the export of money and children to the continent. To this the king gave his full assent. Charles was further informed that large numbers of Catholics were gathering in London and that many of them had access to the court, contrary to the law forbidding recusants to come within ten miles of the court. Numerous violations of the act restricting Catholics to a five mile area were also reported. The government promised that these activities would be investigated and stopped.

The fourth article was the most interesting and significant clause of the petition. It gave fairly conclusive evidence that the Catholics paid, and paid far more heavily in the name of religion, than is usually supposed. It also reflects the extent of corruption and mismanagement which allowed large amounts of this money to be diverted to private purses.

Whereas it is more than probably conceived that infinite sums of money have within theses two or three years last (sic) hath been extracted out of the recusants within the kingdom by color of composition, and a small proportion of the same returned to your Majesty's coffers, not only to the sudden enriching of private persons, but to the emboldening of the Romish recusants.<sup>198</sup>

Undoubtedly Commons was right when it claimed that the Catholics enjoyed much greater personal freedom under the composition agreements than they would have if the penal laws had been used to confiscate their goods and send them to prison. However, it is not unlikely, in view of the topics discussed during this session, that some of the members of Parliament begrudged the king any source of revenue which might make it possible for him to dispense with Parliament. Charles gave his wholehearted assent to this portion of the petition since it was to his advantage to root out the corrupt officials who were diverting the revenue from the royal purse. This clause was obviously intended to be a denunciation of the composition system but the king's answer assumed that it referred to the corruption in government.<sup>199</sup>

As was usual, the petition protested that many Catholics were allowed to attend Mass in the chapels of the foreign ambassadors. The king assured the members that due diligence would be taken to apprehend those who did so.

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198. Rushworth, I, 514-6.

199. For the petition, see Rushworth, I, 510-25, Contarini to the Doge, April 5, Cal.S.P.Ven., 1628-28, 46.



Article six also revealed some interesting points. Commons asked that the recusants and non-conformists be kept out of positions of trust, both in the civil and military service. It especially mentioned lord lieutenancies, deputy lieutenancies, justices of the peace, and captains of the trained bands. The king replied that he was under the impression that this had already been done. However, he said, the judges would be asked to give a report on the offices in their counties to see that errors or oversights should be corrected.

Another innovation occurred in the next article too, the House requested that the judges not only be ordered to execute the laws but to file exact reports of their activities with the lord keeper and the king. This request was granted. It sounded as though Commons doubted the willingness of the judges, apart from the government to enforce the laws. At least, it provided a check on them which was reasonable. The last clause simply asked that the other articles be observed while Parliament worked out some new statutes for the education of the children of recusants. The general tenor of the proposal was to take the children of Catholics away from their parents shortly after birth and see that they received<sup>200</sup> the "proper" training in religion.

200. Rushworth, I, 510-25; To Mead, March 28/April 7, Court And Times, I, 334; Contarini to the Doge, April 5, Cal. S.P.Ven., 1628-29, 46; Petition, March 31/April 10, Cal. S.P.Dom., 1628-29, 47; Salvetti's Dispatches, April 28, 1628, Skrine Mss., (H.M.C.), 146.

Salvetti reported that following the acceptance of the petition, the laws against the Catholics were more strictly enforced than before.<sup>201</sup>

After this religious interlude, the debate in Commons returned to the question of the arbitrary tactics of the government. It was resolved to pass a bill on the liberty of the subject and the discussion of this act lasted until the end of April, 1628. However, the attitude of the king proved the death blow for this proposal. Commons finally drew up a petition of right which, when finally approved by both houses, was presented to the crown. This clash with the crown over the liberty of the subject may not have affected the Catholics directly, but it drew the line of cleavage between the king and Parliament more sharply and increased the opposition to all of the government's policies.<sup>202</sup>

Charles was faced with many difficulties in the field of foreign affairs which necessarily affected his reply to the petition. In Germany his allies and soldiers had suffered defeat and English intervention came to an end. The fleet before Rochelle was ill-equipped with men and material to cope with the French defenses. His needs were great and the five subsidies offered by Parliament were very tempting. Charles first tried evasion and finally, when that failed, he

201. Salvetti's Despatches, April 28, 1628, Skrine Mss., (H.M.C.), 146.

202. Gardiner, VI, 254-90.

reluctantly yielded and the Petition of Right became part of the laws of England. Parliament was prorogued on June 26, 1628, the first session of the reign which had not ended in dissolution.<sup>203</sup>

Shortly before the end of the session the House of Commons received a strange petition from two men in Clerkenwell protesting the corruption of the local officials.

Henry Darrell and Henry Goodcote of Clerkenwell against George Long, Justice of the Peace for unjust assessments, committing hundreds of persons to prison upon his bare command, without warrants, vexatious suits, unlawful raising of money, and converting the material of the church to the building of his own house, taking land from Bridewells to his own house and garden, and undervaluing the Jesuits' goods and converting them to his own use.

It was through this undervaluing of the property confiscated from the Catholics that much of the discrepancy between the government's figures of the amounts collected from the Catholics and the amount actually taken from those unfortunate people occurs. At the close of the session Charles gave his assent to twenty-two private acts and four public statutes, one for the observance of the Sabbath, another against ale houses, and a third against the transportation of children out of the realm to be trained in religion; the fourth renewed the previous laws against recusancy.<sup>205</sup> Parliament took

203. Ibid., 290-325.

204. Darrell and Goodcote to Parliament, 1628, Jervoise Mss., (H.M.C.), 171-2.

205. Mead to Stuteville, June 29/July 9, Court And Times, I, 370.

one last shot at the Catholics in the subsidy bill by requiring recusants and aliens to pay double tax. This increased the total revenue by several thousand pounds. <sup>206</sup>

The crown did not make a great show of imprisoning Catholics and searching their houses to impress Parliament, although seven priests were arrested at the start of the session. <sup>207</sup> It may be that after the failure of the Clerkenwell incident to divert Parliament the government decided to let well enough alone. In fact one priest, Thomas Sammes, was allowed to give a bond for his departure from the country and was released from prison. <sup>208</sup> The government also decided to trade a priest, John Trumbal, to the Archduchess of Austria in return for Sir Philip de Carteret who was held captive at Dunkirk. <sup>209</sup>

After Parliament was dismissed, conciliatory changes were made at court. Lords Bristol and Arundel were restored to favor, Sir Richard Weston became lord treasurer, Lord Manchester was made lord keeper of the Privy Seal, and Sir Thomas Wentworth was raised to the peerage and promised the Presidency of the North. The most significant change which

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206. Salvetti's Despatches, May 24, 1628, Skrine Mss., (H.M.C.), 151; Contarini to the Doge, May 29, Cal.S.P.Ven., 1628-29, 104.
207. Salvetti's Despatches, March 25, 1628, Skrine Mss., (H.M.C.), 142.
208. Warrant, March 7/17, A.P.C., 1627-28, 337.
209. Warrant, May 31/June 9, Ibid., 472, 475, 478.

might have made it possible for Charles to regain the affection of his people, if he had been willing to accommodate his ideas to theirs, came on August 13, 1628, when the Duke of Buckingham was murdered by John Felton, a disillusioned soldier. No one ever succeeded the duke as royal favorite. The king undertook the direction of the government with great diligence. Richard Weston, whose family and inclinations were Catholic, became the chief minister. He favored peace and no more foreign entanglements which the treasury could not support without popular backing. Following a second failure to relieve Rochelle, he had his way, although peace terms with France were declined. The war simply ground to a halt from mutual inertia. Rochelle was forced to surrender unconditionally to the King of France.<sup>210</sup>

During the ensuing months the policy of the government is not clear. Even before the duke was murdered a policy of waiting seems to have been adopted. Right after the close of the session, Henry Raleigh, condemned by three separate judgments for recusancy, was released from prison.<sup>211</sup>

Rumors were heard again that a complete toleration was to be granted to the recusants in return for a yearly payment of 300,000 pounds,<sup>212</sup> which is a ridiculous sum and could never have been raised under any circumstances. That would have amounted to thirty pounds per Catholic. On the

<sup>210</sup>. Gardiner, VI, 325-76.

<sup>211</sup>. King to Coke, June 20/30, Cal.S.P.Dom., 1628-29, 170.

<sup>212</sup>. To Mead, July 2/12, Court and Times, I, 372.

other hand, the Catholics were greatly alarmed after the close of the session, as Contarini reported to his government:

The Catholics of the kingdom, having ascertained that Parliament had passed two bills against them, one that their children should be taken from them at birth and brought up in the new faith, which savors somewhat of inhumanity, and the other to annul the agreements previously between them and the king, and suspecting that his Majesty would pass them, had recourse to the Savoyard ambassador and myself for protection, and the performance of good offices in their favor. ...He(Charles) told me that he did not approve of all that Parliament required nor yet so much rigor against the Papists, but it was necessary to keep them curbed somewhat, as they were sometimes seditious. I really found him very favorably disposed to them, as he would not assent to any bill against them.<sup>213</sup>

It is not impossible that, in view of the attitude of Parliament and the reluctance of the king to allow new acts against them, the Catholics made some fresh proposals to gain the favor of the king since they both fared harshly at the hands of Commons. However, the sum named above is way out of the question.

Whatever these proposals may have been, they had little influence upon the ultimate policy of the government. On July 17, 1628, a proclamation was issued for proceeding against the recusants according to the laws.<sup>214</sup> In accordance with the royal directions, the money collected from the recusants was to be spent for defense. Three days later a warrant was

<sup>213.</sup> Contarini to the Doge, July 10, Cal.S.P.Ven., 1628-1629, 167-8.

<sup>214.</sup> Proclamation, July 7/17, Cal.S.P.Dom., 1628-29, 196.

issued to pay sixty-seven pounds out of the composition money to Sir John Saville, comptroller of the royal household to help pay for the setting out of three ships to guard the northern coasts.<sup>215</sup> Some steps were taken to enforce the laws against the Catholics. The renewal of the repressive measures seems to have affected all classes.

My Lord Arundel and his Lady, with most of his Catholic servants, were indicted both at the Quarter-Session at Christmas and also at the last assizes, and my own Lord and Lady (Rutland) have made their appearance at this last Quarter-Session<sup>216</sup>.

On the other hand the commission for composition was reportedly authorized and reconfirmed by another proclamation.<sup>217</sup> The issuance of this proclamation caused a great disturbance in London since the people feared that it meant toleration for the recusants. Actually it only provided ready money for the royal purse. Because of the apprehension which it aroused, the decree was reported stopped by the lord keeper and not issued.<sup>218</sup> At the same time the old rumor of a grant of a public toleration in Ireland was repeated. It was even reported that monasteries had appeared in Dublin. In return for these privileges, the Irish were supposed to have agreed to pay 120,000 pounds a year.<sup>219</sup>

215. Warrant, July 10/20, Cal.S.P.Dom., 1628-29, 202

216. Willison to Wakeman, Rutland Mss., (H.M.C.), 222

217. However, commissioners were appointed to compound with the recusants in eleven counties. To Marlborough, July 21, Cal.S.P.Dom., 1628-29, 205; Aiton to Carlisle, July 18/28, Ibid., 218; Contarini, July 25, Cal.S.P.Ven., 1628-29, 187-8.

218. Mead to Stuteville, July 18/28, 22, Court and Times, I, 377-9.

219. Beaulieu to Puckering, July 16/26, Ibid., 375.

On August 13, 1628, two new manifestos came out of Whitehall, the first putting all of the laws against the Catholics into full force, especially those against the clergy, and the second reaffirming the collection of compositions in the north.<sup>220</sup> These two writs are not compatible since it would have been difficult to fully execute the laws against those who had already compounded, let alone make additional agreements with those who had not yet done so. Alvise Contarini suggested one possible explanation, although he was unaware of the second of the two proclamations when he wrote his dispatch. He felt that this, plus the resignation of the Duke of Buckingham from some of his offices, indicated that Parliament would be called in the fall.<sup>221</sup> The conflicting decrees might be resolved if those who failed to compound were sacrificed to Parliament. At the same time, the decrees would have had a double edged effect since they would have provided an impetus for the Catholics to compound.

Whatever may have been the intention of calling Parliament, the murder of Buckingham changed the program. The duke had few mourners and some of them were rather strange. A young man returning from Douai remarked that the Jesuits were downcast at the death of the duke and said that it was

220. Proclamations, August 3/13, Cal.S.P.Dom., 1628-29, 244; Salvetti's Despatches, August 19, 1628, Skrine Mss., (H.M.C.), 160.

221. Contarini to the Doge, August 22, Cal.S.P.Ven., 1628-1629, 242.



one of the most serious losses that their order had ever suffered.<sup>222</sup> Even though this statement may have been an exaggeration, some reason exists for believing that the duke's death was a loss to the Jesuits since his wife and mother were sympathetic to the Jesuits in England. With the loss of this contact, the influence of the order in the government was probably weakened. This theory is supported by the Venetian ambassador in Spain who reported that since the duke's murder the negotiation of a peace treaty between the two countries, supported by the Jesuits, had come to an end. He echoed another report that the laws against the recusants were more strictly enforced than they had been before.<sup>223</sup>

No immediate change in the collection of composition followed Buckingham's assassination. On October 2, 1628, three additional men were appointed as receivers of recusant revenue for Essex and Dorchester.<sup>224</sup> The Marquis of Huntley even reached an agreement with the king to practice his religion in Scotland.<sup>225</sup>

In October, 1628, the government became worried about a plot among the recusants to disturb the peace of the kingdom. Once again Charles sought to resolve the problem which the

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222. Mead to Stuteville, October 11/21, Court and Times, I, 409.  
223. Mocinigo to the Doge, October 29, Cal.S.P.Ven., 1628-1629, 366.  
224. Royal Grants, September 22/October 2, Cal.S.P.Dom., 1628-1629, 334.  
225. Mead to Stuteville, October 31/November 9, Court and Times, I, 421.

Catholic priests presented. He asked the council to advise him, saying that even though he had been moved by the Venetian and other ambassadors to release priests to be transported out of the realm, the kingdom was still bothered by them since many returned following their banishment. He said that while he did not want to execute any of these priests, some other means must be devised to render them harmless.<sup>226</sup> Secretary Conway ordered a search of all Catholic prisoners, especially priests.<sup>227</sup> Papers were seized and sent to Lord Conway, although no catalogue of their contents has remained. Apparently nothing serious was found since no further action was taken by the government. Two alters and many religious articles were found in New Prison and confiscated by the officers.<sup>228</sup> Large bands of young men, mostly recusants, were reported to have formed societies distinguished by different badges, and were buying old and new armor.<sup>229</sup>

The increased activity of the Catholics plus the need for summoning Parliament brought about another change of policy by the government and opened the fifth phase in the ever-shifting status of Roman Catholics in England. As a first step, Charles decided to remove all of the Catholics from public positions unless they conformed to the reformed church, with the exception of two lord lieutenants, the Earls of Rut-

226. King to Council, Undated, 1628, Cal.S.P.Dom., 1628-29, 420.

227. Conway to Cross, October 6/16, Ibid., 345-6.

228. Buckhouse to Conway, October 10/20, Ibid., 348.

229. Conway's Notes, undated, 1628, Ibid., 427.

land and Worcester.<sup>230</sup> The government took more active measures to demonstrate that the recusants were under complete control. A Jesuit called More was condemned at Sessions House to be hanged, drawn and quartered. He was pardoned at the queen's request and, with several others convicted at the same time, released to appear on fifteen days notice.<sup>231</sup> Even though he was pardoned, the Venetian ambassador interpreted the sentence as an unfavorable portent because of the rarity of such sentences during the reign. The ambassador also reported that the persecution of Catholics increased greatly. He blamed the fall of Rochelle and the surrender of the Huguenots which, he said, touched off a wave of persecution which had been withheld in the hope of setting an example for the French.<sup>232</sup> His explanation is most likely a partial reason for the change of policy and must be coupled with the motives already discussed.

Near the end of 1628 a proclamation was issued for the arrest of Richard Smith, Bishop of Chalcedon.<sup>233</sup> The Lord Mayor of London was ordered to prepare a list of recusants living within the city. He found Lords Brundenell, Montague, and Windsor, several physicians and an artist.<sup>234</sup> The counties were also asked to prepare similar lists and submit them

230. Mead to Stuteville, December 8, Court and Times, I, 439.

231. Pory to Mead, December 19/29, Ibid., 444.

232. Contarini to the Doge, December 22, Cal.S.P.Ven., 1628-1629, 447.

233. Proclamation, December 11/21, Cal.S.P.Dom., 1628-29, 407.

234. Lord Mayor to P.C., December 16/26, Ibid., 409.

to the council; Surrey reported nineteen recusants living in the parishes of St. Savior, Southwark, and Barn Elms.<sup>235</sup> The Earl of Suffolk, Lord Warden of the Cinque Ports, was ordered to turn back all persons attempting to enter the country without taking the oath of allegiance.<sup>236</sup> The justices of the peace for Westminster, sent in their list of recusants, which included: Sir Francis Howard, Sir Robert Maxwell, the Earl of Nitherdale, Sir John Bath, an Irish Knight, and several servants of the royal family.<sup>237</sup>

The renewal of the "get tough" policy continued. Attorney General Heath filed suit against twenty-one recusants for not reporting to their parishes in accordance with the act restricting Catholics to a five mile area.<sup>238</sup> Charles took other steps to show his good intentions and mend his political fences before Parliament opened. One of the most important of these moves was the restoration of Archbishop Abbot to favor. Upon his return to favor the archbishop and the judges of the High Commission issued a general warrant to apprehend all Catholic priests and those who gave them assistance.<sup>239</sup>

With these preparations made, Parliament assembled on January 20, 1629. Taking little heed of the conciliatory steps of the government, Parliament complained of alleged violations of the Petition of Right, and reopened the quarrel

235. Surrey to Council, December 19/29, Ibid., 410.

236. Warrant, Undated, 1628, Ibid., 423.

237. Westminster to Council, December 23/January 2, Ibid., 414.

238. Heath to Conway, January ?, Ibid., 466.

239. Abbot to Tomlinson, January 29/February 8, Ibid., 460.

over the granting of tonnage and poundage. By the end of January, religion became a topic in the debates. Francis Rouse, by now a leading figure in the popular party, called upon Commons to stand firm against the encroachments of "Popery". This was a double-edged attack on the Catholics and the innovators in the Church of England. This became even clearer when Kirton, another member of the opposition party, declared that the new doctrines of the Arminian bishops were introduced to prepare the way for a betrayal to the Church of Rome. Although unnamed, these attacks were directed chiefly at Archbishop Laud.<sup>240</sup>

The whole subject of religion was referred to a committee headed by Pym, a prominent leader of the party opposed to the crown. Commons resolved that the report of this committee must come before bills of supply and tonnage and poundage would be considered. Eliot denounced the Arminian bishops, especially Laud, Neile, and Montague; he protested the leaving of the canons of religion to the discretion of men who were out of sympathy with the people. This long and tedious debate raged until the middle of February when Commons brought up the old question of the Jesuit college at Clerkenwell which had been raided by the government during the last session.<sup>241</sup> In discussing the great increase of recusancy, the members denounced the conduct of the government in handling the Cler-

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240. Gardiner, VII, 34-46.

241. Ibid., 37-57.

enwell matter. Of the ten priests captured, only three were even brought to trial, and of these only one was convicted. The remaining nine refused the oath of allegiance. The Jesuit convicted was granted a pardon by the king and the other nine were released on a warrant signed by the Attorney General, Heath, who defended himself by saying that he had an order from the king to admit them to bail after securing their property for the crown.<sup>242</sup> What Parliament was not told was that one of those captured, Friar Thomas Poulton, S. J., had a brother Giles Poulton, who was a business associate of Sir Lionel Cranfield, who was about to be made Earl of Middlesex. It was Cranfield who interceded on behalf of the priests and his own son-in-law, the Earl of Dorset, personally carried the reprieve from the king to New Gate Prison.<sup>243</sup>

Finally Commons returned to the question of tonnage and poundage. By now, tempers were aroused on both sides and the chances of a compromise grew less each day. On February 14, the committee on religion brought in a long list of grievances for which they proposed solutions. The laws were to be put in force against all Roman opinions and "superstitious" ceremonies. This was a slap at the High Church group more than a measure against the Catholics. Severe punishment was reserved for all those who wrote books contrary to orthodox doctrines,

242. Rushworth, I, 658-60; Nethersole to Queen of Bohemia, February 14/24, Cal.S.P.Dom., 1628-29, 472.

243. Foley, Records, "Series I," 101.

and the books of Montague and Cosin were to be burned; only "learned," "pious" and "orthodox" men were to be shown preference in the church. So involved did they become in this internal dispute that they did not have the time to petition for the suppression of the Catholics.

To allow time for tempers to cool, Charles sought to adjourn the session on March 12, 1629, and violence arose as the members of the House of Commons held the speaker in the chair and tried to proceed with the debates. This action brought the dissolution of Parliament a few days later.<sup>244</sup>

In a long proclamation which Charles issued in order to present his case to the people, he reassured them that he had steadfastly ordered the laws against the recusants to be put in force. If the results were not all that he desired, the fault lay with the neglect of the local officers who were ultimately responsible for the apprehension and conviction of the Catholics who defied the law.<sup>245</sup> How much truth his statement contained it is difficult to say, but in the end the responsibility lay with the government and its inadroitness and changing tactics were largely responsible for the failure to enforce the laws. The proclamation probably convinced few who were not anxious to be convinced.

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244. Gardiner, VII, 57-78.

245. Charles Petrie, The Letters, Speeches And Proclamations Of King Charles I, London, 1935, 69.

The dissolution of Parliament also marked the sixth, and last shift in the position of the Roman Catholics. The first major problem which confronted the Privy Council after the close of the session was the age-old need for money. One of the highest hopes of the group lay in increasing the income from the Catholics, which the Privy Council promised the king would yield at least 200,000 pounds a year. This was to be done by placing a certain value on their land and a series of other taxes. The council planned to save at least 100,000 pounds a year by placing the death penalty and confiscation of all the property of those who in any way defrauded the government of money which was due to the crown. This is just another indication of the vast sums of money lost to the administration through corruption.<sup>246</sup> The Venetian ambassador wrote home that he doubted the success of this plan very much because the Catholics had been "too much flayed" already.<sup>247</sup>

The government issued a second proclamation for Richard Smith, the Bishop of Chalcedon.<sup>248</sup> A Jesuit, Matthew Wilson, was arrested by royal officers.<sup>249</sup> Another recusant, Edward Morgan, held in prison, offered to betray the Bishop of Chalcedon, if he was admitted to bail.<sup>250</sup> This was virtually

246. Rushworth, I, Appendix, 16-7.

247. Contarini to the Doge, March 23, Cal.S.P.Ven., 1628-1629, 589-90.

248. Proclamation, March 24/April 3, Cal.S.P.Dom., 1628-1629, 527.

249. Report, March 24/April 3, Ibid., 527.

250. Bridgman to Conway, April 23/May 3, Ibid., 527.



the last step taken toward the repression of the recusants in this period.

In June, 1629, the government reverted to the practice of collecting composition and a new commission was appointed to see to the collection of that revenue.<sup>251</sup> Lord Wentworth was made Receiver of Fines and Forfeitures of Popish Recusants for the Northern Counties for life.<sup>252</sup>

Mismanagement and confusion developed in the new commission almost immediately; Lord Wentworth wrote that one of the leading recusants had spread a paper abroad which said that Attorney General Heath had declared that the Northern Commission was subsidiary to the one in the south. This was prejudicial to the work being done in the north since many recusants traveled south where their estates were not so well-known to the commissioners. By so doing they managed to compound for less than would have been possible if their goods had been appraised by those who knew them better. Mr. Gascoigne of Barn Bow, worth 1,000 pounds a year, compounded for sixty pounds while his father had always been required to pay eighty. Mr. Chamley, whose goods were worth 800 pounds, got by for a composition of twenty-five pounds. Chamley inherited his brother's goods, who himself paid 120 pounds a year.<sup>253</sup> With losses like these the revenue to be gained

251. King to Heath, June 7/17, Ibid., 570.

252. Royal Grant, June 8/18, Ibid., 570.

253. Wentworth to Heath, August 12/22, Ibid., 1629-32, 35-8.

from the Catholics was greatly diminished.

A large gathering of Catholics was reported at St. Winifred's Well, including Lord William Howard, the Earl of Shrewsbury, Sir Cuthbert Clifton, Sir John Talbot, Lady Falkland, and many others. The total number of knights, ladies and gentlemen was estimated at one thousand four hundred with one hundred and fifty priests attending.<sup>254</sup> Nothing was done to hinder the meeting or to arrest the priests who attended the meeting. One courtier complained that certain priests were not captured because the pursuivants were too fond of money to serve the king.<sup>255</sup> It is obvious that corruption greatly reduced the effectiveness of any program against the Catholics.

The following year, 1630, although beyond the scope of this study, brought another shift in the government's policy concerning the Roman Catholics. Alvisè Contarini remarked that certain of the laws were rigorously enforced, particularly the laws against priests and against those attending Mass in the Chapels of the foreign ambassadors.<sup>256</sup> However, the Earl of Clarendon remembered that after 1630 the Catholics became a source of revenue with little fear of being molested.<sup>257</sup>

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254. Report to Council, November 3/13, Ibid., 87.

255. Gaudry to Coke, November 28/December 7, Ibid., 108.

256. Alvisè Contarini to the Doge, March 22, February 1, March 29, Cal.S.P.Ven., 1628-29, 304,281, 308-9.

## CHAPTER III

### CONCLUSIONS

It should be fairly clear that the government's policy toward Catholics wavered between severity and laxity, shifting from one to the other as necessity and expediency dictated. This wavering policy grew out of the promise of toleration given in the marriage treaty and the contradictory pledge to Parliament to enforce the laws. In such a position the government could do little but temporize, a course which could scarcely fail to displease many. By the time that the failure of these tactics became apparent to Charles and his advisers, the government had incurred enough odium to make it very difficult to repair the damage done.

Aside from the religious issues involved, Parliament objected to placing the Catholics virtually under the protection of a foreign power. Some writers have held that had Charles taken a strong stand and decreed toleration for the Catholics in his own right, he stood a fair chance of securing it. However this may have been, the attempts to grant toleration at the behest of a foreign state aroused the national indignation of most Englishmen. Furthermore, the guarantee of Catholicism by a foreign power tended to place this religious group in a class by itself. By accepting this protection the Catholics came to be regarded with even more suspicion than they had been before, since it seemed natural to

assume that a people owing their security to an outside power would tend to owe their allegiance to their protector rather than to their own government. This coupled with occasional subversive acts and with the natural suspicion of all things Roman, laid the Catholics constantly open to charges of sedition.

Royal policy had a bad effect on the Catholics as well since it did strengthen their tendency to look outside the kingdom for support. Traditionally the English Catholics had been pro-Spanish, for Spain seemed to be their strongest supporter. The Jesuit mission in England was dominated by the Spaniards and was a strong supporter of Spain and her interests inside England. Now with the signing of a treaty with France the Catholic movement was divided into two parties, the French and the Spanish factions. The Jesuits and seminary priests were pro-Spanish and worked for Spain's interests. But Cardinal Richlieu procured the appointment of Richard Smith as Bishop of Chalcedon who sponsored the cause of the secular against the regular clergy. The tendency was to divide Catholics in England into two hostile movements. The end result of this whole unfortunate policy was to bring the Catholics to look upon themselves as a group apart from the rest of Englishmen, and they began to look more and more to foreigners to intercede for them with their own government. This tendency shows itself in the repeated requests for the

foreign ambassadors to use their good offices on behalf of English Catholics. Worst of all, a minority of the Catholics involved themselves in plots against the government which seemed to justify the alarmists in the House of Commons who demanded the repression of recusancy.

The actual treatment of Catholics is not always easy to discover because much of the evidence is fragmentary and much that might have existed may have been lost in the civil war. Since the Catholics left little evidence of the persecution from their point of view the story has to rely largely on the orders and policy of the government. But since there was often a wide gap between orders issued in London and their enforcement on the local level it is not always possible to judge the results accurately by this means.

With the exception of the restrictions on the keeping of arms the greater nobility seem to have been more or less free from restraint, including the monetary forfeitures due to the crown. As a matter of fact, the degree of exemption seems to bear a direct relationship to the power, influence and royal favor of the nobles in question.

While never violently persecuted during the early part of the reign the Catholics still fell within the category of a suppressed group. Several writers comment upon the horrible conditions in English prisons and the painful effect that imprisonment had on those unfortunate enough to be confined.

While few lay Catholics not suspected of dabbling in sedition were subjected to the rigors of prison life, many Catholic clergy were not so fortunate. Taunton, Foley, and others tell of the sufferings of those priests who were confined to prison. It speaks for the influence of the Jesuits and the pro-Spanish element in the government that very few Jesuits or regulars were imprisoned. For the most part prison was the plight of the poor, unorganized secular clergy who served the rank and file of the lay Catholics and who therefore lacked powerful patrons to stand behind them.

For the vast majority of Catholics the day to day insecurity and uncertainty of the future must have been the most difficult part of the persecution they had to suffer. The fluctuation of the royal policy and the avowed hostility of Parliament must have seemed a sword of Damocles to those whose lives and property hung on the decisions of these opposing forces. As long as the king and Parliament were at odds the Catholics could hope for fairly favorable treatment as long as they were able to contribute to the support of the monarchy. Thoughts of a reconciliation of the crown and the legislature must have been frightening to the recusant since such a reconciliation might result in enforcing the recusancy laws.

Even under the more moderate of the many programs tried by Charles and his advisers the Catholics were expected to

pay approximately ten per cent of their incomes to the crown in the form of composition. Nor did their payments end there, for the Catholics continued to be assessed double on all subsidies and forced loans levied by the government. In harsher times they were subject to the loss of two-thirds of all their goods and property and a possible jail sentence. In addition to the loss of two-thirds of their estates, Catholics were still expected to pay the traditional fine of a shilling for missing Anglican services and might be required to pay a fixed fee, usually ten pounds a month, to keep their wives out of prison if these women happened to be Catholics. With all of these exactions it may be assumed that by 1625 there were very few poor Catholics in England since only the wealthy could afford the price of non-conformity.

Beyond the continual drain on their financial resources the Catholics were restricted in other ways. In order to travel more than five miles from their homes it was necessary to obtain a special license from the Privy Council. The number of these licenses issued from 1625-29 would indicate that this law was at least partially enforced. In addition, Catholics also had to receive special permission to travel outside of England and even when this permission was granted the holder was forbidden to go to Rome. Also, the Catholics were forbidden to own any but defensive weapons; in this way the government hoped to keep them from becoming rebellious in

fact as well as in spirit. The lesser nobility and gentry were not so favorably treated.

Another handicap under which the Catholics labored was the difficulty of securing spiritual guidance and the services of their clergy since priests were forced to slink from house to house and stay hidden as much as possible to avoid apprehension. Those who could afford it took in a priest to serve the household, although it was necessary to keep him hidden in the attic and out of the way of any Protestant servants in order to keep his presence a secret. The difficulty of continuing ecclesiastical supervision allowed many abuses to creep into this system. Many unqualified men with no claim to the cloth palmed themselves off as priests and in this way came to dominate the lives of those who trusted them. Not only did this danger threaten those who retained a priest in their household; the ever present threat of a search by the pursuivants, and the penalties which would accompany exposure, constantly hung over their heads.<sup>1</sup>

Finally, it was extremely difficult to educate children in the Catholic religion. Small schools and colleges grew up under-cover to fill this need, but these schools were constantly subject to discovery and closure by the officers. The existence of these schools greatly annoyed the House of Commons and brought threats of even harsher legislation.

While the treatment of religious minorities was less

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1. Alvise Contarini, "Relaciones", Cal.S.P.Ven., 1626-27, 614-25.



harsh in England than in the rest of Europe during this age of intolerance, the lot of a conformist was so much more attractive that one can only admire the faith of those who clung to their beliefs during these difficult times.

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