

THE
HISTORY OF THE PURITANS;

OR,

PROTESTANT NONCONFORMISTS;

FROM

THE REFORMATION IN 1517, TO THE REVOLUTION IN 1688;

COMPRISING

An Account of their Principles;

THEIR ATTEMPTS FOR A FARTHER REFORMATION IN THE CHURCH, THEIR SUFFERINGS, AND
THE LIVES AND CHARACTERS OF THEIR MOST CONSIDERABLE DIVINES.

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A NEW EDITION, IN THREE VOLUMES.

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WITH HIS LIFE OF THE AUTHOR AND ACCOUNT OF HIS WRITINGS.

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CHAPTER X.

THE SECOND CIVIL WAR. THE CONCLUSION OF THE ASSEMBLY OF DIVINES.
THE PROGRESS OF PRESBYTERY. THE TREATY OF THE ISLE OF WIGHT.
DEATH AND CHARACTER OF KING CHARLES I. HIS WORKS, AND THE
AUTHORS OF HIS UNHAPPY SUFFERINGS. ANNO 1648.

THE king was all last winter a close prisoner in Carisbrook-castle, attended only by two servants of his own, and debarred of all other conversation, without the knowledge of the governor; nevertheless, by the assistance of some particular friends, he sent and received several letters from the queen, though his correspondence was discovered oftener than he was aware. His majesty made several attempts to escape, but was always prevented; captain Burley attempted to raise the island for him, but was apprehended and executed. However, in pursuance of the secret treaty with the Scots, already mentioned, an army was raising in that kingdom, to be commanded by duke Hamilton; but the English cavaliers, impatient of delay, without concerting proper measures among themselves, or with the Presbyterians, took up arms in several counties, to deliver the king from his confinement, and to restore him without any treaty with his parliament. The Welsh appeared first, under major-general Langhorn, colonel Poyer, and Powel, three officers in the parliament-army, who had privately accepted commissions from the prince of Wales.¹ These were followed by others in Dorsetshire, Devonshire, Sussex, Surrey, Lincolnshire, Norfolk, Kent, Northamptonshire, Essex, and in the city of London itself. The insurrection in the city began on Sunday April 9, in Moorfields, by a company of young fellows with clubs and staves crying out, for God and king Charles. But after they had done some mischief in the night, and frightened the mayor into the Tower, they were dispersed next morning by the general at the head of two regiments. The Kentish men under the earl of Norwich, having plundered some houses were defeated near Maidstone, and having a promise of pardon, the main body laid down their arms; notwithstanding which the earl with five hundred resolute men crossed the Thames at the Isle of Dogs, and came as far as Mile-end Green, expecting assistance from the city; but being disappointed, he joined the Essex cavaliers under sir Charles Lucas and lord Capel, who surprised the parliament's committee at Chelmsford, and then shut themselves up in Colchester, where they maintained themselves against general Fairfax for ten weeks, till being reduced to the last extremi-

¹ Rushworth, p. 1007.

ty, they were forced to surrender at discretion, August 28;¹ after which the general marched round about the country, and having quieted all insurrections in those parts, returned to his head-quarters at St. Albans about Michaelmas. While Fairfax was in Kent and Essex, lieutenant-general Cromwell reduced the Welsh about the end of June. At the same time, the earl of Holland and duke of Buckingham appeared at the head of five hundred horse and some foot near Kingston-upon-Thames, but they were soon dispersed; the earl was taken prisoner at St. Neot's in Huntingdonshire by colonel Scroop, and the duke of Buckingham, with great difficulty, escaped into the Low Countries. About the same time several of the parliament's ships revolted to the prince of Wales, then in Holland, who went on board, and with prince Rupert, lord Hopton, and others, sailed to the coast of England, with a design to relieve Colchester: but although disappointed, he landed five hundred men about Deal and Sandwich, and blocked up the Thames' mouth; but when the earl of Warwick came up with the parliament's fleet, he sailed back to Holland, and most of the ships returned to the obedience of the parliament.

It was not without great difficulty that the king's friends in Scotland prevailed with the parliament of that kingdom to consent to the raising an army against England, the commissioners of the kirk and the whole body of their ministers being vehemently against it; and when it was put to the vote, eighteen lords and forty commoners entered their protests, from a strong suspicion, that by the vast resort of loyalists to Edinburgh, there was a private agreement between Hamilton and that party, to lay aside the covenant, and restore the king without any conditions; to prevent which the Scots parliament gave express orders, that none should be received into their army, or join with them at their entrance into England, except such as should take the covenant; but Hamilton, who betrayed their cause, found means to

¹ Dr. Grey is displeased with Mr. Neal, that he does not inform his readers, what use general Fairfax made of the power with which this unconditional surrender invested him. He seized sir Charles Lucas and sir George Lisle, and made them instant sacrifices to military justice. All the prisoners exclaimed against this as an unusual piece of severity: and some historians have censured it as a bloody step. Mrs. Macaulay represents it as an instance of the humanity of the general, that, though he had been provoked by many irritating circumstances in the conduct of the besieged, he selected the two chief commanders only, to avenge the innocent blood they had caused to be spilt. The fact was, that these two gentlemen had shown themselves most implacable; had prevented the soldiers from accepting terms of indemnity offered by the parliament in the beginning; that the besieged had been exposed to the utmost extremities of famine; and that the Independents regarded the engaging the kingdom in a second war as an unpardonable crime. When sir Charles Lucas urged that the sentence of the general was unprecedented, a parliament-soldier standing by told him, "that he had put to death with his own hand some of the parliament's soldiers in cold blood." At which he was dismayed. A few days after, a gentleman in mourning for sir Charles Lucas appearing in his presence, the king wept. Mrs. Macaulay's History, vol. 4. p. 362, 363. Whitelocke's Memorials, p. 328-330.—Ed.

evade the order, by which means he ruined himself, and the party he intended to serve.¹

The Scots army entered England July 11th, to the number of twenty thousand foot² and six thousand horse, under the command of duke Hamilton, and were afterward joined by sir Marmaduke Langdale at the head of four thousand foot, and seven or eight hundred horse; but these being Englishmen and cavaliers who had not taken the covenant, were not incorporated with the Scots forces, but were obliged to march a day before them, which was Hamilton's contrivance to evade his orders; nevertheless, they composed one army, Langdale being to receive all his orders from Hamilton, and to act only by his directions. But though there was a private understanding between the generals, the subalterns and soldiers of both parties were not acquainted with it, and had the same incurable jealousy of each other as formerly; from the same motive the Presbyterians in the parliament at Westminster commissioned their army to oppose the Scots, though they came into England with an avowed intention of restoring the king upon the terms of the covenant; which was the supreme object of their wishes.

It may seem surprising, however, that there was no good understanding between the two parliaments, when those of England sent commissioners to Edinburgh to accomplish it; but the Scots, being strongly persuaded that the parliament at Westminster was still governed by an army of Independents, all that Mr. Marshall and the rest could say was not sufficient to divert them from their enterprise, which is the easier accounted for, when the strength of the Hamiltonian faction, and their obligations to the king by their secret treaty, are considered. This engagement appears from the duke's letter to Lambert, in which he acquaints him, that he was commanded to enter England with an army, for maintaining the solemn league and covenant; for settling religion; for delivering the king from his base imprisonment; and freeing the parliament from the constraint put upon them.³ The state of affairs had undergone a considerable change by the rising of the English cavaliers; the army was in the field, and divided into several distant parts of the kingdom, and the Presbyterians in as full possession of the gov-

¹ Rapin, vol. 2. p. 550. 553, folio. Hamilton's, Memoirs, p. 339.—Bishop Burnet endeavours to exculpate the duke from such a charge, and imputes the miscarriage of the expedition, in which he was leader, to his yielding to the counsels of others. The bishop sets against the report of his betraying the army several instances of his generous and disinterested conduct, in his care to preserve the army and to act for the king's advantage, at the risk of his own liberty and safety. *Memoirs of the Duke of Hamilton*, p. 365.—ED.

² Dr. Grey here censures Mr. Neal for often speaking at random: because bishop Burnet, on the authority of Turner the adjutant-general, says, that "the forces of the Scots amounted only to ten thousand foot and four thousand horse." *Memoirs of Hamilton*, p. 356. But it may afford a sanction to Mr. Neal's representation, that, since he wrote, Mrs. Macaulay and Mr. Hume have given the same estimate of the army, led by duke Hamilton into England. With these agree Whitelocke, *Memoirs*, p. 327—ED.

³ Rushworth, p. 1194.

ernment as ever; they were renewing the treaty with the king, and sending propositions to the Scots to join with them; but the good understanding between the two nations having been interrupted last winter, by the growing influence of the army, who were no friends to covenant-uniformity, the Scots would not be satisfied with the present diminution of their power, unless they were entirely disbanded, and therefore had not changed the instructions to their general. On the other hand, the parliament could not with safety disband their army while the cavaliers were in the field; nor could they forbid their opposing the Scots, who had joined the common enemy, and were marching into England with an armed force, to deliver the king from his imprisonment, although they had concerted no measures with the two houses, or communicated their secret treaty with his majesty in the Isle of Wight. Thus the two parliaments of England and Scotland opposed each other, when both had the same views, and were actuated by the same principles. If the Scots army had been commanded by a general the Presbyterians could have confided in, and had marched directly for London without joining the cavaliers, the parliament of England would have gladly received them, and the citizens of London have opened their gates; for the English Presbyterians wished them well; but by joining the common enemy, who were in arms all over the kingdom, they were staggered; and duke Hamilton, who betrayed their cause by trifling away a whole month in the north, gave the English army, which was distributed into various parts, time to reunite and defeat all their enterprises.¹

The Scots, invading England in this hostile manner, and in the midst of so many insurrections, awakened men's fears, and made them apprehend the cause was to be fought over again. And while the parliament was alarmed on every side, the English army gave them strong assurances they would stand by them, and march wheresoever the committee of the two houses (appointed to manage their motions) should direct. However, general Fairfax, who engaged heartily against the cavaliers, refusing to march against the Scots, because they had openly declared for the covenant, colonel Lambert was ordered into the north, with a flying squadron to harass them, till lieutenant-general Cromwell could come out Wales to his assistance. The Scots having been joined by sir Marmaduke Langdale, who had seized the important town of Berwick, marched through Cumberland and Westmoreland into Lancashire, without opposition; but upon the 17th of August, Cromwell, having joined Lambert, and refreshed his troops, faced them near Preston with eight or ten thousand men, and after a sharp engagement with the cavaliers under sir Marmaduke Langdale, who were almost a day's march before the duke, routed the whole Scots army, and took

¹ Hamilton's Memoirs, p. 337. 345. 353, &c.

eight or nine thousand prisoners, with all their artillery and baggage; Hamilton fled with three thousand horse, but was so closely pursued by Lambert, that he surrendered without striking another stroke, and all his men were dispersed or made prisoners. Cromwell after this action pursued his victory, marching directly for Edinburgh, which opened its gates; and having entered the city and changed the magistracy to his mind, he left three regiments of horse to keep the country quiet, and returned into England October 11, laden with martial glory and renown.¹

Before the army left London, and while their influence over the parliament continued, the commons, having taken into consideration the affair of settling the government, voted unanimously, that the government of the kingdom should be still by king, lords, and commons, and that the propositions at Hampton-court should be the ground-work for a settlement, which shows, that there was no design, as yet formed, of changing the government into a common-wealth, at least nothing appeared, though the agitators, who were the chief managers of the army, began to mutter, that if the king could not be brought to reason he must be set aside, and the duke of Gloucester, or one of his younger children, placed on the throne.²

The army had no sooner left the neighbourhood of the city, but the Presbyterians resumed the management of public affairs. May 5, the parliament resolved to maintain the solemn league and covenant, and to unite with the kingdom of Scotland upon the propositions of Hampton-court.³ The militia of the city of London was restored to the lord-mayor and common-council; the eleven impeached members, and the seven peers, were discharged; and, in short, all that had been done against the Presbyterian greatness by the influence of the army last winter was reversed; so that as from August 6, 1647, to the beginning of May, 1648, the parliament may be supposed to have lain under some restraint from the army; from that time to the end of the treaty of the Isle of Wight, it was at full liberty, and entirely under Presbyterian direction.⁴ Petitions came now from divers counties, and from the city of London itself, for a personal treaty with the king; upon which the commons set aside their votes of nonaddresses, and at the request of the lords consented to treat with the king, without his signing any preliminary propositions, hoping, as matters then stood, his majesty would not delay a moment to grant their demands, that he might be released

¹ “So he did (says Dr. Grey), but it was in the same sense that a company of highwaymen or banditti would return laden with martial glory and honour, after obtaining a good booty from the lawful owners of it.” This remark shews the strain and spirit of Dr. Grey’s Examination of Mr. Neal. Lord Clarendon, speaking of this transaction, with more truth and candour, calls it “this great victory.”—ED.

² Rushworth, p. 1074.

³ Rapin, p. 504. 508. 511. 518.

⁴ Rushworth, p. 1127.

from his confinement, and placed upon his throne, before the army should be at leisure to throw farther obstacles in the way: but here was the fatal oversight, the king and his friends would not condescend, nor the Presbyterians relax, till both were driven out of the field, and the army became irresistible.

Let the reader pause a little, and reflect with grief upon the miserable distractions of this unhappy kingdom; in this crisis were three or four powerful parties with separate views striving for mastery. The king, a close prisoner in the Isle of Wight, was the prize contended for; he had little or no weight to throw into either scale, though by signing the Scots treaty he was reputed the author of that invasion, and of the second civil war; the cavaliers were in arms to preserve the episcopal church of England; but having concerted no measures among themselves were easily dispersed. The Scots came into England in pursuance of the covenant, and the secret treaty in the Isle of Wight, but two mistakes ruined their enterprise; one was, their not communicating the contents of that treaty to the English Presbyterians which they might have done by their commissioners without the knowledge of the English army, before they had marched into England; the other was, duke Hamilton's acting in concert with the English cavaliers, allowing them to march in the van, which gave their enemies in the parliament at Westminster a fair opportunity of engaging the whole military power of England against them; for without all doubt, if the duke had prevailed, not only the Independent but the Presbyterian cause had been betrayed into the hands of the cavaliers, which must in the end have been equally fatal to both parties, and lost them all the advantages of the war. This fatal conjunction broke the strength of the English Presbyterians, and played the game into the hands of a third party, who destroyed the other two. The army, with whom were the Independents, Anabaptists and other sectaries, was governed by the agitators, who had given up the king, and had an incurable aversion to the cavaliers, and all who adhered to them, as their most determined enemies; nor could they confide in the Presbyterians, because in all their past treaties they had seen themselves made a sacrifice to covenant-uniformity. Upon the whole, all parties were stiff in their demands, disunited in their councils, and infinitely jealous of each other. Among the Presbyterians, some were for fighting only with the cavaliers, and others for opposing the Scots as invaders. Some of the cavaliers were for restoring the king by their own valour, and others for availing themselves of the assistance of the Scots. The army was no less distracted; those who served under general Fairfax were unwilling to march against the Scots Presbyterians; those under Cromwell were for encountering every power that would not secure them that liberty of conscience for which they had been contending; and despairing of this not only from the king, but

from the Scots and English Presbyterians, they unhappily ran upon those extravagant measures which ended in the destruction of the king and overthrow of the whole constitution.

Tantum religio potuit suadere malorum!

But to return: the assembly of divines having finished their main business, was reduced to a small number, most of the country ministers having returned home, and those who remained about London were employed chiefly in the examination of such ministers as presented themselves for ordination, or induction into livings; thus they subsisted till February 22, 1648–9, about three weeks after the king's death, having sat five years, six months, and twenty-two days, in which time they had one thousand one hundred and sixty-three sessions. They were afterward changed into a committee for the purposes last mentioned, and met every Thursday morning till March 25, 1652, when the long parliament being turned out of the house by Oliver Cromwell, they broke up without any formal dissolution.¹

The works of the assembly, besides some letters to foreign churches, and occasional admonitions, were,

1. Their humble Advice to the Parliament for Ordination of Ministers, and Settling the Presbyterian Government.
2. A Directory for Public Worship.
3. A Confession of Faith.
4. A larger and shorter Catechism.
5. A Review of some of the Thirty-nine Articles.

The annotations on the Bible, which go under their name, were neither undertaken nor revised by them, but by a committee of parliament, who named the commentators, and furnished them with books; nor were they all members of the assembly, as appears by the following list.

Those with asterisks were not of the assembly.

¹ MS. *penes me.*

WAS WRITTEN BY	
The commentary on the five books of Moses,	} Rev. Mr. Ley, subdean of Chester
The two books of Kings,	} Dr. Gouge
The two books of Chronicles,	
Ezra,	
Nehemiah,	
Esther,	
The Psalms,	} *Mr. Meric Casaubon
Proverbs,	} Mr. Francis Taylor
Ecclesiastes,	} Dr. Reynolds
Solomon's Song,	} *Mr. Smalwood, recommended by arch- } bishop Usher
Isaiah,	} Mr. Gataker
Jeremiah,	
Lamentations,	
Ezekiel,	} *Mr. Pemberton in the first edition
Daniel, and the smaller Prophets,	} *Bishop Richardson in the second
Matthew,	} Mr. Ley
Mark,	
Luke,	
John,	
St. Paul's Epistles,	

There were two other persons concerned in this work, who might probably have the other parts of Scripture allotted them, not here mentioned, viz. Mr. Downham and Mr. Reading.

When posterity shall impartially review the labours of this assembly of divines, and consider the times in which they sat, they will have a just veneration for their memory; for though their sentiments in divinity were in many instances too narrow and contracted, yet with all their faults, amongst which their persecuting zeal for religion was not the least, they were certainly men of real piety and virtue, who meant well, and had the interest of religion at heart; and most of them possessed as much learning as any of their contemporaries; the names of Lightfoot, Selden,¹ Gataker, Greenhill, Arrowsmith, Twisse, bishop Reynolds, Wallis, &c. will always meet with esteem from the learned world; and had they not grasped at coercive power, or jurisdiction over the consciences of men, their characters would have been unblemished. Mr. Baxter, who knew most of them, says, "They were men of eminent learning, godliness, ministerial abilities, and fidelity; and being not worthy to be one of them myself (says he) I may more fully speak the truth which I know, even in the face of malice and envy, that as far as I am able to judge by the information of history, and by any other evidences, the Christian world, since the days of the apostles, had never a synod of more excellent divines than this synod, and the synod of Dort."² The divine right of the Presbyterian government first threw them into heats, and then divided them, engaging them first with the parliament, and then

¹ Bishop Warburton here asks, with a sneer, "What had Selden here to do with ministers, Puritans, and persecutors?" The answer is, he was one of the Westminster assembly.—Ed.

² Baxter's Life, p. 73.

with the Independents and Erastians; their opposing a toleration raised them a great many enemies, and caused a secession in their own body; for after they had carried the question of divine right, the Independents and Erastians deserted them, after which they found it very difficult to muster as many as would make a house. Had the parliament dissolved them at that juncture they had separated with honour, but they dwindled by degrees, as has been related; the business of the church being now translated to the provincial assemblies.

We have already remembered the two former of these assemblies; the third met May 3, this year, and chose the Rev. Mr. Whitaker moderator. In the fourth session they agreed to present a second petition to the parliament in the name of the province, humbly to desire, “1. That they would renew the consideration of their former petition. 2. That they would establish the two catechisms of the assembly of divines, and appoint them to be publicly taught throughout the kingdom. 3. That they would add their civil sanction to the new confession of faith. 4. That the directory for public worship may be better observed; and that better care may be taken for the observation of the Lord’s day.” In their twelfth session, October 6, they agreed to the report of their committee concerning the cause of the decay of religion, and of the increase of wickedness, which they say was chiefly owing to the want of able and settled ministers, there being above forty parish churches and congregations within the province which had no ministers settled among them by allowance of authority, a catalogue of which churches was subjoined. The reason of this defect being chiefly want of maintenance, they pray the houses, “to agree upon some method, that the dean and chapter lands, and the impropriations belonging to bishops, lying within this province, may be applied for the augmentation of the clergy’s maintenance; and that there may be a fixed maintenance in every parish recoverable by the incumbent.”

The fourth provincial assembly met November 3, the reverend Mr. Edmund Calamy moderator. In their third session, November 23, they ordered, that the several ministers of the province of London do begin the work of catechising; that they use the assembly’s catechism, and no other; that the persons to be catechised be children and servants not admitted to the Lord’s table; that the time be in the afternoon before sermon; and that they exhort their parishioners to encourage it. In their fourth session, November 30, they resolved, that the twelve classes of the province of London observe their course for ordination of ministers; and that at the close of every public ordination notice be given which classis is to ordain next. But the nation being in confusion, and the clouds gathering thick over their heads,

they did little more this winter than keep a weekly fast¹ among themselves, to avert the judgment of God, which threatened the life of the king, and the dissolution of the whole government.

The county of Lancaster being formed into another Presbyterian province this year, assembled at Preston, February 7, 1648, and published a kind of pastoral letter, or solemn exhortation to the several churches within their province, to the practice of those duties that were requisite to the supporting and carrying on the Presbyterian discipline, subscribed by the reverend Mr. James Hyatt, moderator; Mr. Thomas Johnson, assessor; Mr. Edward Gee, scribe.²

They likewise appointed a committee to examine the paper called The Agreement of the People [hereafter to be mentioned], and tendered to the consideration of the nation by the officers of the army, with a desire that they would by subscription declare their concurrence to it; but it was carried in the negative.³ The design of this paper was to change the form of government into a kind of commonwealth, without a king or house of lords. It was published by way of probation, that they might learn the sense of the nation; but the article relating to religion being peculiar, and giving great offence to the Presbyterian clergy, shall be transcribed entire: “We do not empower our representatives (say they) to continue in force, or make any laws, oaths, or covenants, whereby to compel by penalties, or otherwise, any person to anything, in or about matters of faith, religion, or God’s worship; or restrain any person from professing his faith, or exercise of his religion according to his conscience, in any house or place, except such as are or shall be set apart for the public worship. Nevertheless, the instruction or direction of the nation in a public way, for matters of faith, worship, or discipline, so it be not compulsive, or express Popery, is referred to their discretion.” The Agreement adds, “It is intended that the Christian religion be held forth and recommended as the public profession in this nation, which we desire may, by the grace of God, be reformed to the greatest purity in doctrine, worship, and discipline, according to the word of God. The instructing the people thereunto in a public way, provided it be not compulsive; as also the maintaining of able teachers for that end, and for the confutation and discovery of heresy, error, and whatsoever is contrary to sound doctrine, is allowed to be provided by our representatives; the maintenance

¹ Bishop Warburton’s remark on this is, “These were glorious saints, that fought and preached for the king’s destruction; and then fasted and prayed for his perservation, when they had brought him to the foot of the scaffold!” This remark goes on the supposition, that, to oppose the king’s arbitrary views and measures was to fight and preach for his destruction. If it eventually proved so, from whence could it arise but from his adherence to his designs, till concessions came too late ?—ED.

² Vol. Pamph. No. 73.

³ Rushworth, p. 1258.

of teachers may be out of a treasury, and we desire not by tithes.” But besides these, “all who profess faith in God by Jesus Christ, however differing in judgment from the doctrine, discipline, and worship, publicly held forth, shall be protected in the profession of their faith, and exercise of their religion according to their consciences, so as they abuse not this liberty to the civil injury of others, or the disturbance of the public peace.” These were just and generous sentiments; however, the synod forbade their people to subscribe them, not only because the Agreement imported a change in the civil government, but because of the mischiefs that would attend a toleration; their reasons for which they published to the world March 6, 1648, subscribed by fifty-nine ministers.

The provincial assemblies of London met regularly every half year, to the year 1655, when finding themselves without power, and not being willing to apply¹ to the protector and his parliament for support they desisted; but there were none legally formed in any other counties of England. However, the country ministers entered into voluntary associations, and erected a sort of classes for ordination of ministers, and promoting friendship and peace among themselves, many of the Independent ministers joining with them: the associations met once a month, at one or other church in the county, and, after prayers and a sermon, conferred upon the state of religion, and gave their advice upon such cases as were brought before them in a neighbourly and friendly manner.

To return to the parliament, which was now recruited with such Presbyterian members as had absconded, or deserted their stations, while the army was quartered in the neighbourhood of the city; these gentlemen, finding they had the superiority in the house, resumed their courage, and took the opportunity of discovering their principles and spirit, in passing such a law against heretics as is hardly to be paralleled among Protestants.² It had been laid aside by the influence of the army for above nine months, till May 1, when it was voted, that all ordinances concerning church-government referred to committees be brought in and debated; and that the ordinance concerning blasphemy and heresy be now determined, which was done accordingly. This was one of the most shocking laws I have met with in restraint of religious liberty, and shows, that the governing Presbyterians

¹ Bishop Warburton says, that they did apply to the protector, “and received such an answer as they deserved.” A deputation of the London ministers went to him to complain, that the cavalier episcopal clergy got their congregations from them, and debauched the faithful from their ministers. “Have they so? (said the protector) I will take an order with them;” and made a motion, as if he was going to say something to the captain of the guards; when turning short, “But hold ! (said he) after what manner do the cavaliers debauch your people?” “By preaching,” replied the ministers. “Then preach back again,” said this able statesman; and left them to their own reflections.—ED.

² Scobel’s Collect, cap. 114, p. 149.

would have made a terrible use of their power, had they been supported by the sword of the civil magistrate.¹ The ordinance is dated May 2, 1648, and ordains, “that all persons who shall willingly maintain, publish, or defend, by preaching or writing, the following heresies with obstinacy, shall, upon complaint, and proof, by the oaths of two witnesses, before two justices of the peace, or confession of the party, be committed to prison, without bail or mainprize, till the next gaol delivery; and in case the indictment shall then be found, and the party upon his trial shall not abjure his said error, and his defence and maintenance of the same, he shall suffer the pains of death,² as in case of felony, without benefit of clergy; and if he recant or abjure, he shall remain in prison till he find sureties that he will not maintain the same heresies or errors any more; but if he relapse, and is convicted a second time, he shall suffer death.as before. The heresies or errors are these following:

1. “That there is no God.
2. “That God is not omnipresent, omniscient, almighty, eternal, and perfectly holy.
3. “That the Father is not God, that the Son is not God, that the Holy Ghost is not God, or that these three are not one eternal God; or, that Christ is not God equal with the Father.
4. “The denial of the manhood of Christ, or that the godhead and manhood are distinct natures; or, that the humanity of Christ is pure and unspotted of all sin.
5. “The maintaining that Christ did not die, nor rise again, nor ascend into heaven bodily.
6. “The denying that the death of Christ is meritorious on the behalf of believers; or, that Jesus Christ is the Son of God.
7. “The denying that the Holy Scriptures of the Old and New Testament are the word of God.

¹ Mr. Neal has done himself honour by the strong terms of reprobation, in which he speaks of this intolerant, iniquitous, and cruel ordinance. It cannot be condemned in too severe terms: though Dr. Grey insinuates, that there was occasion for it in the “monstrous opinions,” as he calls them, which prevailed in those times; and for which he refers to Edwards’s *Gangræna*. “Besides the severity of the penalties, which this ordinance denounced, the mode of process which it appointed,” as I have observed in another place, “was arbitrary and repugnant to the constitution of this country in particular, as well as opposite to the general principles of equity and justice: for it allowed neither the privilege of a jury, nor the liberty of an appeal. Such is the operation of religious bigotry.” See a *Review of the Life, Character, and Writings of the Rev. John Biddle*, p. 52. The nature of this ordinance is fully considered from p. 48 to 56.—ED.

² Death, under Constantius the son of Constantine, was made the punishment of idolatry: the like sentence is here inflicted upon the worshippers of the only living and true God, the creator and governor of the world. “How fluctuating and convertible (observes an excellent writer) are all penal laws in religion!” Dr. Disney’s *Life of Dr. Jortin*, p. 136, 137.—ED.

8. "The denying of the resurrection of the dead, and a future judgment."

The ordinance proceeds to specify some other errors of less demerit, and says, "that whosoever shall maintain or defend them, shall, upon, conviction by the oaths of two witnesses, or by his own confession before two justices of peace, be ordered to renounce the said error or errors in the public congregation of the parish from whence the complaint comes, or where the offence was committed; and in case of refusal he shall be committed to prison till he find sureties that he shall not publish or maintain the said error or errors any more. The errors are these following:

1. "That all men shall be saved.

2. "That man by nature hath free will to turn to God.

3. "That God may be worshipped in or by pictures or images.

4. "That the soul dies with the body, or after death goes neither to heaven or hell, but to purgatory.

5. "That the soul of man sleeps, when the body is dead.

6. "That the revelations, or workings of the Spirit, are a rule of faith, or Christian life, though diverse from or contrary to the written word of God.

7. "That man is bound to believe no more than by his reason he can comprehend.

8. "That the moral law contained in the ten commandments is no rule of the Christian life.

9. "That a believer need not repent, or pray for pardon of sin.

10. "That the two sacraments, of baptism and the Lord's supper, are not ordinances commanded by the word of God.

11. "That the baptism of infants is unlawful and void; and that such persons ought to be baptized again.

12. "That the observation of the Lord's day, as enjoined by the ordinances and laws of this realm, is not according, or is contrary to the word of God.

13. "That it is not lawful to join in public or family prayer, or to teach children to pray.

14. "That the churches of England are no true churches, nor their ministers and ordinances true ministers and true ordinances; or, that the church-government by presbyters is antichristian or unlawful.

15. "That magistracy, or the power of the civil magistrate, by law established in England, is unlawful.

16. "That all use of arms, though for the public defence (and be the cause never so just), is unlawful."

This black list of heresies was taken from the speeches or writings of the Papists, Arminians, Antinomians, Arians, Baptists, and Quakers, &c. of

these times. The ordinance was a comprehensive engine of cruelty,¹ and would have tortured great numbers of good Christians and good subjects. The Presbyterians of the present age are not only thankful that the confusion of the times did not permit their predecessors to put this law into execution, but wish also that it could be blotted out of the records of time, as it is impossible to brand it with the censure equal to its demerits.

June 21, the army being still in the field, and the parliament at liberty, the ordinance for the more effectual settling the Presbyterian government, without limitation of time, was read the second time and committed, and on the 29th of August it was perfected, and received the sanction of both houses, under the title of “A form of church-government to be used in the churches of England and Ireland.”² It is a collection of the several ordinances for establishing the branches of presbyterial government already mentioned, and ordains, that “all parishes and places whatsoever within England and Wales shall be under the government of congregational, classical, provincial, and national assemblies, except the houses or chapels of the king and his children, and of the peers of the realm, which are to continue free for the exercise of divine duties, according to the Directory, and not otherwise; it gives directions for the choice of ruling elders in every parish, and for proper persons to be judges of the qualifications of the persons chosen; it appoints commissioners to divide the whole kingdom into distinct classical presbyteries; it gives direction about the constituting of provincial and national synods, with the extent of their several powers; it determines the method of ordination of ministers, of dispensing church-censures, and suspension from the sacrament; and last of all, it gives direction for excommunication and absolution,” but lays no penalty upon recusants, or such as do not come to the sacrament, or submit to their discipline; which was the utmost length that presbytery obtained in this kingdom.

The parliament having agreed to treat with the king without any preliminary conditions, sent the earl of Middlesex, sir John Hippisly, and Mr. Bulkely, to acquaint his majesty with their resolutions, and to desire him to appoint what place he pleased in the Isle of Wight for the congress: his majesty seemed pleased with the message, and sent a letter to the two houses August 10, desiring them to recall their votes, which forbade the access of his friends, and to direct that men of necessary use in this affair may be permitted to assist him; and that the Scots be parties in the treaty.³ His majesty then appointed Newport in the Isle of Wight for the place of confer-

¹ The indignation which the liberal mind feels at the principles and spirit of those, who, themselves recently suffering under the hard hand of intolerance, could frame and pass such a law, is somewhat relieved by finding that it did not pass without much opposition. Whitelocke’s Memor. p. 302.—ED.

² Scobel, cap. 117. p. 165.

³ Rushworth, vol. 2. p. 1236.

ence. To all which the lords agreed without any restriction; but the commons insisted, that no person lately in arms against the parliament be of the number; that the Scots be not included; and that if his majesty be at liberty as at Hampton-court, he pass his royal word not to go out of the island during the treaty, nor twenty-eight days after, without consent of parliament.

Upon these conditions his majesty was conducted to Newport, and left at liberty upon his parole of honour. Several noblemen, gentlemen, divines, and lawyers, were appointed to assist him in the treaty, who were to stand behind his majesty's chair and hear the debates, but not to speak, except when the king withdrew into another room for their advice; the names of his divines were,¹ Dr. Juxon bishop of London, Dr. Duppa bishop of Salisbury, Dr. Sheldon, Dr. Hammond, Dr. Oldisworth, Dr. Saunderson, Dr. Turner, Dr. Haywood; and towards the end of the treaty Dr. Usher archbishop of Armagh, Dr. Bramhall, Dr. Prideaux, Dr. Warner, Dr. Feme, and Dr. Merely; Dr. Brownrigge, bishop of Exeter, was also sent for, but he was under restraint. And Dr. Sheldon, Dr. Hammond, and Dr. Oldisworth, being also under restraint, were not permitted to stand.

The parliament appointed five noblemen, and ten commoners, with four divines, to assist them in their debates touching religion, viz. Mr. Vines, Mr. Caryl, Dr. Seaman, and Mr. Marshal. The treaty was to continue forty days, and to proceed upon the propositions of Hampton-court.² September 12, the parliament observed a day of public fasting and prayer, for a blessing; and some days after, the king and his household did the like, when after the public service the following prayer was read, drawn up by his majesty's direction.

“O most merciful Father, Lord God of peace and truth, we, a people sorely afflicted by the scourge of an unnatural war, do earnestly beseech thee to command a blessing from heaven upon this present treaty, begging for the establishment of a happy peace. Soften the most obdurate hearts with a true Christian desire of saving those men's blood for whom Christ himself hath shed his; or if the guilt of our great sins cause this treaty to break off in vain, Lord, let the truth clearly appear, who those men are, who under pretence of the public good do pursue their own private ends; that this people may be no longer so blindly miserable as not to see, at least in this their day, the things that belong to their peace. Grant this, gracious

¹ According to Dr. P. Williams's MS. collections, to which Dr. Grey pays great deference, the order was limited to Dr. Juxon and Dr. Duppa: and Dr. Sheldon, Dr. Hammond, and Dr. Oldisworth, were not permitted to go to the king, being under restraint. But Mr. Neal's list, except as to these three, is confirmed by Whitelocke, with this difference, that Dr. Usher, Bambridge, Prideaux, Warner, Ferne, and Morely, were not included in the first appointment; but were allowed to attend the king in consequence of a message from him on the 3rd of November. Memor. p. 341.—ED.

² Rapin, vol. 2. p. 559.

God, for his sake, who is our peace itself, even Jesus Christ our Lord.” Amen.

The conferences opened on Monday September 18, about nine in the morning, at the house of sir William Hodges. The first day the commissioners presented the king with a draught of three bills; the first to establish the Presbyterian government¹ forever in the church of England; the second to relinquish the militia to the two houses for thirty years; and the third to recall all his majesty’s declarations against the parliament. To the last of these the king readily consented, but excepted to the preamble, in which were these words, “that the two houses of parliament had been necessitated to enter into a war in their just and lawful defence.”² Instead of which, the king proposed an act of indemnity; but the commissioners insisting peremptorily upon the words as those without which they could not be safe, his majesty with great reluctance consented, having first protested in writing, that no concession of his should be binding if the treaty broke off without effect. His majesty yielded the militia to the parliament for twenty years; and the management of the Irish war. He conceded to vacate those titles of honour that had been conferred since the carrying away the great seal, and to confirm the parliament’s great seal. He agreed to the payment of the public debts, provided they were stated within two years; to confirm the charter of the city of London; to empower the parliament to confer offices, and constitute magistrates for twenty years; and to take away the court of wards, provided he might have £50,000 a year in lieu of it.³ His majesty consented farther, that those of his party whom they call delinquents⁴ should submit to a fine or be proscribed the court, if the parliament saw fit; but he abhorred the thought of charging them with treason who had acted by his commission, and therefore absolutely refused to consent to it.

¹ “The utter extinction of episcopacy, and their setting up their own idol in its stead, was the superior consideration for which, it is plain, the Presbyterians had entered into the hazard of war: this was the chief cause of their quarrel with their old associates the Independents; and the not being fully gratified on this article by the king, was, in their eyes, losing the best fruits of their success. The parliament’s commissioners with earnestness, and even tears, assured the king, that all his concessions would be useless, unless he gave up the point of episcopacy: he absolutely refused farther yielding on this article, and the parliament voted his concessions unsatisfactory.” Macaulay’s History of England, 8vo. vol. 4, p. 365, 366.—ED.

² Rushworth, p. 1263.

³ It appears, by Dr. Grey’s authority, Williams’s MS. collection, whose account is confirmed by the representations which Mr. Hume and Mrs. Macaulay give of this matter, that Mr. Neal is mistaken about the sum granted in lieu of the wards; which was not £50,000 but £100,000. Since this was written, I find the matter put out of all doubt by Whitelocke, p. 341, who says, that £100,000 was the sum.—ED.

⁴ Dr. Grey has given at length the act proposed by the parliament’s commissioners relative to delinquents: whom the king absolutely refused to give up. “The severe repentance, which he had undergone for abandoning Strafford, had no doubt (remarks Mr. Hume) confirmed him in the resolution never again to be guilty of the like error.”—ED.

With regard to religion, his majesty agreed, October 2nd, that “the assembly of divines at Westminster be confirmed for three years; that the Directory and Presbyterian government be confirmed for the same time, provided that neither himself nor those of his judgment be obliged to comply with it; that a consultation in the mean time be had with the assembly, and twenty divines of his majesty’s nomination, as to what form of church-government shall be established afterward, with a clause for the ease of tender consciences. His majesty consented farther, that legal estates for lives, or for a term of years, not exceeding ninety-nine, should be made out of the bishops’ lands and revenues, for the satisfaction of them that have purchased them, provided that the inheritance may still remain to the church, and the rest be preserved for their maintenance. His majesty will consent farther, to an act for the better observation of the Lord’s day; for suppressing innovations in churches and chapels; for the better advancing of preaching God’s holy word; and against pluralities and nonresidence. To an act for regulating and reforming the universities and the colleges of Westminster, Winchester, and Eton; for the better discovery of Papists, and for the educating their children in the Protestant religion. To an act for better putting the laws in execution against Papists, and to prevent the hearing and saying-mass; but as to the covenant, his majesty is not as yet satisfied to sign or swear to it, or consent to impose it on the consciences of others.”¹

These concessions about church-government being declared not satisfactory, as amounting only to a sort of interim, his majesty desired to confer with the parliament-divines for the satisfaction of his conscience, having been bred and instructed (as he said) in the way he stands for, by his father, the wisest king and best man in the world, and therefore could not easily yield. There is hardly anything to be met with in this conference but what has been already taken notice of in his majesty’s debate with Mr. Henderson, and in the answer of the Smectymnuan divines to bishop Hall, in the first volume of this history; and therefore it will be the less necessary to enter into the particulars of the debate. His majesty proposed some scruples in law about the obligation of his coronation-oath, which the commissioners undertook to answer themselves; but the papers relating to the unalterable institution of episcopacy were referred to the divines on both sides, and were as follow:

The king’s first paper.

Newport, October 2, 1648.

“CHARLES REX.

“I conceive that episcopal government is most consonant to the word of God, and of an apostolical institution, as it appears by the Scripture to have

¹ Rush worth, p. 1281.

been practised by the apostles themselves, and by them committed and derived to particular persons as their substitutes or successors therein (as for ordaining presbyters and deacons, giving rules concerning Christian discipline, and exercising censures over presbyters and others¹), and has ever since, till these last times, been exercised by bishops in all the churches of Christ; and therefore I cannot in conscience consent to abolish the said government.

“Notwithstanding this my persuasion, I will be glad to be informed, if our Saviour and his apostles did so leave the church at liberty, as they might totally alter or change the church-government at their pleasure, which if you can make appear to me, then I will confess that one of my great scruples is clean taken away, and then there only remains,

“That being by my coronation-oath obliged to maintain episcopal government, as I found it settled to my hands, whether I may consent to the abolishing thereof until the same shall be evidenced to me to be contrary to the word of God.”²

The parliament-divines, in answer to the first part of his majesty’s paper, admit, that the apostles did exercise the extraordinary powers his majesty mentions; but deny, that they conferred them upon any particular persons as their substitutes or successors, and insist, that in Scripture there are only two orders of officers, viz. bishops and deacons: Phil. i. 1, “To the saints at Philippi that are in Christ Jesus, with the bishops and deacons:” and that the name, office, and work, of a bishop and presbyter are, the same, as in Titus i. 5 and 7; “For this cause I left thee in Crete—that thou shouldst ordain presbyters in every city; for a bishop must be blameless.” Acts xx. 27, 28, Paul called the presbyters together, and charged them to “take heed to the flock over which the Holy Ghost had made them bishops.”³ 1 Pet. v. 1, 2, “The presbyters among you, I exhort, who also am a presbyter, feed the flock of God among you, performing the office of bishops.”⁴ As the apostles were extraordinary officers, so were Timothy and Titus, viz. evangelists, but neither of them are called bishops in Scripture, much less were they fixed to Ephesus or Crete, but travelled up and down to settle churches in several countries. They observe farther, that in the same order of officers there was not any one superior to another; no apostle above an apostle, no presbyter above a presbyter, nor one deacon above another. They add, that the angels of the churches in the Revelation are never called bishops, nor is the word used in any of St. John’s writings,

¹ Acts vi. 6; xiv. 23. 1 Cor. v. 3; xiv. and xvi. 1. 3 John ix. 10. 1 Tim. v. 19. 22. Titus i. 5; iii. 10. Rev. ii. 3.

² Rel. Carol, vol. 2. p. 245.

³ ἐπισκόπους.

⁴ ἐπισκοποῦντες.

who calls himself a presbyter; from whence they argue the identity of these offices in Scripture, and the equality of the officers. They admit, that not long after the apostles' times bishops are reported to have some superiority above presbyters, but this was not a divine but an ecclesiastical institution, as is evident from the testimony of the most ancient fathers, and the most considerable writers in the Romish church; to which they add the suffrage of the first reformers in king Henry VIII.'s reign. The Erudition of a Christian Man, printed 1643, says expressly, that the Scripture mentions but two orders, i. e. bishops or priests, and deacons. They conclude with observing, that the modern episcopacy is very different from that which began to obtain in the second and third ages of the church, insomuch that the present hierarchy, being a human institution, might be abolished, and the other remain.

After three days his majesty, with the assistance of his learned divines, replied to the foregoing paper, and acknowledges, "that the words *bishop* and *presbyter* are sometimes confounded in Scripture; he admits, that presbyters are *episcopi gregis*, bishops of the flock; but that bishops are *episcopi gregis et pastorum* within their several precincts, i. e. bishops of the flock and of the pastors too; and that soon after, common usage appropriated bishop to the ecclesiastical governor, leaving presbyter to signify the ordinary minister or priest, as appears from the ancient fathers and councils. He admits the calling of the apostles and their gifts to be extraordinary, but adds, that their mission to govern and teach was ordinary and perpetual; that the bishops succeeded them in the former, and presbyters in the latter function.¹

His majesty still insists, "that Timothy and Titus were bishops, as appears from antiquity, and by a catalogue of twenty-seven bishops of Ephesus lineally descending from Timothy, as is avouched by Dr. Reynolds against Hart; and therefore the distinction between an evangelist and a bishop is without foundation, the work of an evangelist being no more than diligence in preaching the word, notwithstanding all impediments, according to the apostle, 2 Tim. ii. 4, 5. His majesty observes, that the parliament divines had said nothing to prove that the 'angels of the churches' were not *personæ singulares*, and such as had a prelacy over pastors, i. e. bishops, but that they dealt only in generals, and seemed unwilling to speak their opinions about them.

His majesty affirms, "that bishops are the successors of the apostles in all things not extraordinary, such as teaching and governing; and the reasons why they are not mentioned as a distinct order in the New Testament, are, 1. Because the apostles reserved to themselves the government of those

¹ Rel. Carol, p. 260.

churches where they appointed presbyters, and so it is probable the Philipians had no bishop when Paul wrote to them. 2. Because in the Epistles to Timothy and Titus, the persons to whom he wrote being themselves bishops, there was no need to write about the qualifications of any other officers than those they wanted, which were presbyters and deacons only.

His majesty admits, concerning the ages after the apostles, “that they are but a human testimony, and yet may be infallible in matter of fact, as we infallibly know that Aristotle was a Greek philosopher, &c.; he avers the genuineness of those epistles of Ignatius, which gave testimony to the superiority of a bishop above a presbyter; and though his majesty’s royal progenitors had enlarged the power and privileges of bishops, he conceives the government to be substantially the same.”

Eleven days after the parliament-divines replied to the king’s second paper, in which they say, that they can find no such partition of the apostolical office in Scripture, as his majesty mentions, viz. that the governing part should be committed to bishops, the teaching and administering the sacraments to presbyters; but that the whole work, *per omnia*, belongs to presbyters, as appears from the two words used in the Acts of the Apostles and St. Peter’s Epistle, *ποιμάνειν*, and *ἐπισκοπεῖν*, under the force of which words the bishops claim their whole right of government and jurisdiction; and when the apostle Paul was taking leave of the Ephesian presbyters and bishops, he commits the government of the church not to Timothy, who was then at his elbow, but to the presbyters, under the name of bishops made by the Holy Ghost: from whence they conclude, that bishops and presbyters must be only two names of the same order.¹ They observe, that the obscurity of church-history in the times succeeding the apostles made the catalogue-makers take up their succession upon report; and it is a blemish to their evidence, that the nearer they come to the days of the apostles, they are the more doubtful and contradictory. These divines are therefore of opinion, that human testimony on both sides ought to be discharged, and the point in debate be determined only by Scripture. And here they take hold of his majesty’s concession, that in Scripture the names of bishops and presbyters are not distinguished: and that there is no mention but of two orders, bishops and deacons. They desire his majesty to show them, where the Scripture has assigned any particular work or duty to a bishop that is not common to a presbyter, for they apprehend his majesty’s asserting, that a bishop is an ecclesiastical governor, and a presbyter an ordinary minister, is without any demonstration or evidence; a few clear passages of Scripture for the proof of this (they say) would bring the point to an issue. They deny his majesty’s distinction of *episcopi gregis et pastorum*, bishops of sheep

¹ Rel. Carol, p. 277.

and shepherds, as being the point in question, and affirmed without any evidence.—That the office of teaching and governing was ordinary in the apostles, because continued in the church, we crave leave to say, is that great mistake which runs through the whole file of your majesty's discourse; for though there be a succession in the work of teaching and governing, there is no succession in the commission or office, by which the apostles performed them; a succession may be to the same work, but not to the same commission; and since your majesty cannot produce any record from Scripture warranting the division of the office of teaching and governing into two hands, we must look upon it as an invention of men to get the power into their hands.

These divines go on with a long proof that Timothy and Titus were evangelists; that is, not fixed to one place, but travelling with the apostles from one country to another to plant churches, and accordingly have drawn out an account of their travels from the Acts of the Apostles, and St. Paul's Epistles. They observe the weakness of his majesty's reasons, why bishops are not mentioned as a distinct order in Scripture, and add a third of their own, viz. because really they were not. As for the apostles reserving in their own hands the power of governing, they admit, that they could no more part with it than with their apostleship. Had they set up bishops in all churches, they had no more parted with their power of governing, than in setting up presbyters; presbyters being called rulers, governors, and bishops; nor could the apostles reasonably be supposed to commit the government of the church of Ephesus to the presbyters, when he was taking his last farewell of them, and yet reserve the power of governing, in ordinary, to himself. His majesty's other reason, they say, is inconclusive, and in short begging the question. They add, that it is very unaccountable, that if there had been two sorts of bishops, one over presbyters, and the other over the flock, that there should be no mention, no mark of difference, no distinct method of ordination, by which they might be distinguished, throughout the whole New Testament.

As to the ages after the apostles, they admit there were presbyter bishops, but not of divine institution; that the catalogues of succession are undoubtedly defective, but if they were not, it remains still to be proved, that the bishops in the catalogue were vested with the jurisdiction which the modern bishops claim.

These divines profess to honour the pious intentions of his majesty's ancestors, and admit, that ornamental accessions to the person make no substantial change in the office, but that the primitive episcopacy, and the present hierarchy, are essentially different. They acknowledge a subordination of the exercise of jurisdiction to the civil power, and the laws of the land; and conclude with thanks to his majesty's condescension, in allowing

them to examine his learned reply, clothed in such excellence of style, and pray, that a pen in the hand of such abilities may ever be employed on a subject worthy of it.

Some days after his majesty offered his last paper, wherein “he acknowledges the great pains of these divines to inform his judgment, and takes particular notice of the decency of their manner, and of their respectful address to him upon this occasion, but says they mistook him, when they spoke of a writ of partition of the episcopal office; whereas his meaning was, that the office of teaching was common both to the bishop and presbyter, but that government was peculiar to the bishop.”¹ His majesty declines answering to all the particulars, because he would not draw out the dispute into a greater length, but seems unconvinced by anything that had been offered; he affirms, that Timothy and Titus were *episcopi pastorum*, bishops over presbyters; and that Timothy had a distinct work from presbyters, that is, that he might know how to behave himself in the exercise of his episcopal office. His majesty relies on the numerous testimonies of ancient and modern writers for the Scripture original of bishops, and adds, that the testimonies of an equal number of equal credit to the contrary will signify nothing, because one witness for the affirmative ought to be of more value than ten for the negative.—In conclusion his majesty put them upon evidencing one of these three things, (1.) Either that there is no form of church-government prescribed in Scripture. Or, (2.) If there be, that the civil power may change it as they see cause. Or, (3.) If it be unchangeable, that it was not episcopal, but some other that they will name, for till this is done he shall think himself excusable for not consenting to the abolishing that government which he found settled at his coronation; which is so ancient, has been so universally received in the Christian world, has been confirmed by so many acts of parliament, and subscribed by all the clergy of the church of England. But the ministers declined entering into so large a field, which must have brought on a debate concerning the whole ecclesiastical polity of the church.

These were all the papers which passed on both sides, and deserve the notice of those who would enter into this controversy. His majesty saying, that one witness for the affirmative, that episcopacy is of divine institution, ought to be of more value than ten for the negative, is, I apprehend, one of the weakest and most frivolous arguments of his letter; for it is only changing the form of the question, and making the Presbyterian say, that presbytery is of divine institution, and then asking his majesty, or any episcopal divine, whether one affirmative testimony ought not to be of more value than ten negative ones of equal merit. His majesty’s style is strong and

¹ Rel. Carol, p. 324.

masculine, and that of the parliament divines decent and respectful. Sir Philip Warwick read the king's papers before the commissioners, and Mr. Vines those of the ministers: all was managed with the greatest propriety, which makes it hard to excuse lord Clarendon's account of the behaviour of these divines, who says,¹ "they all behaved with that rudeness, as if they meant to be no longer subject to a king any more than to a bishop; that they inveighed bitterly against the pride and lustre of lord-bishops; that two of them very plainly and fiercely told the king, that if he did not consent to the utter abolishing of bishops he would be damned; these men were Spurstow and Jenkins, who, after the return of king Charles II. according to the modesty of that race of people, came to kiss his majesty's hand." And yet neither of the divines above mentioned was nominated to assist at the treaty, nor had any share in the debates. Mr. Baxter says, all the parliament-divines came off with great honour. But such is his lordship's or his editor's candour towards anything that looks like a Presbyterian!

The king's second difficulty, relating to his coronation-oath, by which he apprehended himself bound to maintain episcopal government as he found it settled when he received the crown, the commissioners did not think so proper for the discussion of divines, because it depended upon the law of the land, and therefore took this part of the debate upon themselves. The king conceived, that the consent of the clergy themselves in convocation assembled, was necessary, before they could be deprived of those possessions and privileges of which they were legally possessed. But the commissioners maintained, that the legislature alone was to determine in this case, as it had done at the Reformation; that it was not to be supposed, that any body of men would consent to part with their possessions if they could keep them; but if the legislature judged any part of the king's coronation-oath hurtful to the public, it was certainly in their power, with the consent of the king, to alter or annul it.—One may justly ask how this branch of the coronation-oath should stick so much with the king, when it was notorious that his government for almost fifteen years had been one continued breach of magna charta, and an encroachment upon the civil liberties of his subjects.

But neither party would accede to the other, though the article of religion was almost the only point that hindered the conclusion of the treaty: his majesty wondered at the shyness and reluctance of the parliament-divines to debate his three questions, and told them plainly, that their endeavours to give him satisfaction in them, would have added to the reputation of their ingenuity in the whole undertaking, it not being probable that they should work much upon his judgment, while they were fearful to de-

¹ Vol. 3. p. 216.

clare their own; or possible to relieve his conscience but by a free declaring of theirs.¹ But what was all this to the point? the only question before them was, whether diocesan episcopacy was of divine institution? if they had satisfied his majesty in that, they had discharged their duty; to launch out farther was to lose time, and protract the treaty beyond its limits. If diocesan episcopacy was not scriptural, it might be abolished, which was all the parliament contended for at present.² But the king's divines encouraged him to dispute every inch of ground, and instead of yielding any one point to the ministers, to start new difficulties, till his ruin was inevitable. However, towards the close of the treaty, when the victorious army was returning towards London, and things almost come to an extremity, his majesty told the commissioners, "that though he could not with a good conscience consent to the abolishing of episcopacy, because he believed the substance of it to be of apostolical institution, he was willing to reduce it to the primitive usage; and if his two houses should so advise, he would be content to lessen the extent and multiply the number of dioceses. He still apprehended the entire alienation of the bishops' lands by sale to be sacrilege.—He was willing to assent to the calling and sitting of the assembly of divines as desired.—He would also confirm the public use of the Directory in all churches and chapels, and would repeal so much of all statutes as concerned the Book of Common Prayer only; provided the use thereof might be continued in his majesty's chapel for himself and his household; and that the same [i. e. the Directory] should be confirmed by act of parliament for three years, provided a consultation be had in the mean time with the assembly of divines as before mentioned.—Touching the articles of religion [the assembly's confession], his majesty desired farther time to examine them before he bound up himself and his subjects in matters of faith and doctrine.—His majesty will consent to an act for better observation of the Lord's day, and to prevent saying of mass.—But as to the covenant, his majesty was not satisfied to take it, nor to impose it upon others."

These concessions being voted unsatisfactory by the two houses at Westminster, his majesty consented farther, October 21, "1. That archbishops, chancellors, deans, and the whole hierarchy, be abolished except bishops. 2. That none but the Presbyterian government be exercised for three years. 3. That in case no settlement should be agreed upon within that time, that then for the future the power of ordination should not be exercised by bishops without the counsel and assistance of presbyters; that no other episcopal jurisdiction should be exercised but such as should be agreed upon in parliament; and if within that time his majesty should be convinced

¹ Rushworth, p. 1291.

² Ibid. p. 1301, 1302.

that episcopacy is not agreeable to the word of God, or that Christ commanded any other government, he will embrace it, and take episcopacy quite away." The houses being still dissatisfied with these concessions, his majesty added, November 4, "that he would make no new bishops for three years; and for the farther satisfaction of the parliament, he would not insist upon the use of the Common Prayer in his own chapel for that time, but would make use of some other form of divine service for himself, and forbid mass to be said in the queen's chapel." This was his majesty's final answer, which the commons voted unsatisfactory, and ordered the commissioners to acquaint him with their votes.

The treaty was prolonged three weeks after this, in which time the commissioners did all that was in their power to obtain his majesty's consent, beseeching him with tears upon their bended knees, since matters were brought to so narrow a compass, to yield up the point of religion. In their last paper of November 20, they beseech him to consider, "that it is not the apostolical bishops which the parliament desire him to abolish, but that episcopacy which was formerly established by law in this kingdom, and has been found by experience to be a hindrance to piety, a grievance to the subject, an encroachment upon the power of the civil magistrate, and so a burden to the persons, purses, and consciences of men. They do not meddle with the apostolical bishop, nor determine what that bishop was whom the apostles mention in the Scripture; but they are for putting him down by a law who was set up by a law; and certainly nothing can be more proper for parliaments, than to alter, repeal, or make laws, which appear to them for the good of the commonwealth.

"But admitting apostolical bishops were within the purport of this bill, we humbly conceive it does not follow, that therefore in conscience it must not be passed, for we may not grant, that no occasion can make that alterable which has foundation only in the practice of the apostles, and not in a precept.¹ Some things have certainly been altered which the apostles practised; circumstances many times change the nature of moral actions; for the attaining a great good, or the avoiding a great evil, that which singly considered is not fit to be done, and perhaps would be a fault if it were, may become a duty, and a man may be bound in conscience to do it. And if ever circumstances could have a more powerful and considerable influence than in this juncture, we leave to your majesty's consideration. But this is said only for argument's sake, admitting but not granting the grounds on which your majesty is pleased to go, in refusing to pass this bill."² The strength of the commissioners' reasoning upon this head may be seen at once in this

¹ For the king's answer, see Dr. Grey's Examination, p. 342, &c.—ED.

² Rushworth, p. 1335. Whitelocke, p. 351.

short syllogism; Whatsoever is not of divine institution may be very lawfully altered, changed, or reversed.—But the episcopacy which is established in the church of England is not that episcopacy mentioned in Scripture—therefore the laws which established it may take it away.

The commissioners go on, “As for the sale of bishops’ lands, which your majesty conceives to be sacrilege, we humbly offer that, bishoprics being dissolved, their lands revert to the crown, which is their foundation and patron, and heretofore held it no sacrilege to dispose of bishops’ lands to its own or other uses by act of parliament, which was an ordinary practice in your majesty’s predecessors, kings and queens of this nation. Besides, in all ages, even under the ceremonial law, imminent and urgent necessity has dispensed with the alienation of consecrated things.¹

“Your majesty is pleased to say, ‘You cannot communicate in a public form of divine service, where it is uncertain what the minister will offer to God.’ But we beseech your majesty to be informed, that the Directory sets down the matter of the prayer which the minister is to use; words and expressions for enlargement being left to his discretion. But give us leave to add, that this ought to be no objection with your majesty, for then one must not hear any prayer before sermon, for every minister has a several form, which he varies according to occasion.

“Upon the whole therefore we humbly hope, that your majesty, after a most serious consideration, will discern the just cause which the two houses have for remaining unsatisfied with your majesty’s concessions, with relation to the church, for they are apprehensive, that after the expiration of the three years in which episcopal government is to be suspended, a bishop so qualified as your majesty expresses will rise again; for if you should not in the mean time agree with your parliament upon any other form of government, which depends wholly upon your majesty’s pleasure, no other government can be set up; and then this episcopacy will return with so great power, that the bishop may choose whether any minister at all shall be made in the church of England, and those that shall must be at his devotion, he having the negative voice in ordination, which we humbly conceive is nowhere declared in Scripture, to be the prerogative of an apostolical bishop.

“We humbly say farther, that the charging bishops’ lands with leases for ninety-nine years is not sufficient, because there is a rent reserved to the bishop, and the property will continue as before; so that it cannot be expected that the Presbyterian government should be complied with, and exercised with profit or comfort to the church, as long as a door is left open for the return of a superior power upon the first opportunity.

¹ Dr. Grey, p. 345, has given his majesty’s reply—ED.

“We hope your majesty will pardon our pressing in this manner; our intention is not to offer violence to your majesty’s conscience, but to endeavour to inform it in a matter that appears to the two houses of so great consequence. We again humbly beseech your majesty to review our former papers; call to mind those reasons and arguments which in debate have been used upon this subject, with such others as your own wisdom shall suggest, and then be pleased to give your royal consent to the particulars above specified, that both yourself and your people may have cause to rejoice.”

The committee of states in Scotland joined with the parliament-commissioners in beseeching his majesty to accede to the proposition about religion, which they understood to be the point his majesty most stuck at, and which they in honour and interest were obliged most to insist upon, and without which, they add, his throne cannot be established in righteousness.¹ They also wrote to the prince of Wales, to mediate with his father. The general assembly, and the commissioners of the kirk of Scotland, sent at the same time two angry letters, for, it was said, they would speak more plainly in the name of their master, than the commissioners of estates would venture to do in their own. But his majesty was deaf to all remonstrances and persuasions, being determined, if his two houses did not think fit to recede from the rigour of their demands in these particulars, to cast himself, as he said, on his Saviour’s goodness to support and defend him from all afflictions, how great soever, which might befall him, rather than upon politic considerations deprive himself of the tranquillity of his mind; and therefore, excepting his majesty’s consent to license the assembly’s lesser catechism with a proper preface, in all other matters in difference he resolved to abide by his former answers.²

At the close of the treaty the king made a short speech to the commissioners, in which he reminds them how far he had condescended for the sake of peace. He desired them to put a good interpretation on his vehement expressions in some part of the debates, there being nothing in his intentions but kindness; and that as they had used a great deal of freedom, and showed great abilities in their debates, which had taken him off from some of his opinions, that they would use the same freedom with his two houses, to press them to an abatement of those things in which his conscience was not yet satisfied, which more time might do, his opinions not being like the laws of the Medes and Persians, unalterable or infallible; adding his very hearty thanks for the pains they had taken to satisfy him, professing that he wanted eloquence to commend their abilities.³ He desired them candidly to

¹ Rushworth, p. 1304.

² Clarendon, p. 224. Rushworth, p. 1326. 1334.

³ Vol. Pam. No. 83.

represent all the transactions of the treaty to his two houses, that they might see nothing of his own interest, how near or dear soever (but that wherein his conscience is not satisfied), can hinder, on his part, a happy conclusion of the treaty.

The king's concessions were certainly a sufficient foundation for peace with the Presbyterians, if they could have been relied upon, and were so voted by the parliament when it was too late. His majesty had given up the main pillars of the hierarchy, by consenting to abolish archbishops, deans, and chapters, and that a bishop should not act without his presbyters; which was archbishop Usher's scheme, and all that the Puritans at first contended for; but the Scots and the English Presbyterians, grown lofty in power, and being less apprehensive of danger from the army than they ought, concluded they could not fail of their whole establishment in a few weeks, though there was not the least provision for liberty of conscience for dissenters, which they might have been sensible would occasion high discontents in the army. The commissioners were disposed to an accommodation, and took all opportunities to assure his majesty, that if he would but yield for a time, things should be made easy to him afterward. But the truth is, as the king would not trust the parliament, so neither would they the king, because they observed, (1.) His dilatoriness in the treaty, as if he waited for some advantageous turn of affairs to revoke his concessions. (2.) His resolute disputing every inch of ground without yielding a single proposition, or none of any considerable moment. (3.) His majesty's maxim, that what was yielded out of necessity was not binding when the restraint was taken off. (4.) They suspected his sincerity, because the duke of Ormond was at this very time treating with the Irish rebels by his majesty's commission, which he would not recall.¹ (5.) They remembered his majesty's artful manner of

¹ The preceding assertions of Mr. Neal much displease Dr. Grey; he contradicts them, and endeavours to confront them with facts. He challenges Mr. Neal to produce one single well-attested fact to support his reflection on the king's sincerity. The appeal for the truth of the charge may be made to the reader, who has accompanied Charles through his reign, and observed his conduct on various occasions. The appeal may be made to the facts, that have been collected in Dr. Harris's *Historical and Critical Account of Charles I.* p. 72–83, and in *An Essay towards a True Idea of the Character of King Charles I.* p. 93–102. We may also refer to what has before been advanced on this point. It suffices to add here the authority of Ludlow only; who says, "that the duplicity of the king's dealings with the parliament manifestly appeared in his own papers, taken at the battle of Naseby and elsewhere." *Ludlow's Memoirs*, 4to. 1771, p. 114.—Dr. Grey asserts against Mr. Neal, that "from the MS. treaty it is manifest, that there was not the least delay on the king's part." But he forgets the duration of the treaty, which was to continue forty days only; and, commencing on the 18th of September, did not close till towards the end of November: and would not have ended then, if the army had not seized his majesty. For the answers of the king were voted "to be a ground only for the house to proceed on to settle the peace of the kingdom." *Whitelocke's Memoirs*, p. 353.—But the length of the treaty could arise only from the king's not at first yielding to the propositions made by the commissioners. Mr. Neal's next assertion, that the king "disputed every inch of ground" is implied in the

interpreting away his concessions. (6.) They gave out that he was not his own master, but that his conscience was under the direction of his divines, who would put him upon all extremes for their support. (7.) They were incensed at the murders and depredations of the cavalier-soldiers, even after they were beaten out of the field, and were afraid of their recovering the management of public affairs. And lastly, They were as firmly persuaded of the divine institution of presbytery, and the obligation of the covenant, as the king and his divines were of the *jus divinum* of episcopacy.

Yet under all these propessions, lord Clarendon¹ observes some of the commissioners found means to advertise the king in private, “that they were of his majesty’s judgment about church-government, which they hoped might be preserved, but not by the method his majesty pursued; that all the reasonable hope of preserving the crown was in dividing the parliament and the army, which could be done no other way than by giving satisfaction with reference to the church. This might probably unite the parliament and the city of London, and enable them to bring his majesty to London with honour, where he might have an opportunity of gaining more abatements than he could ever expect by refusing to sign the preliminaries. Many advertisements came from his majesty’s friends in London, and other places, that it was high time the treaty was at an end, before the army drew nearer London, which it would shortly do, as soon as those in the north had finished their works.” Sir J. Browning entreated his majesty, in his closet, to make all his concessions in one declaration, at one instant, and in one day. The parliament-commissioners were no less importunate with the king, but he was inflexible, and usually out of humour. Remarkable are the words of Mr. Whitelocke, speaking of the above-mentioned concessions: “More than this could not be obtained, though most earnestly begged of his majesty by some of the commissioners (great persons) with tears, and upon

duration of the treaty, and it is proved by the quotation, which Mr. Neal, a little farther on, makes from Whitelocke. But Dr. Grey attempts to disprove it, by bringing forward three concessions made in one day, the 21st of October, by the king. The reader will determine, whether an exception drawn from the transactions of one day can disprove an assertion which applies to a treaty depending more than seventy days: and those concessions, he will consider, were not yielded till the forty days originally appointed for the continuance of the treaty, were drawing to an end. In opposition to our author’s fourth reason, Dr. Grey produces from Williams’s MS. collections, a letter of the king, 25th of November, to the commissioners, in which he informs them (sending at the same time the letter itself for their perusal) that he had written to the marquis of Ormond, “acquainting him with such informations as he had received from the two houses concerning his proceedings in that kingdom, and requiring him to desist from any farther prosecution of the same. And in case he shall refuse, his majesty will then make such public declaration against his powers and proceedings as is desired.”—Notwithstanding this, Mr. Neal spoke on authority. For on the 21st of November, the house received letters from the Isle of Wight, “that the king refused to pass anything against the marquis of Ormond, until the treaty be wholly ended.” Whitelocke’s Mem. p. 350. See also Lord Clarendon, vol. 3. p. 222. —ED.

¹ Book 11. p. 217.

their knees, particularly as to the proposition concerning religion, wherein church-government, public worship, and chiefly the revenues of the church, swayed more with the king's chaplains than about him; and they more with his majesty (continually whispering matters of conscience to him) than the parliament, and all their commissioners, could prevail with him for an agreement, though possibly his own judgment (which was above all theirs) might not be so fully convinced by his eager divines about him."¹ But these had possession of his majesty's conscience, and directed his answers:² and though they abhorred the thoughts of deposing the king, or putting him to death, it ought to be considered, whether their stiff and imprudent behaviour did not manifestly contribute to that catastrophe.

His majesty being thus entangled, was pleased, before the breaking up of the treaty, to send for archbishop Usher, and asked him this question, "Whether he found in all antiquity, that presbyters alone ordained any?" To which the archbishop replied frankly, that "he could show his majesty more than that, even that presbyters alone had successively ordained bishops," and instanced in St. Jerome's words, in his *Epist. ad Evagrium*, where he says, the presbyters of Alexandria chose and made their own bishops from the days of Mark the apostle till Heraclius and Dionysius.³ At the same time the archbishop offered his own scheme for the reduction of episcopacy to the form of presbytery, which his majesty had formerly rejected, but was now at length willing to accept, as the archbishop himself told Mr. Baxter; but the Scots and English Presbyterians were grown so stubborn that they would not acquiesce.

Though the commissioners had no power to recede from their instructions, the treaty was prolonged from time to time, in hopes that something or other might gain upon the king; but his majesty was frequently out of temper, and treated the commissioners with no degree of confidence. The forty days to which the treaty was limited being ended October 28, it was enlarged for fourteen days, and then for seven, and so on to the 28th of November, for which, says lord Clarendon,⁴ his majesty was nothing glad; nor did his friends in the house desire the prolongation, it being moved by those that wished the treaty might have no good effect, to give the army time to finish their summer's work, and return to London. On the last day of the

¹ Whitelocke's *Memoirs*, p. 325.

² Dr. Grey is displeased with this representation, and impeaches the truth of it. He says, that when Mr. Vines took the freedom to observe, "that possibly his majesty's scruples were not so much his own as other men's," the king a little warmly replied; "that it was a mistake; for his scruples were really his own, and contained in his first paper." The doctor did not reflect, that few men are willing to have it supposed, and more unwilling to own, that they are led. But however this was, Mr. Neal is supported by the authority of Whitelocke.—ED.

³ Baxter's *Life*, p. 206.

⁴ Vol. 3. p. 322.

treaty, when the commissioners pressed his majesty to consider, that there was not one whole day to determine the fate of the kingdom, and that nothing could save his majesty from the growing power of the army, but giving his two houses satisfaction in the particular of the church, “then (says lord Clarendon)¹ his majesty’s own council, and the divines, besought him to consider the safety of his person, even for the church’s sake, which had no prospect of being preserved, but by his life, that the unavoidable necessity that lay upon him obliged him to do anything that was not sin.” And why did they not do this sooner? However, it seems they could only prevail for a suspension of the episcopal power in point of ordination and jurisdiction, till he and the two houses should agree what government should be established for the future. Which was the substance of all his majesty intended by his concessions. After supper the commissioners took their leave, and having kissed his majesty’s hand, began their journey next morning towards London. It is intrepid language that Mr. Warwick puts into the king’s mouth on this occasion: his majesty said to him one night, “I am like a captain that has defended a place well, and his superiors not being able to relieve him he had leave to surrender it; but though they cannot relieve me in the time, let them relieve me when they can, else (says he) I will hold it out till I make some stone in this building my tombstone; and so I will do by the church of England.”

Lord Clarendon is of opinion, “that the major part of both houses, as well as the commissioners, were at this time so far from desiring the execution of all their concessions, that if they had been able to have resisted the wild fury of the army, they would themselves have been suitors to have declined the greatest part of them.” And were not the king’s counsellors and divines sensible of this? Why then did they trifle away a month in fruitless debates, when it was evident to all men that the king’s condition became more desperate every day?

Thus ended the famous treaty at Newport, which like all the former proved unsuccessful, chiefly from an incurable jealousy between the contending parties, which how reasonable it was on either side must be left with the reader.

The noble historian observes,² that the king sent the prince of Wales a journal of the proceedings of the treaty, and an exact copy of all the papers that had passed to the 29th of November, together with a letter of six sheets of paper written with his majesty’s own hand, containing the reasons and motives of all his concessions. The conclusion of the letter, his lordship says, deserves to be preserved in letters of gold, as it gives the best charac-

¹ Book 11. or vol. 3. p. 227.

² Book 11, or vol. 3. p. 229.

ter of that excellent prince; but the copy does not, in my opinion, resemble the original. Some passages of it are these: “—We have laboured long in search of peace, do not you be disheartened to tread in the same steps.—Prefer the way of peace—conquer your enemies by pardoning rather than by punishing—Never affect more greatness or prerogative than that which is really and intrinsically for the good of your subjects, not the satisfaction of favourites. You may perceive that all men intrust their treasure where it returns them interest. If princes, like the sea, receive, and repay all the fresh streams the rivers intrust them with, they will not grudge, but pride themselves to make them up an ocean—If God restore you to your right, whatever you promise keep—Don’t think anything in this world worth obtaining by false and unjust means.”—These are excellent maxims of government; and if his majesty had conducted himself by them he could not have been reduced to such a low and destitute condition, as to have hardly a place in the world to bide himself in; “for (says lord Clarendon)¹ there was at that time no court in Christendom so honourably or generously constituted, that it would have been glad to have seen him, and they who wished him well, did not wish his escape, because they imagined imprisonment was the worst that could befall him.”

I am unwilling to suspect the genuineness of this letter, though there were so many forgeries obtruded upon the world about this time to advance his majesty’s piety and virtue, that one can hardly feel the ground he treads on. If such a letter was sent to the prince, it is very strange he should never see it; or that his lordship, who lived in the prince’s family, and extracted his account of the treaty of Newport from these papers, as he declares, should never show it his master; and yet these are the words of bishop Burnet, in the History of his Life and Times: “The duke of York suffered me to talk very freely to him about religion, and he told me among other things, “that the letter to the prince of Wales was never brought to him.”

The army had been six months in the field this summer engaged against the cavaliers and Scots, who being now reduced, and subdued, they began to express a high dissatisfaction with the present treaty, because no provision had been made for their darling point, liberty of conscience. Here they had just reason of complaint, but ought not to have relieved themselves by the methods and at the expense they did. They were thoroughly incensed against the king and his cavaliers on one hand, and the high Presbyterians on the other. It appeared to them, that the king’s sentiments in religion and politics were not changed; that he would always be raising new commotions till things returned to their former channel; and in the present treaty he had yielded nothing but through constraint; and that when he was restored

¹ Vol. 3. p. 231.

to his throne, after all the blood that had been shed, they should neither be safe in their lives or fortunes. On the other hand, if Presbyterian uniformity should take place by virtue of the present treaty, their condition would be little mended; for, said they, if the king himself cannot obtain liberty to have the Common Prayer read privately in his own family, what must the Independents and sectaries expect? What have we been contending for, if after all the hazards we have run, presbytery is to be exalted, and we are to be banished our country or driven into corners?

While the resentments of the army were thus inflamed, their officers, who were high enthusiasts, though men of unblemished morals,¹ observed several days of fasting and prayer at their headquarters at St. Albans, till at length, in a kind of despair, and under the influence of a religious frenzy, they entered upon the most desperate measures, resolving to assume the sovereign power into their own hands, to bring the king to justice; to set aside the covenant; and change the government into a commonwealth. To accomplish these monstrous resolutions, which were founded, as they alleged, upon self-preservation, though prosecuted by measures subversive not only of the rights of parliament, but of the fundamental laws of society, the officers agreed upon a remonstrance, which was presented to the parliament by six of their council, November 20, eight days before the expiration of the treaty with the king, together with a letter from general Fairfax to the house, desiring it might have a present reading.

The remonstrance sets forth the miscarriages of the king's government;² and his double and dilatory proceedings in treaties, particularly in that now on foot; and then desires the house to return to their votes of non-addresses; to lay aside that bargaining proposition of compounding with delinquents, and bring them to punishment; and among these offenders, they propose, "(1.) That the king be brought to justice, as the capital cause of all. (2.) That a day be set for the prince of Wales and the duke of York to surrender themselves, or be declared incapable of the government; and that for the future, no king be admitted but by the free election of the people."³

¹ The character of virtuous morals, bishop Warburton considers as inconsistent with their being, as Mr. Neal says, "high enthusiasts; when (his lordship adds) they all acted, as almost all enthusiasts do, on this maxim, that the end sanctifies the means, and that the elect, of which number they reckoned themselves chief, are above ordinances." Mr. Neal, I presume, is to be understood as speaking of their personal virtue, with regard to sensual indulgences, in opposition to drunkenness and debauchery.—ED.

² Lieutenant-general Ludlow apprehended that the dispute between the king's party and the parliament turned upon this simple question, "Whether the king should govern as a god by his will, and the nation be governed by force like beasts: or whether the people should be governed by laws made by themselves, and live under a government derived from their own consent?" Ludlow's Memoirs, 4to. 1771. p. 114. On this point rests the difference between free and despotic governments, and in the degree in which a government deviates from the former, it approximates to the latter state.—ED.

³ Clarendon, vol. 3. p. 236. Rapin, vol. 2. p. 564, folio.

The commons upon reading this remonstrance were struck with surprise, and being in the utmost consternation deferred the debate for ten days, i. e. to the end of the treaty. But the officers, being apprehensive of what might happen in that time, sent colonel Ewer to the Isle of Wight with a party of horse to secure the person of the king, and ordered colonel Hammond to quit the island, and attend the council of officers at their headquarters at Windsor; the king was secured the very day after the expiration of the treaty, and next morning [November 30] conveyed by a party of horse to Hurst-castle, where he continued till he was conducted by colonel Harrison to Windsor, in order to his trial. The same day the officers sent a declaration to the house to enforce their late remonstrance, complaining that they were wholly neglected, and desiring the majority of the house to exclude from their councils such as would obstruct justice, or else withdraw from them.¹ This occasioned warm debates among the members, and a motion that the principal officers who had a share in the remonstrance might be impeached of high treason.² Upon which the army marched directly to London, with general Fairfax at their head, who wrote to the lord-mayor and common-council, that he was marching to Westminster in pursuance of the late remonstrance, and desired £40,000 of the city in part of their arrears. December 2, he quartered his troops about Whitehall, the Mews, Covent-garden, and St. James's, assuring the citizens, that they should disturb no man in his property.

Though the houses were now environed with an armed force, they had the courage to vote, that the seizing the person of the king, and carrying him prisoner to Hurst-castle, was without their advice and consent; and next day, after having sat all night [December 5], it was carried without a division, that the king's concessions to the parliament's propositions were a sufficient ground for the houses to proceed upon for settling the peace of the kingdom; two hundred and forty-four members being present. But the officers being determined to carry their point discharged the city trained-bands, and placed a regiment of horse and another of foot, the very next day, at the door of the parliament-house, and colonel Pride, having a list of the disaffected members in his hand, took about forty of them into custody, and denied entrance to about a hundred more, which determined several others to withdraw, insomuch that the house of commons was left in the possession of about one hundred and fifty or two hundred persons, most of them officers of the army, who conducted everything according to the plan concerted in their council at St. Albans.—Oliver Cromwell was not yet come to London from his northern expedition, but wrote from Knottings-

¹ Rushworth, p. 1341. Rapin, vol. 2. p. 565, folio.

² Clarendon, vol. 3. p. 237.

ley, November 20, that the officers of his regiments were deeply sensible of the miseries of the kingdom, and had a great zeal for impartial justice to be done on offenders, with whom he concurred. December 6 he came to London, and next day had the thanks of the house thus garbled for his faithful services to the public.¹ December 11, a paper called the Agreement of the People was presented to the general and council of officers, as a rule for future government. It was supposed to be drawn up by Ireton, and proposed a dissolution of the present parliament, and a new one to be chosen, consisting of three hundred members,² who were to elect a council of state from among themselves, for the management of all public affairs, under certain restrictions; one of which is, that they do not lay any restraints on the consciences of men for religious differences (as has been mentioned), but no proceedings were had upon it, nor did it ever take place.

In the mean time the house of commons (if they now deserved that name) voted his majesty's concessions at the Isle of Wight not satisfactory,³ and "that no member who had been absent when that vote was passed should sit again in the house till he had subscribed it;⁴ that no more addresses be made to the king for the future;⁵ that no malignant, who had assisted against the parliament in the first or second civil war, or that had abetted the late tumults, should be capable of being chosen lord-mayor or alderman of the city of London, or be capable of any place of profit or trust, or so much as of giving his vote for choosing persons into such offices, for the space of one year."⁶ The secluded members published a protestation⁷ against all these proceedings as null and void till they were restored to their places; but the lords and commons who remained in the houses voted their protestation false, scandalous, and seditious.

¹ Dugdale, p. 363.

² According to the authority, Williams's MS. Collections, on which Dr. Grey relies, it was proposed, that the representatives should be four hundred; and the ground of the motion was, that the people of England (being very unequally distributed by boroughs for election of their representatives) were indifferently proportioned.—ED.

³ They also reversed the vote of the 5th of December, viz. "that the king's answer was a ground on which to proceed upon for the settlement of the peace of the kingdom," as dishonourable to parliament, destructive to the peace of the kingdom, and tending to the breach of the public faith of the kingdom. Dr. Grey, p. 357.—ED.

⁴ Rushworth, p. 1300.

⁵ Rushworth, 1365.

⁶ Clarendon, p. 240.

⁷ Bishop Warburton observes, "that these very secluded members had voted the bishops guilty of high-treason, for protesting in the same manner, when under the like force." The reader will turn back to vol. 2. p. 112–118, compare the two cases, and decide whether they were entirely similar. Not but it is too common for men not to discern the nature of oppression till they come to feel it; and to condemn in others what they allow in themselves.—ED.

The army, having vanquished all opposition, went on with irresistible violence to change the whole frame of government;¹ and, to make way for it, determined to impeach the king of high-treason, as having been the cause of all the blood that had been spilt in the late war.² This unheard-of motion met with some opposition even in that packed assembly;³ Oliver Cromwell was in doubt, and said, "If any man moved this of choice or design he should think him the greatest traitor in the world; but since Providence or necessity had cast them upon it, he should pray God to bless their councils, though he was not provided on the sudden to give them advice." Some said there was no need to bring the king to a trial; others that there was no law to try him, nor any judicatory to call him to account; but all this was overruled; and because the lords rejected the ordinance for the king's trial, lord Clarendon tells us, they shut up their doors; but Mr. Whitelocke says, they entered their house, and although several ordinances passed, the commons would not own them any longer. Thus the constitution was dissolved, and all that ensued must be considered as effected by the military power.⁴

Though some few petitions had been procured from divers counties, and even from the common-council of London, that justice might be done upon the authors of our troubles and bloodshed, in an exemplary way, and without respect to persons; yet the general voice of the nation was against such violence, as appears by the petitions and protestations of all orders of people.

The prelatial clergy lay still, either because they could not assemble in a body, or because they apprehended they could do no service by appearing; but Dr. Gauden, afterward bishop of Exeter, published "A protestation against the declared purposes and proceedings of the army, and others, about trying and destroying our sovereign lord the king," dated January 5, and sent it to a colonel to be presented to lord Fairfax at the council of war. Dr. Hammond sent a humble address to the general and council of war, to prevent the horrid design of putting the king to death, dated January 15. Both these papers insisted on the divine right of kingly government, and that to call the king before the tribunal of the people was contrary to the laws of the land. The famous Mr. Prynne, one of the secluded members, published "A brief memento to the present unparliamentary junto, touching their present intentions and proceedings to depose and execute Charles Stuart, their lawful king of England," dated from the King's-head in the Strand, January 1, 1648.

¹ Rushworth, p. 1363.

² Rapin, vol. 2. p. 567.

³ Dugdale, p. 366,

⁴ Memor. p. 361.

The officers of the army attempted by their creatures to gain over the London ministers to their measures, or at least to persuade them to a neutrality. Hugh Peters, one of their chaplains, was sent to the remains of the assembly of divines at Westminster, for this purpose, but they declared unanimously for the release of the king. He then invited several of the London ministers, as, Mr. Marshal, Calamy, Whitaker, Sedgwick, Ash, &c. to a conference with some officers of the army, upon the subject of the coercive power of the magistrate in matters of religion, which was foreign to the present purpose; but instead of meeting them, these divines assembled with their brethren at Sion-college, and published a paper entitled, “A serious and faithful representation of the judgment of the ministers of the gospel within the province of London, whose names are subscribed, contained in a letter to the general, and his council of war, delivered to his excellency by some of the subscribers,” January 18, 1648.

In this address, after assigning reasons why they would not consult with the officers upon matters of religion, they complain of their imprisoning the members of parliament: “We remember (say they¹) that when the king with a multitude of armed men demanded but a small number of the members of parliament, it was deemed an unparalleled breach of the privilege of parliament, and was one reason that an army was raised by their authority, and for their preservation; but that this very army should so far exceed that act, which was then esteemed without parallel, is what we could not believe, had not our eyes been witnesses of it!

“And though both houses of parliament saw reason to take up arms in their own defence, and in defence of the Protestant religion, and the fundamental laws of their country, yet this cannot be pleaded in justification of your usurping an authority over king and parliament, who are but so many private persons and no part of the legislature.

“Moreover, though the parliament took up arms in defence of the laws, it was never their intention to do violence to the person of the king, or divest him of his royal authority, much less to overthrow the whole constitution.

“We therefore think ourselves bound by our protestation, and by our solemn league and covenant, to appear for our excellent constitution against arbitrary and tyrannical power in the king, on the one hand, and against the illegal proceedings of private persons, tending to subvert the constitution and introduce anarchy and confusion, on the other.

“Instead therefore of consulting with you, we earnestly entreat you, as the ambassadors of Christ, that you would consider of the evil of your present ways, and turn from them. You cannot but know, that the word of God

¹ Vol. Pamph. No. 52.

commands obedience to magistrates, and consonant to this Scripture has been the judgment of Protestant divines at home and abroad, with whom we concur; disclaiming, detesting, and abhorring, the practices of Jesuits, concerning the opposing of lawful magistrates by any private persons, and the murdering of kings by any, though under the most specious and colourable, pretences. Examine your consciences, if any number of persons of different principles from yourselves had invaded the rights of parliament, imprisoned the king, and carried him about from place to place, and attempted the dissolution of the whole government, whether you would not have charged them with the highest crimes.

“We desire you not to infer the justice of your proceedings from the success, but to distinguish between God’s permission and approbation, and that God’s suffering men to prosper in their evil courses is one of the severest judgments; the providence of God therefore, which is so often pleaded in justification of your actions, is no safe rule to walk by, in such actions which the word of God condemns.

“Nor is it safe to be guided by the impulses of the spirit, when they are contrary to the written word of God; we are to try the spirits, and to have recourse to the law and the testimony; if they speak not according to them, there is no light in them.

“If you plead necessity for doing that which yourselves confess to be irregular, we answer, no necessity can oblige men to sin; besides, it is apparent, you were under no necessity, the parliament (till forced by you) being full and free; besides, you have engaged by oath to preserve his majesty’s person, and the privileges of parliament, and no necessity can justify perjury, or dispense with lawful oaths.

“We therefore beseech you to recede from this your evil way, and learn John Baptist’s lesson to soldiers, Do violence to no man, neither accuse any man falsely, and be content with your wages. But if you persist in this way, be sure your sin will find you out. If our exhortation prevail not, we have discharged our duty, and we hope delivered our own souls. If it be our portion to suffer, as we are told, we trust we shall suffer as Christians; but we hope better things of you, and subscribe ourselves your servants in the Lord:

James Nalton, pastor, Foster-lane
 Thomas Cawton, St. Bartholomew-Exchange
 John Fuller, Bishopsgate
 Francis Roberts, St. Austin
 William Jenkin, Christ-church
 Elidad Blackwell, Alhallows-Undershaft
 William Harrison, Grace-church
 John Sheffield, St. Swithin's
 Matthew Haviland, Trinity
 George Smalwood, Poultry
 William Taylor, Coleman-street
 Christopher Love, Aldersgate
 Robert Mercer, St. Bride's
 Thomas Gataker, Rotherhithe
 George Walker, St. John Evangelist
 Arthur Jackson, M. Wood-street
 Charles Offspring, St. Antholin's
 Henry Rodborough, Eastcheap
 Nicholas Profet, Foster-lane
 Thomas Case, Milk-street
 Stanly Gower, Ludgate
 Andrew Janeway, Alhallows on the Wall
 Samuel Clark, St. Bene't Fink
 Thomas Clenden, Alhallows-Barking

John Wale, St. M. Cornhill
 James Crawford, St. Christopher
 Ralph Robinson, pastor, St. Mary Woolnoth
 William Blackmore, St. Peter, Cornhill
 Francis Peck, St. Nicholas Acorus
 Stephen Watkins, St. Saviour, Southwark
 William Wickers, St. Andrew Hubbard
 John Wallis, Ironmonger-lane
 Thomas Manton, Stoke-Newington
 Thomas Gouge, St. Sepulchre's
 Thomas Watson, Walbrook
 Nathaniel Staniforth, St. Mary-Bothaw
 John Halk, Alhallows on the Wall
 John Glascock, St. Andrew-Undershaft
 Thos. Whately, St. Mary-Woolchurch
 Jacob Tice, Billingsgate
 Jonathan Lloyd, Garlickhithe
 John Morton, Newington-Butts
 Joshua Kirby
 Arthur Barham, St. Helen's
 Benjamin Needler, St. Margaret-Moses
 John Wells, St. Olave-Jury
 Robert Matthew, St. Andrew-Wardrobe."

Notwithstanding this seasonable and explicit remonstrance, the episcopal divines, in order to throw off the guilt of the king's misfortunes from themselves, who by their obstinate behaviour had in reality reduced him to the last extremity, resolved to fix it upon the Presbyterians; as their successors have done even till this day. It was therefore given out among the people, that the Presbyterians had brought the king to the block, and that the Independents would cut off his head. To wipe away this calumny the Presbyterian clergy published another paper, entitled, "A vindication of the London ministers from the unjust aspersions cast upon their former actings for the parliament, as if they had promoted the bringing of the king to capital punishment." It was addressed to the people, and after they had repeatedly declared their dislike of the proceedings at Westminster against the king, they conclude in words to this purpose: "Therefore according to our covenant we do, in the name of the great God, warn and exhort all that belong to our respective charges, or to whom we have administered the said covenant, to abide by their vow, and not suffer themselves to be persuaded to subscribe the Agreement of the People, which is subversive of the present constitution, and makes way for the toleration of all heresies and blasphemies, and will effectually divide the two kingdoms of England and Scotland. We earnestly beseech them to mourn for the sins of the parliament and city, and for the miscarriages of the king himself in his government, which have cast him down from his excellency into a horrid pit of misery, almost beyond example; and to pray, that God would give him effectual repentance, and sanctify the bitter cup of divine displeasure which Divine Providence has put into his hands; and that God would restrain the violence of men, that they may not dare to draw upon themselves and the kingdom the blood of their sovereign."

This was signed by fifty-seven ministers, among whom were the following nineteen, whose names were not to the above-mentioned representation:

Cornelius Burges, D.D. at St. Paul's	Thomas Thoroughgood, of Crayford
William Gouge, D.D. Blackfriars	Edward Corbet, Croydon
Edmund Stanton, D.D. Kingston	John Viner, Aldgate
Thomas Temple, D.D. Battersea	John Crosse, Friday-street
Edmund Calamy, B.D. Aldermanbury	Peter Witham, St. Alban, Wood-street
Jeremiah Whitaker, St. Mary-Magdalen, Bernondsey	John Stileman, Rotherhithe
Daniel Cawdrey, St. Martin in the Fields	Josias Ball, North-Grey'
William Spurstow, D.D. Hackney	Jonathan Devereux, late of St Andrew, Holborn
Lazarus Seaman, Bread-street	Paul Russel, Hackuey.
Simeon Ash, Bassishaw	

It was not possible for the few Independent ministers in London to join the Presbyterians in these addresses, (1.) Because they were not possessed of parochial livings, nor members of the provincial assembly of London, nor admitted to their weekly consultations at Sion-college, but were a sort of dissenters from the public establishment. (2.) Because they did not believe themselves so far bound by the covenant as to oppose a toleration, nor to support any constitution that was not consistent with Christian liberty, which the Presbyterians would not admit. None of their ministers, that I know of, declared their approbation of the proceedings of the council of officers in the trial of the king, except Mr. Hugh Peters, and Mr. John Goodwin. Some of the Independent ministers in the country joined the Presbyterians in protesting against it; those of Oxford and Northampton of both denominations published their humble advice and earnest desire, presented to general Fairfax and the council of war, January 25, subscribed by nineteen or twenty names, in which they declare their utter disapprobation of all proceedings against his majesty's crown and life, as contrary to Scripture, to the laws of the land, the solemn league and covenant, and tending to destroy the constitution, and involve the nation in a war with their neighbours. They declare their dissent from the late violence upon the parliament—but with reference to religion they say, "Though our souls abhor that grand design of the devil and his agents to decry all religious and zealous professors under the names of sectaries and Independents, we willingly grant, and heartily desire, that the interest of all godly and honest men may be carefully provided for, and secured, as far as is consistent with the word of God, our covenant, and the public peace; and that men of different apprehensions in matters of religion may not be utterly incapable of all offices of power and trust, though we cannot agree to a universal toleration." They conclude with beseeching the general to suspend all further prosecution against the king, and to endeavour a right understanding between the king, parliament, and army; but if they cannot prevail, they desire to wash their hands of the blood of their dread sovereign, and to approve themselves innocent of all that confusion and misery in which the deposing and taking

away his majesty's life will involve them, their posterity, and all men professing godliness in the three kingdoms.¹

It must be confessed, the Independents were a sort of malcontents, and had reason to be dissatisfied with the treaty of Newport, because they were not only excluded the new establishment, but debarred of a toleration; and yet, as Mr. Echard and Dr. Bates the physician observe, several of them joined with their brethren in declaring against the design of putting the king to death, in their sermons from the pulpit, in conferences, monitory letters, petitions, protestations, and public remonstrances.²

The Scots kirk, by their commissioners, declared and protested against the putting the king to death, as absolutely inconsistent with their solemn league and covenant. They published a protestation, directed to the ministers of the province of London meeting at Sion-college, January 25, 1648–9, with a letter, exhorting them to courage and constancy in their opposition to the proceeding of the house of commons, and to a universal toleration.

Sundry foreign princes and states, by their ambassadors, interceded for the king; some from their respect to his person, and others from a regard to the honour that was due to crowned heads. But it was impossible to stop the impetuous wildfire of the army, who, having brought the king from Hurst-castle to Windsor, obtained a vote in the parliament (if we may so call it) that all ceremonies due to a crowned head be laid aside; and then came to the following resolutions, January 4: "First, that the people under God are the original of all just power. Secondly, that the house of commons are the supreme power of the nation. Thirdly, that whatever is declared for law by the commons in parliament is valid, though the consent of the king and the house of peers be not had thereto."³ The house of lords, which was reduced to sixteen peers, having unanimously rejected the ordinance of the commons for the king's trial, and adjourned for a fortnight, the commons resolved to act without them, and having named a committee of thirty-eight persons to receive informations, and draw up a charge against the king, they constituted a high court of justice for his trial,⁴ consisting of one hun-

¹ Vol. Pamp. 108.

² Ech. Hist. p. 654. Elench. Cot. Nar. 1ⁿ a. p. 118.

³ Rapin, vol. 2. p. 568, folio.

⁴ The reader may be amused by the relation of an accident which befell the king at Oxford, which appeared to affect his spirits, and may be deemed, by superstition, a prognostic of the calamities that befell him and were now thickening on him. On visiting the public library, he was showed among other books a Virgil, nobly printed, and exquisitely bound. Lord Falkland, to divert him, would have his majesty make trial of his fortune by the *Sortes Virgilianæ*, a kind of augury in use for some ages. On the king's opening the book, the period which presented itself, was Dido's imprecation on Æneas, thus translated by Mr. Dryden:

dred and forty-five persons, of whom twenty or more might proceed to business; but not above one half would act under this authority: Mr. serjeant Bradshaw was president; Mr. Cook, solicitor-general; and Mr. Steel, Mr. Dorislaus, and Mr. Aske, were to support the charge. The form of process being settled by the commissioners, the king, who had been conducted to St. James's, January 15, appeared before his judges in Westminster-hall, the first time on Saturday January 20, 1648, when being seated at the bar in a chair of crimson velvet, and covered, as were all his judges, Mr. Cook the solicitor exhibited a charge of high-treason against him; which being read, the king, instead of pleading to the charge, excepted to the jurisdiction of the court, which was overruled, the president replying, that they would not suffer their authority to be disputed, and therefore required the king to think better of it again Monday; but his majesty persisting in his refusal to plead both on Monday and Tuesday, the clerk was ordered to record the default; Wednesday the court sat in the painted chamber, and examined witnesses against the king;¹ Thursday and Friday they consulted how to proceed; and on Saturday his majesty was brought the last time to the bar, when, persisting to disown the jurisdiction of the court, he desired to be heard in the painted chamber by the lords and commons, but his request was denied, and the president pronounced sentence of death against him as a traitor, fifty-nine being present, and signifying their concurrence by standing up, as had been agreed. Sundry indignities and insults were offered to the king by the soldiers, as he passed along Westminster-hall, but the far greater num-

“Yet let a race untamed and haughty foes
His peaceful entrance with dire arms oppose;
Oppress'd with numbers in th' unequal field,
His men discouraged, and himself expell'd,
Let him for succour sue from place to place,
Torn from his subjects, and his son's embrace.
First let him see his friends in battle slain,
And their untimely fate lament in vain:
And when at length the cruel war shall cease,
On hard conditions may he buy his peace.
Nor let him then enjoy supreme command,
But fall untimely by some hostile hand,
And lie unburied on the barren land.”
Welwood's Memoirs, p. 90, 91—ED.

¹ The evidence of Henry Goode, on this examination, proved the king's insincerity in the treaty of Newport; for he deposed, that on observing to his majesty, to whom he had access, that he had justified the parliament's taking up arms, the king replied, that though he was contented to give the parliament leave to call their own war what they pleased, yet he neither did then, nor should, decline the justice of his own cause. Rushworth in Macaulay's History, vol. 4. p. 388, note.—ED.

ber of people deplored his unhappy condition. Tuesday January 30, being appointed for his execution, his majesty was offered the assistance of Mr. Calamy, Vines, Caryl, Dell, and Goodwin, but he refused them, and chose Dr. Juxon, bishop of London, who, according to bishop Burnet, performed his office with such a dry coldness as could not raise the king's devotion. On the fatal day he was conducted on foot by a strong guard through St. James's park, to a scaffold erected in the open street before the banqueting-house at Whitehall, where he made a short speech to the people, in which he made no acknowledgment of the mistakes of his government, but declared himself a martyr for the laws and liberties of the people; after which he laid down his head on the block, which was severed from his body at one blow¹ by some bold executioner in a mask, in the forty-ninth year of his age, and twenty-fourth of his reign. His body was interred privately at Windsor, February 28, following, without ceremony, and with no other inscription on the coffin than "King Charles, 1648."

The reader will collect the character of this unfortunate prince rather from the preceding facts, than from the keen reflections of his determined enemies, or the flattering encomiums of his friends and admirers, which latter, in their anniversary sermons,² have almost equalled his sufferings with those of our blessed Saviour. It must be admitted, that king Charles I. was sober, temperate, chaste, an enemy to debauchery and lewdness, and very regular in his devotions. But these excellent qualities were balanced with some of a very different nature; his temper was distant and reserved to a fault; he was far from being generous, and when he bestowed any favour did it in a very disagreeable and uncourtly manner; his judgment in affairs of government was weak and unsteady, and generally under the direction of a favourite. In his treaties with the parliament, he was chargeable with great insincerity, making use of evasive and ambiguous terms, the explication of which he reserved for a proper place and season. He had lofty notions of

¹ Mr. Philip Henry was a spectator of this event, and noticed two remarkable circumstances which attended it. One was, that at the instant when the blow was given, there was such a dismal universal groan among the thousands of people that were within sight of it (as it were with one consent) as he never heard before, and desired he might never hear the like again. The other was, that immediately after the stroke was struck, there was, according to order, one troop marching from Charing-cross, towards King-street, and another from King-street towards Charing-cross, purposely to disperse and scatter the people, and to divert the dismal thoughts which they could not but be filled with, by driving them to shift every one for his own safety. P. Henry's Life, p. 16.—ED.

² It is the remark of bishop Warburton, that "blackened characters on the one hand, and impious comparisons on the other, equally offensive to charity and religion, in the early days of this returning solemnity, turned an act of worship into a day of contention. But these (he adds) were the unruly workings of a storm just then subsided. Time, which so commonly corrupts other religious institutions, hath given a sobriety and a purity to the returning celebrations of this." Sermon on the 30th of January, 1760, to the house of lords, p. 7,8—ED

the absolute power of princes, and the unlimited obedience of subjects; and though he was very scrupulous about his coronation-oath in regard to the church, he seems to have paid little attention to it as it respected the laws and liberties of his subjects, which he lived in the constant violation of for fifteen years.¹ He was a perfect dupe to his queen, who had too much the direction of public affairs both in church and state; no wonder therefore that he had a determined aversion to the Puritans, and leaned so much to the pomp and ceremony of the church of Rome, that though a Protestant in judgment he was for meeting the Papists half way, and for establishing one motley religion throughout Great Britain, in which both parties might unite. He told Dr. Sanderson, that if God ever restored him to his crown, he would go barefoot from the Tower of London, or Whitehall, to St. Paul's, by way of penance, for consenting to the earl of Strafford's death, and to the abolishing of episcopacy in Scotland, and desire the people to intercede with God for his pardon.² Such was his majesty's superstition! Upon the whole though king Charles I. had virtues that might have rendered him amiable as a private gentleman, his foibles were so many as entitle him to the character of a very weak and impolitic prince; far from appearing truly great in any one scene of his whole life except the last. Mr. Coke says,³ he was wilful and impatient of contradiction; his actions sudden and inconsiderate, and his councils without secrecy. He would never confess any of his irregularities in government, but justified them all to his death. If any gave him advice contrary to his inclination, he would never be friends with him again. He was unaffable and difficult of address, requiring such strained submissions as were not usual to his predecessors. The sincerity of his promises and declarations was suspected by his friends as well as enemies,⁴ so that he fell a sacrifice to his arbitrary principles, the best friends of the constitution being afraid to trust him. Bishop Burnet⁵ adds, "that he affected in his behaviour the solemn gravity of the court of Spain, which was sullen even to moroseness; this led him to a grave reserved deportment, in which he forgot the civilities and affabilities which the nation naturally loved; nor did he, in his outward deportment, take any pains to oblige any persons whatsoever. He had such an ungracious way of showing a favour, that the manner of bestowing it was almost as mortifying as the favour was obliging. He loved high and rough measures, but had neither skill to con-

¹ Clarendon's Hist. p. 430.

² Life of Sanderson, p. 79.

³ Detect, p. 336.

⁴ Bishop Warburton grants, that "the king made his concessions with so ill a grace, that they only served to remind the public of his former breaches of faith, and to revive their diffidence in the royal word." Sermon before the house of lords, 30th of January 1760, p. 16.—ED.

⁵ His life, vol. 1. p. 23. 61. Edin, ed.—ED.

duct them, nor height of genius to manage them. He hated all that offered prudent and moderate counsels, and even when it was necessary to follow such advices he hated those that gave them. His whole reign, both in peace and war, was a continued series of errors, so that it does not appear that he had a true judgment of things. He was out of measure set upon following his humour, but unreasonably feeble to those whom he trusted, chiefly to the queen, and (it may be added also) to the clergy. He had a high notion of the regal power, and thought that every opposition to it was rebellion. He minded little things too much, and was more concerned in drawing up a paper than in fighting a battle. He had a firm aversion to Popery, but was much inclined to a middle way between Protestants and Papists, by which he lost one without gaining the other. At his death he showed a calm and composed firmness which amazed all people, and so much the more, because it was not natural to him, and was therefore by his friends imputed to an extraordinary measure of supernatural assistance.”

After his majesty’s death, the episcopal clergy did all they could to canonize him for a martyr; they printed his sayings, his prayers, his meditations, and forms of devotion under his sufferings, and drew his portrait in the most devout and heavenly attitude. His works, consisting of sundry declarations, remonstrances, and other papers, have been published in a most pompous and elegant form; among which one is of very suspected authority, if not absolutely spurious, I mean his “*Eikoon Basilikè*, or the portraiture of his sacred majesty in his solitude and sufferings,” said to be written with the king’s own hand; it was first printed in the year 1649, and passed through fifty editions in divers languages within twelve months.¹ No book ever raised the king’s reputation so high as this, which obliged the new council of state to employ the celebrated Milton to destroy its credit, which he attempted in a treatise under the title of [*Eikono Clastese*], or an answer to a book entitled *Eikoon Basilikè*, printed by Du Garde, 1652; but the fraud was not fully detected till some years after.

The grounds and evidences of the spuriousness of this book are these, 1. That lord Clarendon, in his history of the grand rebellion, makes no men-

¹ It has gone through forty-seven impressions in England. The number of copies are said to have been forty-eight thousand five hundred. It produced, at home and abroad, the most favourable impressions for the king’s piety and memory. Lord Shaftesbury supposed that it contributed, in a great measure, to his glorious and never-fading titles of saint and martyr. Dr. Grey is displeased with Mr. Neal for suspecting the authenticity of the book, and has bestowed ten pages to establish the king’s right to be considered as its author. Since Dr. Grey and Mr. Neal wrote, the evidence for, and against, its spuriousness has been fully stated by Dr. Harris, in his *Critical History*, p. 106–116. Mr. Hume’s remark with regard to the genuineness of that production is, that “it is not easy for an historian to fix any opinion which will be entirely to his own satisfaction.” He afterward adds, “Many have not scrupled to ascribe to that book the subsequent restoration of the royal family.” *History of Great Britain*, vol. 7. 8vo. 1763, p. 159, 160—ED.

tion of it,¹ 2. Bishop Burnet says,² the duke of York, afterwards king James II., told him in the year 1673, that the book called *Eikoon Basilikè* was not of his father's writing, but that Dr. Gauden wrote it; that after the Restoration, the doctor brought the duke of Somerset to the king and to the duke of York, who both affirmed, they knew it to be his [the doctor's] writing, and that it was carried down by the earl of Southampton, and showed the king during the treaty of Newport, who read and approved it. 3. The earl of Anglesey gave it under his hand, that king Charles II. and the duke of York declared to him, in the year 1675, that they were very sure the said book was not written by the king their father, but by Dr. Gauden bishop of Exeter. 4. Dr. Gauden himself, after the Restoration, pleaded the merit of this performance in a letter to lord-chancellor Hyde, who returned for answer, that the particular he mentioned [i. e. of his being the author of that book] was communicated to him as a secret; I am sorry, says his lordship, that it was told me, for when it ceases to be a secret it will please nobody but Mr. Milton.³ 5. Dr. Walker, a clergyman of the church of England, after invoking the great God, the searcher of hearts, to witness to the truth of what he declares, says, in his treatise entitled, "A true account of the author of *Eikoon Basilikè*," "I know and believe the book was written by Dr. Gauden, except chap. 16 and 24 by Dr. Duppa. Dr. Gauden (says he) acquainted me with this design, and showed me the heads of several chapters, and some of the discourses. Some time after the king's death, I asked him whether his majesty had ever seen the book? He replied, I know it certainly no more than you; but I used my best endeavours that he might, for I delivered a copy of it to the marquis of Hertford, when he went to the treaty of the Isle of Wight."⁴ Dr. Gauden delivered the MS. to this Walker, and Walker carried it to the press; it was copied by Mr. Gifford, and both the doctor's son and his wife affirm that they believe it was written in the house where they lived.

Notwithstanding all this evidence Mr. archdeacon Echard says, the book is incontestibly the king's; and bishop Kennet adds, that those who pretend *Eikoon Basilikè* was a sham put upon the world, are a set of men that delight to judge and execute the royal martyr over again by murdering his name. Dr. Hollingworth, Dugdale, Wagstaff, and others, have endeavoured to invalidate the above-mentioned authorities, by showing that Dr. Gauden was not capable of writing such a book; but surely the evidence

¹ Vide Bayle's Diet, title Milton.

² His life, p. 51.

³ Crit. Hist. p. 191.

⁴ Ibid. p. 189. Hist. Stuarts, p. 283.

already produced is as strong and convincing as anything of this nature can possibly be.¹

The king's trial and execution, in such an illegal and unheard-of manner, struck the whole Christian world with astonishment. The prince of Wales, then in Holland, encouraged the learned Salmasius to write a Latin treatise, entitled, *Defensio Regis*, or a Defence of King Charles I., dedicated to his son Charles II., which was answered by Milton, in a book entitled, *Defensio pro Populo Anglicano*; or, A Defence of the People of England, written in an elegant but severe style. This book, says Mr. Bayle, made the author's name famous over all the learned world. Another performance appeared about the same time, entitled, *Clamor Regii Sanguinis ad Coelum*; or, The Cry of the King's Blood to Heaven. It was written in Latin by Peter du Moulin, junior, and answered by Milton in the same language. But to satisfy the English reader Mr. John Goodwin published a small treatise, which he called "A Defence of the Sentence passed upon the late King by the High Court of Justice; wherein the justice and equity of the said sentence are demonstratively asserted, as well from clear texts of Scripture as principles of reason, grounds of law, authorities and precedents, as well foreign as domestic;" a very weak and inconclusive performance! for admitting our author's principles, that the original of government is from the people, and that magistrates are accountable to them for administration, they are not applicable to the present case, because the officers of the army had neither the voice of the people, nor of their representatives in a free parliament; the house of commons was purged, and the house of peers dispersed, in order to make way for this outrage upon the constitution. Our author was so sensible of this objection, that, in order to evade it, he advances this ridiculous conclusion, that "though the erecting a high court of justice by the house of commons alone be contrary to the letter, yet it being for the people's good, it is sufficient that it is agreeable to the spirit of the law."² But who gave a few officers of the army authority to judge what was for the people's good, or to act according to the spirit of a law in contradiction to the letter? This would expose every man's life and estate to the will and pleasure of an arbitrary tyrant, and introduce a rule of government, so justly complained of in the former part of this reign, in opposition to a rule

¹ "There is full as strong evidence on the other side (says bishop Warburton); all of which this honest historian conceals; evidence of the king's bed-chamber, who swear they saw the progress of it; saw the king write it; heard him speak of it as his; and transcribed parts of it for him." It seems that Mr. Neal considered the evidences of its spuriousness to be so strong, as to supersede entering into a detail of the evidences for its authenticity. The bishop, it is to be remarked, though he judges the strongest and most unexceptionable evidence is on that side which gives it to the king, yet owns that the question "is the most uncertain matter he ever took the pains to examine." No such great blame, then, can lie on Mr. Neal for taking the other side of the question.—ED.

² P. 20.

of law. The president Bradshaw, in his speech at pronouncing sentence, goes upon the same general topics, that the people are the origin of civil power, which they transfer to their magistrates under what limitations they think fit, and that the king himself is accountable to them for the abuse of it; but if this were true, it is not to the present purpose, because, as has been observed, the king's judges had not the consent of the people of England in their diffusive or collective capacity. His majesty's own reasons against this high court of justice, which he would have given in court, if he might have been heard, are, in my opinion, a sufficient answer to all that can be said on the other side.

—“Admitting, but not granting (says his majesty) that the people of England's commission could grant your pretended power, I see nothing you can show for that, for certainly you never asked the question of the tenth man of the kingdom; and in this way you manifestly wrong even the poorest ploughman, if you demand not his free consent: nor can you pretend any colour for this your pretended commission without consent at least of the major part of the people of England, of whatsoever quality or condition, which I am sure you never went about to seek, so far are you from having it.—Nor must I forget the privileges of both houses of parliament, which this day's proceedings do not only violate, but likewise occasion the greatest breach of the public faith that I believe ever was heard of, with which I am far from charging the two houses.—Then, for anything I can see, the higher house is totally excluded; and for the house of commons, it is too well known, that the major part of them are detained, or deterred from sitting.—And after all, how the house of commons can erect a court of judicature, which was never one itself, as is well known to all lawyers, I leave to God and the world to judge—.”

King Charles therefore died by the hands of violence, or by the military sword, assumed and managed in an arbitrary manner by a few desperate officers of the army and their dependents,¹ of sundry denominations as to religion, without any regard to the ancient constitution of their country, or the fundamental laws of society; for by the former, the king cannot be tried for his life before any inferior court of justice; nor could they feign any pretence for the latter, without the express consent of the majority of the nation, in their personal or representative capacities, which these gentlemen never pretended. But since all parties have endeavoured to throw off the odium of this fatal event from themselves, it may not be improper to set

¹ They have been described as “a third party, rising out of the ferment of the self-denying ordinance; a swarm of armed enthusiasts, who outwitted the patriots, outprayed the Puritans, and outfought the cavaliers.” Bishop Warburton's sermon before the house of lords, 30th of January 1760, p. 22.—ED.

before the reader the sentiments of our best historians upon this head, leaving every one to draw what conclusion from them he pleases.

Not to insist upon the king's servile fondness for his queen and her friends; his resolute stiffness for his old principles of government in church and state; his untimely and ungracious manner of yielding to what he could not avoid; his distant and reserved behaviour towards those who only were capable of serving him; and his manifest doubling between the parliament and army, which some very reasonably apprehend were the principal causes of all his misfortunes, Mr. Whitelocke and Mr. Coke lay a good deal of blame upon his majesty's chaplains: the latter reproaches them with insisting peremptorily to the last upon the divine right of episcopacy; and the former for continual whispering in the king's ears the importance of preserving the revenues of the church, to the hazard of his person and kingdom; and surely if these warm and eager divines could have disentangled his majesty's conscience (which Mr. Whitelocke apprehends was not fully satisfied), as soon as the cavaliers had been dispersed, and the Scots beaten out of the field, the mischief that followed might have been prevented. I will not take upon me to say how far their influence might reach, though his majesty's profound deference to their judgment was notorious; but the conviction does not seem impracticable, when it is remembered the king was of opinion, that what he yielded through the necessity of his affairs was not binding when he should be at liberty; but neither his majesty nor his clergy foresaw the issue.¹

Most of the writers on the king's side, as well as the preachers since the Restoration, in their anniversary sermons, have with great injustice charged the Presbyterians with bringing the king to the block, contrary to the strongest and most convincing evidence; for though their stiffness for the divine right of presbytery, and their antipathy to liberty of conscience, is not to be vindicated, yet I apprehend enough has been said in the foregoing pages, to clear them from this unrighteous charge;² if the zeal of the Presbyterians for their discipline and covenant were culpable, the behaviour of the king and his divines in the opposition was no less so, considering he was a prisoner, and in the hands of a victorious parliament; neither side were sensible of the danger till it was too late, but when the storm was

¹ Whitelocke's Mem. p. 335. Coke's Detect, p. 331, 332.

² Bishop Warburton, with Mr. Neal, acquits the Presbyterians from being parties in the execution of the king; but then he will not allow them merit or virtue, in this instance, but would ascribe it to their not uniting with the Independents in other matters, and the opposition which that party made to their two darling points, the divine right of presbytery, and the use of force in religious matters. The reader will judge, how far this is a candid construction of the conduct and motives of the Presbyterians; and, at the same time, he will lament, that there should have been any ground for the severe reflection which the bishop subjoins: "Those who were capable of punishing Arians with death, were capable of doing any wickedness for the cause of God."—ED.

ready to burst on their heads I do not see what men could do more in their circumstances to divert it, than the Presbyterians did; they preached and prayed, and protested against it in the most public manner; many of them resigned their preferments because they would not take the engagement to the new commonwealth; they groaned under all the preceding changes of government, and had a principal share in the restoration of the royal family in the year 1660, without which these anniversary declaimers would never have had an opportunity of pelting them with their ecclesiastical artillery, in the unwarrantable manner they have done.

The forementioned writers, together with Mr. Rapin, in his late History of England, load the Independents, as a religious sect, with all the guilt of cutting off the king's head; and with being in a plot, from the commencement of the civil war, to destroy equally king, monarchy, episcopacy, and presbyterianism; but this last-named writer, not being acquainted with their religious principles, constantly confounds the Independents with the army, which was compounded of a number of sectaries, the majority of whom were not of that denomination. There were no doubt among the Independents, as well as among other parties, men of republican principles, who had a large share in the reproach of this day; but besides what has been observed, of some of their number joining with the Presbyterians in protesting against the king's execution, the divines of this persuasion had no difference with the Presbyterians, or moderate Episcopalians, about forms of civil government; the leading officers would have contributed their part towards restoring his majesty to his throne, when he was with the army, upon more equal terms than some other of his adversaries, had they not discovered his designs to sacrifice them when it should be in his power. In their last propositions they consented to the restoring the king, upon the foot of a toleration for themselves and the episcopal party; leaving the Presbyterians in possession of the establishment. Both Whitelocke¹ and Welwood² observe, that at the very time of the king's trial the prevailing party were not determined what form of government to set up, "many having thoughts of making the duke of Gloucester king;" which his majesty being informed of, forbade the duke, in his last interview, to accept the crown while his elder brothers were living. And though Mr. Rapin says, that after the force put upon the members of parliament on the 6th and 7th of December, the house consisted of none but independent members, it is certain to a demonstration, that there were then remaining in the house men of all parties, Episcopalians, Presbyterians, Independents, Anabaptists, and others: so little

¹ Memor. p. 358

² Ibid. p. 90. vol. 2. p. 367, folio.

foundation is there for this writer's conclusion, that the Independents, and these only, put the king to death.

Dr. Lewis du Moulin, history professor in Oxford, who lived through these times, says, that "no party of men, as a religious body, were the actors of this tragedy, but that it was the contrivance of an army, which, like that of king David's in the wilderness, was a medley or collection of all parties that were discontented; some courtiers, some Presbyterians, some Episcopalians; few of any sect, but most of none, or else of the religion of Thomas Hobbes and Dr. Scarborough; not to mention the Papists, who had the greatest hand in it of all."¹ The same learned professor, in his book entitled, "The conformity of the Independent discipline with that of the primitive Christians," published 1680, had a chapter entitled, "An answer to those who accuse the Independents for having an immediate hand in the death of king Charles I." But the times were such that the author was advised not to publish it.²

Mr. Baxter says, "Many that minded no side in religion thought it was no policy to trust a conquered king, and therefore were wholly for a parliamentary government without a king; of these (says he) some were for an aristocracy, and others for a democracy, and some thought they ought to judge the king for all the blood that had been shed; the Vanists, the Independents, and other sects, with the democratical party, being left by Cromwell to do the business under the name of the parliament of England."³

Bishop Burnet says, that "Ireton was the person that drove it on, for Cromwell was all the while in suspense about it; Ireton had the principles and temper of a Cassius, he stuck at nothing that might turn England into a commonwealth; Fairfax was much distracted in his mind, and changed purposes every day; the Presbyterians and the body of the city were much against it, and were every day fasting and praying for the king's preservation. There were not above eight thousand of the army about the town, but those were the most engaged in enthusiasm, and were kept at prayer in their way almost day and night, except when they were upon duty, so that they were wrought up to a pitch of fury which struck terror into all people."⁴

Mr. Echard and some others are of opinion, that great numbers of Papists, under hopes of liberty of conscience, or of destroying episcopacy, joined with foreign priests and Jesuits against the king. The celebrated au-

¹ "There is doubtless (says bishop Warburton) a great deal of truth in all this. No party of men, as a religious body, farther than as they were united by one common enthusiasm, were the actors in this tragedy. (See what Burnet says.) But who prepared the entertainment, and was at the expense of the exhibition, is another question."—ED.

² Vind. Prot. Relig. p. 53. 59.

³ Baxter's Life, p. 63.

⁴ Hist. Life and Times, vol. 1. p. 63, Edin, edition.

thor of Foxes and Firebrands has this remarkable passage:¹ “Let all true Protestants, who desire sincerely to have a happy union, recollect what a blemish the emissaries of Rome have cast upon those Protestants named Presbyterian and Independent, Rome saying the Presbyterians brought Charles the First’s head to the block, and the Independents cut it off; whereas it is certain, that the members and clergy of Rome, under dissenting shapes, contrived this murder. Nay, the good king himself was informed, that the Jesuits in France, at a general meeting, resolved to bring him to justice, and to take off his head by the power of their friends in the army.”² Bishop Bramhall in a letter to archbishop Usher, dated July 20, 1654, adds, “Thus much to my knowledge have I seen and heard, since my leaving your lordship, which I myself could hardly have credited, had not mine eyes seen sure evidence of the same, viz. that when the Romish orders, which were in disguise in the parliament-army, wrote to their several convents, and especially to the Sorbonists, about the lawfulness of taking away the king’s life, it was returned by the Sorbonists, that it was lawful for any Roman Catholic to work a change in governments for the mother-church’s advancement, and chiefly in an heretical kingdom, and, so lawful to make away with the king.”³ Mr. Prynne adds, “that Mr. Henry Spotswood saw the queen’s confessor on horseback among the crowd in the habit of a trooper, with his drawn sword flourishing it over his head in triumph, as others did, when the king’s head was just cut off; and being asked how he could be present at so sad a spectacle, answered, there were above forty more priests and Jesuits there besides himself, and when the fatal blow was given, he flourished his sword and said, Now the greatest enemy we have in the world is dead.” But this story does not seem to me very probable, nor is it easy to believe that the Papists should triumph in the death of a king, who was their friend and protector in prosperity, and whose sufferings are in a great measure chargeable upon his too great attachment to their interests.⁴

But the strongest and most unexceptionable testimony, is the act of attainder of the king’s judges passed upon the restoration of king Charles II., the preamble to which sets forth, that the “execrable murder of his royal father was committed by a party of wretched men, desperately wicked, and hardened in their impiety, who having first plotted and contrived the ruin of this excellent monarchy, and with it of the true Protestant religion, which had long flourished under it, found it necessary, in order to carry on their pernicious and traitorous designs, to throw down all the bulwarks and fenc-

¹ Part 3. p. 188.

² Ibid. p. 168, 169.

³ Necess. Vind. p. 45.

⁴ Foxes and Firebrands, part 2. p. 86.

es of law, and to subvert the very being and constitution of parliament.— And for the more easy effecting their attempts on the person of the king himself, they first seduced some part of the then army into a compliance, and then kept the rest in subjection, partly for hopes of preferment, and chiefly for fear of losing their employments and arrears, till by these, and other more odious arts and devices, they had fully strengthened themselves in power and faction; which being done, they declared against all manner of treaties with the person of the king, while a treaty with him was subsisting; they remonstrated against the parliament for their proceedings; they seized upon his royal person while the commissioners were returned to London with his answers, which were voted a sufficient foundation for peace; they then secluded and imprisoned several members of the house of commons, and then there being left but a small number of their own creatures (not a tenth part of the whole), they sheltered themselves under the name and authority of a parliament, and in that name prepared an ordinance for the trial of his majesty; which being rejected by the lords, they passed alone in the name of the commons of England, and pursued it with all possible force and cruelty till they murdered the king before the gates of his own palace. Thus (say they) the fanatic rage of a few miscreants, who were neither true Protestants nor good subjects, stands imputed by our adversaries to the whole nation; we therefore renounce, abominate, and protest, against it.—”¹

If this be a true state of the case, it is evident, from the highest authority in this kingdom, that the king’s death was not chargeable upon any religious party, or sect of Christians; nor upon the people of England assembled in a free parliament, but upon the council of officers and agitators, who, having become desperate by the restless behaviour of the cavaliers, and ill conduct of the several parties concerned in the treaty of Newport, plotted the overthrow of the king and constitution, and accomplished it by an act of lawless violence; that it was only a small part of the army who were seduced into a compliance, and these kept the rest in subjection till the others had executed their desperate purposes; so that though the wisdom of the nation has thought fit to perpetuate the memory of this fatal day by an anniversary fast, as that which may be instructive both to princes and subjects, yet if we may believe the declaration of his majesty at his trial, or of the act of parliament which restored his family, the king’s murder was not the act of the people of England, nor of their legal representatives, and therefore ought not to be lamented as a national sin.

¹ 12 Car. II. cliap. 30.