

**THE THIRD GENERATION OF AN ARRIVISTE**  
**FAMILY:**  
**WILLIAM CECIL, SECOND EARL OF SALISBURY,**  
**AND**  
**THE CONSOLIDATION OF NOBLE STATUS IN**  
**UNPROFITIOUS AND TUMULTUOUS TIMES.**

I, William Peter Bird, hereby declare that this thesis and the work presented in it is entirely my own.

A Thesis submitted in the Faculty of History for the Degree of Doctor of Philosophy.

Royal Holloway College, University of London.

**The Third Generation of an arriviste family: William Cecil, Second Earl of Salisbury, and the consolidation of noble status in unpropitious and tumultuous times.**

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This PhD dissertation is a biographical study of the life and political career of the second earl of Salisbury (1591-1668). It examines his early life and the preparation for the aristocratic role he would be expected to play. It looks at the early influences he experienced in his highly politicised home and also from Pembroke, Raleigh, Harrington, Buckingham, as well as in the courts of King James and Prince Henry.

The second and third chapters discuss how he dealt with the deaths of his father and Prince Henry, which came at a crucial point in his life. He had to finish the first earl's building programme and settle the debts that had been incurred by him. These chapters also look at the care he gave his family and staff; the rationalisation of his inheritance; and his success in passing on a large patrimony to his family.

The final four chapters deal with his long political career. They look at the difficulties he faced to get a Court appointment, the problems he experienced with Buckingham and the troubles he met later with King Charles's personal rule and his anti-Calvinist policies. He was a loyal courtier, who also served as a competent Lord Lieutenant for thirty years and a Privy Counsellor for fifteen. Despite this he displayed an independent streak and was prepared to stand his ground when the occasion demanded, although he was cautious enough to be pragmatic where his sovereign was involved and did not risk political suicide. He could not be counted as a front rank political leader, but he was able, because he did not allow himself to be identified with any faction, to influence those lords who occupied the middle ground.

In the fraught years of 1641-2 he tried to bring the king and Parliament together, even risking his inheritance by going to York contrary to a Lords' order. When civil war broke out he continued to work to bring the two sides together, whilst maintaining his loyalty to Parliament. After Charles's execution he served Parliament in the Commons and also in Cromwell's Council of State.

The thesis brings out Salisbury's devotion to Calvinism and the part this played in his actions. It also deals with the stain that his reputation has suffered from historians who have neglected him and accepted unthinkingly the royalist Clarendon's judgement.

Whilst researching this thesis the rapid introduction of digitisation has seen an increase in the material available to the student at home. This has increased the hours available for study and decreased travelling costs. I have found this beneficial but can see that younger students would not enjoy the increased isolation.

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Finally to Anne and my family for the encouragement given and the sacrifices made to enable me to complete this journey.

**Abbreviations.**

<u>Add. Ms</u>	<u>Additional Manuscript</u>
<u>APC</u>	<u>Accounts of the Privy Council</u>
<u>Arch. Hist.</u>	<u>Architectural History</u>
<u>B. &amp; Q.</u>	<u>Buccleuh and Queensbury</u>
BL	British Library
<u>BP</u>	<u>Burney Papers</u>
<u>CSP</u>	<u>Calendar of State Papers</u>
<u>CJ</u>	<u>Commons' Journal</u>
<u>CP</u>	<u>Cecil Papers</u>
<u>Dom</u>	<u>Domestic</u>
<u>EHR</u>	<u>English Historical Review</u>
<u>HJ</u>	<u>Historical Journal</u>
<u>HMC</u>	<u>Historical Manuscripts Commission Report</u>
<u>IHR</u>	<u>Institute of Historical Research</u>
<u>LJ</u>	<u>Lords' Journal</u>
<u>NAS</u>	<u>National Archives of Scotland</u>
<u>ODNB</u>	<u>Oxford Dictionary of National Biography</u>
SP	State Papers
<u>TNA</u>	<u>The National Archives</u>
Unpub	unpublished
<u>VCH</u>	<u>Victoria County History</u>

In all dating the year has been reckoned from 1 January rather than from Lady Day.

**The Third Generation of a great arriviste family: William Cecil, Second Earl of Salisbury, and the consolidation of noble status in unpropitious and tumultuous times.**

**Introduction.**

The thesis looks at the earl's early life and how he survived the particularly difficult times he lived through, both as a member of the political elite and a great landowner. When he was only twenty-one Salisbury inherited a title, an extensive estate with properties in the country and London, but also the daunting prospect of clearing his father's large debts. I argue that William Cecil's achievements, in securing and restoring his estates, and retaining the political status of his family, have been unduly overlooked. His reputation has suffered, particularly at the hands of the embittered royalist historian Clarendon, who writing in 1646-7, coupled him with Pembroke and saw them as

‘so totally without credit or interest in the Parliament or country, that it was no matter which way their inclinations or affections disposed them; and their fear of the faction that prevailed was so much greater than their hatred towards them, that, though they wished they might rather be destroyed than the King, they had rather the King and his posterity should be destroyed than that Wilton should be taken from the one of them or Hatfield from the other; the preservation of both which from any danger they both believed to be the highest point of prudence and politic circumspection.’<sup>1</sup>

This is the view that later writers have tended to echo unthinkingly.

My argument is that Salisbury was not a weak-minded toady, who only had his own and family's interests at heart, but an independent member of the aristocracy, who attempted to find a political middle way between the two sides before and during the Civil Wars. To do this he often had to be pragmatic to avoid a loss of influence or even political suicide. He held true to his religious beliefs and remained loyal to his monarch whilst his conscience allowed him to do so.

The majority of his life was spent in and around the Court and he was honoured with the Garter. He completed his education with the Grand Tour, when he was

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<sup>1</sup> Edward Hyde, Earl of Clarendon ed W. Dunn Macray 6 vols The History of the Rebellion and Civil Wars in England. (Oxford 1888 rep 1969), iii pp.495-6, hereafter, Clarendon Rebellion.

considered to be of sufficient position to be received in various royal and aristocratic Courts. He spent much of his teens in the Court of Prince Henry. The second earl was on the periphery of political events during James's reign, when he was affected by Buckingham's machinations, but still found the opportunities to show an independent streak. Whilst Charles was on the throne he became a Privy Councillor with considerable responsibilities. He was also given a Court position that gave him access to his sovereign. This recognition did not stop him from showing his unhappiness with the political and religious 'drift' of the reign.

The Bishops' Wars of 1639 and 1640 left the English nation in political turmoil, and in their aftermath William was apparently sitting on the fence between Parliament and Charles. He chose to support the parliamentary side in the Civil War, but, as in the Bishops' Wars, was active as a negotiator trying to bring peace between the two parties. He was later, after the regicide of Charles, one of the few peers who served both in the Commons and under Cromwell. When the monarchy was restored William received a royal pardon from Charles II. He died in 1668 aged 77.

William Cecil became the second earl of Salisbury on the death of his father Robert. His family had risen from relatively humble beginnings in the early sixteenth century through the rewards for royal service to take their place in the nobility. He was born four years after the Armada and grew up whilst his father was gaining the political ascendancy in Queen Elizabeth's Court and Privy Council. William's grandfather, Lord Burghley, had enjoyed that ascendancy and had prepared Robert to follow him. Robert then had the opportunity and confidence to mastermind the accession of the Stuarts. He was almost certainly the most powerful man in the kingdom before his death in 1612.

I shall look at William's early life and consider how well he was equipped by his upbringing and education to cope with the tasks he faced. I will argue that he took a cautious political line, which often conflicted with that of the Court, and I will show the problems that this gave him, as a loyal courtier, in deciding which camp to support in

the Civil War. Did he retain or even manage to enhance the family's noble status and was he able to expand the estates? Finally I will contrast his experience with that of others, who often appeared to be more gifted than he was, but proved to be less successful in maintaining their position.

Historians are fortunate that so many contemporary archives have survived and that some of these have been calendared. The best example is that of the Cecils. William's father and grandfather were methodical men; their papers form the base of the archive. Researchers are lucky that the Cecils had the space and the family stability to preserve it. There is hardly a book or article that deals with this period that does not make use of their material. Lawrence Stone and Pauline Croft have been notable raiders, throwing light on the lives of the two earlier Cecils and their circle.<sup>2</sup>

The journals of both Houses of Parliament, together with the records of the Privy Council and the various Calendars of State Papers, and Gardiner's volumes on the civil wars and its aftermath are all fruitful sources for researchers. The collected letters of John Chamberlain are the most useful of the many contemporary commentators, particularly when he was relating Court gossip.<sup>3</sup> The secondary reading is vast; but care has to be taken since more recent scholarship has often destroyed old assumptions.

Stone has looked at the idea of a sixteenth century rising gentry and found that the evidence mostly supported this, but he also noted that the nobility had at the same

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<sup>2</sup> Historical Manuscript Commission Salisbury (Cecil) Manuscripts, 24 vols (London 1883-1976), hereafter, HMC Salisbury. CP [www.proquest.com](http://www.proquest.com). Lawrence Stone Family and Fortune, Studies in Aristocratic Finance in the Sixteenth and Seventeenth Centuries (Oxford 1973), hereafter, Stone Family and Fortune. The Crisis of the Aristocracy 1558-1641 (Oxford 1966), hereafter, Stone Crisis of the Aristocracy. 'The Fruits of Office: The Case of Cecil, First Earl of Salisbury, 1596-1612' in F. J. Fisher ed Essays in the Economic and Social History of Tudor and Stuart England (Cambridge 1961), hereafter, Stone 'Fruits of Office'. Pauline Croft ed Patronage, Culture and Power, The Early Cecils 1558-1612 (Yale 2002), hereafter, Croft Patronage.

<sup>3</sup> Commons' Journals 9 vols (1610-69). Lords' Journals, 2-12 vols (1614-75). Calendar of State Papers Domestic Series, hereafter, CSPDom. Calendar of State Papers Commonwealth Series. Calendar of State Papers Venetian Series. Accounts of the Privy Council of England vols 41-6 (London 1938-60). S.R.Gardiner 4 vols History of the Great Civil War (Adlestrop rep 1991), hereafter, Gardiner Civil War. John Chamberlain, ed Norman E. McClure 2 vols The Letters of John Chamberlain (Westport, Conn. 1979), hereafter, Chamberlain Letters.



time become a more open elite. From the middle-ages onwards, entrance to this privileged group could be attained by governmental service to the sovereign and the building up of an estate to bear the costs of any dignity that was bestowed. The Cecil family was a prime example of the new phenomenon. During the lifetime of Robert Cecil, particularly after Queen Elizabeth had died, the numbers of the ranking nobility increased considerably. A title, as the word implies, was like a piece of property and once entry into the nobility was achieved it could only be lost by extinction of the family line or an act of attainder for treason.<sup>4</sup>

Stone argued that a slump in the prestige of the aristocracy in the early seventeenth century created a power vacuum that was not helped by the mass sale of honours. I would argue that the Stuart's inability or unwillingness to call and then manage parliaments allowed the wealthy gentry and successful lawyers to emerge as an opposition. This together with the failure to listen to the 'points of contact' that parliament and the Privy Council provided meant the crown and the nobility lost respect.<sup>5</sup>

Elizabeth made just seven new creations to her earls and those ranks above them. The Stuarts created over a hundred such titles by the time of Robert's death. Elizabeth had, by limiting the number of new creations, together with the extinctions that occurred in her reign, allowed the value of those titles to rise in terms of prestige.

Beckingsale argued that when William Cecil was created Lord Burghley

'he could flatter himself that his was a rare honour which had not fallen to any of his contemporaries in Elizabethan officialdom. His admission was to an *elite* of some sixty peers and was a reward to a family which had given loyal service to the Tudors for nearly a century.'

Elizabeth had only ennobled those with a blood relationship to her or who came from the ranks of the 'old blood' nobility.<sup>6</sup>

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<sup>4</sup> C. Fawtier Stone and Lawrence Stone An Open Elite? England, 1540-1880 (Oxford 1984), hereafter, Stone Crisis of the Aristocracy. K. B. McFarlane The Nobility of Later Medieval England (Oxford 1980). He shows how and why this change took place.

<sup>5</sup> Edward Miller 'The Elizabethan and Early Stuart Peerage' in Historical Review (1966) vol 9 pp. 135-6.

<sup>6</sup> B. W. Beckingsale Burghley, Tudor Statesman, 1520-1598 (N.Y. 1967) p.270, hereafter, Beckingsale Burghley.

James created Robert Cecil and his half-brother Thomas earls of Salisbury and Exeter respectively in 1605. These titles gave them a high precedence in the shortly-to-be inflated peerage, which could only be changed by new creations or promotions to the ranks above them. The level of precedence went with the title and passed down the primogeniture line. Chamberlain expressed disbelief about this; ‘you wold hardly beleve what labor and vieng there was for the precedence of a day.’<sup>7</sup> William’s inherited status was potentially just as important as the landed wealth that he received.

The Cecils enjoyed their position through the efforts of William’s four immediate forebears and in particular those of the previous two generations. To be described as having noble status meant having characteristics beyond that of being a member of the aristocracy. A nobleman was expected to be educated, a leader of men and ready to serve his monarch in his councils and on the battlefield. He was expected to be cultivated, magnanimous and generous; attributes which were more difficult to acquire and took more effort than being born to the right father.

There are no major works devoted to the second earl. The two substantial items that deal with him are G. Dyffnalt Owen’s introduction to volume 22 of HMC Salisbury and the other in Stone’s Family and Fortune, a social and economic study of a group of noble families. Stone made good use of the HMC Salisbury calendars, using the Cecil family rise and consolidation as the prime example in his study. He did not however address the political career of the second earl, which has so far been unexplored. This thesis will fill that gap.<sup>8</sup>

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<sup>7</sup> Chamberlain Letters ii p.595.

<sup>8</sup> G.Dyffnalt Owen HMC Salisbury 22 pp. v-xxii.

## Chapter One.

### William's Family Background and His Early Life.

The family's ancestry can safely be traced back to the fifteenth century, when Thomas Sitsylt married the daughter of Gilbert Winston. They originated from yeoman farmers that held the manor of Alltynys in Herefordshire. This was bequeathed to Robert in 1597. The last male Cecil of the Alltynys line left eight daughters and a lot of ill feeling that gave the Cecils continual problems. Robert's man, Paul De la Haye, married one of the daughters and was granted a lease on the property. Whatever joy he had soon evaporated. Salisbury endured a series of legal suits and complaints that must have made the possession of the ancestral property seem a burden.<sup>1</sup>

Burghley established a place in the nobility for his eldest son. He then laid the foundations for Robert to lead the cadet branch of the family to nobility. Mildred Cecil's death in 1589 freed Burghley from any need to provide for her widowhood just as Robert was to be married. This enabled him to settle Theobalds and a landed estate on him.<sup>2</sup>

Robert was sworn in as Secretary of State in 1596; in 1601 he entered into a secret correspondence with James VI of Scotland that enabled his smooth succession to the English crown. James gave Robert a peerage in the month of his coronation, as Lord Cecil of Essendon. In the following year he became Viscount Cranborne and was created the first earl of Salisbury in 1605. James retained him as Secretary and added the position of Lord Treasurer in 1608. James continued to retain his faith in him, despite the failure of the Great Contract. The Court then thought that the decline of Cecilian influence at the highest levels had finally arrived.<sup>3</sup>

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<sup>1</sup> A.L.Rowse 'Alltynys and the Cecils' in English Historical Review (1960) vol 75 pp.55, 60 & 70-1. Conyers Read Mr. Secretary Cecil and Queen Elizabeth (London 1955).

<sup>2</sup> Beckingsale Burghley p.285.

<sup>3</sup> G. P.V. Akrigg ed The Letters of King James VI and I (London 1984) pp. 178-181,198-9 & 201. Pauline Croft King James (Basingstoke 2003) p.80.

Robert married Elizabeth Brooke in 1589; she was the younger daughter of Lord Cobham, a friend of Burghley during their long service together on the Privy Council. To the Court it would have seemed that Robert had made an advantageous match. He was the younger son, albeit of a powerful, but aged father. The marriage was a happy one and after her death Robert did not remarry.

William Cecil, the future second earl of Salisbury, was born on 28 March 1591 in Westminster and baptised on 11 April at St. Clement Danes. His father was growing in prominence and the family was at the centre of a web of influential kinships.<sup>4</sup>

William would learn to be at ease when surrounded by the Court and when the queen visited the family homes. The wealth and privilege he enjoyed would be second nature to him. He would have been aware of the jealousy aroused by the long monopoly of power and patronage that his family had enjoyed. A libel, which was rebutted by William's relative, Francis Bacon, showed how these feelings were manifesting themselves. It was the first time that the future second earl appeared in the public domain. Bacon, referring to the libel, said;

‘the lord Burleigh, intended to match his grandchild Mr. William Cecil with the lady Arabella. Which being a rare imagination, without any circumstances to induce it, more than they are both unmarried, and that their years agree well, needeth no answer....His lordship's wisdom, which hath been so long of gathering, teacheth him to leave to his posterity rather surety than danger.’<sup>5</sup>

Bacon recognised the family trait of far sighted safety rather than their being tempted to fly too close to the flame of royal blood and risk the loss of all.

When William was born his father's political future was not secure. The Burghley title would pass to his half-brother. His father was filling the position of Secretary of State but had not been confirmed in that post. The position in any case was not a sure route to a peerage and a permanent place at Court. The queen was old and without a clear successor; this was an unstable position for those around her. The crown

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<sup>4</sup> ODNB ‘Cecil, William, second earl of Salisbury’.

<sup>5</sup> Francis Bacon 8 vols *The Works of Francis Bacon* (London 1803) iii ‘Certain Observations Made Upon a Libel Published This Present Year, 1592’ p.99.

might pass to someone who would want to sweep the Cecils away for a variety of reasons. A peace treaty with Spain might have been eased by their removal, or perhaps a change of direction in the religious climate or the rise to power of a rival faction, such as the one led by Essex.

If the queen had ennobled Robert before her demise, it would have been easier for him to retain a position and some influence at Court after her death. He would have been helped by the possession of a substantial property in London and the inheritance of a palatial country home at Theobalds, within a day's ride of Westminster. Whilst Burghley lived Robert would continue to enjoy his influential protection and the use of his accumulated experience, together with the personal attachment of Elizabeth to her oldest and most valued retainer. William's immediate future was dependent upon the queen's longevity and goodwill, his father's political and financial abilities and the failure of any rivals to oust him. However, Robert was far-sighted enough to realise that it was in the country's and his own interest to try to use his position to ensure a smooth passage for James VI of Scotland to the English throne.

William was the only son and naturally all his father's expectations would fall on him. He had a sister Frances, who was born in 1593.<sup>6</sup> She suffered from the genetic deformity that had also afflicted their father and paternal grandmother. Robert placed Frances in her maternal aunt's care after her mother's death. His undated letter to Lady Stourton shows how grateful he was to have her support.

‘ my hart is discharged of a great care, who cold performe to her at this time of her youth, no office necessary for her education, being a man and wholly dedicated to the publick services’<sup>7</sup>

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<sup>6</sup> Anna V. Danushevskaya ‘The Formation of a Renaissance nobleman: William Cecil, 2<sup>nd</sup> Earl of Salisbury 1591-1668’ in *History of Education* (2002) vol 31, hereafter, Danushevskaya ‘Renaissance nobleman’. Several sources suggest there was a second sister called Catherine. This is a misinterpretation of Robert Cecil's letter in 1610, in which he refers to ‘my daughter Catherine’; this meant his daughter-in-law.

<sup>7</sup> BL *Additional Ms* 29974 fo 3. Probably written in 1599.

The deformity kept her away from Court until sometime after August 1604, when it is likely that her father sent her to the Countess of Suffolk in the Charterhouse to be brought up with her children until the middle of 1607. She was apparently happy there, to judge by her appeal to her father not to be removed after some misdemeanour. Robert was concerned that his daughter should not suffer any embarrassment because of her deformity when she made an appearance at Court. He wrote to Lady Stourton, probably in 1599, that he wished to help her by employing a ‘bonesetter’. Frances married Henry, Lord Clifford’s son and heir apparent to Francis, earl of Cumberland, in July 1610. The enormous dowry of £6,000 almost certainly reflected the fact that Frances had a deformity.<sup>8</sup>

The children lost their pregnant mother in January 1597 during childbirth; the child did not survive. The epitaph Robert wrote for her tomb in Westminster Abbey makes that clear, ‘blest with two babes, the third brought her to this’. Lady Cecil was a goddaughter and favourite of the queen and regularly attended Court. Croft suggests ‘her supportive influence probably contributed more to her husband’s early career than can now be traced. She undoubtedly reinforced Cecil’s position in the innermost circle of the regime.’ The queen insisted that Lady Cecil was to be buried in Westminster Abbey with the rank of baroness. She was placed in the same chapel in which Burghley had erected a vast monument to the memory of his wife and eldest daughter. The favour shown by the queen, in according Lady Cecil the privileges of a baroness, was also possibly a reflection of her feelings of the true worth of Robert to her.<sup>9</sup>

Little is known of the children’s early life before their mother died. Several letters survive in which condolences were offered to Robert on his loss, including those of Sir Walter Raleigh, Lord Howard and Lady Elizabeth Russell. They all played a role

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<sup>8</sup> Helen Payne ‘The Cecil Women at Court’ in Croft *Patronage* pp.274-7. *HMC Salisbury* 24 pp.99-100. BL *Add.Ms* 29974 fo 7 undated.

<sup>9</sup> *ODNB* ‘Cecil, Robert, first earl of Salisbury’ p.4. Algernon Cecil *A Life of Robert Cecil, First Earl of Salisbury* (London 1915) p.100. The full epitaph is given there.

in the early life of William. The most effusive was from the earl of Shrewsbury, in which he also asks for a brace of bucks,

‘I will for requital assure you that I did never see a finer boy, except two which I myself once had, than your eldest son is, who this morning I saw at Tibbalds’.

Shrewsbury was discreetly indicating that he was pleased to see that William had not inherited the family’s deformity.<sup>10</sup>

We catch a glimpse of the children in a letter to their father on 6 April 1599.

‘Your children are very well come to Odium and weare not by the way anye thinge sicke att all: my Lady there Aunte and Mr Moore reaceved them very kindly and made very mucche of them’

The aunt was Lady Frances Stourton who had remarried.<sup>11</sup>

Robert expected William to reach a sufficient level of education and culture to support his future role as a great courtier and the head of a noble family. He achieved those qualities but Robert was disappointed if he had wanted him to follow in his footsteps. William was not academically inclined and his efforts proved to be a trial to both of them.

Danushevskaya and Stoye have mistakenly taken Robert’s educational aims for his son to be the formation of a “Renaissance nobleman”. In the early 17<sup>th</sup> century the concept that exposure to the antiquities of ancient civilisations could “improve” a man would have been a strange idea. Cranborne’s travels on the Grand Tour were tailored to give him the educational experience that would be gained by exposure to foreign Courts and dignities, as well as the absorption of other languages and cultures.<sup>12</sup>

William did not start his education at Westminster School. That idea came from Dalton, which the authors of The Record of Old Westminsters erroneously followed.

<sup>10</sup> HMC Salisbury 6 p.526. HMC Salisbury 7 respectively pp.35, 39 and 281-2.

<sup>11</sup> CP 69/50, 70/51. [www.tudorplace.com.ar-index.html](http://www.tudorplace.com.ar-index.html) peerage page, see Stourton.

<sup>12</sup> Danushevskaya ‘Renaissance nobleman’ p.520.

John Walter Stoye English Travellers Abroad, 1604-1667 (London 1952), hereafter, Stoye English Travellers.

He said that William was there in February 1608 and quoted Thomas Cecil. That referred to Thomas's son, also called William. Robert's William was then in Paris.<sup>13</sup>

The first mention of formal education, which was conducted by a private tutor, was in a letter dated 26 July 1599 from Henry Maynard to Robert.

‘Since his coming he hath followed his booke, and his recreations at his howres allotted him: and for his healthe I thanke God it cannot be better.’<sup>14</sup>

Danushevskaya thought William had attended Sherborne School in 1600. Their records do not support this; it would be surprising if he had been at a school that admitted the sons of minor gentry and merchants. He did stay with Sir Walter Raleigh at Sherborne Castle in 1600 and the misunderstanding has arisen from that co-incidence. Raleigh was a good friend of Robert at that time. Lady Cecil and Bess Raleigh [Elizabeth Throgmorton] had served together at Court and were probably good friends. Bess referred to Lady Cecil as her mistress in 1596, the language of the Privy Chamber, in which the experienced members trained up the younger women. Raleigh wrote to Robert on 27 March 1600 reporting on his son's health. It had apparently been poor but now

‘is altogether amended, and douth now eat well, and digest perfectly...I hope this air will agree exceedingly with hyme, having also better kept to his booke than any wear elce.’

William wrote to his father in Latin after a visit to Bath, and reported that he was now in better health and had returned to Sherborne Castle. In common with other noblemen illness was a constant in his life, despite his robust outdoor pursuits.<sup>15</sup>

William followed the practice of young noblemen of staying with their father's friends together with their own tutors. William spent some time with Raleigh, who was still a popular hero. Robert was doubly grateful, because on the death of his father his

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<sup>13</sup> G. H. White ed 13 vols The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom (London 1949) xi p.405, hereafter, White Complete Peerage. Charles Dalton 2 vols Life and Times of Viscount Wimbledon (1885) i p.204, hereafter, Dalton Life and Times.

G. F. Russell Barker & Alan H. Stenning 2 vols The Record of Old Westminster (London 1928) i p.172.

<sup>14</sup> CP 71/86.

<sup>15</sup> Sherborne School [www.sherborne.org-page-The\\_School-School\\_History](http://www.sherborne.org-page-The_School-School_History). HMC Salisbury 6 p.104. HMC Salisbury 10 p.459. CP 78/7.



elder half-brother had inherited Burghley House, so he decided to build a new town house for himself and was awaiting the completion of Cecil House in The Strand.

William obviously admired Raleigh, as this letter shows.

Sir Walter, we must all exclaim and cry out because you will not come down. You being absent, we are like soldiers that when their Captain are absent they know not what to do: you are so busy on idle matters. Sir Walter I will be plain with you. I pray leave all idle matters and come down to us.<sup>16</sup>

This easy familiarity and warmth was missing in his letters to his father.

William went to St. John's, Cambridge, continuing the family connection. He matriculated as a fellow commoner at Michaelmas 1602 and received honorary Master of Arts degrees in 1605 at both Cambridge and Oxford. James I awarded the Oxford degree on a visit there on 30 August. St. John's was extended by the addition of a new court in 1602; this provided some improved accommodation that William would probably have used.<sup>17</sup>

Danushevskaya found that between 29 September 1602, when William matriculated, and 10 July 1605, he spent just seven months in Cambridge. Things improved in the next twenty-nine months, for he spent eighteen and a half months there. William's 'long stay in Cambridge suggests that he was a good student and received an extensive education, befitting the son of such a learned father. This was not so.'<sup>18</sup>

It would be anachronistic to expect too much from a university education at that time. McConica thought 'the universities...were prized by the gentry often as places of what we should regard as advanced schooling rather than university study.'<sup>19</sup> Stone saw university as a place that

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<sup>16</sup> HMC Salisbury 10 p.459.

<sup>17</sup> White Complete Peerage xi p.405. HMC Salisbury 17 p.343.

<sup>18</sup> Danushevskaya 'Renaissance nobleman' pp.505-520. HMC Salisbury 12 p.406. She has taken Morrell's letter as the date of his start, but this says 'returned safe and sound unto the University after a long discontinuance from the same'.

<sup>19</sup> T. H. Aston & J. McConica eds 3 vols The History of the University of Oxford iii (Oxford 1986) p.695.

‘helped to create a network of nation-wide friendships through shared adolescent residence in a College, the value of which in a society that run on privilege and clientage can hardly be exaggerated.’<sup>20</sup>

William started at St. John’s at eleven and left at sixteen. Robert’s letters encouraged his son to write regularly and put more effort into his studies. The first showed that William started with good intentions.

‘to follow my study hard and I hope I shall profit so therein yet my tutor shall have just cause to commend me to you, as well for the plying of my booke as for the plesing of him.’<sup>21</sup>

A fortnight later we glimpse the privilege life he enjoyed.

‘the kinde toakens which of late I receyued from your Lo: by Mr. Tomson...I am greatly beholding to Doctor Andrews for his great kindness showed unto me here...Mr. Thomas Gerrard who never leaves sending of me venison and foule and other such like thinges.’<sup>22</sup>

Dr. Andrewes was a Cecil clerical client who was the head of Pembroke College in Cambridge. He ‘came into official contact with Cecil as Chancellor, but more significant was his diligent attendance on the young William Cecil’. He was, with Robert’s patronage, the Dean of Westminster from 1601 till 1605; and appointed Bishop of Chichester in 1605.<sup>23</sup>

William’s tutor identified two reasons for his disappointing efforts, his love of sport and the continual interruptions to his study. James hunted and raced near Cambridge and was a frequent visitor to the family home at Theobalds. William found that he shared a natural affinity with James in their love of field sports. Roger Morrell, a fellow of St. John’s and an author of Latin verses, was William’s tutor.<sup>24</sup> He analysed the problems in a letter of 4 March 1605.

‘I understand by your letter and by speech with Mr. D. Neale your desire of Sir William’s daily proceeding and profiting at his booke, which if it not be answerable to your expectation I am very heartily sorry, though I know myself to be free from all blame...He came heither to me at All Saints Day last (after a whole year and a half of discontinuance from hence) and stayed with me seven weeks, one whole week thereof

<sup>20</sup> Stone *An Open Elite* p.262.

<sup>21</sup> CP in several locations, but mainly in vol 228. CP 228/1.

<sup>22</sup> CP 228/2.

<sup>23</sup> Pauline Croft ‘The Religion of Robert Cecil’ in *Historical Journal* (1991) vol 34 p.793, hereafter, ‘Religion of Robert Cecil’. ODNB ‘Lancelot Andrewes (1555-1626)’.

<sup>24</sup> HMC Salisbury 9 p.vi.

and more he was (with your good leave) with the King at Huntingdon....I willingly confess in him all complements of nature, all good parts of wit, capacity and memory, so that if there be anything amiss or wanting in him it is this; that he takes not that delight in his book that he does in other things...The delights of the Court have greatly estranged, if not quite alienated, his mind from his books. And yet, notwithstanding all this, I make no doubt that I shall (if he may continue here without too many interruptions and too long intermissions) lay such grounds of learning in him as that hereafter he shall be able with a little help to go through anything he has a mind to or a liking of. If either I were guilty unto myself or suspected by your Honour of any defect or fault on my part, I should hold it expedient to make my apology, but being clear in my own conscience, and acquitted by your testimony I will not use any needless defence.<sup>25</sup>

The letter showed Morrell's frankness and clarity of argument, as well as the ease with which he felt able to address his Chancellor.

Robert received his earldom on 4 May 1605, so William automatically became a viscount, addressed as Lord Cranborne. We will now use Salisbury and Cranborne, when referring to Robert and William, till Salisbury's death.

Eighteen days after Morrell's letter there was a note from Dr. Neile that 'His Lordship's son to be transferred from Mr. Casse to Mr. Morrell'. Edmund Casse was known as an actor in academic plays at St. John's during the period 1597 to 1606 and was nine years older than Cranborne. He became a clergyman. Robert accepted Morrell's analysis and thought he would be an able guide to his son. However Casse continued to play a part in the tutoring of William until at least 1607, when he was ordained a deacon in the diocese of London.<sup>26</sup>

Dr. Richard Neile was a Cecil client and became the Dean of Westminster in the following November. In 1580 he won a private scholarship to St. John's financed by Lady Burghley. 'Neile now rose steadily in importance at Cambridge as a spokesman and representative of the Cecils.' He became an overseer of William's education and

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<sup>25</sup> Ibid.17 pp.81-2.

<sup>26</sup> CSPDom 1603-10 p.302. John Venn & J. A. Venn Alumni Cantabrigienses (Cambridge 1922-54) p.305, hereafter, Venn Alumni. G. C. Moore Smith College Plays (Cambridge 1923) p.75.

seems to have on occasion taken his part with his father on his behalf. Neile was later Archbishop of York and a member of the Privy Council.<sup>27</sup>

Morrell must have felt frustrated eight days after his letter to Salisbury when he learnt that Cranborne had been brought to the Court at Newmarket at the request of Sir Philip Herbert. Herbert assured Salisbury

‘that you assented that whensoever he would send for him you would allow it. I have brought him hither and will carefully attend on him and bring him back to his tutor, where I hope he will carefully redeem these few lost days.’<sup>28</sup>

The next day a further letter came from Herbert,

‘your lordship would not have’ [William] ‘stay long here. But now I hope, because the King stays here so little a time, you will give him leave to stay until his Majesty’s going away’<sup>29</sup>

Sir Philip Herbert was a gentleman of the bedchamber. He was ‘the first who drew the King’s eyes towards him with affection’ and shared with James and William a love of horses and dogs. Herbert, later earl of Montgomery and Pembroke, shared a lifetime’s friendship with Cranborne.<sup>30</sup>

Cranborne wrote to his father fifteen days after Morrell’s letter.

‘I must crave pardon of your Lo: for not writing unto you by Dr. Neile. Ye reason thereof was not my forgetfulness of my duty but being then not settled to my study I did not thinke it best to write unto your Lo: before I woulde certify you of my going to my booke, which I will cheefely endeavour. I had sente this letter unto your Lo: ye last weeke but that I was suddenly sent for to ye Kinge.’<sup>31</sup>

No student could have a more impressive excuse than to be summoned to royal service.

Morrell suggested to Salisbury that he was satisfied there was an improvement in William’s application.

‘My Lorde Cranborne havinge... applied his books diligently ever synce his last returne hether coulde... be very well content... to take the opportunity of the season to recreate & refreshe hym sele, with suche sportes and pastimes as yowre lordship shall lyke best of, & youthe take most delight in. (Which desire of his I am the more willinge to

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<sup>27</sup> Andrew W. Foster ‘A Biography of Archbishop Richard Neile (1562-1640)’ unpub PhD thesis (Oxford University 1978) pp.1-3, 7-9 and 14-5. Croft ‘Religion of Robert Cecil’ pp.778.

<sup>28</sup> HMC Salisbury 17 p.94.

<sup>29</sup> Ibid. p.95.

<sup>30</sup> ODNB ‘Herbert, Philip, first earl of Montgomery and fourth earl of Pembroke (1584-1650)’

<sup>31</sup> CP 228/6.

further, & helpe forward, because I never knewe hym go to his booke with more alacrity & chearefulness then synce his last cominge.<sup>32</sup>

Salisbury tempted his son by combining his love of outdoor pursuits with an attempt to further his education. Chamberlain writing in October 1606 said that Cranborne was on

‘a long hunting progresse out into Stafford, Lancashire and I know not whether...Yt is thought straunge that so wise a father as the earle of Salisburie shold so far humor his sonne (yet a child) as to let him run these wilde courses, and to have all his will: but some that seem to know somewhat make aunswer that he meanes to give him his fill, and when hath taken a surfet of these pleasures, to recall him to better matters, as though yt were not ordinairilie seen that men fall from one vanitie to another. There is a meaning that after a yeare he shall travaile’.<sup>33</sup>

The party visited Drayton Bassett in Staffordshire during the expedition, from where Lady Penelope Rich wrote to Salisbury. The letter gives some idea of how other members of the aristocracy saw William.

‘While I was at Draiton with my mother, the yonge hunters came very well pleased untill your servant came with your comission to gide my Lord of Cranborne to my Lady of Darby, which discontentment for feare of paring three days made them all loose ther suppers and became extreme malincolye, till it was concluded that ther traine should staye at Draiton and they go to gether with 10 servants apiece, for feare that nothing but ther riding so desparately. But your sonn is a perfett horse man and can nether be out ridden nor matched any waye, my mother I thinke will growe yong with ther companye’.<sup>34</sup>

Chamberlain noted that Will Lytton, the eldest son of Sir Rowland Lytton of Knebworth, accompanied William and ‘is become as yt were yonge Crambourns mignon’. In an earlier letter he observed that

‘Lytton is coming to do his observance to the yonge master of Cranbourne, for yt is concluded he must follow his father in an heredetarie dependance on that house. Whereby you may see that we live here by rule and do all by line and levell’.<sup>35</sup>

William was again being made aware of his high status amongst his contemporaries.

Salisbury felt that Cranborne had not responded positively to the bargain. A draft of a letter to Mr. Morrell marked 1607 made it clear the dissatisfaction that Salisbury felt about his son’s progress. He was humble enough to shoulder his share of

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<sup>32</sup> CP 111/113.

<sup>33</sup> Chamberlain *Letters* i p.232.

<sup>34</sup> CP 193/15. Lady Derby was Cranborne’s aunt and it is possible his sister was staying there.

<sup>35</sup> Chamberlain *Letters* i p.200.

the blame, whilst fulsomely acknowledging the moral protection and guidance his son had received. He criticised his principal tutor for not tailoring the studies ‘for such as he is’ and the youthful Casse, another tutor, for not engaging Cranborne more ‘with the discussions of learning, as with other things’. Salisbury thought it was better to forget the academic classical approach and recognise Cranborne’s future role and abilities as the basis for his further education and that Casse should use the ‘methods I directed him.’<sup>36</sup>

Thomas Cecill, a tutor at St. John’s, wrote to Salisbury, probably in February 1607, after being involved in the best course to further Cranborne’s education and consulting Richard Neile. This could have been the prompt that made Salisbury tell Morrell to drop the ‘dry’ classic route.

‘tis the best (I thinke) wee can take. His Lordship of himselfe is ready to heare, willinge to learne, forward to confere with my self and other younge gentlemen which learne with him. Soe that wee shall (I dought not) gett some learninge.’<sup>37</sup>

Thomas Cecill was a poet and playwright and later became chaplain to Lord Chancellor Francis Bacon in 1618.<sup>38</sup>

Salisbury’s attitude to his son’s education reflected his father’s approach to his own, which was very different from that of most fathers. Cranborne experienced the company of his fellow nobles and saw that their fathers were able to cope with the life they had been born to without the need for a lot of dry books.

The last letter from Cranborne to his father is dated 9 December 1607.

‘the disputation which your Lordship commanded I should doe I have already performed. If your Lsp hath heard in what fashion I dispatched which (if it any way like your Lsps) it will give me great incoragement’<sup>39</sup>

It must have been a relief to both that Cranborne’s time at St. John’s was at an end.

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<sup>36</sup> CP 228/14.

<sup>37</sup> HMC Salisbury 24 pp.140-1.

<sup>38</sup> John Nichols 4 vols The Progresses, Processions and Magnificent Festivities of King James The First (1828) iii pp.49, 85-8, hereafter, Nichols Progresses of James. Alan H. Nelson Early Cambridge Theatres (Cambridge 1994) p.45. Venn Alumni p.313. His name is spelt Cecil here.

<sup>39</sup> CP 228/20.

The study of law was considered to be useful for the landed aristocracy in managing their estates. White noted that Cranborne was admitted to Gray's Inn on 28 February 1605. If this was correct it would appear to have been a formality. Pearce noted that Burghley was a member and took an active and lifelong interest in Gray's Inn. He was admitted in 1540 and followed by his two sons, Robert being 'specially admitted' in 1580. It was natural they would welcome a third generation from such an illustrious family, even in an honorary capacity.<sup>40</sup>

Salisbury must have been delighted with the attention that William received from the king. That James wished to have Cranborne in his party suggests he thought much of his company. What surely was even more pleasing to Salisbury was his son's friendship with Prince Henry, the heir to the throne. Cranborne was three years older than the prince. His first involvement was 'initially, from 1603 to 1604'[when] 'a small academy of noble youths was assembled around' [Henry] 'but this broke up when most preceded him to universities.'<sup>41</sup> The group had not gone unnoticed. A dedication in the book The Nine English Worthies; or Famous and Worthy Princes of England, being of one name, contained the following, after referring to Prince Henry, it proceeded;

'To the right honorable my very good Lords, the Earles of Oxenford and Essex, with my Lord Viscount Cranborne, and the other young Lords, Knights and Gentlemen, attending the Prince's Highnesse, health, honour, and happinesse.'<sup>42</sup>

The group's break-up probably prompted the reward to William of the honour of Knight of the Bath on 6 January 1605. He was one of ten recipients granted it at the same time as Prince Charles. The Garter was the only award that outranked it.

It was in this select group that gathered around the prince, that the friendship between Robert Devereux, the earl of Essex, and Cranborne was formed. A further tie

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<sup>40</sup> White Complete Peerage xi p.405. Robert R. Pearce A History of The Inns of Court and Chancery (London 1848) pp.356-7. Joseph Foster ed 2 vols The Register of Admissions to Grays Inn 1521-1889 (London 1889) i pp.14 and p.57 respectively.

<sup>41</sup> Roy Strong Henry Prince of Wales: And England's Lost Renaissance (London 1986) p.11. hereafter, Strong Henry.

<sup>42</sup> Nichols Progresses of James i p.xliv.

was the dynastic marriages that were arranged for them with the daughters of Thomas Howard, earl of Sussex. These played an important, but not always an entirely beneficial role in their later lives.

Strong saw Henry's death in 1612 as a lost opportunity of an English Renaissance. An Epilogue written six days after Henry's death to William Trumbull by Beaulieu from Paris conveys the hopes he carried.

‘the untimely Death of that brave Prince of Wales; the Flower of his House, the Glory of his Country, and the Admiration of all Strangers; which in all Places had imprinted a great Hope in the Minds of the well affected, as it had already stricken Terror into the hearts of his Enemies...whose extraordinary great Parts and Vertues, made many Men hope and believe, that God had reserved and destined him as a chosen Instrument to be the Standard-bearer of his Quarrell in these miserable Times, to work the Restoration of his Church and the Destruction of the Romish Idolatry.’<sup>43</sup>

Strong thought that ‘No truer epitaph for Henry IX was ever written.’<sup>44</sup>

Had Henry lived the friendship and shared interests of his close circle would almost certainly have stood Cranborne in good stead and the prince's death must be seen as a lost opportunity for him. A letter tentatively dated December 1608 and addressed to Cranborne in Paris from Prince Henry gives some indication of their relationship.

‘I would have you think I have neither forgotten yourself nor the two requests you made to me in your letter. For the one I remembered immediately after the receiving of yours and gave his majesty thanks...concerning the other, as I know the end of your absence from me to be the better enabling of yourself to deserve the greater interest in my favour, so during this your absence there is no cause to fear that my affection should be wanting unto you; being both the son of that father who by the particular services done unto myself, besides the general of the state, draweth love from me unto him and all of his; and from such a son as from whom I do expect, if not as much sufficiency in serving princes as hath been found in your grandfather and father, yet as great abundance of love and loyalty as the example of so worthy patterns and so good education can promise from your estate; which my expectation of you I am willing you should give me occasion daily to increase.’<sup>45</sup>

Cranborne and his cousin William, Lord Burghley, had the privilege of holding the king's train when Henry was invested as the Prince of Wales in June 1610. Salisbury had invented and was responsible for the whole ceremony. He created a new

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<sup>43</sup> E. Sawyer ed 3 vols Ralph Winwood Memorials of Affairs of State in the Reigns of Queen Elizabeth and King James I (London 1725) iii pp.410-1.

<sup>44</sup> Strong Henry p.225.

<sup>45</sup> CP 134/162.



tradition and not the revival of an old one. He accentuated the importance of the young Cecils by placing them around the king. It was ‘a visual demonstration of the closeness of the house of Cecil to the house of Stuart’ and an attempt to carry them along with the prince into the next royal generation. Salisbury was conscious of the uneasiness in the country with the new dynasty and saw the advantages of confirming their legitimacy with a grand visual display around a popular young prince. This was to be in stark contrast to the investiture of Charles. Henry’s ceremony was

‘one of the last demonstrations of that more open, more accessible and altogether more realistic Elizabethan polity...The reversal in 1616 to a Court ceremony...can be seen as one of the milestones in the gradual emergence of a new set of monarchical attitudes’<sup>46</sup>

Cranborne went on The Grand Tour, like most of his fellow nobles, to learn how to conduct himself in the Courts of Europe and hone the skills necessary for a man in his position. Sir Francis Bacon thought that ‘He that travelleth into a country before he hath some entrance into the language, goeth to school, and not to travel.’<sup>47</sup> Cranborne first went to Paris at the beginning of 1608 to learn the language.

Two tutors, Mr. Fynett and Dr. Lister, accompanied him. They were conversant with continental travel and were expected to be with their charge continuously. Salisbury had apparently taken the advice of an advisor, Sir Thomas Wilson, a widely travelled man, in selecting them. Dr. Lister had a medical degree from Basle and Fynett, who came from an Italian family, later became Master of Ceremonies at the Stuart Court.<sup>48</sup>

William’s tutors, and many of his party, would have been better equipped to benefit from the experience of the Grand Tour than he was. They had the opportunity to

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<sup>46</sup> The Manuscripts of the Marquess of Downshire vols 2 & 3 (London; 1936-40) ii p.315. Pauline Croft ‘The Parliamentary Installation of Henry, Prince of Wales’, Historical Research (1992) vol 65 pp.177-93.

<sup>47</sup> A. F. Watt ed Sir Francis Bacon Essays, XVIII -Of Travel (London 1904) pp.54-6.

<sup>48</sup> Chamberlain Letters i p.268.  
Stoye English Travellers pp.46-7.

be noticed and often went on to hold high administrative posts. Cranborne recommended William Becher to Salisbury as someone for whom something should be done. He had rendered Cranborne service in finding him French servants. Becher later became Clerk to the Privy Council after filling many ambassadorial roles, although this was not due to Cranborne.<sup>49</sup>

Finet wrote to Thomas Wilson from Paris on 4 February 1608. ‘My Lord is well and merry and joins in his French and exercises more than any man I have known that takes half his liberty’.<sup>50</sup> A similar letter of 12 March contains the reaction to a message from Salisbury expressing his disappointment that he had not received any letters from Cranborne. This ‘somewhat moved him, but rather to repentance than anger, when he saw his faults noted by him that has such judgment to discern and authority to reform them.’ He excused himself by a delay in the post and ‘begins his diligence with this opportunity of sending by Mr. Finch, my Lord’s servant, and will continue it upon every occasion.’ In the letter Finet recounts an event where a gentlemen, who

‘has discovered a particular devotion to his [Cranborne’s] service, and young Mr. Litton a certain quarrel lately. Wherein I will say neither was in the fault because they were both made friends by my Lord’s interposing. Idle words passed between them, a challenge was sent, they met; and I came happily to part them. I tell you this because of my Lord’s discretion and upright proceeding in a matter wherein two were actors to whom he was indifferently interested; to one as his old acquaintance and, I think, kinsman; to the other as his father’s servant and defender of him in his absence from an indignity offered him in words by an idle gentleman’<sup>51</sup>

The story was told to clear Finch, who had the just cause, and that Mr. Lytton, now his good friend, would support that. The news could have reached Salisbury and he would have worried how well events were being managed. This may have prompted Salisbury to recall his son, for it was not long before William was back in England to finalise the marriage to Catherine Howard.

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<sup>49</sup> CP 126/79. Stoye English Travellers chap ii. This covers the careers of Belcher and similar contemporaries.

<sup>50</sup> CP 125/26.

<sup>51</sup> CP 125/45.

Salisbury was keen that Cranborne occupied himself whilst he ‘tarry in England’ before the marriage. He was pleased to hear he followed his studies and that

‘the gentlemen about the King that yow dyd use your self so dwtyfully to him and so civilly to all others’. [Salisbury promised if this change continued] ‘then I shall leave the rest of your lyfe to be spent as yow think good in all other exercises worthy of a gentleman, towards which yow shall want nothing.’<sup>52</sup>

Chamberlain wrote that ‘The mariage of the young Lord Cranbourn with the Lord Chamberlaines daughter is thoroughly concluded, and the bookes sealed.’ Chamberlain had noted in 1605 that Robert Devereux, third earl of Essex, and Cranborne were to be married to Suffolk’s daughters Frances and Catherine. He thought the marriages were then imminent, as they ‘are put off till toward Christmas.’<sup>53</sup> The marriages would cement strong kinship ties and hopefully eliminate any enmity that still existed between the Devereux and Cecil families.

Cranborne was married on 1 December 1608. Chamberlain described, somewhat disapprovingly,

‘very privately at the Lady Walsinghams lodging by the Tilt Yard: which me thinckes was not so fit, for holy things should be solemnised in holy places. There were few at yt.’

The bride’s mother, Catherine, Countess of Suffolk, was not present and apparently no lords or ladies, although Chamberlain listed many gifts of plate from members of the nobility.<sup>54</sup>

The absence of the Countess of Suffolk and the use of Lady Walsingham’s lodgings, both prominent members of the Court, raised some eyebrows. It was a common suggestion that they were more than Salisbury’s platonic friends. Robert had not remarried and had close relationships with the two ladies, as friends and confidantes who had cared for his children. It excited many libels, especially as they were both generously treated in his will. The bequests may have been innocent gifts made out of

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<sup>52</sup> *HMC Salisbury* 24 p.161.

<sup>53</sup> *Chamberlain Letters* i pp.211-2, 214 & 259.

<sup>54</sup> *Ibid.* p.273.

gratitude for their help. The countess had also acted for him in their private transactions with the Spanish, which had benefited both of them financially.<sup>55</sup>

Chamberlain noted that Cranborne,

‘set forward for Fraunce on Tuesday with three barges in very blustering weather...he went away two dayes sooner then was geven out, only to avoid the multitude of followers that wold have brought him on his way.’<sup>56</sup>

Why was the marriage so low key and why the rush to depart for France? Could it have been that Salisbury, who was in poor health and under an immense workload and political pressure, wanted to see his son settled in this prestigious marriage and safely ensconced in the royal favour in case tragedy struck? He wrote to Prince Henry a few days after the marriage, ‘For your servant Cranborn I humbly thank your Highness both for your present grace and future promises’.<sup>57</sup> Salisbury probably realised the narrow path he was treading and the potential dangers to Cranborne if the worst happened.

Cranborne was reported to be accompanied by ‘some 30 gentlemen and servants in his trayn’ in mid-September 1609 at Bordeaux. It would have been an impressive retinue and in keeping with his father’s idea of what an earl’s son’s status merited. Travellers faced many dangers, so there was safety in numbers. Many young gentlemen would want to attach themselves to a figure like Cranborne, who represented a potential route to patronage, both through his powerful father and to the circle around Prince Henry. The letter mentioned

‘that the English marchants of that town’ [Marseilles] ‘sent his Lordship a present which he would in no sort accept as gift, but payd them for it, and cawsed them to dyne with him at his own table.’<sup>58</sup>

Salisbury would have approved.

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<sup>55</sup> Pauline Croft ‘The Reputation of Robert Cecil: Libels, Political Opinion and Popular Awareness in the Early Seventeenth Century’ in *TRHS* (1991) vol 1 pp.58-61.

Alastair Bellany & Andrew McRae eds *Early Stuart Libels: an edition of poetry from manuscript sources* [www.purl.oclc.org/omls/texts/libels/](http://www.purl.oclc.org/omls/texts/libels/) items D1-27, hereafter, Bellany *Stuart Libels*. D20 & 27 mentions William, the second earl. Stone *Family and Fortune*. p.52.

<sup>56</sup> Chamberlain *Letters* i p.273.

<sup>57</sup> *HMC Salisbury* 21 p.285.

<sup>58</sup> *CP* 128/12.

When Cranborne left for France he took his farewell of Prince Henry. This was a draft of his letter.

‘Although I know your highness expects not much from me, yet having placed the eye and hope of my youth upon your person and fortune, I would be loath by silence to fall out of your memory...Let it not displease your Highness that I presume to beg two favours: first, that you will grace me so much as to thank his Majesty for the grace he hath done me for thanking this great king...And next, that you will think that nothing could make me endure the privation of your presence, but the infinite desire I have some day to return so qualified as he ought to be that hath the ambition to be worthy the service of so rare a prince.’<sup>59</sup>

The letter referred to was sent by James to Henri IV and thanked him for the treatment that he had given to the son of his Treasurer and the regard which he personally held Henri IV. Prince Henry’s reply to Cranborne has been quoted earlier and showed an affection that was far more than just politeness.<sup>60</sup>

Cranborne moved in the highest circles in Paris. On 25 February he used the excuse for not writing to his father ‘because he sat up somewhat late at the ballet of the Queen’. A month later he wrote ‘The King doth afford me especiall grace when he sees me riding at the tuilleryies.’<sup>61</sup>

Salisbury insisted on getting a letter every ten days. In this letter, of which only the outline of the points to be covered are known, Wilson, on behalf of Salisbury noted;

‘The relation of my Lo. of Cranborne’s journey with the King to St. Germans, commended by my Lord for the particularities, and so honourable as he will cause the King to take knowledge of it.

Whereas the Master of Ceremonies is appointed to visit him, and one of the Scots Guard to attend him, care to be had in that matter of gratuity they should rather incline to be honourable bounty than sparingness.

To be wary in dispraising anything, and to take heed of being entrapped by any of the French, who will boldly speak with the liberty of their King, of divers great ones, and other matters: which he must take heed to approve, but rather let his speech and discourse tend to praises than otherwise’<sup>62</sup>

Salisbury wished his son to live according to his rank and not appear mean. He realised that Cranborne would be amongst courtiers who would have no hesitation in passing on any idle gossip and the dangers that could involve. The Master of Ceremonies and the

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<sup>59</sup> CP 134/61.

<sup>60</sup> CP 134/159. This was endorsed as a copy of the letter that was sent. CP 134/162. See p. 23.

<sup>61</sup> CP 228/24-5.

<sup>62</sup> CP 127/12.

Scots Guard references are connected to the French Queen's coronation. In a later letter it was suggested Cranborne should 'discreetly to be a spectator rather than put himself on horseback, where many mischances may happen.'<sup>63</sup>

Salisbury was happier with his son's academic progress after Cranborne's servant came from Nantes with news of his health and brought his exercise books. Salisbury wrote that 'the bokes sent by him...I confess have given me better contentment than anything I received from you since you left England.' He replied with detailed advice about his handwriting, on translating from Latin, particularly Seneca and Cicero's Orations and Epistles, and on his exercises in French and logic.<sup>64</sup>

Salisbury received a diary, kept in French, which covered fifteen weeks in the late summer of 1609. It recorded details of William's travels, descriptions of the places he had visited, the buildings he had seen and the principal people he had met. The diary is probably the earliest of its kind to have survived.<sup>65</sup>

When Cranborne was in Bordeaux he wrote to Prince Henry on 9 September 1609 to thank him for his 'most gracious letters'. It must have been a comfort for Salisbury that the heir to the throne was in a personal correspondence with his son.<sup>66</sup>

Cranborne asked his father to thank the Duc de Guise, one of the greatest French ducal families, for his treatment of him when he had visited Marseilles.<sup>67</sup> The attention given to Cranborne by the French Court and the aristocracy in the countryside was due to his father's political status and his closeness to Prince Henry. Moreover as Stoye observed

'the evidence of continuous and intimate relations between the aristocracy of the two countries is probably of greater ultimate significance than the tortuous course of diplomatic negotiations between France and England.'<sup>68</sup>

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<sup>63</sup> CP 228/32.

<sup>64</sup> CP 228/28.

<sup>65</sup> HMC Salisbury 21 pp.104-113. Stoye English Travellers p.49, fn. 1.

<sup>66</sup> HMC Salisbury 24 p.170.

<sup>67</sup> CP 228/30.

<sup>68</sup> Stoye English Travellers p.48.

When Cranborne returned to Paris Salisbury asked to see Mr. Fynett, leaving Lister to deal with any illness that Cranborne might suffer. He went on,

‘I will tell yow one thing further which is reported but I will not beleave, and that is that yow do use to goe abroad into the towne with English gent and Frenchmen without eyther Lyster or Fynett with yow...This I write not as thinking yow a child’ [however] ‘when I travailed first, and was 24 yeare old, my lord sent with me Mr Richard Spencer, that lay next chamber to me, and never parted from me, to which if yow say I was not married yow may well remember my Lord of Essex from Mr. Wingfield never parted...I saw your wife who is a goodly yong lady, kind to yow, and modest in her carriage refusing to come to Court or London, as places she will take no pleasure in, during the tyme of her virgine widowhood.’<sup>69</sup>

He gently admonished Cranborne and tried to encourage him to better paths. Cranborne was eighteen and a less serious, more restless person than his father, so it was not surprising that he gave his tutors grey hairs. Salisbury’s comments about Cranborne’s wife are interesting for the contrast they implied with her sister Frances. Salisbury’s concerns about his son’s health were understandable; if he pre-deceased him he would not have a male heir and his hopes for establishing a noble cadet branch of the Cecils would have been dashed.

William had another bout of ill health in the autumn of 1611. Drs. Matt Gwyn and Henry Atkins, two of the most respected physicians available, independently reported their findings to Salisbury. Atkins diagnosed what could have been a case of measles. Atkins had overseen Prince Charles’ illness in 1604, when he was unable to walk, and later he became ‘one of his King’s physicians in waiting’.<sup>70</sup>

Cranborne returned to Paris to spend a second winter there. He played a full part in Henry IV’s Court life, taking riding lessons with the officers of the royal stables and hoping to accompany the king on his planned war in Cleves. Cranborne was trained by the best French riding masters in *haute école*, and was later to have further lessons at Prince Henry’s riding academy at Richmond. Amongst his fellow nobles there were his

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<sup>69</sup> CP 228/30a. 8 November 1609.

<sup>70</sup> CSPDom 1611-8 p.83. CSPDom 1603-10 pp.98, 128 & 151.

future son-in-law Lord Percy, who was to play an important role in his life in the 1640s.<sup>71</sup>

In early April 1610 Salisbury was again directing his son in the best academic and physical ways to proceed.

‘I have seene letters of late written by you (like a gentleman) to Sir Thomas Howard your brother [in law] & to others which I hope are your owne, & therefore doe commend. If they be not, yor fault is the more, to be unable to do that which with use you wold so easily overcome’ [and] ‘advises him to follow Mr Lister’s advice re diet being to pass into hotte contries...for the few weekes you tary in Italie, I hope in the Lord you will not be so voyde of grace as to be inticed to be tainted eyther in soule or bodie, nor so indifferent as to stir abroad in the night when murders and mischiefe are lawless.’<sup>72</sup>

In a letter of 18 April his father told him to forget his English sports, for they were a distraction from the proper purpose of his travels, ‘for which he maintains him so chargeably abroad.’ He did not wish him to go to Italy now, but wait till September when the weather would be more favourable and besides he would lose his French language. He gave him permission to go to Cleves with the other young English nobles; perhaps thinking that it would add to his noble credentials. Salisbury felt that ‘If the French King go to the frontiers to meet his troops, it will be a gallant journey for Cranborne to follow him.’ Salisbury sketched an itinerary for the journey to Italy and suggested he might be back in England before Christmas. He made a caustic reference to Cranborne’s doubts about seasickness, commenting ‘if he passes at Calais, it is not above 3 hours work, which women and children do every day.’<sup>73</sup>

The assassination of Henry IV on 14 May threw everything into turmoil. Cranborne returned home and the expedition to Cleves was abandoned until things settled down enough for him to return later in the year. Chamberlain observed that ‘the world apprehends he had another errand homeward, and a stronger adamant to draw him hither, the desire to gather the first fruites of his fayre younge Lady.’ That

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<sup>71</sup> Stoye English Travellers p.49. Giles Worsley ‘Inigo Jones and the Hatfield Riding House’ in Arch. Hist. (2002) vol 45 p.233.

<sup>72</sup> CP 228/31.

<sup>73</sup> CP 228- 32.The conflict was over the Julich Cleves succession.



Chamberlain thought Cranborne's activities would be of interest to his correspondents is not surprising. He was Salisbury's only son and personally close to both the king and Prince Henry; his potential importance should not be under-estimated. Chamberlain's recipients were Sir Ralph Winwood and Sir Dudley Carleton, who later became Secretaries of State.<sup>74</sup>

Salisbury took the opportunity to give Cranborne some political experience. He obtained his election as a Member of Parliament for the Borough of Weymouth and Melcombe Regis with the help of Sir Julius Caesar, the Chancellor of the Exchequer. On 13 June 1610 the Mayor and Bailiff regretted that the request had not arrived earlier because the position was no longer available, as an election had already been made and the voters were unwilling to change. Three days later the situation was hurriedly corrected to allow Cranborne to be elected.<sup>75</sup>

Cranborne probably did not take his place in the Commons. The fourth session of James's first Parliament was sitting, but was dissolved shortly after his election and he was abroad during the final session.<sup>76</sup> This episode seems strange now, but in June 1610 Salisbury probably thought the French King's assassination would have prevented his son's return.

Cranborne returned to France in September 1610 for his journey to Italy. Salisbury worried that his son should not 'put his person into' [any] 'town whereof the Pope is lord' and sent a list of towns that young Litton had passed 'so it can be seen how easily he may go from Venice to Florence without coming within the Pope's

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<sup>74</sup> Chamberlain Letters i p.300. Alan G. R. Smith Emergence of a Nation State: The Commonwealth of England, 1529-1660 2nd edn. (London 1997) p.387.

<sup>75</sup> CSPDom 1603-10 pp.618 and 634.

<sup>76</sup> David L. Smith The Stuart Parliaments 1603-1689 (London 1999), hereafter, Smith Parliaments. Appendix I lists all the parliamentary sessions.

danger'.<sup>77</sup> The fear of physically coming under the jurisdiction of the Pope was real.

Captain William Turner claimed that overtures had been

‘made to him by the Pope’s nuncio to decoy some Englishmen of note, - young Lord Roos or, Lord Cranborne, into the Pope’s dominions to be held as a hostage in exchange for the release of Baldwin the Jesuit priest.’<sup>78</sup>

Cranborne kept a diary detailing his experiences on the journey through France and Savoy to Venice, where he arrived in November. He stayed with Sir Henry Wotton and was received by the Doge and Senate. He had asked his father’s permission to take the musician Nicholas Lanier with him. Salisbury replied that he ‘Approves Cranborne’s desire to carry Nich. Lanier with him, if it be true that he delights in music and practises both hand and voice.’ Cranborne had probably thought Lanier would make a good companion, but it seems doubtful that Lanier went. Lanier was the Salisburys’ domestic musician for eight years from 1605. He was an instrumentalist, could sing, and write poetry and music, as well as paint.<sup>79</sup>

Cranborne became ill in Padua; the physicians diagnosed fever mingled with homesickness. Padua was a marshy area and notoriously unhealthy. Cranborne had probably contacted a low-level form of malarial fever. Carleton thought that his ‘anxiety to return home makes him ill; he has symptoms of ague’. William refused to accede to his father’s requests that he should continue his tour. Lister, writing to Carleton, said he would not give Salisbury’s letters to Cranborne ‘lest any agitation produce a relapse’, even though he was now well. Carleton writing the same day to Salisbury said he had seen his son in Padua ‘and found him better, but extremely anxious to return home’.<sup>80</sup>

The Venetian ambassador reported to the Doge that

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<sup>77</sup> CP 228/32.

<sup>78</sup> CSPDom1603-10 p.634. ODNB ‘William, baron Roos’.

<sup>79</sup> HMC Salisbury 21 p.237-249. Nicholas Lanier [Classical Composers Database www.classical-composers.org/cgi-bin/ccd.cgi?comp](http://www.classical-composers.org/cgi-bin/ccd.cgi?comp)

<sup>80</sup> CSPDom 1603-10 p.645, see pp.652-4 for this correspondence.

‘the health of the Viscount Cranborne about which were spread unquieting rumours that kept the Court very anxious and caused the Lord treasurer his father to ask me for some information and to doubt that something was being held back’.<sup>81</sup>

He came home via Germany and the Low Countries, visiting many cities on the way and recording them in his diary. He arrived back in April, but not before his noble service was called into use by Lord Walden to assist him in the funeral of Viscount Bindon in Flushing’.<sup>82</sup> Perhaps the final comments, on what must have been a wretched experience for William, were from his friend Montgomery.

‘All youre frends here hath been extremely greeved to heare of the danger you weare in by reson of the extremity of the violent fever which you had...I cannot omit to lett you knowe how much you are bound to God in giving you so worthy and so loving a father as you have.’<sup>83</sup>

Nevertheless Cranborne must have thought the Grand Tour had been a worthwhile experience, because he exposed his own sons to it.<sup>84</sup>

Danushevskaya calculated that Cranborne’s university education cost £1,368. 7s. 8d. of which only £1 4s. was spent on books and £5 11s. on cultural events. The cost of the Grand Tour was a staggering £10,503 15s. 6d. Salisbury was a concerned parent and was also making a statement about his family’s status. He wrote to Cranborne that he ‘be not sparing of any cost for guides or connvoyes to make your passage safe’. Referring to the French Court, he instructed him ‘not to forbear from dealing liberally with the Church, nor with any of the King’s officers to whom he is beholden.’ Salisbury, referring to his expenses in entertaining the duke of Guise at Marseilles and whilst in Geneva, wrote ‘I commend in you and shall ever upon so just occasion, desiring to take this rule of me, that he is of a base mind that thinks money to serve for anything but use’.<sup>85</sup>

<sup>81</sup> Cal S.P.Venetian 1610 no. 178 pp.118-9.

<sup>82</sup> HMC Salisbury 21 pp.237-9. HMC Downshire iii p.56.

<sup>83</sup> CP 200/8.

<sup>84</sup> Stone Family and Fortune p.122.

<sup>85</sup> HMC Salisbury 24 pp.190, 199-201. CP 228/28, 30a & 32.

An evaluation of William's education is difficult. Prince Henry gave the best contemporary opinion when,

‘a son as from whom I do expect, if not as much sufficiency in serving princes as hath been found in your grandfather and father, yet as great abundance of love and loyalty as the example of so worthy patterns’.<sup>86</sup>

He recognised that Cranborne would not equal his two forebears, but valued his other qualities. They had been dedicated to a life of administrative service and blessed with those abilities and ambition needed to achieve the highest positions. Cranborne's life was to be that of a courtier, an entirely different one that called for other skills.

In January 1612 the Prince and Cranborne were at Greenwich primarily to inspect *The Prince Royal*, the first three-decker in the English fleet. Sir Walter Raleigh, whilst imprisoned in The Tower, had designed this for Prince Henry. The keel had been laid on 20 October 1608 and the ship was now nearing completion; it went on to give distinguished service. Unfortunately Henry did not live to see the launch.<sup>87</sup> The visit ended when

‘The Prince went on Saturday to Royston, called thither by the King from his martial sports of Tilt, Tourney, and Barriers, which he followed so earnestly, that he was every day five or six times in armour.’<sup>88</sup>

The king was probably hunting and they would almost certainly have joined him in that pursuit. Chamberlain added to the details at Greenwich.

‘The rest of the time was spent in gaming and every night a play; in which exercises the Lord Cranbourn still attended him, keeping an honourable table all the while’.<sup>89</sup>

There are glimpses of Cranborne's social and Court activities from items like an acquittance note, which acknowledged the receipt of the hefty sum of thirty-five pounds paid to his friend Montgomery for losses incurred whilst they were playing

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<sup>86</sup> CP 134/162.

<sup>87</sup> Margaret Irwin *That Great Lucifer. A Portrait of Sir Walter Raleigh* (London 1960) p.234. Edward Thompson *Sir Walter Raleigh* (London 1935) pp.221 & 240. Edward Edwards *The Life of Sir Walter Raleigh, together with his letters* (London 1868) pp.330-2, hereafter, Edwards *Raleigh*.

<sup>88</sup> *HMC Salisbury* 21 p.229.

<sup>89</sup> Chamberlain *Letters* i p.330.

tennis. Another, an invitation addressed from Sir Walter Cope's house and sent to Sir Michael Hicks from George Montaigne, then the Dean of Westminster, to the Deanery.

‘This night, of four of the clock, my Lord Cranborne and my Lady, Sir Walter Cope and his lady, and some others, will be at Westminster. They have a play before supper, and another after, if you will be pleased, and my lady, to bear them company I shall be much bound to you,’<sup>90</sup>

All three were Cecil clients and were courteously acknowledging the younger generation, possibly in the hope of currying future favour.

The king selected William for receiving and conducting Venetian ambassadors to their audiences with him. This was appropriate since he had just spent some time in Venice. He was also given the honour of handing the king his napkin at a State Banquet.<sup>91</sup>

William's portrait at Hatfield House, painted in about 1626 by George Geldorp, shows a slim and athletic man. He was then thirty-five and he is shown wearing spurs; in the background are scenes of hunting in front of Hatfield House. He was depicted in parkland of oaks, with one at his immediate right, which perhaps reflected his view that the family were as firmly planted in the hierarchy of England as these symbols of everlasting robustness. The artist may have also seen the oak as ‘the tree of chivalry’, as he has hung Salisbury's Garter upon it. William became a Garter Knight on 13 December 1625 and probably commissioned Geldorp to paint companion portraits of him and his wife to record that event.<sup>92</sup>

There was another influence that surely fired William's imagination and helped shape his personality. He had spent some time in his formative years with the Raleighs at Sherborne. This association was renewed when, together with Prince Henry, he regularly visited Raleigh in The Tower much to James's annoyance. The prince and William both benefited from the experience of Raleigh's intellectual circle that had

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<sup>90</sup> CSPDom1611-8 p.115. Lansdowne Mss BL vol 91. Letters and Papers of Sir Michael Hicks.

<sup>91</sup> HMC Salisbury 22 p.xii.

<sup>92</sup> Erna Auerbach and C. Kingsley Adams (compilers) A Catalogue Paintings and Sculpture at Hatfield House (London 1971) Colour Plates VI, X & pp.84-6, hereafter, Auerbach Paintings and Sculpture.

gathered around this charismatic man. The prince had been inspired by his designs for the ship *The Prince Royal*. Raleigh dedicated his book The History of the World to Prince Henry, but after the prince's death he remarkably rededicated it to Will Cecil with the words 'I intend, by the help of God and your furtherance, right noble Earl of Salisbury, to write a Brief History of the World'. Oldys incorrectly gives the target of the dedication to Robert Cecil, whilst Edwards mistakenly suggests that Charles appointed the second earl as an Ambassador Extraordinary to the Court of France.<sup>93</sup>

Cranborne had married into a great Court family and figured prominently in that Court, whilst his love of sport had endeared him to the king and Prince Henry, as well as the influential Philip Herbert. It would have been understandable if William had thought that these accomplishments were sufficient. Most noble families would have been jealous of the attention he had already received from the king and the prince.

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<sup>93</sup> CSPDom1611-8 p.158 'The King begins to digest his late loss, and orders the young Prince to be kept within stricter compass than his late brother'. Oldys Raleigh: Letters pp.330-2. Sir Walter Raleigh 5 vols The History of the World (London 1687). Irwin That Great Lucifer p.235. Edward Edwards Raleigh ii p.202 & fn.

## Chapter Two.

### The Death of His Father and the Aftermath for William.

Robert Cecil died on 24 May 1612 after a lengthy illness. He had told his son not to visit him on his deathbed but William disobeyed him and travelled to Bath with his cousin Edward Cecil.<sup>1</sup> It was a highly charged meeting full of emotion. Robert's last advice to his son was;

‘embrace true religion, Lyve honestly and virtuously, loyally to your prince, & faithfully to thy wife. Take heede by all meanes of bloud, whether in publike or in private quarrels, god will prosper thee in all thy wayes,’<sup>2</sup>

Robert had wanted his funeral costs to be kept to two hundred pounds, with a further two hundred pounds to be distributed amongst the poor. William chose to ignore his father's wishes for a modest funeral and spent £2,000 on the funeral held at Hatfield. He was probably making a political point by having a funeral that underscored the first earl's national status and importance in defiance of Robert's critics. William later paid four hundred and sixty pounds for a splendid monument by Maximilien Colt, a design that his father had approved. This incorporates a rare survival of a white staff of office, a colour unique to Lord Treasurers, and can be seen in Hatfield Church. Permission was obtained from the Bishop of Lincoln to expand the church, St. Etheldreda's, to add a chapel to accommodate the tomb. The enlargement was completed in 1618, according to an order for lead and tiles ‘to fineshe the chappell’.<sup>3</sup>

Prince Henry died unexpectedly, soon after the first earl, following a short fever. In his funeral procession Salisbury was one of the twelve earls who were assistants to the Chief Mourner, Prince Charles. William had lost both an indulgent and understanding father and an influential friend. He could no longer hope for the help of

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<sup>1</sup> HMC Salisbury 21 pp.362-3.

<sup>2</sup> BL Add MS 34218 fo 127.

<sup>3</sup> Chamberlain Letters i p.351. CP 206/60 & 61. Auerbach Paintings and Sculpture pp.111-2 & 159-60. HMC Salisbury 24 p.179, Model submitted. HMC Salisbury 21 p.59, the details of the alteration are shown in the licence. HMC Salisbury 22 pp.78-9, ‘Accounts for the building of a chapel on the north side of Bishop's Hatfield Church’.

his powerful father or the patronage that he would surely have received from the next in line to the throne. His potentially smooth passage to high office had gone once James began to fill the important positions with his personal favourites, first Carr and then Buckingham.<sup>4</sup>

William had more empathy with the prince's ambitions and religious outlook than with that of the other Stuarts. As Strong wrote,

‘Had he lived, the renaissance in the arts that eventually came to flower in his brother’s reign would not have been tinged with the highly suspect theological overtones which made it unacceptable to the reformist populace.’ [Furthermore] ‘all the evidence indicates that he was a Protestant with puritan leanings.’<sup>5</sup>

However, William had his title and the precedence that gave him. The creation was made early in James’s reign; coming before the mass creation of titles by James and Charles and after Elizabeth’s paucity. This, together with the repeal of all sumptuary legislation in 1604, had two effects. The number of positions at Court did not increase, so competition for them grew; the repeal of the sumptuary laws and an increase in the supply of luxury materials led to a blurring between the ranks in society and a consequent loss of respect.<sup>6</sup>

The earldom came with the supporting lands, their income and other emoluments, such as patents. William also had Hatfield House, together with a London palace in The Strand and other homes and enterprises, such as the recently opened Britain’s Bourse. There was no need for a dowry for his deceased mother and his sister was already married. The inheritance was free of any restrictions, apart from a few bequests and annuities. Many estates had entails or restrictions placed on them, to help ensure that the following generations would have an inheritance and keep the family

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<sup>4</sup> Nichols Progresses of James, ii p.499.

<sup>5</sup> Strong Henry p.52.

<sup>6</sup> Stone Crisis of the Aristocracy p.755-9. Linda L. Peck, Consuming Splendour. Society and Culture in Seventeenth-Century England (Cambridge 2005), hereafter, Consuming Splendour.



name in being. These encumbrances were impediments to the efficient amalgamation of lands and the borrowing of capital for other ventures.<sup>7</sup>

William had little to be concerned about whilst he was able to run ‘the family business’ to bring in enough income to live the life of a London courtier and to consolidate the assets he had inherited. He would hope eventually to attain a position at Court that was commensurate with his noble status. William was responsible for his father’s debts and the annuities that he had bequeathed to his friends and servants. These annuities were still running at nearly six hundred pounds per annum right through the 1620s and 30s: four hundred pounds for Robert’s niece, Lady Anne Clifford and two hundred pounds for his cousin, Sir Edward Cecil.<sup>8</sup>

William had to see to the completion of the fabric of Hatfield House, its internal furnishing and the layout of the gardens. He suffered the reaction to the long Cecilian monopoly of political power and the odium that went with it from the disaffected and the malicious. However he was probably hardened to that by then.

The first earl’s will was finalised on the day of his death, when a codicil was added. The original was dated 3 March 1612. The will’s authenticity was questioned because Dackcombe had penned it.

‘when Sir W. Cope and Sir H. Beeston did utterly disallow yt, as not answerable to the rest of his actions, but savoring of giddiness and I know what els, and laide great blame on Deckham who had the penning of yt, though yt were from his owne mouth.’

Cope however formally proved it on 6 June.<sup>9</sup>

Dackcombe wrote to William five days after the earl’s death to protest against the slanderous statements being made about him by Houghton and his friends and asked to confront them

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<sup>7</sup> CSPDom 1611-8 p.104. Licence granted for conveyance of land by Robert Cecil and his heirs ‘in fee simple or otherwise’. John Cannon The Oxford Companion to British History (Oxford 2002) p.351.

<sup>8</sup> CP 143/145. Lists of his debtors & creditors. Stone Family and Fortune p.144. HMC Salisbury 22 p.167, 4 June 1623.

<sup>9</sup> CP 143/145. Chamberlain Letters i pp.362-3.

‘to prove that I have gained to your father’s estate 35000’ and 1000’ *per annum* in land, and that I have settled 40000’ worth of land wherein his Lordships titles were defective, which service may merit some parte of his Lordships bountifull legacie without malice.’

He ended by threatening to take legal action against his detractors. Much of the work he mentioned had been invaluable in settling the disputed Brooke estates.<sup>10</sup>

Dackombe was due to receive an annuity of £1,000 per annum; hence the suspicion of him. When his expertise in land deals, then the prime investments, is considered and the shortage of money available to build Hatfield House it was a merited recognition. Dackombe had put Robert’s finances in good order at a crucial time and relieved William of what could have been a crippling liability. It was obvious that they had a close working relationship. Robert would surely have also hoped that Dackombe would continue working for the family’s benefit. To tie him further into loyalty to William he was given the house called Pymms on a long lease at the low rent of one shilling a year and a lease of three lives. Dackombe died in 1618, but his wife retained possession until her death in 1647.<sup>11</sup>

A contemporary account of the reaction to Robert’s will gives some colour to the document.

‘the corps is carried the next way to Hatfield where yt shalbe buried, without any great pompe by his speciall appointment, for he hath allotted but 200” for his funeral and as much to the poore....I heare he hath made Percivall, Deckham, Kirkham and Hawten his executors to the use of his sonne...His debts are saide to be toward 50000”, for which there wilbe goode order taken and leave the young Lord about 6000” land. The Lord Wotton bought lately Caunterbury Parke of him for 12000”, and in three yeares there is 21000” to arise out of the silke farme: the rest will be made up otherwise.’<sup>12</sup>

The sale of Canterbury Park to Salisbury’s friend Lord Wotton was a timely one. The Park contained the site of the demolished Augustine Priory, where Wotton produced one of the finest formal gardens in the country with the help of John Tradescant.

<sup>10</sup> CP Gen 16- 17. Stone Family and Fortune pp.43-48.

<sup>11</sup> Stone Family and Fortune p.129. Mann, Dr. G. M. W. ‘Sir John Dackombe, 1570-1618’ [www.btinternet.com/~surrey.hypno/Genealogy-Dackombe/DACK-B11.htm](http://www.btinternet.com/~surrey.hypno/Genealogy-Dackombe/DACK-B11.htm), hereafter, Mann Dackombe.

<sup>12</sup> Chamberlain Letters i p.351.

Tradescant also helped inspire the gardens at Hatfield House. Wotton was the English Ambassador in Venice when Cranborne had visited the city-state.<sup>13</sup>

Chamberlain reported later that

‘The executors were not those I wrote you...but now they fall out to be Sir Walter Cope, Master Colvert, Deckham and Hawten. I can heare of nothing he hath left to Naughton, Kirkham or Finet. Wilson hath forty pound a yeare annuitie, and divers other annuities are spoken of to a great summe: but because I have yet met with no certainie I will set you downe no more of his will.’<sup>14</sup>

The men mentioned in the two extracts are Sir Walter Cope, a great friend of Robert Cecil, whilst George Calvert, Roger Houghton and John Dackombe had served him. The other men, Perceval, Kirkham, Finet and Thomas Wilson, were in his secretariat. All had also helped the Cecils in their private capacities.<sup>15</sup>

Dackombe’s time had been chiefly devoted to looking after Robert’s personal affairs. Finet was one of the tutors that accompanied William on the Grand Tour and Kirkham had seen that he was adequately provided for on the aborted trip with Henry IV to Cleves. When Robert died he had seven or eight men in his secretariat and several of them subsequently had business at Hatfield House. Their names are recorded as visitors in Household Books, for there must have been many matters on which their knowledge would have proved useful and they would want to further or protect their own interests at an uncertain time.<sup>16</sup>

Robert’s secretaries were able men and the experience they had gained helped them in their later careers. They all went on to high office and most of them died wealthy men. William could not offer the same opportunities, as he had little prospect of high office in the immediate future. He would have been the object of political

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<sup>13</sup> ODNB ‘Wotton, Edward, first Baron Wotton (1548-1628)’

<sup>14</sup> Chamberlain Letters i p.354.

<sup>15</sup> Alan G. R. Smith ‘The Secretariats of the Cecils, circa 1580-1612’ in EHR (Jul 1968) vol 83 pp.481-504, hereafter Smith ‘Secretariats’.

<sup>16</sup> HMC Salisbury 22 p.1.

manoeuvring by those closest to the king, if it looked as if he might be anything other than a companion of the hunt.<sup>17</sup>

The Cecils were the most powerful political family in England between 1558 and 1612; such a monopoly of power provoked a hostile reaction from many people. The Venetian ambassador noted the complete domination that Robert exercised. It was just after he had been invested into the Order of The Garter in 1606 when

‘the Earl of Salisbury...went to Windsor for the solemn reception of the investiture of the Garter. The pomp was such that the like of it is not in the memory of man; indeed all confess that it surpassed the ceremony of the very King’s Coronation; so great is the power of this minister. All envy of him is now dead; no one seeks aught but to win his favour; it is thought that his power will last, for it is based not so much on the grace of his Majesty, as on an excellent prudence and ability which secure for him the universal opinion that he is worthy of his great authority and good fortune.’<sup>18</sup>

The Cecil power would only last another six years, but to many it must have seemed to be never ending. This was why William had been treated with such respect when he went abroad.

Robert spent the years prior to his death trying to get acceptance for the unpopular policies of James and consequently his own reputation suffered. There were some who sought to defend him, including his friend Sir Walter Cope. He wrote a strong posthumous defence of the Lord Treasurer and bravely addressed it directly to the king. He listed all that Salisbury had done for him in difficult times and the animosity that this had caused Robert. He pointed out that the libels were in effect an attack on the king and by ignoring them, and not bringing to justice those that made them, he was accepting their criticism. He finished with this plea;

‘My most humble, and only suit is, that your Majesty will not suffer a servant of his desert, martyred (as it were) with the cares of your service, to thus be libelled upon, and scandalized, as he is’.<sup>19</sup>

On the day of Robert’s funeral there was a co-ordinated attempt by local people to pull down the fences that he had recently erected around Hatfield House and

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<sup>17</sup> Smith ‘Secretariats’ pp.503-4.

<sup>18</sup> Cal S.P.Venetian 1603-1607 p.354.

<sup>19</sup> Cope, Sir Walter ‘An Apology for the late Lord Treasurer Sir ROBERT CECILL, Earl of Salisbury’ in Collectanea curiosa ed John Gutch (Oxford 1781) pp.119-133.

Brigstocke Parks that provided enclosed deer parks for hunting. They had lost access to the woodland that had supplied them with their firewood. The attacks on Robert's character continued for some time and this must have hurt his son.<sup>20</sup>

William was still dealing with his father's finances in 1628. He had to refute a charge that had been made to Buckingham that suggested Robert had used a legal ruse to divert monies to his pocket that were intended by James to be a gift to another. The charges were comprehensively refuted, but it must have been an inconvenience to William.<sup>21</sup>

William was not personally involved in the day-to-day business of running the estates. The recruitment of honest and competent men was however essential for achieving success. They would not be burdened, unlike his father's men, with the distractions of state business and shadowy business affairs.

The estates were astutely and well run, with a disciplined approach to the accounting procedures, together with annual audited balance sheets. The level of indebtedness was consistently kept so that the annual amount paid in interest was five percent of the yearly land receipts on average. This level of debt allowed for expansion and the financing of any new projects. This was not unique; most of the big estates of the nobility would have followed these practices. However, it is doubtful if any of them were as tightly controlled and well run. Salisbury's efficient running of his estates was noted at the time. Perhaps it was not surprising that in the early 1640s there were to be calls for him to be made Lord Treasurer.<sup>22</sup>

Salisbury listened to his servants' advice and accepted their systems. He appreciated their value, looked after their interests and showed an exceptional level of concern for their welfare. He provided safe homes for their savings; borrowing money

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<sup>20</sup> Croft 'Reputation of Robert Cecil' pp.43-69. Chamberlain Letters i pp.364-5.

<sup>21</sup> HMC Salisbury 22 pp.248-9. The date has to be after 1628 as Buckingham is referred to in the past tense.

<sup>22</sup> Stone Family and Fortune pp.115-141. Thomas Clay Briefe easie and necessary tables, for the valuation of leases. (London 1622), hereafter, Brief, easie and necessary tables.

from them against bonds at the current top rates of interest. He paid for medical attention; Keighley saw two London doctors in 1618 at a cost of fifteen pounds. He also paid for Richard Clark, one of the under cooks, two pounds fourteen shillings for his lodging and diet for one month and seven shillings for Estas Ayle, laundry maid, whilst they were sick in 1634. In 1635 John Johnson, butler, cost Salisbury twenty-eight shillings when he was sick and Robert Benison, postillion, cost thirty-two shillings when he was lamed by a fall from a horse. The second earl also helped some of his senior officials by granting leases on estate property on advantageous conditions, as he had done for Dackombe.<sup>23</sup>

Salisbury was lucky that Thomas Brett, Robert's old receiver-general, left behind his assistant Christopher Keighley to act as William's steward in 1613. Brett continued to serve Salisbury till 1615 and was then succeeded by Keighley.<sup>24</sup>

Keighley wrote to his father to share his good news.

'I have lefte my Mr whome I did serve, which was my late Lord Threaserers steward, because he lefte his place, and ame nowe servante in my lords house that nowe is.'<sup>25</sup>

Brett served Salisbury well in those early days, as a letter of June 23 1613 shows. He had obtained a delay in a payment to the king and brought in money from debtors to pay Salisbury's own special debts and 'the contentment of your porrest and most clamorous creditors.' He listed the sales of land that would be finalised soon and added that the king would next day sign the Silk Farm that the first earl had been granted. One of the more pressing creditors was Robert's apothecary who had put his case before the courts.<sup>26</sup>

Salisbury had some invaluable continuity and an accomplished servant in Keighley. The smooth and successful running of the estate was due to the systems that he introduced. These gave him full central control and he was quickly able to see where

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<sup>23</sup> Stone Family and Fortune p.125. These rates were ten percent before 1624 and eight percent after. CP Bills 93- 6 &173, Box 1/3 Household Accounts.

<sup>24</sup> HMC Salisbury 22 pp.9 & 17.

<sup>25</sup> Ibid. pp.9-10.

<sup>26</sup> Ibid. pp.8 &11.

things could be improved and to transfer resources around the operation to insure their efficient use. Keighley was receiver-general from 1614 until 1624 and again for two years prior to his death in 1634. He took over the duties of secretary during the period between these two spells.<sup>27</sup>

His principal responsibility as receiver-general was to act as William's rent collector. The duties of secretary included drawing up estate maps, confirming the grants of pensions, selling off manors, preparing inventories of Salisbury House and examining the feasibility of exploration of mineral resources on the Cornish estates. The position enabled the assets to be rationalised to bring in a higher income.<sup>28</sup>

It was important to the nobility that the officials that represented them were not only honest and efficient but also well-bred and educated. They moved between different tiers of society and were seen as representing their master. An official who was over-zealous in his interpretations of his master's best interests could also damage his reputation.

An example of this occurred when Thomas Hooper, a local squire, accused Richard Sherfield, Salisbury's Deputy Steward of his West Country's lands, 'of oppression of copyholders and tenants by unjust and corrupt manipulation of the manorial court.'<sup>29</sup> The squire was a lessee of some lands around Cranborne and perhaps he had been affected by Sherfield's practices himself. Richard's brother Henry was Salisbury's Steward and Surveyor in the West Country. He was a leading lawyer in the city of Salisbury and had given his brother the day-to-day running of the estates. On 3 September 1624 Henry wrote to Salisbury to defend his brother and tried to draw Keighley into the dispute,

'In defence of his brother...from charges of dishonesty. The real aim of his brother's adversaries is to disinherit the Earl of his rights there. The Earl almost lost his chase'

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<sup>27</sup>HMC Salisbury 22 p.278.

<sup>28</sup>Stone Family and Fortune p.130.

<sup>29</sup>Ibid. pp.127-8. HMC Salisbury 22 p.159 & 176. Keighley had been receiving serious complaints about Sherfield for nearly three years at least by then.

[Cranborne] ‘by the verdict against him; also the tithes of Blagdon, the parsonage of Cranborne, the customs of the copyhold tenants, and lands by encroachment; and the gentlemen of those parts are attempting to remove from the Earl those through whose faithfulness he has prevailed. They have also drawn Mr Keighlie to work their way. Details the plots and practices of the adversaries. If the Earl decides to displace his brother, he begs that his brother may still remain Salisbury’s servant, to avoid the disgrace of an abrupt discharge.’<sup>30</sup>

Salisbury would have been aware of the dangers to his reputation and could not let the issue remain unresolved, especially as Keighley was involved. He asked three local squires to investigate. They reported on 12 October.

‘Mr. Richard Sherfield his courses and cariage so directly opposite to your truly noble disposition by pressing and enforcing such strict penalties and lawequirkes, that he hath justly drawne on him the hate and ill opinion of that parte of the country, and will not be a fitt man for your Lordship to contynue in that place of understuard as we conceive.’<sup>31</sup>

Salisbury dismissed Sherfield, although his actions would have only benefited the earl, for he had not gained any pecuniary advantage himself. It was then becoming common behaviour to revive old customs and look for ancient precedents as justification to raise income from your tenants. Naturally they would not be in favour of this and Sherfield had probably been guilty of going too far too fast, perhaps under his brother’s impetus. Henry’s letter and another after the local squires’ recommendation indicate that possibility. He was Salisbury’s solicitor for these estates and it would have been his duty to reveal these ancient precedents. To quote from his letter of 24 October;

‘In one instance, he had revived Salisbury’s “ancient liberties” by committing an offender for three days and three nights to the prison in the Earl’s house there. On the other hand, “there is generall agreement of all the gentlemen and other freeholders that hold of your Lordship not to compound with your Lordship touching their tenures and alienations, for not any one of them came into the court how fayrely soever they promised your Lordship”’<sup>32</sup>

Henry wrote again on 7 December protesting that his brother’s replacement Fussell was an unfit man. Fussell had been recommended four days after the squires had reported by a namesake of one of them. The Sherfields felt that they were being unfairly treated and made the scapegoats for carrying out their master’s instructions.

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<sup>30</sup> CP 130/92.

<sup>31</sup> CP Gen 27/8.

<sup>32</sup> CP 83/22.



They felt these were the real cause of local discontent and not the way they had implemented them.<sup>33</sup>

A draft in Keighley's hand illustrates how Salisbury relied upon his principal officials in these matters.

'If hereafter Fussell gives chance to prove such a dishonest man as you mention him to be, the falte shall lie upon my owne heade...Has received a "saucie and unmannerly" letter from Sherfield's brother that has hardly improved Salisbury's opinion of him. Were it not for Sherfield he would order him out of the parsonage house. However although he will never find employment again in the Earl's service, he will be permitted to remain in the house but only until next Lady Day. Requests Sherfield to answer by return of bearer whether he intends to continue to assume responsibility for Salisbury's courts and affairs in Cranborne or not'<sup>34</sup>

Keighley's appointment as Secretary in 1624, with his roving commission to increase income, probably prompted this whole affair.

Salisbury's officials must have been glad to see Richard Sherfield go, although in 1649 he claimed Hollwell Mill, which Stillingfleet thought was fraudulent. Henry Sherfield had died in 1628 'very much in debt...including tenants' rents to Salisbury. There was little hope of recovering these.'<sup>35</sup>

John Fussell was still involved in 1643, when the Cranborne estates were under threat from the royalists and he was being difficult about cooperating with Salisbury.

'hee hath been solicted by divers to entertaine him to follow their causes for matter of tenure and for the chase against his Lordship, which hee hath as yett refused, if his Lordship wilbee pleased to retaine him for these businesses; if not, hee saith he must entertaine such buisines if offerd to him because it is his profession and livelihood.'<sup>36</sup>

Fussell was later imprisoned in Newgate in 1646, where he was overheard by one of the inmates Henry Brodnax. Fussell boasted that he held court rolls, 'which should not be delivered without very good grounds for his own advantage and enlargement' Brodnax's letter was endorsed twice; 'He acknowlegeth to have court rolles and will return them' and similarly again, but dated August 1651. The letter said that Fussell expressed the sentiment 'having many times declared himselfe to be

<sup>33</sup> CP 130/99 & Petitions 2311.

<sup>34</sup> CP 83/13.

<sup>35</sup> CP 18/26, 21/6 & 25, Gen 88/ 24.

<sup>36</sup> HMC Salisbury 22 p.374, letter dd. 27 April 1643.

neither for Kinge or Parliament, but merely his owne lucre.’<sup>37</sup> This was a view he probably shared with many professional people that had their lives disrupted by the Civil War.

The receiver-general had responsibility for collecting the income and distributing money to the heads of department. These were the Steward of the Household, Gentleman of the Horse, Gentleman of the Chamber [privy purse] and finally the Steward of the West Country. They were responsible for their expenditure and rendered accounts to the receiver-general. Other duties were performed by an Auditor annually and when required by the employment of a Solicitor and a General Surveyor. These three men had other clients and their experience would have benefited all their patrons, by spreading ‘best practice’ amongst the more open-minded landowners. Clay listed the officials and their areas of responsibility, which were needed to run estates like Salisbury’s.<sup>38</sup>

The family estates were rationalised into two general locations, one centred on Hatfield, the other on Cranborne for those properties in the West Country. They had different agricultural potential and legal backgrounds, so it was sensible to treat them separately. The westerly grouping was generally unenclosed and occupied by copyholders with leases for three lives. Those in the east were more intensively farmed on enclosed grounds and usually had leases for twenty-one years. Keighley tried to enclose land in the west and encountered problems.<sup>39</sup>

The whole estate, including the London businesses, was administered as one by the receiver-general. This meant that the officials at Cranborne were allowed to deduct nominal expenses only and had to account for every penny to the receiver-general. This

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<sup>37</sup> CP Gen 23- 15.

<sup>38</sup> Stone Family and Fortune p.126. Clay Brief, easie and necessary tables.

<sup>39</sup> Stone Family and Fortune p.136. HMC Salisbury 22 p.207. Richard Sherfield thought underhand dealings had broken down ‘the projected enclosure of the commons’. HMC Salisbury 22 p.235-8. A list of 16 lease infringements.

degree of centralisation was probably unique amongst the great estates during the seventeenth century.<sup>40</sup>

With homes in Westminster and Hertfordshire William was well placed to undertake his responsibilities and be available to give his principal staff directions. In modern terms, William was effectively the chairman of a wholly owned private company. Its principal assets were his title, the lands and properties and any patents or patronage he could acquire.

Salisbury required separate retinues of indoor staff to run his various homes, although many of them would be interchangeable according to the family's needs. The indoor staff would have been as tightly controlled as their outdoor brethren. In 1635 for example the costs of feeding and housing the staff were considered to have become too expensive and had to be reduced.<sup>41</sup>

To achieve a healthy estate the first priority was the orderly clearance of the inherited debts. These totalled £45,000, but this should not be taken in isolation because the value of the assets far exceeded that. The clearance was accomplished without a loss to the family estates due to any rash actions or ill-considered sales. The debt was reduced within four years to under £11,000. This policy enabled Salisbury to take the opportunity when it arose in 1617-8 to purchase more land in Hertfordshire for £20,300. To help balance this purchase a sale of land for £12,000 was made over the following two years. By 1623 the bonded debt had fallen to £5,500 and the bequeathed debt had been erased without any diminution of the total assets.<sup>42</sup>

Salisbury had shown considerable business acumen in reducing the inherited debt, whilst still being prepared to take advantage of any business opportunities that came along. That he took a detailed interest in his inheritance was shown when his solicitor was ill and the chance might have been lost to clear up any outstanding legal

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<sup>40</sup> Stone Family and Fortune pp.130-1.

<sup>41</sup> CP Acs 32/6.

<sup>42</sup> CP 143/146 & 148.

matters easily. Salisbury's letter was written just before Dackombe's death in January 1618.<sup>43</sup>

'Looking over some old papers which I have of Mr. Jo. Dackombes, I find these particular mannors to have beene my fathers not longe before he dyed. In Kent, the mannor of Dartforde, the manor of temples in Dartford; in Northfolke, the manor of Snetisham; in Suffolke, the manor of Barton Bendishe; in Northamptonshire, the rectory of Irchester; in Gloucestershire, the mannor of Southam; in Wiltes, the monor of Tilsheade; in Sussex, the mannor of Forde, all which though I [*?make*] no question but they be soulede, yett my desire is to be truly informed as [*?neer*] as you can of the persons that bought them.'<sup>44</sup>

The random spread of the properties mentioned shows just how wide the first earl's land holdings had been.

The debt reduction was achieved, not only by the sale of land, but also by the capitalisation of the Silk Farm and the sale of annuities. An annuity was an agreement to pay a set figure each year in recognition of the receipt of a capital sum. It was a gamble that the recipient took against the length of life that the payee would live. The donor enjoyed the security that a large landed estate gave with its assured annual income, whilst Salisbury, in this case, had capital to use to either reduce debt or invest in further assets.

The Silk Farm grant had seventeen years to run in 1612, unless the king died earlier. Robert Cecil had sublet the lease for £7,000 per annum and this agreement had six years to run. The figure the family was receiving was probably more than it was worth because the financiers involved were always complaining. In 1613 James's treasury officials pointed out what this and other concessions to his nobles were costing him. He decided to end the concessions in return for fixed annuities. These were to be paid to the family for a set period, rather than on the life of an individual. The figure for the Silk Farm was a generous £3,000 per annum for twenty-one years. To help in the clearance of his father's debts Salisbury sold £2,000 of the annuity and reassigned another £200. In 1621 the royal expenditure was again examined by Cranfield, the Lord

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<sup>43</sup> Mann Dackombe. He had quickly allied himself with Villiers and was by 1614 Master of the Court of Requests. He was knighted in June 1616 and appointed Chancellor of the Duchy of Lancaster.

<sup>44</sup> CP 200/46

Treasurer, and resulted in a suspension of pensions.<sup>45</sup> Salisbury was lucky that he had sold so much of his annuity before this. When Cranfield fell in 1624 Salisbury was able to compound for the outstanding three years arrears' and received £2,000. The cost of the annuity was transferred to the Court of Wards and was finally cleared in 1638. It had brought the Cecils a sum probably in excess of £ 90,000.<sup>46</sup>

Salisbury's mother Elizabeth was a member of the Brooke family, the Lords Cobham, who had one of the wealthiest estates in the country at the end of the sixteenth century. They managed by a combination of bad political judgement, inefficiency and debt to lose the lot. Robert Cecil was the natural person they looked to as a kinsman and a powerful figure to help them. Lord Cobham had his estate attainted after his trial for his part in the Main Plot. Stone suggests that Cecil either responded by helping them or took advantage of the situation and used it for his own ends. If the benefit of hindsight is ignored it was really a mixture of the two. We know that he bought Canterbury Park for £1,000 from Lady Kildare, the estranged wife of Lord Brooke, and sold it for £ 12,260 five years later. The purchase was made three years after the first earl had seen through a private act of Parliament that assured her of land worth four hundred and eighty one pounds a year and a further five hundred and one pounds a year after her husband's death. She was grateful for his help. 'I know you have been...better to me than any commodity I should ever make out of Canterbury Park.'<sup>47</sup> Cecil's purchase of the Park had been one part of a deal, for she realised that only he had sufficient power to get the act through Parliament. Sir William Brooke was still trying to claim some of the estate as late as 1642, when the second earl chose not to use his Parliamentary privilege and agreed to go to law.<sup>48</sup>

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<sup>45</sup> CP 200/35, 130/35 & Gen 82/6.

<sup>46</sup> Stone *Family and Fortune* pp.117-9. *HMC Salisbury* 22 pp.261-3.

<sup>47</sup> CP 114/59. Stone *Family and Fortune* pp.43-4.

<sup>48</sup> *LJ* v p.492.

When the first earl was advancing and arranging loans to the Brookes he was hard pressed for finance himself. There is little doubt the city financiers would have struck a harder bargain had he not been involved. Stone calculated that the Cecils paid £36,700 to the Brooke family and the eventual realisation was about £75,000. The unearned interest would probably have been about £10,000, a very healthy profit.<sup>49</sup>

The first earl of Salisbury's actions had been in tune with contemporary dynastic attitudes. He was Elizabeth's widower and father of her only son and would thus have a strong claim on the family's estate, when that family had brought ruin upon themselves.

The first earl also bequeathed Brigstocke Parks in Northamptonshire. They had been purchased from Queen Elizabeth in 1603 and brought wealth, but also problems for the reputation of the Cecils, because their management of the Parks affected the local inhabitants' customary rights. They had enjoyed the Crown's benevolence that allowed them to collect fuel and gave them some grazing, although these were not strictly legal rights. There is little doubt that some poaching would have also been undertaken. They petitioned King James on his journey south and gained his sympathy because Cecil was turning the Park into sheep pastures. This was something that a hunting king was unlikely to approve. Cecil was probably embarrassed and in an attempt to save his reputation compromised by leaving the smaller of the two parks unfenced. The locals were not appeased and when they rioted they were met with force.<sup>50</sup>

The change to sheep farming led to a large increase in income for Salisbury, but the local population continued to nurse their grievances. The change in ownership and the new use of the Parks meant increased charges for them. This was forcibly expressed in a letter of 1624 from Robert Benington, when the subsidy fifteenth remained unpaid

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<sup>49</sup> Stone *Family and Fortune* pp.45-8 & 147.

<sup>50</sup> CP 98/22, 99/140, 100/69, 108/79 & 132/38.

and it would therefore be necessary to seize some cattle in lieu of payment. He appealed to Salisbury to stop this because of the injustice of their increased taxation. It had been one mark for as far back as they could remember and the new charge was to be two pounds. If this were accepted, it would be ‘a oppression to the parkes as well in time to come as time present.’ He then suggested he knew of no other locality that had to bear other such payments as twenty pounds every year for their poor and the greater part of the expenses levied for the church and the constable’s expenses. He explained that the reason they had to meet the expenses were because previously the property was the queen’s and furnished with deer,

‘and now is my lords and greater profit made thereof. Whereupon they will have a custom of overcharging the Parkes with what oppressions and payments they see fitting if my Lords Honor will not contradict their proceedings.’

At the bottom of this letter, in the hand of James Rudyerd, is a plea for speedy action to stop the town from distraining their cattle. If

‘they see my lord doth take noe corse to the contrary...the tennants will be unable to paye the rent, and my lord heirafter will be by this meanes hindered. Indeed I doe marvill my lord is not more moved at these things. We could never prevayle soe fare as to have any favor at my lo: hands. Other lords countenance ther tenants and be ther frend.’

He then asks Salisbury to act quickly and write

‘to my lord Mountekewe to pray him to send for the townsmen to charge them not to alter the old rate, or to Mr. Dilworth to tell them they will incur my lords displeasure yf they refewe the old rate.’<sup>51</sup>

It would appear that Salisbury did react to this plea and was able to restore the position that they had enjoyed when the Crown owned the property. This would explain why, when the leases on Brigstocke Park expired in 1636, they were replaced with leases that recognised this. Keighley anticipated the need for new leases and carried out a detailed survey, which enabled Salisbury to divide it into smaller plots with twenty-one year leases. This raised the gross rental by fifty percent; but this included a major benefit for the leaseholders. It guaranteed them immunity from any non-parliamentary taxation. Stone thought that Salisbury was only able to get his higher rents by

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<sup>51</sup> CP Gen 83- 5.

personally guaranteeing his tenants from all non-parliamentary taxes. He wondered how widespread the device was, because it gave the landlord a financial incentive to work for the restoration of parliamentary control of taxation. There do not seem to be any other similar cases, so Salisbury was almost certainly relying on the inherited rights enjoyed by the occupants of the Park. Whatever the situation it does show that Salisbury was innovative in improving and raising his estate income.<sup>52</sup>

Salisbury was involved with other noblemen in improvements in The Strand and St. Martin's Lane in Westminster, where he owned some investment property. The locality benefited, as well as those that bore the costs, and contributed to the area's development as a select residential district. His own tenants included politicians, courtiers and many professional men, like the painter Mytens and the interior decorator Buckett, that he and his father had both patronised. These improvements were not without some occasional disadvantages to the locals, as will be seen. In 1633 Salisbury paid a hundred pounds towards the cost of erecting a 'waterhouse...neare unto the Militarie Garden' and received a royal grant, with others, to build an aqueduct from Soho to St. Martin's Lane and Covent Garden, thus ensuring a constant clean water supply to the investors' properties. In 1639 Salisbury paid towards the cost of 'the great sewer to convey the soil from his Majesty's palace at Whitehall.' Salisbury had been assessed at a hundred and one pounds eight shillings. The following year there was a report to the Privy Council about the pavements in the parishes of St. Martin's in the Fields and St. Margaret's, Westminster in which Salisbury is named for not paving near Ivybridge; a lane running adjacent to Salisbury House.<sup>53</sup>

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<sup>52</sup> Stone Family and Fortune pp.134-5.

<sup>53</sup> Stone Family and Fortune pp.110-1. CP Bills 210/14, Gen 210/14, Acs 160/2. He was paying sixteen shillings a year for sweeping the street outside Salisbury House, presumably his share in a general arrangement. CSPDom 1639-40 p.93. HMC Salisbury 22 p.379.



Salisbury had to employ a man in 1629 with 'linkes' to watch 'by the shore hole that was broken in the streetes.'<sup>54</sup> In 1655 he was fined two hundred pounds

'for not arching and covering over the sewer betwixt Captaine Riders new building in Cock Lane and the end of Newport streete...the sewer there is much annoyed with durt and rubbidg falling thereinto and people and passengers in danger of falling therein.'<sup>55</sup>

Salisbury had taken a lease on Waller's building in 1653, which was adjacent to his existing properties in St. Martin's Lane. Captain Rider developed them to a high standard and increased their rental income to benefit the earl's heirs.<sup>56</sup>

The Crown was intent in 1634 on raising the standards of buildings in The Strand area and wanted all unauthorised or sub-standard dwellings pulled down. This was motivated by the Exchequer's need to raise funds by collecting all unpaid licensed monies rather than seeking improvements. This suited Salisbury because he pleaded that his buildings in St. Martin's Lane had to be cleared and thus ended his obligations to the lessees. He then redeveloped the site to increase his investment income.<sup>57</sup>

Britain's Bourse or New Exchange was a commercial enterprise, built to rival the Royal Exchange in the City. King James and the royal family opened it in 1609. The first earl saw it as an opportunity to promote the sale of luxury goods in the increasingly affluent area of Westminster and to pioneer new styles of shopping. The Bourse was located in The Strand and had a basement with cellars, a street level ground floor with a public walk and an upper storey with shops.<sup>58</sup> The costs of construction and the first earl's indebtedness meant that the building was leased to and managed by a syndicate of customs farmers. The income generated was used to pay the interest payments on his debts. The income from the shopkeepers fell in 1616 and the project became a source of concern to Salisbury. He responded to an increase of demand for

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<sup>54</sup> HMC Salisbury 22 p.249.

<sup>55</sup> Ibid, pp.430-1.

<sup>56</sup> Stone Family and Fortune pp.111-2.

<sup>57</sup> CP Gen 88/33.

<sup>58</sup> Walter Thornbury and Edward Walford eds Old and New London 6 vols (London 1873-78) pp.100-10. CP Box R/5. A listing of the shops and their trades in the period 1633-9.

residential property in the area in 1627 by converting the upper floor to sixteen flats, and thus raised his income. This was further increased when the economic climate improved in the 1630s and he was able to expand the number of shopkeepers on the ground floor.<sup>59</sup>

In 1638 Salisbury was ordered by the Privy Council to clear the tenants of the flats, because he had failed to obtain a royal licence ten years earlier for the conversion. The Council's demands suited Salisbury and he returned the upper floor to shops, which increased the rental income. This was affected by the Civil War, but rose rapidly again in 1647 when the royalists returned to London. The project had given Salisbury a few headaches, but once the economic climate changed in the 1630s the income grew and he was able to pass on a flourishing business to his heirs. Salisbury's experience in making the Bourse a long term success, by reacting to the challenges that he met, once again showed how effective he was, not only as a custodian of the family's assets, but as an entrepreneur able to take advantage of those challenges.<sup>60</sup>

Another commercial activity that Salisbury inherited from his father was the New Draperies Project. This was motivated by the hope of setting the poor to work and was inspired by Walter Morrell. Morrell's scheme involved the production of worsted textiles for a profit, whilst giving work and a craft to some unemployed poor. The first earl gave the project a trial run in 1609-10. The agreement called for the earl to select fifty persons and provide premises for both the work and housing for twenty apprentices, together with ten looms and payment to Morrell of one hundred pounds a year for ten years. The project had not had an opportunity to take off before the first earl's death and soon ran into financial difficulties that the Privy Council helped resolve.<sup>61</sup>

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<sup>59</sup> Peck Consuming Splendour pp.42-61.

<sup>60</sup> Stone Family and Fortune pp.105-8.

<sup>61</sup> CP Deeds 244/17, Box G/13, Bills 61 & 197/32, APC 1613-4 pp.102-3.

Salisbury sent a commission at Morrell's request to report on the project's progress in 1614, which according to Morrell's own account was positive and 'being a greater charity to prevent poverty than to provide for the poor who, most commonly are bred of idleness.' Salisbury was the conscientious guardian of the family's local interests and was prepared to renew the agreement made by his father in the face of the opposition of the local gentry.<sup>62</sup>

Hertfordshire's population had expanded during Elizabeth's reign and the county's spaces had attracted many migrants. The economy was based overwhelmingly on agriculture that really only involved the men. The project therefore had its attractions and in 1617 the patent was finally given the Great Seal. Morrell mooted a scheme for Enfield Chase that would help the unemployed and 'so kept from spoyling the wood and comons there'.<sup>63</sup> However there was a feeling that industrialisation brought groups of people together and bred discontent, giving them the opportunity to organise and upset the established order. The opposition of the local gentry continued.

In 1618 the Privy Council wrote to the local J.Ps. to see that the grant was executed. They replied that as the county consisted mostly of tillage it was more sensible to find the poor children farming work. They also added that 'the better sort of gentlemen and yeomen have no inclination to enter into the society intended by the project.' The patent had called for three wardens and twenty-four assistants, who were mainly Hertfordshire magistrates. Salisbury had volunteered to be the first master and nominated these gentlemen.

The Hatfield project caused many local complaints that the mill and its watercourses were causing flooding. Morrell wrote to Salisbury in late 1619 to defend himself and his project against the local opposition. He finished with the hope 'that the Earl of Salisbury will not allow anyone to injure his interests, but protect him against

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<sup>62</sup> Huntington Ms 53,654 p.6. HMC Salisbury 24 p.236.

<sup>63</sup> HMC Salisbury 22 pp.80-1. CSPDom1611-18 p.525.

the designs of others.’ The Hatfield project finally collapsed under the weight of the opposition. The trade depression of 1621 really settled the matter, for it reduced demand for cloth at home and for export.<sup>64</sup>

Salisbury’s widespread landholdings produced traces of tin in Cornwall and coal in Greasley in Nottinghamshire. Neither of them was commercially successful, but in the case of tin the potential was explored. A scheme for open cast mining was agreed between the earl and William Laytie in 1629 and again two years later. The proceeds were to be divided equally. Laytie was to provide the labour and make good the land at his own costs; however there is no indication that any tin was found. Tin was also reported to be present on St. Michael’s Mount, but the yield was too poor to be commercially viable.<sup>65</sup>

A constant drain on Salisbury’s wealth, even if a minor one, was the disappearance of plate that often coincided with royal visits with their extensive household. Plate was a form of currency, as well as serving a utilitarian purpose. In 1626 Keighley asked the Goldsmiths Company to trace a silver trencher and an engraved cup that had disappeared. An inventory of Salisbury’s plate was maintained and in 1629 was valued at £ 3,529.<sup>66</sup>

The youthful and untested second earl had overcome the challenges that the death of his father and the loss of Prince Henry had presented him. His father had cultivated the heir to the throne by keeping him politically informed and placing his son firmly in the prince’s circle; these efforts had now proved to be in vain. William had proved himself to be an astute businessman and a considerate master.

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<sup>64</sup>CP Petitions 1839, Gen 103/36 & Gen 102/6. Michael Zell ‘Walter Morrell and the New Draperies Project, c. 1603-1631’ *HJ* (2001) vol 44 pp.651-675.

<sup>65</sup>CP Gen 71/34. *HMC Salisbury* 22 pp.204-5, 253-4 & 266-7.

<sup>66</sup>CP Gen 85/11, Gen 71/11 & A-cs 129/12. *HMC Salisbury* 22 pp.214 & 255.

### Chapter Three.

#### The Family and Their Homes.

William was honoured when his first child Anne was christened in the Chapel at Whitehall on 24 February 1613. The queen was present, together with the Prince Palatine and Lady Elizabeth. Afterwards ‘all the Company, convoyed it home, and went by water to the Banquet’. Anne’s godmothers were Queen Anne and the Countess of Derby and her godfather was Gilbert, earl of Shrewsbury. <sup>1</sup>

Chamberlain described the countess’s bedroom to Alice Carleton.

‘About this day sevenit the Countesse of Salisburie was brought abed of a daughter, and lies in very richly, for the hanging of her chamber, being white satin, embroidered with gold (or silver) and pearl, is valued at £14,000’<sup>2</sup>

That was an extravagant display, if the valuation was correct, particularly when Salisbury was still dealing with his father’s debts. The figure had probably been considerably inflated in the telling. If it was true, Salisbury must have taken his father’s advice of never appearing to be mean to absurd lengths. There was a charming footnote to the birth of Anne. On 22 April Lister, Salisbury’s tutor, received a hundred pounds from him ‘for a clocke I sould unto him in France to be paide at the birth of his first childe.’<sup>3</sup>

The king and queen continued to visit the Cecil family homes. They attended the christening of Salisbury’s first-born son James on 15 June 1616 at Hatfield House. The king paid Salisbury the great honour, to be not only the godfather to the three-month old infant, but to be present in person for the ceremony. Richard Neile, now the Bishop of London, officiated. The other godparents were Lady Howard de Walden, his aunt by marriage, and the Lord Treasurer, the earl of Suffolk, his maternal grandfather.

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<sup>1</sup> Nichols Progresses of James ii p.602.

<sup>2</sup> Chamberlain Letters i pp.415-6. 4 February 1613.

<sup>3</sup> CP Bills 82- 8.

The child was styled Lord Cranborne from birth but unfortunately died in that October.

<sup>4</sup> Chamberlain records the christening and adds to our knowledge of the occasion.

‘When this day sevenight the King was in person at Hatfield to christen the earle of Salisberies sonne and kist the old Countesse’ [Katherine Howard, Salisbury’s mother-in-law] ‘twice or thrise, who kept a table alone save that the Lady Villers Compton only was admitted, and all the entertainment was chiefly intended and directed at her and her children and followers.’<sup>5</sup>

Villiers, the future duke of Buckingham, was being cultivated because of his status as the royal favourite. His mother, Lady Villiers, who was created the Countess of Buckingham in 1618, was the centre of this august company for that reason. Salisbury was a hunting companion of Villiers and if he did rise he would have hoped his friendship would bring its rewards.

The royal interest in William’s young family was not surprising; he was a courtier and a member of the king’s hunting party. The Salisburys were to have eight sons and six daughters in all. They will be considered later.<sup>6</sup>

William’s time was spent mainly at Court to remain in the king’s eye. When the king went hunting he would have expected William to be in attendance; this would have taken up a considerable amount of his time. James must have been impressed with Salisbury’s abilities, for he appointed him his Ranger for Cranborne Chase, Cheshunt Park, Enfield Chase and Theobalds Park. Theobalds was particularly appropriate, as it was the Cecils’ old family home. These positions gave him the responsibility for ensuring the health and size of the deer herds, but also to stop any poaching and encroachments of the hunting grounds.

The problems he experienced are detailed in the records, but these were probably only a few of the troubles involved in being a Ranger for the Stuarts. The exceptional circumstances of Cranborne Chase are discussed later together with

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<sup>4</sup> CP Box G- 99. A list of provisions ‘against the King’s coming to Hatfield’. The total cost came to £243. Nichols *Progresses of James* iii p.175. *HMC Salisbury* 22 p.114. A list of the plate that was presented at the christening and also those of Anne, Jane, Elizabeth and Charles.

<sup>5</sup> Chamberlain *Letters* ii p.10-1.

<sup>6</sup> *HMC Salisbury* 22 p.xix.

Cranborne Manor. In the 1630s the pressure on space caused many local conflicts. Enclosures and the clearance of trees had led to the loss of land, fuel and the right to pasture swine in woodland, known as pannage. The numbers of deer and other game that were being poached also generated a lot of hostility.<sup>7</sup>

Salisbury was soon active for the king. In October 1613 he wished to give Suffolk fifty deer ‘for the storing of a ground of his, and to deliver them’ and in 1619 he had to allow ‘twelve maste deer’ to be moved for Pembroke’s use. In June 1614 James asked Salisbury, his ‘master forester of our chase of Endefeild’, to order the revival of the court of Roundhedge. This ancient court dealt with any abuses and misdemeanours that had been committed in Enfield Chase. The court was unique to the Chase and named after a location in the forest.<sup>8</sup>

Salisbury’s position as the King’s Ranger gave him opportunities for dispensing patronage. He was able to appoint keepers and their deputies. His father-in-law Suffolk sought a position of a keeper in Enfield Chase for his nephew Charles Howard for example. He lived adjacent to the Chase and Suffolk was sure his daughter would associate herself with the request.<sup>9</sup>

His closeness to the king was a sign of favour and could lead to grants of lucrative offices and titles. This would have caused some apprehension amongst his rivals, but the king’s favourites, Carr and Villiers, were always in a position to see that his ambitions were kept in check. Salisbury was well aware of his high status but knew he could not expect political power whilst his rivals had the king’s ear.

To return to his children, Salisbury paid Henry Percy, the ninth earl of Northumberland, a portion of £12,000 in the settlement for the marriage of his daughter

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<sup>7</sup> *HMC Salisbury* 22 pp.5, 17, 39, 80, 152, 175, 403 & 421. Daniel C. Beaver *Hunting and the Politics of Violence before the English Civil War* (Cambridge 2008). See Chap. 3 pp. 75-7.

<sup>8</sup> *HMC Salisbury* 22 pp.10, 12 & 83.

<sup>9</sup> *Ibid*, p.209.

Anne to Algernon, the future tenth earl.<sup>10</sup> This large sum probably reflected the fact that he was the most eligible bachelor available and that Northumberland thought he had good reason not to join his family in matrimony with the Cecils.

The correspondence between Salisbury and Northumberland shows the problems they overcame. The first letter was undated but was written by Salisbury just before 14 January 1628.

‘Had I not been confident that it had been freely left to my Lo: Percy to make choise of his owne wife, I should not have suffred any ingagement betweene him and my daughter until I had acquainted your Lordship with it, and after the ingagement was passt, my Lo; Percy going immediately downe to your Lordship, I thought none fitter then him selfe to breake the businesse to you. Since that tyme my Lo: Percy hath ever found your Lordship so averse to this match as he was unwilling I should lett you know how farre he had proceeded upon the libertie you had given him, still hoping that he might gett your Lordships Consent without letting you know how farre it has passed. I perceave by my Lo: Percy that att his last being with your Lordship he hath acquainted with all the particulars of this business. I understand that your Lordship findes many difficultirs, and that one principall objection you make against it is the difference that hath been betweene our families, which I hoped had longe ago been buried, knowing both my selfe and mine free from giving your Lordship any cause of exception. What passed betwixt you and my father I am not able to answer for, I being then so young that I was, and am still, ignorant of any particulars. I hope this businesse will be a meanes to make your Lordship wholly forget the quarrels you have had with those that can not now answer for them selves’.<sup>11</sup>

The difficulties between his father and Northumberland were part of the fallout from the Gunpowder plot. Northumberland had come under suspicion because he had dined the previous night with one of the plotters, a kinsman Thomas Percy. Northumberland nursed a grudge against Robert Cecil because, despite protesting his innocence, he had been sent to The Tower and was only released in 1621. This was nine years after Robert Cecil’s death and shows that James was the real prosecutor of Northumberland.

Northumberland’s reply on 14 January 1628 expressed his disappointment with his son. ‘He hathe not dealt with me as I deserved at his hands.’ He also suggested that Salisbury had been wrong to take Algernon’s proposal seriously; although he would probably have been offended had he not done so. He referred to his problem with William’s father.

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<sup>10</sup> [HMC Salisbury 22\\_p.240](#). Auerbach [Paintings & Sculpture](#) pp.168 & 265. (painting of the couple from the Studio of Sir Anthony van Dyke)

<sup>11</sup> [CP 200/92](#). This draft has been corrected by Salisbury.



I confesse I beare noe mallise to yowr personne, nether doe I impute the wronges received from yowr father to yow, though I fynd the wounds fresche smarting in my sides to this day.’<sup>12</sup>

He also turned down the marriage terms that Salisbury had suggested and reminded him of his own nobler ancestry in words worthy of Shakespeare.

‘Therefore, my Lord, let us run in a straight line, without turnings and windings, as Henry Hotspur would have it when he and Mortimer divided England in a map. Though the beauty of your daughter fettered my son, do not think to shackle me with 120001, whereas if money were the only mark I shot at, I could easily carve myself of that sum out of 200,0001 that I have of my own disposing.’

He then pointed out he might marry again and have other children and grandchildren to care for as well as many brothers and also that

‘the sinews of my arm are not so stiff but that I may venture to give a blow for the service of my country, and by chance become a prisoner. Shall I stand beholden to my son for my ransom or if I shall be in debt, shall I stand to his award.’<sup>13</sup>

Northumberland’s last letter of 7 February shows him in a kinder light than his reputation of being irascible and his own worst enemy would credit.

‘Yowr Lordships free and noble dealing I confesse hathe brought me upon my knees, and shall make me ingeniously confesse that which otherwise I would not have donne. All my estate is already made sure upon him, and hath bene soe this 12 years. I have never altered any thing, yet I have added more to it and shall daly. I am but tenant for terme of lyfe, and the reason why I hold it better for him I shall telle yowr Lordship when I see yow. And to conclude this confession, I will say I love my house better than myselfe. As for the jointer to be allotted out, chuse yowr selfe where yow like best, Syon excepted, which I have long tyme, as Aulgernoun can telle yowr Lordship, determined to sell and lay it here.’ Petworth.<sup>14</sup>

Northumberland had probably passed his estates to his son to stop them being seized by the crown whilst he was imprisoned in The Tower. He had never been a natural courtier and suffered from the extreme pride of his line, a characteristic his son inherited. The intended sale of Syon was probably to put some physical distance between his home and the Court. In fact Syon remains in the family to this day.

The correspondence shows that Salisbury was a patient man in the face of a provocative reaction to the marriage proposal. His initial letter was a sensible reply to what might have become an acrimonious affair. This was a trait that surfaces

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<sup>12</sup> CP 200/11.

<sup>13</sup> CP 126/168. Dated 29 January 1628

<sup>14</sup> CP 200/16.

throughout his life in his attitudes to his father, family, staff and political rivals. He seems never to have thrown his considerable wealth and power around, except possibly in his naive early attempt to gain a position at Court.

The series of poems "All Hayle to Hatfield" by an unknown author, that are dated from internal evidence to the period between July 1625 and April 1627, contains two lengthy items in praise of Anne Cecil. Algernon Percy may have been responsible for the work, either as the author or a patron. He chose to live at Hatfield House when they were married, despite the opportunity to live in one of his own family establishments. His courtship of Anne was one of love and not convenience, and he obviously held Salisbury in some regard. When Northumberland was later the leader of the parliamentary lords he was instrumental in seeing that Salisbury was able to play a positive role.<sup>15</sup>

Anne died in Salisbury House on 6 December 1637 of smallpox, the same day 'four very young daughters' died at Dorset House in Salisbury Court. There can be no doubt that both Northumberland and Salisbury loved Anne. Northumberland

'intended a solemn funeral & a costly one, which would have been a fortnight in preparing, but my Lord of Salisbury made it his earnest suit to him to do it with all speed: especially since she died of that disease in the house, & that two of his daughters were sick of the same disease in the house: which was yielded unto...At the time of her sickness I' [Garrard] 'was an eyewitness of' [Northumberland's] 'love & care of her, never out of the chamber, seldom from her bedside, not parting from her till all the visible signs of death were upon her...He took her death most heavily: passion has the least outward power on him of any man I know, yet in this it had got on him a great mastery....My Lord of Salisbury, you will easily believe, grieved beyond all example. He cried out, he should die & leave all his children fatherless.'<sup>16</sup>

The two men had to bear further grief within the month when Elizabeth, Anne's daughter also died of smallpox.

"All Hayle" is replete with praise for Hatfield House, its chapel and gardens, as well as the occupants. The house took five years to build and was completed in October 1612; so the first earl never lived there. It was designed to entertain royalty and the

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<sup>15</sup> Tom Lockwood "All Hayle to Hatfield": A New Series of Country House Poems from Leeds University Library, Brotherton Collection, Ms Lt q 44' in English Literary Renaissance (2008) vol 38 pp.270-303, hereafter Lockwood "All Hayle".

<sup>16</sup> William Knowler (ed) The Earl of Strafford's Letters and Dispatches (London 1739) ii p.142.

Court on their progresses. Like all nobility at the time the first earl felt that he should display his magnificence and the family's standing.

The house had separate accommodation for the king, the queen and uniquely, also for the prince. The ground floor was reserved for the family's needs. The house was built adjacent to the site of Archbishop Morton's old palace, which had been the home of Princess Elizabeth before she became queen. The palace had been an episcopal residence since 1109. It was transferred to Henry VIII in a land exchange, when it became a royal palace. The great hall of that palace still stands. Part of the Old Palace was converted into stables in 1628.<sup>17</sup>

The property came to the family when the first earl thought it politic to make an exchange with James of Theobalds. James had enjoyed his visits there; its hunting and proximity to his capital made it attractive. The exchange proved to be an advantageous one for the Cecils, because James showed his appreciation by including various other properties in the deal, including that of Bermondsey on the south bank of the Thames. The first earl was probably pleased to exchange the rambling and expensive to maintain Theobalds and be able to replace it with the much more compact and easier to run Hatfield House.

James later acquired further land and buildings from Salisbury to extend the property at Theobalds. In 1612 he paid two hundred pounds for two groves next to Enfield Old Park and in 1615 he gave Salisbury nine hundred pounds for the almshouses next to his stables for the use as lodgings for his servants. The second earl did not abandon his duty to his father's memory with the sale of these almshouses. He gave an annuity of ten pounds per annum for life to one of the occupants, subject to his not providing other accommodation in the future.<sup>18</sup>

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<sup>17</sup> Stone Family and Fortune pp.62-91.

Claire Gapper, John Newman & Annabel Ricketts 'Hatfield: A House for a Lord Treasurer' in Croft ed. Patronage pp.67-95. Auerbach Paintings & Sculpture ill 188. Samuel Pepys 8 vol ed Henry B. Wheatley Pepys's Diaries (London 1904) ii p.119n, hereafter, Pepys's Diaries. HMC Salisbury 24 p.265. & 22 p.256.

<sup>18</sup> HMC Salisbury 22 pp.6-7. CSPDom 1611-8 p.278.

The second earl was responsible for finishing Hatfield House; there is no evidence that he had previously played any part in the scheme. The interior fitting of the house was nearly completed; most of the wood and stonework had been prepared off site. William therefore had little chance to leave his own mark even had he wished to do so.<sup>19</sup> Rowland Buckett's bills for his decorative work on the main staircase is an example of the lengths that the first earl went to impress his visitors

'For the payntinge of the timber worke of the great stayres and for the guildinge and workeing of the naked boyes and lyones standinge upon those stayres, houldinge of instruments and his lordshipps armes.'<sup>20</sup>

The chapel, with its striking stained glass window facing east, was the decorative highlight of a very ornately appointed house. It is difficult to equate the chapel's appearance then with the Protestantism of the second earl. His father's statement of faith in his Will of March 1612 however was distinctly anti-Calvinist. The first earl also made it quite clear on 20 May that he would

'contentedly be buried in Bathe Churche which I am glad to see soe bewtifified within and withowte, by reparacions materiall...that yf god doe call me that I doe embrace with all my harte sowle the religion publiquely professed in this lande'.<sup>21</sup>

Croft has used the decoration of the chapel, amongst other evidence, to argue that the first earl's religious outlook was moving towards, in what later became known, as Laudianism.<sup>22</sup>

At the end of the preceding century Protestants generally thought that images and idols had no place in a church and that idolatry was the deadliest of sins. However Ricketts shows that early Jacobean patrons of private chapels were able to reflect their own tastes unhindered until the Parliamentary ordinances of 1641-4. Robert Cecil filled his chapel full of religious images. The chapel's decoration would have had an immediate impact. The king however must have approved, for after his visit to Hatfield

<sup>19</sup> CP 143/123. List of outstanding work.

<sup>20</sup> CP Bills/1.

<sup>21</sup> BL Add Ms 34218 fo 127.

<sup>22</sup> Pauline Croft 'Religion of Robert Cecil' pp.773-796. Margaret Stieg Laud's Laboratory (London 1982).

House in 1616, he had the chapel at Holyrood Palace in Edinburgh decorated in a similar manner. Wadham College in Oxford has a chapel from the same period that ‘is an attempt to realise the “beauty of holiness” emphasised by the High Church divines of that period’ in response to the iconoclasm of the previous century. James thought things of beauty enhanced the church fabric and were therefore acceptable, as long as they did not contradict his religious policy.<sup>23</sup>

The chapel, unlike Elizabethan ones, was orientated on an east-west axis, with a distinctive window to emphasise its east end and give the building a visual importance from the outside. Ricketts noted that the provision of a raised area at the eastern end for a communion table was an afterthought in 1611. Did James possibly inspire this on his visit in that year? The chapel’s congregation was segregated, with the women sitting on the south side, despite an imbalance of five females out of sixty-one in 1612 and eleven out of seventy-three in 1637.<sup>24</sup>

It is important to emphasise that this early manifestation of religious anti-Calvinism by Robert Cecil was not mirrored by a political one that was to cause so much controversy with Charles I. It is necessary to explain the context of the chapel’s decoration, because it is apparently so foreign to that of the second earl’s religious outlook. He had begun to appear to be more of a Puritan, as Arminianism under Charles increasingly occupied the centre ground and displaced the Calvinists. Salisbury was certainly, what later became known as an Erastian, someone who favoured parliamentary control of the clergy. He sent two of his sons to Geneva in 1636 ‘for the exercise of their religion’, which surely did not please the king.<sup>25</sup>

When the iconoclasts felt they had been given a free hand in 1643 Salisbury thought it necessary to whitewash the chapel ceiling. There is a family tradition that a

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<sup>23</sup> Annabel Ricketts The Protestant Country House Chapel unpub PhD thesis (London University 2003) p.206, hereafter, Ricketts Chapel. Auerbach Paintings & Sculpture pp.103-4, 107-8 & colour plate XII & ill pp.152-3 & 156. Geoffrey Tyack Oxford An Architectural Guide (Oxford 1998) p.101.

<sup>24</sup> Ricketts Chapel pp.53, 107, 163 & 168-9.

<sup>25</sup> BL Harleian Ms 7001 fo 96.

mound of earth was also placed to obstruct the view of the east window and its painted glass.<sup>26</sup> It would of course been easy to remove any provocative pictures from the chapel had it been thought necessary.

All Hayle to Hatfield waxes lyrically about the gardens and park. Stone less flamboyantly details the planning that went into them, with at least five experts having their say. No effort was spared to produce a result worthy of the house. Evelyn visited Hatfield House on 11 March 1643 and surprisingly recorded, in view of the season, that

‘the more considerable rarity besides the house (inferior to few then in England for its architecture) was the garden and vineyard’. [He also mentioned the ‘Picture of Secretary Cicil in Mosaique-worke well don by some Italian hand.’

This survives in the Great Hall.

Pepys made a visit on 22 July 1661, when after

‘a very good dinner...at my Lord of Salisbury’s Inn’ [he walked to the vineyard, which he considered to be] ‘a very beautiful place’. [Salisbury’s gardener, Mr. Looker, showed him] ‘the house, the chappell with brave pictures, and, above all, the gardens, such as I never saw in all my life; nor so good flowers, nor so great gooseberrys, as big as nutmegs.’<sup>27</sup>

These were compliments to Salisbury, who had overseen the maintenance of the house and the upkeep and extension of the gardens for nearly fifty years by then. He had obviously been a successful custodian of his inheritance.

John Tradescant had a large input into the garden and imported many objects and exotic plants from abroad to add interest. There are four mulberry trees in the west gardens; these ancient remnants may survive from James’s ill-fated scheme to introduce a silk industry into England in 1608. Tradescant and his son were later known for their collection of curiosities that eventually formed the basis for the Ashmolean Collection. Salisbury’s sons Charles and Robert visited ‘John Tradeskings Antiquities’ in 1633-4.<sup>28</sup>

<sup>26</sup> Ricketts Chapel p.211 A. Kingston Hertfordshire During the Great Civil War (London 1894) p.147.

<sup>27</sup> Lockwood “All Hayle” pp.279-286. Stone Family and Fortune pp.87-90. William Bray ed 2 vols Diary of John Evelyn (London 1890) i p.38, hereafter, Bray Evelyn. Pepy's Diaries ii p.64. ‘Looker, a famous gardener’. i p.57. Stone Family and Fortune pp.87-90.

<sup>28</sup> CP A/cs 127/6 & Gen 11/25. A list of expenses incurred by John Tradescant on one such trip. Peck Consuming Splendour p.1.

The vineyard is an astonishing relic, and when it was in full cultivation must have been very impressive. It was originally stocked with 30,000 vines sent from France by Madame de la Boderie, the French ambassador's wife, apparently as a gift. The vineyard straddles both steep slopes down to the river Lea and has watercourses running their length. It is fully walled to keep out the deer. These were numbered at three hundred and twenty six in 1620. They provided venison for the house and were also used as gifts, often to repay favours. One example occurred when George Marshall asked for a buck that 'it may be conveyed to the partie for whome I was so earnest a suter to your Lordship.'<sup>29</sup>

Sir George Calvert was a family 'insider' who had become close to the first earl when he was a secretary. In 1605 he had his son and heir christened Cecil. He was appointed a Secretary of State in 1619 and was a regular recipient of the bounty of the park. 'The excellent red deer you sent me the other day maked me presume I shall get fallow likewise for asking when I had the other without.' Salisbury was also able to oblige the Exeters when the countess wrote that 'Her deer were not fit to be spent and she therefore asked Salisbury to bestowe a bucke of this season on me.'<sup>30</sup>

The house and park provided entertainment for the visitors, especially for those that hunted. Hunting was a prestigious pastime and was restricted to the higher strata of society. It was also a way of emphasising the second earl's social superiority. A good example of Salisbury's hospitality and his magnanimous nature was an occasion in 1636. Cottington had recently been his successful rival for the Mastership of the Court of Wards, but Salisbury welcomed him and saw that he was

'bravely horsed, besides his coach attending him, in a white beaver with a studded hatband, his sword better put on then than my Lord Jaggards, caused nine melons to be here the next morning and six more at night, of brave kinds, some white within as the winter melons.'<sup>31</sup>

<sup>29</sup> CSPDom 1611-18 p.5. 5 February 1611. HMC Salisbury 22 pp.121 & 137.

<sup>30</sup> HMC Salisbury 22 pp.118 & 121. 25 July 1620. ODNB 'Calvert, George, first Baron Baltimore (1579-80-1632)'. Baltimore founded a colony in America now called Maryland.

<sup>31</sup> CSPDom1636-7 p.75.

Another example of Salisbury's generosity to his fellow nobles was a request from Viscount Doncaster, when he asked if he had 'any hounds not worthy of his own kennel...to make up a present to some friends of his in France.'<sup>32</sup>

Such a large property had continual expenses, such as replacing the paling of the park that was needed after 'the great windie day to keepe in the deere'. Salisbury experienced a substantial fire and damage to Hatfield House in 1665, when men had to be paid to keep watch for four nights and the buckets from St. Albans and Hertford had to be replaced or made good. He paid the firemen for four days work and supplied the helpers with bread, beer and tobacco.<sup>33</sup>

The Cecils' London home was situated on the Thames side of The Strand. It was conveniently close to the Palace of Westminster and on the most fashionable thoroughfare in the country, between the seat of government and the City. It had direct private access to the Thames. This gave the family the fastest and most convenient contemporary mode of transport when they needed it.

Salisbury House had been a palatial house where Robert Cecil could not only conduct government business but also entertain royalty and foreign dignitaries. In reality it consisted of two houses and as Salisbury was not involved in government business the need for such an establishment could not be justified. He solved the problem by keeping Great Salisbury House for his own use and renting Little Salisbury House to nobles who had to attend Court regularly, but had no convenient London property. However, because of his noble status and the possession of a palace close to the Court, he was called upon to host some foreign dignities. The baron de la Tour, the French Ambassador Extraordinary, was lodged there in February 1617, when James was offended by what he considered was the lowly position of the baron's status.<sup>34</sup>

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<sup>32</sup> HMC Salisbury 22 p.85.

<sup>33</sup> Ibid. p.440. CP A/cs 130/7.

<sup>34</sup> Stone Family and Fortune pp.92-4. CSPDom 1611-8 pp.432 & 441 items 55-6.



The second earl was not immune to nature's ordeals and had to suffer them along with the common people. He was able to send his family to the country when the plague was active in London, but he would not have escaped disasters like the Great Fire of London if it had reached The Strand. He took the precaution of moving his valuable goods out of Salisbury House and employing men to keep watch on his property.<sup>35</sup>

### **Cranborne Manor and Chase.**

The first earl purchased the manor, rectory and advowson for £2,000 in 1607. Pevsner has shown, by using the surviving architectural features, that the building was originally the royal hunting lodge built by King John in 1207-8. It was semi-derelict, so Robert had it renovated and added two wings. These extensions seem not to have been very soundly built; possibly the first earl had tried to cut his building costs or the local craftsmen were not competent. He was at the same time finding the money for Hatfield and Salisbury Houses, as well as Hatfield Rectory and Britain's Bourse. The west wing was rebuilt in 1647 and the east was pulled down in 1712.<sup>36</sup>

In 1614 the condition was described as

'itt doth rayne in in many places whereby the sealing is in danger to fall downe if itt be not intended in tyme, and the playsterynge in the outt sid is muche fallen downe'<sup>37</sup>

On 4 February

'an extraordinaire greate winde...the violence uncovered some 12 or 14 ffoote square of the greate stone slat over the newe greate chamber...and withal did so shake the outside wall...that it is shruncke above three inches from the tymber worke'.<sup>38</sup>

Salisbury received an estimate for the repairs locally but returned it because he wanted

'to have the opinion of somme workmen at London who are better able to judge of it. Did agree however that necessary repairs be immediately done.'<sup>39</sup>

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<sup>35</sup> HMC Salisbury 22 pp.450-3.

<sup>36</sup> CP Petitions 1733. [www.british-history.ac.uk](http://www.british-history.ac.uk) 'Houses of Benedictine monks: the priories of Cranborne and Horton'. John Newman & Nickolaus Pevsner Buildings of England- Dorset (Harmondsworth 2002) p.171, hereafter, Newman Buildings of England.

<sup>37</sup> CP Gen 71/11.

<sup>38</sup> CP Gen 88/24.

<sup>39</sup> CP 200/45.

The house was extensively damaged during the Civil War. This will be discussed later.

The house is situated near the village of Cranborne, close to Cranborne Chase, which straddles the Dorset, Hampshire and Wiltshire borders. This was one of James's favourite hunting grounds. A priory, part of which was the hunting lodge, previously occupied the site and the immediately surrounding lands. When James visited 'The Earles great house at Cranborne, where the king every second year lyeth a fortnight in his progresse', Salisbury had to make use of the adjoining parsonage because of a lack of space. Although Salisbury was not often in residence, he did not forget his charitable duties to the locals, giving ten pounds every year to the poor and paying the preacher a generous stipend of forty pounds per annum.<sup>40</sup>

The Chase was granted to Salisbury on 7 December 1616. Its outer limits covered an area of 800,000 acres, with an inner core of 40,000 acres. The grant was made so that Salisbury would be able to control the Chase for the king's sport by preserving the game and stopping poachers and encroachments. Salisbury had already been involved in trying to stop illegal hunting in January 1615. That may have prompted the king to make the grant.<sup>41</sup>

Salisbury quickly exerted his new rights up to the outer limits. This resulted in actions against the third earl of Pembroke in Chancery and Lord Arundell in the Court of Common Pleas. Salisbury's aggressive actions caused a lot of ill feeling amongst the gentry, including Sir Anthony Ashley, who owned some of the coppices. They were used to taking deer for their own use and continued to do so, whilst offering violence to the keepers. The king wrote to the Lord Chief Justice of the Common Pleas to support Salisbury's grant and stop the poaching and violence. However it continued and caused Salisbury many problems and resorts to law. Salisbury did reach a compromise with

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<sup>40</sup> Newman Buildings of England p.171. Paula Henderson 'Maps of Cranborne Manor in the Seventeenth Century' in Arch. Hist. (2001) vol 44 pp.358-364. HMC Salisbury 22 pp.157 & 209. For visits and costs see pp.19,77,127,137,167n & 186.

<sup>41</sup> CSPDom 1611-8 pp.412 & 452. HMC Salisbury 22 p.17.

Pembroke by selling him Venditch in 1620. Venditch had been the original cause of the controversy and was the best-stocked walk.<sup>42</sup>

The family home of Edward Hyde, the first earl of Clarendon, was at Dinton close to the borders of Cranborne Chase and he would surely have been aware of Salisbury's actions in enforcing his rights. This may have been in his mind when he later accused the second earl of being 'a tyrant in his own country'. Salisbury was however fulfilling his duties as the king's ranger and preserving the hunting.<sup>43</sup>

The Chase was unfenced countryside and was almost impossible to oversee. The illegal activities included encroachments, illegal sub-lettings, turf cutting, animal grazing and spoiling trees. Fines of twenty-three pounds and ten shillings and rents of thirty-five shillings settled some of these matters. In 1634 the keeper of Chittered Walk complained about the activities of about fifteen deer hunters who are 'so stronge that the keepers dare not at all tymes give the onsett'. He recommended taking any hunters they apprehended to Star Chamber so that they uncovered those 'of good ranck as doubtless will appear.'<sup>44</sup>

Salisbury was still having trouble managing the Chase in 1638, when he wrote to Sir Charles Berkeley that a recent census showed a serious decline in the deer numbers to 1522. He thought that the keepers were not walking their areas enough, contrary to his orders. Ninety-six deer had been killed last season, seventy-eight without his warrant, sixty of which had been given to borderers and keepers' friends. Berkeley was instructed to take measures to stop this and protect the deer and see that their numbers increased.<sup>45</sup>

The family frequently used a house called Quickwood in Clothall, not far from Hatfield. Clothall consisted of seven manors, four of which were purchased by

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<sup>42</sup> CP Gen 59- 27. HMC Salisbury 22 pp.35, 42,44,46,50,55, 58-9, 76 and many more. Elizabeth Crittall ed 4 vols 'Cranborne Chase' in A History of the County of Wiltshire (VCH; 1959) iv pp.458-60.

<sup>43</sup> ODNB 'Hyde, Edward, first earl of Clarendon (1609-1674)'. Clarendon Rebellion ii p.543.

<sup>44</sup> CP Gen 89/21.

<sup>45</sup> CP Gen 72/6.

Salisbury in June 1617. The house underwent extensive internal alterations that Robert Lyming, the main builder of Hatfield House, was responsible for. Plans exist from 1620 and 1623 that show these. The farm at Quickswood was used as a home-farm to supplement the one at Hatfield House. It had about one hundred and fifty acres under cultivation and three hundred and fifty sheep. The accounts for 1640-1 show that wheat was sent to Hatfield House, barley was grown to feed pigs, poultry and hounds, and to make malt for sale. Some of the pigs and poultry were sent to London. A new introduction from America was also being husbanded, as 'coarse wheat was fed to young turkeys.'<sup>46</sup>

Salisbury used his influence in 1625, and probably on other occasions, to ask the freeholders of Clothall to vote for his nominees for the two members of Parliament for the county. Salisbury used Quickswood mainly for hunting. In 1626 he received a royal warrant 'for preserving the game in the parts near Quickswood' and in 1634 Pembroke and Lord Clifford spent five days there for the hunting.<sup>47</sup>

### **The Children.**

William and the Countess of Salisbury, the former Lady Catherine Howard, had fourteen children, eight boys and six girls. Anne, the eldest child, was born in 1613 and married Northumberland, but died in 1637. James was born in 1616 but died shortly afterwards. Charles became the heir to the title in 1619, until he pre-deceased his father, when his son James became Viscount Cranborne and later the third earl in 1668. Charles was privileged to have Prince Charles and Buckingham as his godfathers.<sup>48</sup> This was a very considerable honour and reflected the earl's continued status at Court.

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<sup>46</sup> HMC Salisbury 22. Numerous references confirm its use as a 'home farm' and a residence. pp.34, 166, 201-2, 215, 323, 426 & 457. William Page ed 3 vols VCH-A History of the County of Hertford (London: 1912) iii pp.220-6. HMC Salisbury 24 pp.240 & 243-4. HMC Salisbury 22 p.323.

<sup>47</sup> HMC Salisbury 22 p.205. Lawrence Stone 'Electoral Influence of the Second Earl of Salisbury, 1614-68' in EHR (1956) vol 71 pp.385-6, hereafter, Stone 'Electoral Influence'. CSPDom 1625-6 p.576. HMC Historical Miscellaneous Manuscripts 8 vol (London 1914) vii pp.405-6. Letter from Newmarket.

<sup>48</sup> CP 200/37. Chamberlain Letters I p.249.

Charles died in Montpellier of a fever on 1 September 1660. He had gone there to escape his creditors. He was able to write a letter that included his last wishes and asked Salisbury to ‘have a care of my poore children’ and his faithful servant Richard Sebrough, who had witnessed his testament. Salisbury did look after his grandchildren and paid for their education. James, the new heir to the title, became the third earl and married Margaret Manners, daughter of John, the eighth earl of Rutland in 1665. The second earl received a jointure of £9,000 that seems to have presented John Manners with some difficulty in completing the payments. James Cecil became the Commons member for Hertford in 1668, with the help of the local Quakers and a cost to his grandfather of £1,200. He took his seat in the Lords a few months later.<sup>49</sup>

Three daughters, besides Anne, married members of the nobility. Elizabeth married William Cavendish, third earl of Devonshire, with a jointure of £10,000, Catherine married Philip Sydney, third earl of Leicester, with a jointure of £9,000, and Mary married William, sixth Lord Sandys. This was a run-away marriage, without any parental consent, but Salisbury relented later and paid Mary a small allowance of a hundred pounds each year.<sup>50</sup>

The remaining five boys, Robert, Philip, Edward, Algernon and William, were all married outside the nobility. Salisbury received £3,000 for William and £3,300 for Algernon’s marriage portions, but had to settle eight hundred and twenty pounds in annuities between the first four of them. William, who had been a former parliamentary captain, was excluded from this arrangement and instead received land for himself and his heirs worth three hundred and eighty pounds a year, but died in 1668. Algernon married Dorothy Neville in 1659, when Salisbury settled the old family home at

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<sup>49</sup> HMC Salisbury 22 pp.434-5, 438-41, 443, 450 & 451-2. Stone Family and Fortune p.153. ODNB ‘Cecil, James, third earl of Salisbury’.

<sup>50</sup> Stone Family and Fortune pp.144 & 152-3. HMC Salisbury 22 p.404. HMC De L’Isle and Dudley (London 1966) 6 pp.441-50. Catherine’s jointure.

Alltyrynys and two tenements in St. Martins in the Field upon him, in addition to his annuity.<sup>51</sup>

Two further daughters are mentioned in the Cecil Papers and another son is recorded in the State Papers: Jane was christened sometime before 1619 and must have died very young. Diana died in June 1633, whilst her father was in Scotland with James. Diana was apparently alive in 1622 and had her portrait painted by Geldorp in 1626, but as she probably never reached marriageable age some historians have overlooked her. The unnamed son was born in May 1617 and died that September.<sup>52</sup>

We have seen that it cost Salisbury £12,000 as a marriage portion for Anne; he then spent a further sum of £10,000 for Elizabeth. To pay for Elizabeth's portion, Salisbury married his heir to Lady Diana Maxwell, daughter and co-heiress of the earl of Dirleton in return for the huge sum of £18,000.

‘Lord Cranborne is also within this week to be married, but not to my lady Dorothy [Sydney], but to one who is not worthy to wipe her shoes, a younger daughter of James Maxwell, with whom he gives 18,000l...But I hate marriages made for money, and they have lost their reputation, both son and Father, for this high avariciousness.’<sup>53</sup>

This caused some raised eyebrows that showed the latent anti-Scottish snobbery there was in Court circles in 1639. It illustrated the condescension that a Scottish nobleman met, when he was prepared to pay so much to marry into the Cecil family. Dirleton would have been aware of Salisbury's sympathies for the Scots and perhaps thought it wise to ally himself with an influential English noble. Salisbury had to wait for part of the money for some years, when it became a matter for the Commission for Compounding in the Civil Wars.<sup>54</sup>

Salisbury had his sons taught by private tutors. Algernon and William were sent to Westminster School. Charles and Robert followed the family tradition and went

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<sup>51</sup> HMC Salisbury 22 p.434.

<sup>52</sup> CP Box B- 42. HMC Salisbury 22 pp.166, 216, 249 & 270. CSPDom 1611-8 pp.425-6.

<sup>53</sup> CSPDom 1638-9 p.622. George Gerrard, Viscount Conway. 28 March 1639. HMC De L'Isle and Dudley 6 p.5.

<sup>54</sup> M. A. Everett Green ed Calendar of the Proceedings of the Committee for Compounding, 1643-60 (London 1889-1893) p.2427.

straight to St. John's in October 1634, where Daniel Marrett was 'the gentleman in attendance upon them' and recorded their expenses. Algernon entered Trinity College, Cambridge in 1645-7, where his tutor was unhappy with his progress and his improvidence with money. Algernon obtained a pass to go to France with two servants in June 1647. Edward is also shown as a member of Trinity, entering there in 1652 and then going on to the Middle Temple in October 1656. He was called to the Bar in June 1661. There is no evidence that William or Philip attended university.<sup>55</sup>

Salisbury continued his own association with St. John's, by being conscientiously involved with the scholarships that his paternal grandmother Mildred Cecil had endowed. He recommended Richard Carter of Hatfield as a worthy scholar and 'selected him for the next vacant scholar's place which he has the right to bestow.' In 1626 John Coke was a suitor on behalf of Earnest Carey who was 'desirous of a schollership in that howse where your Lordship hath the disposing of some.' There was also an annual sermon to be given by a cleric from St. John's at the church in Cheshunt, which dated from the time the Burghleys lived at Theobalds. We know that this was given in 1632 at Clothall instead, probably because the family were at Quickswood.<sup>56</sup>

Salisbury had gained a reputation as a patron of scholars and divines. A letter from Robert Crichtong, the Treasurer of the Cathedral of Wells, asks for his pension, unpaid for five years, to be paid to him by Salisbury and not the tenants of the former monastic lands of Sene, over which the second earl had rights. Crichtong's counsel had advised him that it was Salisbury's liability and not his tenants and that he should sue him in the 'Spirituell court.' To help his case he pleads that 'The world reports your Honour to be a great favourer of devynes and a noble patron of scollars. Lett me be happie to fynd your Honour as the world reports yow.'<sup>57</sup>

<sup>55</sup> HMC Salisbury 22 p.267. 1632. This is only one of many such expenses. HMC Salisbury 22 pp.285-6, 287, 304, 322, 334, 383, 388, 390, 394, 396, 430, 431 & 438. LJx p.354.

<sup>56</sup> HMC Salisbury 22 pp.158 & 234. H.R. Andrew 'Quickswood' in East Herts Archaeological Society Transcripts (1908) iv p.96.

<sup>57</sup> CP 200/14. [www.british-history.ac.uk](http://www.british-history.ac.uk) 'Benedictine monks'.

Charles and Robert went on the Grand Tour with Daniel Marrett, their companion from university, for twelve months in April 1636. Charles contracted smallpox and their bill of exchange resulted in a great loss, necessitating their early return home. The king showed his regard for Salisbury when he allowed one of the ships of his navy to fetch the two boys back from Dieppe.<sup>58</sup>

Robert and Philip were together in France from October 1638 to January 1640, having received a license 'to travel beyond the seas for three years'. In January 1640 Marrett had to deposit some of his clothes as a surety until he 'deposited certain moneys in the hands of his host'.<sup>59</sup> Philip and Robert were involved in a quarrel with a Mr. Tyrrell in Paris in January 1640; Robert admitted his error and apologised to the English ambassador, Leicester. They were then ordered home. Robert had apparently said something that was disrespectful to the king;

'Mr Cecill after earnest protestation that hee never had the least intention to doe or say any thing that might tend to any disrespect unto the King or his service in any kind; as for what hath bin a misse in these occurrences, hee desires his Matie to forgive him'.<sup>60</sup>

It was a politically contentious time in England, with pressure growing for a new Parliament and preparing for another unpopular war with the Scots. It was not surprising that Robert, as an anti-Laudian, had expressed an opinion that would have been construed as disrespectful to Charles. Philip certainly seems to have returned to France later, because he wrote to Salisbury from Saumur in October 1641.<sup>61</sup>

The Cecils were great collectors of paintings and books. Salisbury showed his good taste and maintained the family tradition of high cultural interests when he added considerably to the collections. He patronised George Geldorp, Daniel Mytens, Rowland Bucket and Sir Peter Lely amongst others. Some of their work can be seen at Hatfield House today. The interior of Salisbury House boasted another fine collection, to judge from the inventory of the paintings taken in 1629. Salisbury catalogued his

<sup>58</sup> HMC Salisbury 22 pp.247, 288-9 & 305. CSPDom 1637-8 p.315.

<sup>59</sup> CSPDom 1638-9 p.63. HMC Salisbury 22 pp.304-5.

<sup>60</sup> CP 200/161.

<sup>61</sup> HMC Salisbury 22 p.367.



library in 1615 and there are numerous bills for further additions throughout the rest of his life in the Cecil Papers. The second earl patronised many musicians, such as Nicholas Lanier and Henry Oxford, and numerous payments were made in recognition of musical entertainment the family had received. The 1629 inventory lists a ‘great harpse-call virginals, a pair of virginalls, one great organ, great wind instrument’ and ‘little paire of virginals’, as well as ‘paire of organs’ in the chapel.<sup>62</sup>

The men enjoyed tennis and bowls and there was a billiard table in Salisbury House.<sup>63</sup> It is not known how much the boys shared their father’s love of hunting and hawking, but it would be surprising if they had not followed his interests. The second earl and his family would appear to have led a happy life and his marriage to Catherine seems to have been peaceful and certainly fertile. There is nothing to suggest otherwise, apart from the pain that was surely felt by the early deaths of three of their children.

The family participated in the cultural life of the Court and enjoyed the delights of London. Salisbury had a part in the wedding masque in the celebrations for Princess Elizabeth’s marriage to the Prince Palatine in 1613, when he paid five pounds for a headpiece to go with his costume. An account of 9 April 1613 details that Salisbury paid six shillings and six pence to go to a play and ten shillings ‘To the man that sheaweth the monuments in Westminster.’ A tour of the Abbey was increasingly seen as a ‘cultural pursuit’. The countess provided a feast and a play in Salisbury House in 1618 and Lady Anne went ‘to see ye tiltinge’ at a cost of five shillings in 1621 or 1622. ‘Lord Cranborne and his brother going two severall times to see ye dancing on ye ropes eighteen shillings’ and the brothers also went together to ‘see of a play at ye Globe on ye bankside’ in 1631-2 at a cost of eight shillings. During 1633-4 the ‘children saw several plays this year’ for four pounds and three shillings. Peck suggests that the second earl’s children were enthusiastic playgoers and that these excursions were made

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<sup>62</sup> Auerbach Paintings & Sculpture pp.16-170. HMC Salisbury 22 p.216. CP Box C- 8. HMC Salisbury 24 p.231. HMC Salisbury 22 p.3.

<sup>63</sup> HMC Salisbury 22 p.269.

easier by their immediate access to the Thames.<sup>64</sup> They presumably had mixed feelings when the London mob pulled down the Globe in 1644.

The family's peace of mind would have been disturbed by their wider kinship links with the Overbury scandal, involving Catherine's sister and her marriage to Essex, and the divorce case of Lord Roos, who was Salisbury's second cousin, and Catherine's father's downfall, when he was Lord Treasurer. The third of these cases will be dealt with later, when we consider Salisbury's relationship with Buckingham.<sup>65</sup>

### **The Overbury Scandal.**

The Countess of Essex sued her husband for divorce in 1613 because of his alleged impotency and non-consummation of their marriage. A jury of matrons inspected her and found her assertion true. Her new intended husband, Robert Carr, the future earl of Somerset, was James's favourite, so considerable doubt was thrown upon the verdict. Carr had, after the death of Robert Cecil, conducted the king's correspondence, a task that was beyond his capabilities. Sir Thomas Overbury, as his secretary, filled the position and was privy to all Carr's affairs. Rumours began to spread that Overbury, who had been incarcerated in The Tower incommunicado, had died from poisoning. The trial of those involved in the poisoning revealed the countess's and Carr's implication in the affair. The matter was in danger of tainting James himself: he had raised Carr to an earldom on the occasion of the marriage and had been exceedingly generous to the couple. He had little choice other than to distance himself by committing them to The Tower, where they lived in relative comfort for the next thirty years. Poisoning was then seen as the work of the devil and a heinous crime.<sup>66</sup>

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<sup>64</sup> CSPDom 1611-8 p.167. HMC Salisbury 22 pp.13, 158, 267 & 272 & 24 pp.230-1. Linda L. Peck 'Women in the Caroline Audience: Evidence from Hatfield House' in Shakespeare Quarterly (2000) vol 51 pp.474-7.

<sup>65</sup> Alastair Bellany Politics of Court Scandal in Early Modern England (Cambridge 2002), hereafter, Bellany Scandal.

<sup>66</sup> Chester Dunning 'The Fall of Sir Thomas Overbury and the Embassy to Russia in 1613' in Sixteenth Century Journal (1991) vol 22 pp.695-704.

### The Roos Affair.

This involved the earl of Exeter and his second wife, the young Countess of Exeter, together with their son Lord Roos on one side and Sir Thomas Lake, Secretary of State, his wife Mary Lake, and their daughter Anne, Lady Roos, on the other. The Lakes alleged that the countess had committed incest with her stepson Lord Roos, and when they threatened to reveal this, the countess had resorted to trying to poison their daughter. Sir Thomas used his position to obtain evidence by threatening potential witnesses and when they did not co-operate placing them in prison. The case was heard in Star Chamber, when it emerged that Mary Lake had a property dispute with Lord Roos and that had set her upon this course. The king presided over the five-day trial himself, which emphasises the importance that was attached to the affair. The Exeters had brought a suit of defamation against the Lakes, who were found guilty of slander and suborning false evidence. The Lake ladies were fined £15,000 and committed to The Tower, whilst Sir Thomas lost his post as Secretary of State, was fined £ 5,000 and sent to join his family in The Tower.<sup>67</sup>

Salisbury and his countess were tainted by the gossip and popular libels surrounding these trials. The queen's opinion was also affected, as will be shown, when he was seeking a Court appointment. That William and Catherine took an interest in the trials was to be expected, and the items in the Cecil Papers are proof that they did.<sup>68</sup>

The evidence shows that the second earl was a concerned and conscientious parent. He passed on the family's traditions in education, culture and perhaps most importantly in the context of those times, their religious beliefs. The family would have been constantly reminded of the achievements of Burghley and the first earl. Their portraits adorned the picture galleries of many of the great houses and their long

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<sup>67</sup> Bellany Scandal pp.252-4.

<sup>68</sup> Bellany Stuart Libels F1-F11 & J1-J5. HMC Salisbury 24 p.231. CP 129/119,124 & 214/70.

periods of tenure of the great offices of the realm would have been seen by many of their hosts increasingly as a golden age.

It was Salisbury's religion that was the constant, certainly from the 1620s on. It increasingly marked him out as an 'independent', and later as a member of the 'middle group'. Men that wished to adhere to the Elizabethan religious and political settlement that allowed a degree of toleration to those with tender consciences. His sons seem to have followed his path when they were members of the Long Parliament. After the Restoration Salisbury's grandson Charles was elected to Parliament for Hertfordshire in 1668 with the help of some religious Independents.<sup>69</sup>

Salisbury saw that all his children were well provided for. The girls were married to members of the nobility, thus extending the family's kinship ties within the Court, whilst the boys received the educational opportunities appropriate to their potential roles. He took care of the wider circle of his family and appreciated and cared for his staff. Clarendon accused him of being 'a tyrant in his country'. However the evidence suggests that the second earl did not deserve that criticism.<sup>70</sup> The second earl had most importantly for the family's survival preserved his inheritance, placed it on a firmer and more efficient footing and provided for potential future growth.

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<sup>69</sup> Stone Family and Fortune pp.116n & 154.

<sup>70</sup> Clarendon Rebellion ii p.543.

## **Chapter Four.**

### **Salisbury's Political Life, 1612-1637.**

This chapter traces the maturing of Salisbury's political outlook from the naivety of his early years to his opposition to Buckingham, meanwhile keeping his independence from any dissident grouping. When Charles moved towards a political and religious Arminianism, Salisbury retained his Protestant outlook and found he was no longer in the mainstream at Court. He maintained a position there by his service as a Privy Councillor and Lord Lieutenant.

Political life was enacted in three arenas, the Court, the Privy Council chamber and Parliament. His father's household was politically aware; that surely left a strong impression on him. William had been a member of the Court from an early age in James's and Henry's hunting parties. William's problem was to find some acceptance within the 'political Court'. He recognised he had not inherited the administrative abilities of his predecessors and was therefore more dependent on appearing at Court to forward his political ambitions.

James certainly recognised his hunting abilities, because by September 1612 he was using him as 'our lieutenant of our Chace at Enfield'. He asked him to replenish the herds and to stop any hunting there for three years. James and Charles must have been satisfied with Salisbury's management of his responsibilities, for he carried them out for over thirty years.<sup>1</sup>

He was appointed Lord Lieutenant of Hertfordshire after his father's death, almost certainly because he was now the senior noble within the county. The duties of a Lord Lieutenant were to oversee the training of the trained bands, to ensure that they had sufficient amounts of gunpowder in good useable order, and that carts and horses were ready and available at short notice. He had to ensure the county beacons were kept

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<sup>1</sup> HMC Salisbury 22 p.5.

in good order and primed when required. He received instructions annually from the Privy Council and carried them out conscientiously for thirty years before the outbreak of the Civil War. Over the last fifteen years he experienced problems because of the constant calls for levies of men, equipment and money for causes to which many were unsympathetic. These were at first resented and then later resisted. It must have been an extremely uncomfortable time for men like Salisbury who were placed in the middle.<sup>2</sup>

He first entered parliament in 1610 when he was elected to the Commons but probably never attended. He filled the family seat in the Lords when the new Parliament opened on 5 April 1614 and took the Oath of Allegiance on 11 April. Parliament was dissolved two months later without passing any acts, so he had little opportunity to gain any parliamentary experience. This became known as the Addled Parliament.<sup>3</sup> The king had not filled the first earl's position of Secretary until a week before Parliament opened. James had covered the post himself, but his natural self-indulgence eventually made this impracticable. He chose Ralph Winwood, a man without any parliamentary experience. The Crown failed to manage the Commons and this, together with the inexperience of the Privy Council members who sat there, allowed open criticism. The experience must have given the second earl some awareness of the king's political unpopularity. The next Parliament was not called for another seven years.<sup>4</sup>

In 1617 Salisbury tried to obtain an office at Court by the purchase of the position of Captain of the Yeomen of the Guard from Viscount Fenton. Chamberlain recorded that

‘the captainship of the guard is now in question twixt Sir Henry Rich and the earle of Salisberie, for Viscount Fenton being minded to part with yt had agreed with

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<sup>2</sup> White Complete Peerage xi p.405. HMC Salisbury 22 pp.16, 51, 60 and many more. See Calendar Index.

<sup>3</sup> Smith Parliaments pp.236-7. Parliaments and their dates are listed here. LJ ii p.691. The oath was not compulsory. His father had introduced it, so he probably did it in his memory.

<sup>4</sup> Andrew Thrush ‘Personal Rule of James I, 1611-1620’ in eds Cogswell, Cust and Lake Politics, Religion and Popularity (Cambridge 2002) pp.84-102.

Sir Henry Rich for 5000” yf he could procure the Kings goode will: in the meane time the earle of Salisburie makes him an offer of 6000 Jacobus peeces: so the matter rests upon the Kings approbation, wherein the Earle of Salisburie having the Earle of Buckingham's favor is like to prevaile: yt is much marvayled how he shold to be bought to buy such a place at so high a price, yt being heretofore always bestowed usually upon knights, and one of the reasons the vicount geves of his willingness to part with yt, is that yt is suitable to the dignitie of his calling: and surely most of the earles frends are much against yt<sup>5</sup>

It would have seemed strange to his fellow nobles that Salisbury was seeking a post that was considered to be beneath the dignity of an earl. It is possible that Salisbury's quest had been prompted by his association with Raleigh, who had been in the post until his dismissal in 1603 by James. It seems more likely however to have been a desperate attempt to improve his Court position.

Three letters from Lord Gerard showed the quagmire that Salisbury had entered. The Court gossip, as reported by Chamberlain, prompted Salisbury to assure himself that Fenton had been honest about accepting his offer. Gerard made it clear that Fenton had committed himself.<sup>6</sup>

Buckingham wrote to Salisbury from Hexham on 27 April, whilst he was accompanying the king on his first return visit to Scotland. The party included Viscount Fenton.<sup>7</sup>

‘For any promise my Lord Fenton has made to the Queen, it can be no more than I told you before. But I have so much assurance in his majesty's promise that I know there is no cause of doubt. The only uncertainty is whether I shall have so much of his majesty's favour till that time when it shall be dispatched as to urge it...if it please God to continue the favour of his Majesty to me, I am confident that all shall be done to your contentment...carry yourself toward the Queen with all respect, that you give no advantage against yourself.’<sup>8</sup>

Salisbury thought that Fenton had promised the queen to exclude him. He took Buckingham's advice and carried himself ‘toward the Queen with all respect’ according to a letter, probably to Lord Gerard, of late April 1617.

‘Her answer was I might come when I would, and if she came not abroad the first time, that I might attend her leisure, expressing much violence against me in this business, saying that she loved her children as much as any loved theirs, and that she would be

<sup>5</sup> Chamberlain Letters ii pp.58-9 8 March 1617.

<sup>6</sup> HMC Salisbury 22 pp.43-4.

<sup>7</sup> Alan Stewart Cradle King, A Life of James VI & I (London 2003) p.287, hereafter Stewart Cradle King.

<sup>8</sup> CP 129/137.

very careful who should be admitted into those places of trust, adding withal that she would never give way that I should be Captain of the Guard as long as she lived. This puts Sir Henry Riche in a great deal of hope that either he shall have the place himself, or at least that the Queen's power with my Lord Fenton will make him keep it still'

Salisbury suggested that to avoid all disagreements Fenton should keep it and asked his correspondent to let him know Buckingham's reaction, for he felt he would suffer more by a loss of face with him than he could ever have gained by getting the place.<sup>9</sup>

Rich heard that Salisbury was no longer interested.

'I cannot but think your judgement to be so good as upon deliberation you will understand your desert and quality to be worthy of a more eminent preferment.'<sup>10</sup>

Salisbury disabused Rich that he had withdrawn. He did not want to lose face with Buckingham and cause him to appear to have given way because of the queen's opposition.

'I doe perceave by your letter that it hath beene reported unto you that I shoulde not continew constant in my resolution concerning the Captainship of the Guarde, wherein I have beene muche mistaken, having never altered my minde since I spake with you last. I did at the first grounde my desire upon so good a foundation as the same reason that moved me to enter first into it...This muche I must say, that had I understoode of your being so farr engaged as you pretend you were, I would never have opened my mouth once to have meddled in it, being unwilling to cross any gentlemans desseignes'<sup>11</sup>

Fenton wrote to Salisbury on 26 October 1617,

'Sir Henry Rich has told me that your Lordship is contented to transfer upon him that promise I made you...The better to eschew any error of this kind, I have written these lines that from yourself I may know your mind, then I shall be the better able to discharge that wherein I am engaged and do no wrong to your Lordship nor myself.'<sup>12</sup>

Rich, later Lord Holland, was made Captain of the Guard in November 1617.<sup>13</sup>

There are two undated drafts addressed to Buckingham that show how anxious Salisbury was to lay out the facts to him. He had offered more than the place was worth and failed to understand the reason for the queen's venom towards him. She had pressed Fenton to keep his place so that neither Salisbury nor Rich would get it. He also

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<sup>9</sup> CP 130168.

<sup>10</sup> CP 197/23.

<sup>11</sup> CP 200/139.

<sup>12</sup> CP 129/141.

<sup>13</sup> CSPDom 1611-8 p.94.



told Buckingham of his anxiety that he had caused him so much trouble and hoped that it would not alter his attitude to him in the future.<sup>14</sup>

There were several possible reasons for Queen Anne's vehemence. Salisbury may have been a proxy in a power struggle between her and Buckingham. She was jealous of Buckingham's influence with her husband and thought she could win this battle as it impinged on her household. Owen's opinion was that it could also have been a residual dislike of Salisbury's father. The most likely, and understandable reason from her point of view, were the scandals that were circulating around the Court involving Salisbury's relatives. In that paranoid atmosphere she probably considered that the second earl was unsuitable, because of his family connections. This would explain her comments that 'She loved her children' and 'would be very careful who should be admitted into those places of trust.'<sup>15</sup>

Buckingham was also conducting a correspondence with Salisbury about his absence from the Scottish journey. Salisbury had not left with the party when the king started out on 14 March 1617. The king had reserved Salisbury to attend him rather than Buckingham. Salisbury caught the party up at Lincoln, but then returned home.<sup>16</sup>

Salisbury's letter to Buckingham in May showed how he relied upon him for advice. This may have flattered Buckingham, but he was a busy man and began to find it tiresome. Salisbury used his wife's pregnancy and his business commitments as excuses for his absence and asked Buckingham to

'do me the favour, as a friend by whom I would be advised, to deal plainly with me whether you think his Majesty would be distasted with my excuse, or impute it as an argument of neglect if I should desire to be excused from my attendance in Scotland. Which rather than I will in the least kind venture (his favour being that which I esteem above anything in this world), I will lay all occasions apart how urgent soever and not fail to obey his will.'<sup>17</sup>

Buckingham's reply of 24 May must have been anticipated by Salisbury.

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<sup>14</sup> CP 200/160.

<sup>15</sup> HMC Salisbury 22 p.xv. CP 130/168.

<sup>16</sup> CP 129/142.

<sup>17</sup> CP 129/143.

‘Seeing your Lordship desires my opinion touching your journey hither, I will as freely deliver it unto you, and wish you to hasten as much as you can, knowing that his Majesty will take it well that you give attendance upon him in his own country, especially seeing he named you amongst other Lords to accompany him.’<sup>18</sup>

Buckingham had to answer yet another letter.

‘I have made your excuse to his Majesty who accepts it well, but is sorry for the cause of your stay. And if your Lordship recover your strength time enough to wait upon his Majesty before his going out of the country. I would then give you advice to come, and it will be double as well accepted as if you had come at first, and much to increase his Majesty’s good opinion. So wishing you a speedy recovery, I rest’<sup>19</sup>

Salisbury then asked Buckingham to intercede with the king because he feared the results of Court gossip. He had wished to have

‘waited on his Majesty before his coming out of Scotland, but my physicians by no means will give way to it, fearing lest the stirring of my body so suddenly and violently might undo that little which by their physic they have done...I entreat your Lordship make me so much bound unto you as to preserve me still in his Majesty’s good opinion, and to suppress all those ill offices which may be done me.’<sup>20</sup>

James had delayed making his first trip back to Scotland. It necessitated a long absence from his seat of power, London, and this may have influenced him. On 8 April he issued a proclamation from Worksop that showed his anxiety that he did not want any groups of noblemen and gentry having idle time on their hands and perhaps using it to hatch discord. He gave them twenty days to depart from London ‘and return to the country, and there continue till the end of summer vacation, unless prevented by urgent business.’ There is no evidence that Salisbury was suspected of any potential disloyalty, but it shows how anxious the king was to have his prominent nobles around him.<sup>21</sup>

Salisbury’s actions in pursuing the Captaincy and aborting the journey to Scotland showed a lack of political judgement. His wife’s confinement ended in tragedy because her son did not survive. Whether his illness and business commitments were pressing is not known, but perhaps he felt he was exposed to Court intrigue. He

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<sup>18</sup> CP 129/138.

<sup>19</sup> HMC Salisbury 22 p.48.

<sup>20</sup> Ibid. p.49.

<sup>21</sup> CSPDom 1611-18 p.459.

was buying and selling a lot of land at the time, and so he may have been under personal pressure to see the deals were completed to his satisfaction.<sup>22</sup>

He had exasperated Buckingham, lost face with the queen and risked losing the goodwill of the king. A further reason that the second earl might not have wanted to accompany the king to Scotland was James's wish to alter the religion of Scotland to conform more readily to that of England. These changes could be seen as being anti-Calvinist and therefore possibly unpalatable to William. However, there is no evidence that this was the case or that he had any strong feelings about religion at that time. If he had he would have been ill-advised to have shown them.<sup>23</sup>

Salisbury's reliance upon Buckingham was politically naive. Buckingham's subsequent behaviour shows that he may have manipulated matters to put Salisbury in a poor light and damage a potential rival. Buckingham would have been aware that James had recently rewarded Salisbury with extensive rights in Cranborne Chase and saw the dangers to himself from Salisbury's presence as James's hunting companion. The experience probably gave Salisbury some political maturity.

Whatever the case 'relations between the two men were cool for some years, but meanwhile Buckingham's links with the Cecils were drawn tighter.' It was arranged that John, Buckingham's elder brother, would marry Frances Coke. She was the younger daughter of Sir Edward Coke by his second wife Elizabeth Cecil, the widow of Salisbury's cousin Sir William Cecil. Elizabeth had inherited large estates from her first husband Sir William Hatton and was loath to see them go to John Villiers. Frances however had to marry John Villiers on 29 September 1617.<sup>24</sup>

There was a rumour that Buckingham 'was in love with the Countess of Salisbury.'

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<sup>22</sup> Stone Family and Fortune p.121. HMC Salisbury 22 p.84. (land purchase).

<sup>23</sup> Stewart Cradle King pp. 285-290.

<sup>24</sup> Roger Lockyer Buckingham. The Life and Political career of George Villiers (London 1981) p.42, hereafter Lockyer Buckingham. ODNB 'Coke, Sir Edward (1552-1634)'.

‘Sir Patrike Murreys Lady hath brought him a sonne, at whose christning the King, the earle of Buckingham and the Lady of Salisberie were gossips, wherin lies a misterie yf the tinder will take’<sup>25</sup>

It was probably only a flirtation, for he would have seen the parallels with the countess’s sister’s amorous affair with Somerset and its disastrous outcome.

Buckingham’s presence was felt everywhere. Salisbury was endeavouring to obtain the release from prison of Ensign Kenithorpe who had killed a man in a duel. He wrote to ask Secretary Carleton in 1618 to use his influence with Buckingham because he ‘wishes to pull him out of his misery, but has not sufficient power at Court’. He continued trying for the next two years to get the ensign’s release from imprisonment, using Carleton to try to influence Buckingham, but apparently without success.<sup>26</sup>

Buckingham was involved when Star Chamber found Thomas Howard, earl of Suffolk and Lord Treasurer, guilty of embezzlement and peculation in 1619. Suffolk was fined £30,000 and ordered to make restitution of the embezzled money. The fine was later reduced to £7,000 by the king. When Buckingham later wished to marry Katherine, a niece of Suffolk’s wife, he interceded with the king to mitigate Suffolk’s punishment and disgrace. Suffolk and his wife had been imprisoned in The Tower, but were released shortly afterwards on condition their sons resigned all their Court positions. Buckingham then asked the king to grant Suffolk an audience. Suffolk was allowed to kiss his hand and the royal disfavour was lifted. Buckingham had succeeded in removing the Howard clan and their supporters from their positions at Court and cleared out all his opposition. He was now at the centre of government and had silenced all criticism. He took the opportunity to remove Viscount Wallingford, the husband of Suffolk’s eldest daughter, from his post as Master of the Wards. She had been circulating anti-Buckingham lampoons.<sup>27</sup>

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<sup>25</sup> Chamberlain Letters ii p.100. 11 October 1617.

<sup>26</sup> CSPDom 1611-8 pp.552 & 575. CSPDom 1619-23 p.113. HMC Salisbury 22 pp.78-9 & 90.

<sup>27</sup> Lockyer Buckingham p.64.

G. P.V. Akrigg Jacobean Pageant: or, the Court of King James I (Cambridge, Mass. 1962) p.213.

Salisbury, as Suffolk's son-in-law, was under an obligation to help, although he had not received any help from the Howards in the past. Perhaps they feared him as a potential rival. This may have been a blessing in disguise, because he had nothing to lose and would therefore not be tarred by their brush. Whilst Buckingham was bringing the Howards down he still felt able to attend the christening of the Countess of Salisbury's son together with Prince Charles, in late June 1619.<sup>28</sup>

Salisbury made an unsuccessful approach to Buckingham for a place in the Prince's entourage in August 1620 after a visit to Cranborne by the king.<sup>29</sup> Salisbury used Calvert, Secretary of State, as his intermediary. Buckingham replied

‘there was no means in the world to affect it; that he had endeavoured to bring in a special friend into that place, and could not bring it to pass; that the Prince had rather a willingness to make his number lesser in that place than to increase it’<sup>30</sup>

Buckingham's usage of ‘special friend’ suggests that he did not see Salisbury in that category. Calvert would have been the normal route for such a petition, but Buckingham would have been on hand to either intercept it or influence the outcome.<sup>31</sup> Calvert had realised from his appointment that Buckingham was not his friend and was careful not to give him any opportunity to weaken his status with James. However Salisbury did cultivate the family friend Calvert assiduously and with some success when Buckingham was absent. He also asked for and received from him regularly detailed reports on foreign affairs, as the many instances in the Cecil Papers confirm.<sup>32</sup>

Salisbury was involved in a complaint made to the king ‘by the Scottishman’ about ‘a little libellous Puritan's book’ which had been passed amongst Salisbury's servants. This probably happened during the king's visit to Cranborne in 1620. Salisbury immediately ‘removed them from any attendance [upon him], which I perceived was well taken.’ Calvert had the servants examined because of their

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<sup>28</sup> Chamberlain Letters ii p.249.

<sup>29</sup> HMC Salisbury 22 pp.127 and 137. The lists of expenses confirms the visit.

<sup>30</sup> CP 130/11. 15 September 1620.

<sup>31</sup> Courtney IHR 15 June 2009.

<sup>32</sup> HMC Salisbury 22 p.173. Buckingham was in Spain with Charles on this occasion. ODNB ‘Calvert.’

protestations, and it was accepted ‘that it was a mere mistaking in’ the Scotsman’s hearing, that ‘the words that they then spake being against the Puritan author of that book and not against the nation’. James told Salisbury that he ‘may, if it please [him], entertain them again.’ Salisbury, as a courtier, could not be seen to allow any hint of sedition within his household. The affair shows how easily a misunderstanding could arise and the efforts that were made to see justice was done.<sup>33</sup>

Salisbury was still standing up to Buckingham in February 1627 after his appointment as a Privy Councillor. He had a long-running personal dispute over rights in Cranborne Chase with a Buckingham client, Sir Anthony Ashley. This had arisen from his purchase of land adjoining Cranborne in 1613.<sup>34</sup> Ashley reported to Buckingham that

‘in spite of the Duke’s interference on his behalf with the Earl of Salisbury, he refused to come to a settlement, without being paid £ 150, and that not being paid, had sued [Ashley] at law’.<sup>35</sup>

Ashley, a wealthy widower, had been remarried in 1622 to Philippa Sheldon, Buckingham’s sister-in-law. No doubt he thought with such a friend Salisbury would stand aside.

The 1620s Parliaments witnessed the growth of a group of peers that was loosely grouped in opposition to Buckingham’s policies. This was not the case however during the 1624 Parliament, when their policies were compatible with those of Buckingham and Prince Charles. Who were glad then to have their support against James to form an anti-Catholic and anti-Spanish front.

The evidence indicates that Salisbury became more involved in politics as the decade went on, but retained his independence from the group that opposed Buckingham. His support was probably influential in helping to swing the numerically large number of lords that occupied the middle ground. This was not easy in the Lords

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<sup>33</sup> CP 130/5.

<sup>34</sup> HMC Salisbury 22 pp.11, 166-7, 200 & 215.

<sup>35</sup> CSPDom 1627-8 p.63.

because the monarch had powers over their procedures and the individual members. This made opposition more difficult than in the Commons, because the cultural instincts of the Lords were strongly monarchical anyway. The king knew that whatever the Commons passed against his wishes he could rely on the Lords, under pressure if necessary, to throw it out and save him the odium of vetoing legislation.

Many of the dissidents were strongly Protestant and founder members of the Council for the Plantation of New England formed in 1620. Salisbury was a member of this Council, although there is no evidence that he was actively involved. He would have been attracted by the prospect of commercial success and the ideal of planting 'pure' Protestantism in the New World. James had appointed the Duke of Lennox and the then Marquis of Buckingham 'to choose others, to the number of forty to be of that Council.' It would have been seen as strange if Salisbury had refused an invitation. Their energetic Secretary was Southampton and other leading lights were Warwick, Brooke and Saye, who were to later figure prominently in the leadership of the opposition to Charles. When the anti-Calvinist innovations made the English Church less palatable for growing numbers of Protestants, who felt alienated from the hierarchy of their church, the numbers emigrating to New England grew. As a commercial venture the Plantation had been beset with problems; the difficulties of running the company grew, so that the Council resigned the Charter in 1635.<sup>36</sup>

Salisbury had a potential voice in the Commons in the 1620s because of his electoral influence. He supported the candidates in the two shire seats of Hertfordshire that were returned to the Parliaments of the 1620s. He also got his way on occasions at Old Sarum, St. Albans and Hertford, although at the personal cost of feasting the electors. At Old Sarum he had confronted the Pembrokes, who had claimed the borough

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<sup>36</sup> CSPDom 1619-23 p.188. Stone Family and Fortune p.222-3. Austin Woolrych Britain in Revolution 1625-1660 (Oxford 2002) pp.83-4, hereafter Woolrych Britain in Revolution. Avalon Project, Yale Law School Declaration for Resignation of the Charter by the Council for New England; April 25, 1635 (New Haven 2008)

for many years. The Crown had granted Robert Cecil the castle and warren in 1610, which gave the Cecils the opportunity to try to exercise some electoral patronage there. They partially succeeded, but not without upsetting the older Pembroke.<sup>37</sup> Salisbury arranged to have Keighley, his right hand man, elected to Old Sarum in 1628. However he had neglected to let him know of the honour he intended to bestow. Keighley's reaction was less than enthusiastic.

‘I cannot but acknowledge the extraordinarye favor unto me’ [but]’I myself have manie occasions for his Lordship soe that I cannot convenientlie spare tyme to attend it as fittinge that it should bene unto him that my lord desired it for or for any other more fitt for it then myselfe.’<sup>38</sup>

There is no evidence that Salisbury attempted to marshal his clients in the Commons to support his views, although it would have been usual if they had.

In 1620 Salisbury showed his independence, when he explained to the Privy Council why he had not contributed ‘a voluntary gift’ to the Palatinate Fund. He refused to contribute because he had already given a large sum, and also because a parliamentary grant would soon be made for that purpose, to which he would pay his share. This reaction from a senior member of the nobility was a subtle indication to James that he should raise money through Parliament. Salisbury's county, Hertfordshire, had also collected and paid over £ 1,500 to help recover the Palatinate and was now being asked to gift further money. This was soon followed by requests for men and conduct money to fight the Spanish.<sup>39</sup>

Whilst Salisbury attended to his parliamentary duties he was still responsible for keeping the Hertfordshire trained bands up to scratch. He made favourable reports in this period, as ‘people more conformable’ in 1621, when ‘he personally attended’. In 1622 all were present apart from those who claimed they were the king's servants. The following year he ‘finds the troops improve yearly’ and certified that they numbered

<sup>37</sup> Stone ‘Electoral Influence’. *HMC Salisbury* 24 pp.261-3.

<sup>38</sup> *CP Gen* 86- 22.

<sup>39</sup> *CSPDom 1619-23* p.195. *CP* 130/17 & 34. *HMC Salisbury* 22 pp.117, 124-7, 129 & 139.



1650. In 1624 Salisbury was instructed to provide a total of three hundred soldiers, but none were to come from the trained bands, and conduct money for their journey to Dover to serve under Count Mansfeld to recover the Palatinate. The costs, disruption and failure of the enterprise marked the start of the problems Lords Lieutenant were to face in the years ahead. These fiascos were repeated almost annually and dissatisfaction grew accordingly.<sup>40</sup>

Salisbury incurred James' displeasure whilst the 1621 Parliament was sitting for having 'held several meetings at the houses of the Earls of Salisbury and Dorset.'<sup>41</sup> They concerned the precedence given to the holders of new Irish and Scottish viscounts over English barons. The king's prerogative of conferring honours was being called into question by the petition, despite its carefully worded approach. It acknowledged his right to

'collate what you please, upon whom, when, and how you please' [but requested permission] 'that we may take no more notice of these Titulars than the Law of this land doth, but we may be excused, if in civil Courtesie, we give then not the respect or place, as to Noblemen strangers, seeing that these be our Country Men' made 'into foreign names, only to our injury.'<sup>42</sup>

When James asked the two to appear before the Privy Council they defended themselves, arguing that 'during the sitting of Parliament they were entitled to hold assemblies and consultations of every kind.'<sup>43</sup>

Chamberlain reported the matter to Carleton on 27 February 1621, that

'the King was much offended with yt, and caused the counsaile to call divers of them before them and to demaund the writing of them, which they refused a great while, but in the end delivered yt to the Prince as Prince and not as a counsaillor who presenting yt to his father the King tooke more exceptions to the manner than the matter, and calling all or most of them to him severally schooled them soundly... They were for the most part of the younger sort of Lords as the earles of Oxford, Essex,

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<sup>40</sup> CSPDom 1619-23 pp.278 & 446. CSPDom1623-5 pp.132 & 413. HMC Salisbury 22 pp.188, 197 & 200.

<sup>41</sup> D. H. Willson Privy Councillors in the House of Commons 1604-1629 (New York 1971) p.154 fn 45, hereafter, Willson Privy Councillors.

<sup>42</sup> Arthur Wilson History of Great Britain, being the Life and Reign of King James the First (London 1653) p.187.

<sup>43</sup> Willson Privy Councillors p.154, fn. 45. Frederick von Raumer 2 vols History of the Sixteenth and Seventeenth Centuries (London 1835) ii pp.250-2.

Lincoln, Dorset, Salisberi, though among the barons some might seeme more grave as the Lord Sheffield, Lord Spenser, Lord Haughten and others' <sup>44</sup>

Thirty-three peers subscribed to the petition, of whom about a third were of pre-Stuart origin. It was an attack on Buckingham's power to create peerages and a concern about their eldest sons' loss of precedence. The petitioners thought that it could 'derogate the honor and pride of every peer of England, to cheapen the very concept of blood.'<sup>45</sup> Flemion called the signatories to the petition, 'the popular peers' and thought that 'nearly every member of the opposition signed this petition'.<sup>46</sup>

Buckingham told Salisbury and Dorset

'I am astonished that you should chuse to set yourselves up in opposition to the rights of the Crown as well as myself, with whom, as you know these nominations have originated. Up to this time I held you for friends, but see plainly that I have been mistaken, and shall for the future have a different footing for you.'

They replied that they did not care what footing he placed them on. Salisbury had learnt that it was unwise to trust Buckingham and he had little to lose by standing up to him. Sir Anthony Ashley informed Buckingham that 'your adversaries continue their meetings and conferences here in Holborn, how to give his Majestie some foul distaste of you' and have taken 'a mutual oath to this purpose amongst themselves'. It has been noted earlier that Sir Anthony was no friend of Salisbury.<sup>47</sup>

Southampton, despite being a privy councillor, emerged after the precedence petition as the leader of the critics frustrated at Buckingham's monopoly of power. They saw no prospect of advancement for themselves or their policies. The only forum where they could publicly air their views with relative safety was Parliament. Southampton was considered to be 'more interested in parliamentary liberties than became any lords as Privy Councillor to be.' Southampton was silenced 16 June 1621

<sup>44</sup> Chamberlain Letters ii p.348.

<sup>45</sup> Robert Zaller Parliament of 1621 (Los Angeles & London 1971) p.60.

<sup>46</sup> Jess Stoddart Flemion 'Nature of Opposition in the House of Lords in the Early Seventeenth Century: A Reevaluation' in Albion: A Quarterly Journal Concerned with British Studies (1976) vol 8 p.20. She said Southampton's home was used. It is possible that all three were used. Hereafter Flemion 'Nature of Opposition'.

<sup>47</sup> Raumer History pp.250-2. Lockyer Buckingham p.96. Willson Privy Councillors p.154. See p. 94.

by his arrest as he left the council chamber and was not freed until September 1622. He did not challenge Buckingham again.<sup>48</sup>

A successful attempt was made in 1624 to revive the borough of Hertford's Parliamentary elections, despite opposition in Parliament to the scheme, which Prince Charles' intervention overcame. The prince's Council nominated candidates for the two seats but Hertford had already promised Salisbury one of them and a member of the local gentry the other. Salisbury's candidate William Ashton and Hertford's Mr. Fanshaw easily won the seats. Salisbury had not been prepared to stand aside and lose face within his own locality, although his actions showed his anti-Court stance and were not likely to forward his wish for an office there.<sup>49</sup>

In the 1624 Parliament Salisbury was a member of five committees and was also 'appointed to be of all Committees whereof the late Earl of Dorsett was a Committee'. He did not apparently play a leading role in any of these. Salisbury sat on the general committee that dealt with the impeachment of Cranfield, but his name was not appended to any of the reports.<sup>50</sup>

Salisbury status and service to the crown were publicly recognised in 1624. Chamberlain noted on 4 December that three Garter places were vacant and 'are designed to the earles of Salisberie, Carlile, and Holderness.' Salisbury received his nomination to the Order on 31 December and was installed on 13 December 1625. The Venetian ambassador observed to the Doge on 27 December that

'they gave two other garters, one to the Earl of Carlisle, for the office of France, the other to the Earl of Salisbury for a sum of money.'

The 'sum of money' may have been Court gossip. Salisbury perhaps gave Buckingham his proxy in the 1625 Parliament in recognition of his help with the Garter.<sup>51</sup> However

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<sup>48</sup> Willson Privy Councillors p.155. CP 130/55.

<sup>49</sup> Stone 'Electoral Influence' pp.384-400. HMC Salisbury 22 pp.205.

<sup>50</sup> LJ iii pp.293 & 344-50.

<sup>51</sup> Chamberlain Letters ii p.591. Grace Holmes Order of the Garter: Its Knights and Stall Plates 1348 to 1984 (Windsor 1984) p.43, hereafter, Holmes Garter. Cal S.P.Venetian 1623-25 pp.52-3. LJ iii p.431.

a letter from Buckingham dated 12 August 1624 seems to show he did not help the second earl, for he said

‘I am sorry it was so late before I was acquainted by your Lordship with your desire, which if I had known in time I would have given you an assured testimony of my true affection to do you service...for those places are so eagerly sought after that there are many and great competitors for them as soon as they are void.’<sup>52</sup>

The tone suggests that had he known he would have promoted Salisbury’s wishes and made his path easier. He might have felt that he needed Salisbury’s support with a new king probably in the offing and parliamentary opposition growing. Buckingham might have felt politically vulnerable; he had just recovered from an illness and James had gone to some lengths to keep him away from any contacts. Whatever the reasons Salisbury sent him a portrait of himself by Gerbier shortly after this. It seems likely that the two men were trying to return to an amicable relationship.<sup>53</sup>

Charles succeeded James in March 1625 and was crowned on 2 February 1626, when Salisbury bore the Sceptre with the Cross. There was speculation before James’s death what the consequences would be for religion. Andrewes, Neile, Laud and Wren, Charles’ chaplain, met at Durham House in 1623. Wren thought Charles ‘would be a champion of their case’ against Calvinism ‘and a ladder by which they might climb to ascendancy in the church.’<sup>54</sup>

The possibility that Charles would aid the anti-Calvinists’ aims alarmed the dissident godly peers. Warwick and Saye hoped that Buckingham would influence the king and stop the ambitions of the Durham House group. Buckingham called a conference at York House in February 1626 that proved to be a decisive moment for the Church and for himself. He was not prepared to endanger his own position with the king and came down on the side of the Durham House group. The dissident peers’

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<sup>52</sup> CP 130/91.

<sup>53</sup> David Coast IHR Seminar 8 March 1624. CP 130/96.

<sup>54</sup> White Complete Peerage xi p.405. Nicholas Tyacke Anti-Calvinists: The Rise of English Arminianism c. 1590-1640 (Oxford 1987) chap.5 & pp.113-4.

reaction was to oppose Buckingham and ‘the entire thrust of Charles’ policies for the English Church’.<sup>55</sup>

Despite Salisbury’s past contacts with Andrewes and Neile, it is striking that he did not follow Buckingham, but maintained his opposition to Laudianism and must have shared the disappointment of the dissidents. The Calvinist nobility had enjoyed a community of interest with James and saw that this was no longer likely to be the case. For them the gradual introduction of anti-Calvinist innovations was a threat to the Elizabethan settlement and, as they saw it, perhaps the preparation towards a return to Rome. That Charles was not unsympathetic to Catholicism can be seen in the negotiations for his intended marriage to the Infanta and his letters to the Pope, as well as his subsequent marriage to Henrietta Maria and the liberal religious terms he allowed her household.<sup>56</sup>

The King’s tolerance of catholic preaching and of open conversions within the Court, as well as his friendship with the papal agent George Con misled the anti-papists, who had come to identify Laud with Charles. It is now accepted ‘that Laud was no more a friend of the Catholics than he was of the Puritans’ and that he was trying to neutralise both, ‘but the popular view was different’. Laud was equally misunderstood in Rome; so much so that he was offered a cardinal’s cap in 1633 as an inducement to convert.<sup>57</sup> No doubt Salisbury felt alienated in the Court at times.

It was in this uncertain political and religious atmosphere that Calybutte Downing, one of Salisbury’s household chaplains, wrote a book in 1632 dedicated to the earl. This was reprinted in 1633, with minor changes to the title page, and a new edition was published in 1634. The title page of this was annotated ‘revised and enlarged’, but the differences are minor and still included the dedication. Downing

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<sup>55</sup> J.S.A. Adamson Noble Revolt: The Overthrow of Charles I (London 2007) p.27 fn, hereafter, Adamson Noble Revolt.

<sup>56</sup> HMC Salisbury 22 pp.179-185 & 197- 200.

<sup>57</sup> Caroline M. Hibbard Charles I and the Popish Plot (University of North Carolina 1983) pp. 38-71, quotations p. 63.

expressed Salisbury's alienation from religious innovations and the dangers that would arise from them. Both editions contained in the printed marginalia on page 23 the entry 'Earle of Salisbury, his answer to Scandalous papers'.<sup>58</sup> This referred to William's father's response to a catholic threat to kill him in 1606 after the Gunpowder Plot, when he published An answere to certaine scandalous papers, scattered abroad under colour of a Catholicke admonition.<sup>59</sup> This seems to indicate that the first earl's publication was still remembered.

Downing's book surely reflected Salisbury's views: the nobility did not patronise their clergy because their opinions contradicted their own. It was probable that others, in particular Northumberland and Pembroke, would have been aware of the book's content and have been consulted before it went to print, especially at a time when their views were under attack.

A Court-centred group of divines was engaged in a struggle with a Calvinist establishment. John Cosin was amongst these and was mentioned several times by Downing. Another adversary was Peter Heylyn, appointed as chaplain-in-ordinary to Charles and described by Anthony Milton as a 'hitman used against the regime's opponents.' Heylyn published several works in 1631-2 that may well have touched Salisbury's sensibilities.<sup>60</sup>

John Southcot, a catholic clerk, reporting to Bishop Smith and his superiors in Paris and Rome on 22 June 1632, wrote

<sup>58</sup> ODNB 'Downing, Calybut (1606-1644)'.

<sup>59</sup> Calybut Downing A discourse of the State Ecclesiaastical of this Kingdome, in Relation to the Civill (Oxford 1632), hereafter, Downing Discourse. Robert Cecil, First earl of Salisbury An answere to certaine scandalous papers, scattered abroad under colour of a Catholicke admonition (London 1606)

<sup>60</sup> Anthony Milton 'The creation of Laudianism: a new approach' in Politics, Religion and Popularity pp.162-184. ODNB 'Cosin, John (1595-1672), bishop of Durham. Cosin's book Collection of Private Devotions: or the Hours of Prayer (London 1627) and his friendship with Laud exposed him to the hostility of the Puritans. Michael Questier Newsletters From The Caroline Court 1631-1638: Catholicism and the Politics of Personal Rule (Cambridge 2005) pp.192 & 195, hereafter, Questier Newsletters. The king on his Scottish journey in 1633 made Cosin his chaplin 'for dressing up his church and altar after the Catholick manner'.

John Rutt ed. 4 vols Diary of Thomas Burton (London 1828) i p.307. 'Some moderate persons were shocked with it, as drawing too near the superstitions of the Church of Rome'. ODNB 'Peter Heylyn (1599-1662)'. This was most probably true of Augustus and St. George of Cappadocia.

‘The Arminians here do multiply a pace, and the bishop of London’ [William Laud] ‘who is very gracious with the King, and dispatcheth all things belonging to matters of religion, intendeth to do his best for the suppressing of the new separatists’ [Calvinist conformists] ‘who will not conform themselves to the religion of England.’<sup>61</sup>

The Calvinist conformists had found themselves without a parliament to voice their concerns and forced out of the middle ground. The only ways to counter the creeping changes introduced by Laud was from the pulpit and in print.

Downing argued that the nobility were the natural key to a settled government.

They were the

‘pacifier of growing differences, being the middle State of three, carrying it selfe as a moderating mediator betwixt the King and the Subjects...For it is the only forme fit to be under this Monarchy because it will onely be easily ruled and ordered by the State, when as both the other will rule wher they are entertained, although after a divers manner; one having dominion over the Civill, the other without it...for if any forme of policie degenerate it must be either into a Tyranny, an Oligarchy, or a dissolute Ochlocraty.’ [government by the mob] ‘Now an aristocracie cannot be immediately dissolved, either into a tyranny, or a tumultuous popularity. And it is not easie to conceive, how it should by any meanes, by the course of State corruption, ever degenerate into a head-strong popularity of its owne accord, without externall force. And as little reason there is, why this should advance it selfe to a tyranny, by turning the Church into a court, and religion into a vassall to ambition; for it must be rescued and restrained into an Oligarchie and there is no great reason in this point, to feare the Clergie in this Kingdome, all things considered.’<sup>62</sup>

He was responding to the clerics who had gained the king’s ear and influenced his counsels within the Court, thereby diminishing the Privy Council’s role. Downing and Salisbury thought that the monarchy stood on two pillars, the ancient nobility and the reformed church of 1559. It would collapse if either were taken away or allowed to degenerate. Downing’s conclusion included an ironic reminder to Charles that the aristocracy ‘hath its right according to the lawes’ and added,

‘it was not my proposition, that an Aristocracie is simply a more convenient forme of State than a Monarchie, but that this Aristocracie is more convenient for this state at this time, considering it was received with an universall consent and desire of all, and hath its right according to the lawes; is most easily ruled by them, not easily or suddenly disturbed or disturbing; and most easily reformed if bee disordered: so that I may now undeniably conclude, that the present state Ecclesiasticall is most convenient and best agreeing with the Civill.’<sup>63</sup>

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<sup>61</sup> Questier Newsletters p.99.

<sup>62</sup> Downing Discourse pp.22-3.

<sup>63</sup> Ibid. pp.28-9. Sharpe Personal Rule pp.309-10 & 314-5.

Downing was asserting that Charles had, in the cases of the Forced Loan, the Five Knights and other royal infringements, broken the 'lawes'. Laud was also trying to retrieve tithes for the church, which caused much bitterness.

Downing thought that the church should be that which 'may best accord with our forme of Civill policie.'<sup>64</sup> He opined that was 'the best and wisest with us, is to preserve the Church and Common-wealth together.' He warned against allowing the clergy, Roman Catholic, Arminian or Presbyterian, to govern the state, and justified that by considering the choices.

'There are but three distinct formes of Ecclesasticall government in Christendome, as the Monarchicall, Aristocraticall, Democraticall; of these, the Aristocraticall is most conformable to the rule of this Realme...to speake of the Monarchicall, which is now the Papall government...So that as before it was dangerous, so now it is a desparate case to re-entertaine that forme of Clergie, which can and will rule us, and must necessarily alter, and so worke the ruine of the present state. Under this forme this kingdome was no Monarchie, but a Province, under a forreiner, an usurper and a tyrant.<sup>65</sup>...our Clergie was never of right subject to the Pope but Henry VIII restored the status quo of the early church'.<sup>66</sup>

He argued that government by lay elders would lead to the destruction of the monarchy and that 'government by popular Presyterie is not for this state.'<sup>67</sup> He concluded that bishops

'hath alwayes beene the government in this state;...that this is most agreeable with the Civill. Those that are no well willers to our state have strucke at our Church government, with which there is such a happie hartie unitie, as dare bid the world doe as shee would bee done to (as that absolute Statse-man, the Earle of Salisburie replied.)'.<sup>68</sup> This was of course the first earl.

Downing saw the older nobility as the counterweight to a slide into an uncompromising personal rule. The denial to them of noble honour was the withdrawing of their rightful due. Importantly, it was not a call for the revival of parliaments but a belief that the old nobility would be stronger and wiser councillors.

'the state of the Nobilitie especially taken for the Councell, is of highest assistance, which are as it were the eyes and eares of the King in publique providence and intelligence. These principall Peeres that are so closely united to the head, that they communicate with it in the most secret and serious advisings, deservedly enjoy the

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<sup>64</sup> Downing *Discourse* pp.3-4.

<sup>65</sup> *Ibid.* pp.5-7.

<sup>66</sup> *Ibid.* p.20.

<sup>67</sup> Downing *Discourse* pp.15-6 & 19.

<sup>68</sup> *Ibid.* pp.19-20.



fairest fortunes and favours; for it is great reason that Kings should heape and bestow upon the watch-towers of the state the greatest and highest honours in the state' <sup>69</sup>

This was an implied criticism of Charles, who had ignored the ancient nobility. The twelve peers who petitioned for a Parliament in 1640 had all suffered in that way.<sup>70</sup> It was surprising that Charles included Salisbury in his Scottish party in 1633 after the publication of the book, although the content taken at face value was a justification of Charles' inheritance and only a warning against the consequences of change. Salisbury thought that a settled England had resulted when the old nobility held the balance and the church, although governed by the monarch, was subject to any legislation that was passed by parliament ('Civill'). He held to this belief and quietly defended it. It was his father that had called the 'ancient nobility' together the moment Elizabeth had died and offered the Crown to James freely and peacefully.

The membership of the Privy Council in 1634 numbered thirty-six, of those twenty-six held positions of state and a further seven, six Scotsmen and an Irishman, were honorific members. The remaining three were Salisbury, Exeter and Viscount Wimbledon. These were all Cecils, who would have every reason to feel disgruntled after all their loyal service to be so pointedly passed over for positions of state.<sup>71</sup>

One of these Cecils was Salisbury's cousin, Sir Edward Cecil, later Viscount Wimbledon. He was a professional soldier who had gained considerable military experience in fighting for the return of the Palatinate to James's daughter Elizabeth and her husband. In 1620 Salisbury defended Edward against 'malicious offices done to him in his absence'.<sup>72</sup> Whatever these were Salisbury must have felt that the family honour had been tarnished and the balance needed to be redressed.

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<sup>69</sup> Ibid. p.46.

<sup>70</sup> John Adamson *The Noble Revolt; The Overthrow of Charles I* (London; 2007) p.31.

<sup>71</sup> Turner *Privy Council* i pp.80-1. *ODNB* 'Wilmot, Sir Charles, first Viscount Wilmot of Athlone (1570-1-1644)'.  
<sup>72</sup> *CP* 128/72. Dalton *Life and Times* i pp.327-8.

Buckingham invited Sir Edward in May 1625 to command a combined naval and military expedition to look for the Spanish plate fleet, and also to capture a Spanish port as a bridgehead. However the Cadiz expedition was crippled by a shortage of money and the impressed men lacked discipline and training. The ships were in poor condition and the supplies of food and munitions were uncertain. This must have increased Salisbury's support for those criticising Buckingham. The perceived injustice was still felt long after these events, for George Tooke published a book dedicated to Salisbury in 1652, which was a vindication of Sir Edward's actions at Cadiz.<sup>73</sup>

Charles' first Parliament opened on 18 June 1625 and lasted for eight weeks. Salisbury was absent for most of the time and was excused 'not well' on 23 June, when the whole House was called in an apparent attempt to raise the attendance. Thirty-eight gave their reasons for absence; most were sick or had sent in their proxy. Attendance was thin, especially in the second session that was held in Oxford to escape the plague. Salisbury did not attend there, presumably sharing in the perception that it was ineffective and pointless.<sup>74</sup>

The effects of the plague were felt in other ways. The county of Essex received a thousand men in August 1625 sent to protect the port of Harwich against Dunkirk pirates. The county had to bear the cost of £4,000 to 5,000 pounds. 'They gave notice to the Earl of Warwick, the Lord Lieutenant, that they were resolved to refuse any further payments of such an excessive and unprecedented charge'.<sup>75</sup> They were already suffering from the effects of the plague and the costs of relieving the sick and poor, as well as the payment of the parliamentary subsidy. The surrounding counties, including Hertfordshire, were forced to contribute to the charge. They objected that the idea was unprecedented, as they had never aided Essex before 'and subsidies were granted for

<sup>73</sup> George Tooke History of Cales Passion (London 1652, 1654 & 1659), hereafter, Tooke Cales Passion.

<sup>74</sup> LJ iii pp.441 & 467-490. HMC Salisbury 22 pp.208-9. 4115 people died of the plague in London in one week.

<sup>75</sup> Dietz English Public Finance 1558-1641 2nd ed (London 1964) p.229, hereafter, Dietz Public Finance. CSPDom 1625-6 pp.102 & 106-7.

the defence of the Kingdom'.<sup>76</sup> Salisbury would have been aware of the unrest caused as a result of Buckingham's policies, which were making all Lords Lieutenants' positions more difficult.

In the 1626 Parliament the Lords succeeded in making changes to the proxy system which succeeded in lessening Buckingham's influence. An attempt to impeach Buckingham failed when the king dissolved Parliament. The Lords did succeed in pressurising the king to back down over his imprisonment of the earl of Arundel. Salisbury regularly attended the House and was appointed to the committee for petitions, which was a sign of confidence in his abilities. He was also on the committee for the 'New River Company's Bill'. The earl had a personal interest in this because the Lea ran through his estate at Hatfield. The Lea was an important river for the economy of Hertfordshire and the Salisbury estates.<sup>77</sup>

Salisbury and Montgomery introduced the earl of Mulgrave to the Lords on 23 February 1626. The trio later supported the parliamentary side in the civil war. Salisbury used his parliamentary privilege when Sir Francis Leigh used his man James Goodwyn for 'serving a Subpoena on the Earl of Salisbury contrary to the Privilege of Parliament.' The Lords ordered that Goodwyn was to be arrested and brought to the Bar of the House to answer the charge. The outcome was not recorded.<sup>78</sup>

Charles called a meeting of some of the members of the Order of The Garter, including Salisbury, on 27 April in the middle of Parliament. He

'ordered and ordained that the knights and companions of the Order, and the prelate and chancellor of the same, shall after three months next year upon the left part of their cloaks, coats and riding cassocks at all times when they shall not wear their robes, and in all places and assemblies, an escutcheon of the arms of St. George, that is to say, a cross within a garter not enriched with pearls or stones, that the wearing thereof may be a testimony to the world of the honour they hold.'<sup>79</sup>

<sup>76</sup> Dietz *Public Finance* p.230. *CSPDom 1625-6* pp.107 & 119.

<sup>77</sup> Flemion 'Nature of Opposition' p.28 fn. 33. *HMC Salisbury 22* pp.210-1. Vernon Snow 'Arundel Case, 1626' in *Historian* (1964) vol 26 pp.323-50. *LJ* iii p.502.

<sup>78</sup> *LJ* iii pp.505 & 630.

<sup>79</sup> *CP* 197/115.

The change of uniform and his insistence that the insignia be worn at all times probably reflected Charles' love of ceremony rather than any call for parliamentary loyalty. However, it was a reminder that they had been given this great honour by the Crown and should be mindful of that.

Salisbury was sworn in as a Privy Councillor on 22 July 1626, five weeks after the dissolution of Parliament. Lockyer thought that Buckingham was almost certainly behind the appointment, but more probably he would have seen Salisbury's recent opposition as disloyalty. Cust and Stone have suggested that Salisbury probably owed it to the king. Russell thought the reason council members had shown so little enthusiasm to stop the attacks on Buckingham in Parliament had been because they thought that 'one of the best ways of cutting him down to size would be the elevation of the official Privy Council'.<sup>80</sup>

The king needed Salisbury's support because his long experience as a Lord Lieutenant would be useful to the Privy Council. He was appointed to the 'Committee for the Trayned bands'. Charles had decided to put the country in readiness for war with Spain in the Low Countries. He wanted the trained bands to be 'able and sufficient, but also well affected in religion, and they must take the oath of supremacy and religion', as well as being ready at an hour's notice. Additionally all untrained men aged sixteen to sixty were to be enrolled, 'that upon any sudden occasion such levies may be made of them as shall be required.'<sup>81</sup> That Charles insisted on the oath suggests he was already unsure of the loyalty of some of his subjects.

The Privy Council sent letters to all Lords Lieutenant telling them of an imminent danger to the kingdom. Salisbury had to raise two thousand men to go to the 'Isle of Sheppy or any place in Kent' and a further five hundred men to go to 'Any port

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<sup>80</sup> APC-41 p.117. HMC Salisbury 22 p.213. Lockyer Buckingham p.333. Richard Cust Forced Loan and English Politics 1626-1628 (Oxford 1987) p.26, hereafter, Cust Forced Loan. Conrad Russell Parliaments and English Politics (Oxford 1982) p.289.

<sup>81</sup> Edward Raymond Turner 2 vols Privy Council of England, 1603-1784 (London 1927) ii p.221. Salisbury was also on the Committee for Ireland. HMC Salisbury 22 p.212-3.

in Suffolk'. The letter instructed Salisbury that at the first indication of danger he was to see that

‘the best and ablest forces within that county to march forward instantly and come to a rendezvous at such place as by the said list is directed and shall be thought the fittest to repulse the enemy from making his descent, and that alsoe the said forces be well and truly armed and furnished with munition, victual and all other necessarie provisions’<sup>82</sup>

It was a considerable responsibility and would have presented Salisbury and his deputies with an enormous task. The sullen unwillingness of the men, and the unpopularity which that meant for the Lords Lieutenant, must have sapped the resolve of the king's stoutest supporters.

Another road to unpopularity was involvement in the king's financial affairs. The councillors were to face the repercussions later, when they were asked for restitution from their estates. There was a continuous shortage of money. The earl of Leicester was an example of the problems faced; he was advised to be in London on a particular day when a new tally would be struck. If he attended he would get his £1,200, otherwise it would be lost. The De L'Isle correspondence is full of the problems Leicester was faced with by the slowness of Charles to meet his obligations, especially as the earl was financing the Paris embassy from his own pocket. Salisbury's membership of this committee would have been a daily reminder of the financial problems faced by all sections of the community and of the inefficiencies that added to the situation.<sup>83</sup>

Charles's military policies had placed a burden upon the country's financial and human resources. Salisbury received several calls from him in 1627 for further men to replenish the depleted army under the King of Denmark that was fighting the Spanish in the Low Countries. These were not to come from the trained bands, since they had to be held in reserve, presumably in case of invasion. The trained bands did

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<sup>82</sup> APC-41 pp.87-90.

<sup>83</sup> HMC De L'Isle 6 p.5. 26 September 1626.

not traditionally leave their counties unprotected and were funded locally because of that role. The letters show that there was considerable resistance to these calls by the impressed men and that the costs were proving onerous.<sup>84</sup>

A list of lords was selected on 12 November 1626 to go on the business of the loans, subsequently known as the Forced Loan. Reliable councillors were needed to organise it. Salisbury went to the counties of Dorset, Cambridge and Ely and Suffolk, in the company of the earl of Suffolk.<sup>85</sup>

The Board wrote to the collectors of the loans supervised by Salisbury and Suffolk on 4 January 1627. The loans were coming in slowly, because of insufficient collectors, and they were asked to appoint ‘so manie sub-collectors as you shall finde requisite and fit, whereby the collectors may be in some measure eased.’<sup>86</sup> The Hertfordshire collection was summarised under its hundreds, with a breakdown of the collectors and the amounts they raised, with a total as at 4 January 1627. The judges and lawyers were listed separately, probably as a piece of propaganda. They had not readily accepted the legality of the loan and had thus destroyed the early consensus that had favoured it. Many of those who had accepted that they would pay had second thoughts when they heard of the judges’ actions. Six hundred of them signed a letter blaming Salisbury for ‘inducing them to subscribe by making them believe the judges had subscribed’ and refusing to pay until other counties had done so.<sup>87</sup> This shows how much the public’s opposition was rising to these loans.

The reconciliation prompted the Privy Council to send letters to the recalcitrants

‘to answeere their comtemptes before us for refusing to accept of the charge of collectors, according to your appointment; who nevertheless, if they shall upon better advice conforme themselves, either before the coming of the messenger or during his

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<sup>84</sup> CP 139/72. A paper discussing a possible invasion and the actions to be taken. HMC Salisbury 22 pp.227-9 & 232-3.

<sup>85</sup> TNA State Paper 16/39:55.

<sup>86</sup> APC-42 pp.4-5.

<sup>87</sup> HMC Salisbury 22 p.214. Thomas Birch ed. 2 vol Court and Times of Charles 1 i (London 1848) p.176. Cal S.P.Venetian 1626-8 pp.62 & 94.

stay there, and undergoe that employment of collecting the monyes as was ordered, may be spared from making journey hither.’<sup>88</sup>

Salisbury issued a certificate on 8 January 1627 ‘that Sir John Jenyns, K.B., one of several persons of St. Albans summoned before the Privy Council concerning the loan, had given the Earl satisfaction thereon.’ The threat and inconvenience of appearing before the Council proved effective with most people.<sup>89</sup>

On 25 February Salisbury, Suffolk and Holland sent for Sir Nathaniel Barnardiston who was proving more difficult.

‘By the King’s command’ [they] ‘required his reasons for not paying the loan money, to which he had formerly given his consent. He refuses to give any answer but a denial, unless his former consent be delivered into his own hands. His Majesty has commanded them to send him up to the Council for further examination.’<sup>90</sup>

It would have taken a brave and principled man to stand up to the prospect of defying such instructions. Barnardiston had been appointed a commissioner for the forced loan, but refused to either take the oath or pay his assessment of twenty pounds. He acknowledged his error to the Privy Council and agreed to lend the money. When his submission was sent to other commissioners he recanted on grounds of conscience. He was imprisoned for about a year and then elected to Parliament in 1628. He was a notable Puritan and a member of the Long Parliament.<sup>91</sup>

Salisbury was involved in the distribution of some of the monies raised. He had been responsible for levying two hundred Hertfordshire men to go on the Cadiz expedition. His instructions from the Privy Council were as follows.

‘These are to pray you to receive so much of the loans of co. Hertford from the collectors as the coat and conduct money for the two hundred men levied in that county shall amount unto, after the rate of 4s. for every coat and 8*d.* a day for the conduct money of every soldier from the place where he was pressed to the rendezvous at Plymouth, accounting 15 miles to every day’s journey from the first day they set forth inclusive, and allowing 4s. *per diem* for the wages of every conductor of 150 men or fewer’<sup>92</sup>

Salisbury’s problems did not end there, as his Deputy Lieutenants informed him.

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<sup>88</sup> APC-42 p 29.

<sup>89</sup> CSPDom 1627-28 p.9.

<sup>90</sup> Ibid. p.66.

<sup>91</sup> ODNB ‘Sir Nathaniel Barnardiston (1588-1653)’.

<sup>92</sup> CP 131/3.

‘The trade of war is discredited among the people of that country, by their suffering from unreadiness to receive them at their rendezvous, and unless some assistance be given to the conductor, they are fearful that His Majesty’s occasions will hardly be served, there being one conductor to carry away so many unwilling men. They beg also for power of re-impressing runaways.’

The letter was endorsed to show that the conductor was given a warrant to give assistance and authority ‘to re-impress the runaways that are in the goals’.<sup>93</sup>

Salisbury’s experiences with the Forced Loan would have shown him how unpopular it was and the depth of feeling caused by its perceived illegality. Cust argued that ‘the response to the loan often provided the best indication of ultimate political allegiance prior to the Civil War’.<sup>94</sup> Salisbury had responsibilities in the ‘country’ and received letters from the Privy Council when things were not right in his locality. He had his deputies and his personal secretariat to help him, but he must have suffered embarrassment in attempting to justify the situation to both the ‘Court’ and the ‘country’.

The position of councillors who were unhappy about administering the Forced Loan and the subsequent imprisonment of the refusers was obliquely recognised when Charles’ “An Offer of Accommodation” was published in early 1628.

‘Neither we nor our Privy Council shall or will at any time hereafter commit or command to prison or otherwise restrain the person of any for not lending money unto us nor for any other cause contrary to the true intention of Magna Carta and those six statutes insisted upon to be expound[ed] by our judges on our behalf.’<sup>95</sup>

The Privy Council took notice of the complaints that came to them and sometimes attempted to find remedies. A letter was sent to Salisbury on 14 March 1627 in which ‘they give order that the next musters should be in or about Whitsun week, in order to avoid the inconveniency of holding musters in the season of seedtime or harvest’.<sup>96</sup>

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<sup>93</sup> CSPDom 1627-28 p.178. dd. May 1627.

<sup>94</sup> Cust Forced Loan pp.316-337. Quote p.335.

<sup>95</sup> CP 206/108.

<sup>96</sup> HMC Salisbury 22 pp.227-8.



The Crown's finances were in a desperate state. The Venetian ambassador Contarini reported on 5 March 1627 that

'It is also determined within three months or a little more to have sixty other ships. I dare not as yet vouch for the result, although whatever funds now reach the Treasury are applied to this purpose being despatched without any exception. Some persons believe these preparations to be announced for the purpose of facilitating the payment of subsidies and causing suspicion in France, just as they announced that the Earl of Salisbury and some other [privy] councillors were to go to Brussels about some treaty of agreement, thinking thus to stimulate the Puritans to pay the subsidies, as being more averse to them than the rest, as they are also to the reconciliation with Spain, supporting the party of the Princess Palatine.'<sup>97</sup>

Was this an indication that using Salisbury in this way was seen to have some influence with the Puritans? His independent stance may have given them confidence that this was a real attempt to join with the Dutch against the Spanish. Contarini thought that was the case, but he may have been relaying Court gossip or have swallowed Privy Council propaganda. His use of the term "Puritan" could mean someone that he saw as a sympathiser of the opposition to 'illegal' subsidies and against reconciliation with Spain and was perhaps used in a political sense and not a religious one.

The Privy Council and the king were party to a contract with 'the Mayor and Corporalty and Citizens of the City of London' that acknowledged a debt of £229,897 and 2 shillings as at 20 December 1627 and called for another £120,000 to be added to that debt. The debt was to be set against crown holdings chosen by the City 'beeing after the rate of 28 yeares' purchase, to be holden in fee farme'.<sup>98</sup> This arrangement would reduce the crown's income and make day-to-day matters worse.

The king gave a Commission to fifteen of his privy councillors, including Salisbury, on 20 February 1628. He

'Appoints them to enter into a serious consideration of the best ways for raising moneys to give assistance to the King's oppressed allies, and provide for the defence of the state, and to report thereon to the King, from time to time.'<sup>99</sup>

<sup>97</sup> Cal S.P.Venetian 1626-28 pp.136-7.

<sup>98</sup> APC-43 pp.455-7.

<sup>99</sup> Cal S.P.Domestic 1627-28 p.574.

Was Charles looking for advice on the best way to manage the forthcoming Parliament, or did he anticipate they would deny him a subsidy and he would have to seek other sources of income? The king was against calling Parliament, but had accepted the advice of his Privy Council. Charles foresaw the problems that the Forced Loan and arbitrary imprisonment would cause him and also feared the possible impeachment of Buckingham. A majority of the councillors were anxious to get away from non-parliamentary forms of raising money and the problems which that caused them in their localities.<sup>100</sup>

The Privy Council met a desperate need for immediate finance when they agreed to make the king personal loans on 8 June. A total of £9,600 was raised, Salisbury contributing £500 and Buckingham £2,000. The loan was needed 'for the reliefe of the towne of Rochell.' The repayments were to be made 'out of the Irish subsidies...or otherwise out of his Majesty's revenewe'.<sup>101</sup> The relief of La Rochelle and its Huguenot residents was a matter of honour for Charles, but was only necessary because of Buckingham's failed expedition to the Ile de Rhe.

Salisbury's attendance at the Privy Council was erratic; he missed well over half the meetings and was often absent when the king was present. Charles was steadily losing the support of his senior councillors and Salisbury's absences surely reflect that. However, he was present when the Council persuaded the king to call another Parliament to meet on 17 March 1628. This prompted an Order of the Council for the release from prison of the Forced Loan refusers, 'who were chiefly in the Peoples eye to be elected to serve for them in the ensuing Parliament'. Sir Nathaniel Barnardiston was amongst them.<sup>102</sup>

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<sup>100</sup> Cust Forced Loan pp.72-90.

<sup>101</sup> APC-43 pp.486-7.

<sup>102</sup> APC-42-4. Cust Forced Loan pp.331-7. John Rushworth 8 vol Historical Collections of Private Passages of State (London 1721) i pp.428 & 473, hereafter, Rushworth Collections.

The 1628-9 Parliament had two sessions and was notable for the protracted negotiations over the Petition of Right. Buckingham was assassinated in the interval between the sessions; this altered the political scene overnight. The Commons had lost a focus for their grievances and Charles, although initially devastated, became his own man. The ‘older’ nobility saw visions of patronage before them. Pembroke thought that ‘the King our master begins to shine already’.<sup>103</sup>

The assassination prompted Algernon Percy to write to Salisbury four days later,

‘If I could think that by the death of this great man you had lost a friend, it would be sufficient cause to make me sorry; but I cannot believe he was ever friend to anything but his own ends, so I leave you as yet unlamented. The eyes of all men are now upon the King to see how he will dispose of the places that are fallen into his hands, with expectation and hopes that he will confer them upon more deserving men. Your Lordship is designed both in this place and many others for the man fittest to succeed him in the mastership of the horse’<sup>104</sup>

Algernon’s family connection and the hope of patronage on Salisbury’s coat-tails may have encouraged this shrewd analysis. The position of Master of the Horse would have put Salisbury in daily contact with Charles. However the king took control of patronage; Dorchester told Carlisle that “‘the total directory” was henceforth to be in Charles’ own hands’. Salisbury, in a report of 3 September, was amongst several people who were aiming for the now-vacant position of Chancellor of Cambridge University. However his old rival Holland was successful and held the position until 1649.<sup>105</sup>

Salisbury did not appear in the records of the 1628 Parliament’s second session, except for his appointments to committees, which included the one for receiving petitions. This important committee considered all the petitions presented to the upper House and decided on the answers, which they reported to the whole House once a week. Salisbury was named as a witness to a speech Suffolk had made to Sir John Strangways during a joint committee of the two Houses. The words at issue were

<sup>103</sup> CP 253/5. The event and the immediate aftermath are described here. CSPDom 1628-9 p.290. 31 August 1628.

<sup>104</sup> CP 131/43-2.

<sup>105</sup> CSPDom 1628-9 p.339. 30 September 1628. CSPDom 1625-49 pp.291-3.

‘That he would not stand in *Seldon’s Case* for Ten Thousand Pounds: and that Mr. *Selden* went about, and sought to set Division betwixt the King and His people.’ The Commons saw this as an injury to Selden and their House. Selden was the lawyer who had helped establish the Lords’ privileges, that some saw as infringing the king’s prerogative. The Lords established a committee and questioned those who had been present, including Salisbury. The Commons asked that Suffolk be punished by the Lords ‘according to the Weight of his Offence.’ The matter was probably ‘left on the table’ as neither Journal records any penalty.<sup>106</sup>

In the 1620s’ Parliaments Salisbury was a conscientious member, but had sat on few committees. His presence was surely welcome to the anti-Buckingham peers; his support was a reminder of happier times. Salisbury’s lack of direct involvement may be the reason why he was not amongst the leading critics in a letter reporting a joint conference report to the Lords on 25 April 1628. The matter discussed was ‘the liberty of the individual’. He may however have been covered in the phrase ‘the more ancient nobilitie’, or not mentioned because he was a Privy Councillor. There were fifteen names; of these only Archbishop Abbot sat on the Privy Council. Abbot had appeared before the Privy Council in 1627, when he was under attack from Buckingham. In a long defence he named Salisbury as a witness to a conversation between himself and James, when James had told him ‘that I should carry my House Nobly and live like an Archbishop, which I promised him to do.’ Abbot suggested that Buckingham was paranoid that his gatherings were to plot against him, but ‘he was much deceived.’ Salisbury had taken a cautious and non-committed line, which enabled him to continue to act as a peacemaker or influence the neutrals’ vote to follow those critical of government policies.<sup>107</sup>

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<sup>106</sup> LJ iii p.694 & 743.

<sup>107</sup> Flemion ‘Nature of Opposition’ pp.31-2. LJ iii pp.769-70. BL Harleian Ms 390 fo 396. Letter from Meade to Stuteville. 3 May 1628. APC-43 p.1a. Rushworth Collections i 1627 pp.434-57.

After 1629 there was little enthusiasm for another Parliament. Charles still needed to raise revenues, so the Privy Council appointed commissions to bring them in. The need to finance any military adventures could not be sustained and Charles either decided or was forced to accept that situation.<sup>108</sup>

The county musters still continued and the charges for these were borne locally. The Muster Master's fee of forty one pounds ten shillings per annum was in theory a free gratuity to be made at will, but was nevertheless resented. The correspondence between the Privy Council, Salisbury and his Deputy Lieutenants during 1629 and 1630 reflects the obstinacy of those who refused to contribute. The current Muster Master for Hertfordshire was George Tooke, who held decided views that had been gained from experience in battle. He dedicated a book on the subject to the second earl, which will be considered later.<sup>109</sup>

Salisbury was active in the Court of Star Chamber in 1629 in the case of Richard Chambers, a merchant, who was accused of comparing the king's government with that of Turkey, implying that it was a non-Christian tyranny. His words were 'That the merchants are in no part of the world so screwed and wrung as in England; That in Turkey they have more encouragement.' He was found guilty, but there was a wide divergence on what fine should be given as a punishment. The sums varied between £500 and £3000; the second earl showed some leniency by suggesting £1500. This was at a time when Charles was looking to Tunnage and Poundage to increase his revenues. Chambers refused to retract his words or pay the fine and spent the next eleven years in prison for this and other protests against the Crown. The Long Parliament awarded him £13,680 for his losses, but this was probably never paid. He was an active

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<sup>108</sup> Kevin Sharpe Personal Rule of Charles I (London 1992) pp.63-85, hereafter, Sharpe Personal Rule

<sup>109</sup> HMC Salisbury 24 pp.266-74.

parliamentarian, but eventually fell out with his fellows when he refused to attend the proclamation of the Commonwealth.<sup>110</sup>

Salisbury was appointed to a Privy Council commission ‘to treat with all the King’s subjects who will compound for their fines in respect of their knighthood at the King’s coronation, and to tax such fines, and appoint days of payment.’<sup>111</sup> When Charles was reminded of the custom of creating knights at coronations, he replied ‘there being more knights already than are necessary and therefore he resolved not to make any.’<sup>112</sup> The Order was revised, as no knights had been created, to ‘persons who, being possessed of 40l. per annum in lands or rents, had not taken upon them the order of knighthood.’<sup>113</sup> Knighthood fines were a success in financial terms, but the bad feeling engendered was considerable. The number of landowners affected was over ten thousand, many of them members of the nobility who had performed service to Charles at his coronation. That was a very large number of prominent local men to have risked alienating.<sup>114</sup>

Charles found another innovative way to raise revenue. The common law gave a king the right to make a forest of any woodland to preserve the hunting for the Court. Harsh penalties were imposed for any infringements of that law. Salisbury was involved as a delinquent. He was fined £20,000 for his ‘encroachment’ on Rockingham Forest. Elizabeth had given it to his father, but the commissioner found the enclosures that the first earl had subsequently made in Brigstocke Park had broken forest law. The second earl compounded the fine for £3,000 and received a patent for disafforestation in 1638. He had spent the previous two years attempting to overthrow the judgement without success, but had only paid £1,000 of the fine by the time royal government

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<sup>110</sup> Rushworth Collections i pp.639-41 & 670-79. CSPDom1628-9 p.539. ODNB ‘Richard Chambers (c1588-1658)’.

<sup>111</sup> CSPDom 1629-31 p.174. Turner Privy Council i p.222.

<sup>112</sup> Ibid. 1625-9 p.79.

<sup>113</sup> Ibid. 1629-31 p.175-6.

<sup>114</sup> Charles Harding Firth House of Lords during the Civil War (London 1910) pp.56-7, hereafter, Firth House of Lords.

collapsed. It must have irritated the second earl and probably affected his relationship with the king. He also had to pay a hundred pounds for his father's creation as an earl and a total of £309 in ship-money.<sup>115</sup>

It is arguable that Salisbury should not attract any sympathy for these imposts, because during the period of personal rule there were no parliamentary subsidies. In any case, the nobility's subsidy payments were self-assessments and grossly undervalued. Whilst England was at war between 1624 and 1629 Salisbury only contributed £775 to the subsidies. The occasional rewards Salisbury received offset these payments. In 1630, for example, Charles granted the castle and manor of Hertford to him; they remain in the family's possession to this day.<sup>116</sup>

Salisbury's Privy Council career continued to give him a wide experience of affairs. In January 1631 he was

‘inquiring into the execution of the laws which anyway concern the relief of the poor, the binding out of apprentices, the setting to work poor people, the compelling the lazy to work, the maintenance of houses of correction, payments for relief of soldiers and mariners, punishment of rogues and vagabonds, repressing drunkenness, keeping watch and ward, and how other public services for God, the King and the Commonwealth, are put in practice and executed.’<sup>117</sup>

He was appointed to a Commission to consider the repair of St. Paul's on 10 April 1631. In February 1633 he sat on a Commission to

‘reprieve able bodied persons convicted of certain felonies, and to bestow them to be used in discoveries and other foreign employments for a time to be by the Commissioners fixed.’

and given the power

‘to appoint a Provost Marshal, or Provost Marshals, under the Great Seal, as in their judgement should be thought necessary, with power to apprehend and punish raisers of tumults and other rebellious persons’.

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<sup>115</sup> G. Hammersley ‘The revival of forest laws under Charles I’ in Bulletin of the Institute of Historical Research (1960) vol 35 pp.85-102. Stone Family and Fortune pp.119-120, 123. CSPDom 1638 p.171.

<sup>116</sup> Stone Family and Fortune p.119. Page (ed) VCH-Hertford (London 1912) iii pp.501-11.

<sup>117</sup> CSPDom 1629-31 p.474.

This repeated the action taken when James went into Scotland. Charles wanted to guard against any possible trouble.<sup>118</sup>

Many large landowners followed the king's example and revived ancient precedents to increase their revenue from tenants. In 1627 Keighley began to look for ways of raising extra income. He searched the royal archives and found some legal authorities for imposing long forgotten fines. The income raised from these 'innovations' fell back to their original level in 1637, 'possibly in response to rising public indignation at the exploitation of similar ancient rights by the Crown.'<sup>119</sup>

Salisbury received recognition of his value to Charles on 27 July 1630 when he wrote to assure

'him of his purpose to confer upon him the office of Master of the Court of Wards and Liveries, when the same shall become void, unless, in the meantime, the King shall take some other occasion to express his esteem for him.'<sup>120</sup>

Salisbury contacted Secretary Dorchester four days later that he had

'heard nothing of the business left in trust to his care. Lest it should be lost in the crowd has commanded his servant to attend the Sec. for a despatch. Sends a draft for his Majesty's hand proportioned to his Majesty's promise and the writer's expectation.'<sup>121</sup>

This achieved the desired effect, for on 16 August Salisbury wrote to Dorchester apologising 'for not returning thanks for the speedy dispatch of his late favour received from the King.' He added a request to be kept informed of 'ordinary occurrents' that come to his 'knowledge, which are fit for the Earl to know'.<sup>122</sup>

Charles waited till 1633 to go to Edinburgh for his Scottish coronation. That Salisbury was in the party to accompany Charles was another mark of recognition. He further honoured him with an appointment to the Privy Council of Scotland. This was a position he retained until at least 17 September 1641, when he was listed as a 'supernumerie Privy Councillor', one of four, together with Arundel, Pembroke and

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<sup>118</sup> Ibid. 1631-33 p.6.

<sup>119</sup> Stone *Family and Fortune* p.138-9.

<sup>120</sup> *CSPDom 1629-31* p.312.

<sup>121</sup> Ibid. p.317.

<sup>122</sup> Ibid. p.330.



Holland. The appointments were made according to a precedent set by James; this was done to balance the appointments he had made of Scotsmen to the English Privy Council.<sup>123</sup> It is highly likely that whilst Salisbury was in Scotland he became aware of the depth of public hostility to Charles' innovations to religion and recognised the potential dangers they presented.

Salisbury spent the sum of £740 on the journey. This included £80 for a coach and wagon, £70 for clothing his three footmen and a £140 on 'a mouse-coloured suit and cloak of double satin laced within and without with rich gold and silver lace' for himself. The second earl would have been conscious of the importance of emphasising his status to the Scottish nobility, not only by his own rich clothing, but also the appearance of his entourage.<sup>124</sup>

In January 1634 Salisbury and Pembroke answered the request of the earl of Cork that they should mediate for him with the king. Cork had fallen out with Wentworth, Lord Deputy of Ireland, in a dispute that arose from the intended marriage of Cork's daughter to Lord Clifford. Salisbury and Pembroke met with some success, which Wentworth tried to belittle. Salisbury's influence within the Court had obviously grown over the last decade.<sup>125</sup>

Salisbury's friendship with Pembroke played an influential part in his life. Pembroke was six years older and his well-known aggressive and outspoken manner would have impressed Salisbury. He was 'the first who drew the King's eyes towards him with affection'... 'He pretended to no other qualifications than to understand horses and dogs very well'.<sup>126</sup> These were qualifications that Salisbury shared with him. Pembroke received rapid promotion in the Court, with an earldom at twenty and then succeeded his elder brother as Lord Chamberlain in 1626. He inherited the earldom of

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<sup>123</sup> CP 197/21. Register of the Privy Council of Scotland-1638-1643 p.481.

<sup>124</sup> Stone Family and Fortune p.121.

<sup>125</sup> CP 200/124-a, b & c, 130/43, 131/49 & 50.

<sup>126</sup> Clarendon Rebellion i p.74.

Pembroke in 1630, with an estimated income of £30,000 per annum. Pembroke 'inclined to godly protestantism' and was 'not well disposed towards Archbishop Laud'.<sup>127</sup> Pembroke and Salisbury were often coupled because of their ambivalent relationship with the Court and their religious outlooks. They served together on the peace treaty commissions after the Bishops' Wars and appeared to favour peace. They were notably not invited to join the group dealing with Scottish affairs that was formed shortly afterwards and they later voted for Strafford's attainder. Salisbury was an executor of Pembroke's will after his death in 1650.<sup>128</sup>

Salisbury probably found the performance of his duties on the Privy Council were becoming more arduous and controversial as he struggled to raise revenue and hold back the critics of anti-Calvinist innovations. As a councillor he sat in Star Chamber, where he heard the trials of Bastwick, Burton, Prynne and John Lilburne. As a Protestant he probably agonised between his duty to maintain order, as against the cruel punishments they received and his sympathies for the religious beliefs of the accused. The continual need to have double standards, however unconsciously, must surely have helped to impose a strain on Salisbury's loyalty.<sup>129</sup>

The rise in perceived illegal revenue schemes and the monopolising of the Church by anti-Calvinists were steadily growing. The first writ of ship money was served on the maritime counties in October 1634 and extended to inland counties in subsequent years. Forest law continued to be harshly applied and the Commission of Depopulation raised a new set of fines. Where landowners had removed people from their land by enclosure or other means, they had to compound for their actions by the payment of a fine. Laud was appointed Archbishop of Canterbury in August 1633 and a

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<sup>127</sup> ODNB 'Herbert'.

<sup>128</sup> J. B. Crummett unpub PhD thesis Lay Peers in Parliament, 1640-4 (University of Manchester 1972) pp.15-7, hereafter, Crummett Lay Peers.

<sup>129</sup> John Lilburne The Christian mans triall (London 1641).

commissioner of the Treasury in 1635, whilst Juxon, Bishop of London was appointed Lord Treasurer in March 1636.<sup>130</sup> This reinforced the dominance of the anti-Calvinists.

Salisbury had been a loyal and conscientious Lord Lieutenant in difficult times, but his only tangible recognition was the award of the Garter. He was made a Privy Councillor in 1626, but he could be forgiven if he felt he could play a bigger part in the Court. When the Master of the Court of Wards, Sir Robert Naunton, died in early 1635 the post went to Cottington. Salisbury was informed that Charles wished

‘to dispose and manage that office; but as hitherto he has been tender and careful to gratify the person as he knows according to his first intentions, and to give him a place nearer to his service, he expects he should cheerfully and willingly rely upon him without any more instances to the contrary.’<sup>131</sup>

This was a rebuff to Salisbury and probably reflected the increasing dominance of those with Catholic sympathies who were close to Charles. Cottington had spent most of his early career in Spain as a merchants’ consul and junior diplomat and probably underwent conversion to Catholicism in 1623 or later in 1637. He openly converted in 1652, just before his death in exile in Valladolid. He would have been denied a Christian burial if he had not done so.<sup>132</sup>

The king remembered the promise that he had made Salisbury in 1630. In May 1635 Salisbury was given the position of Captain of the Band of the King’s Gentlemen Pensioners. It gave him easier access to the king and the royal family as well as a visible ceremonial presence. The annual income was three hundred and sixty pounds, plus the profits on the sales of any offices of the Gentlemen Pensioners that fell vacant. It was probably worth about five hundred pounds per annum.<sup>133</sup>

As a Lord Lieutenant Salisbury’s responsibilities included the raising of men and their training. He had a Muster Master, George Tooke, to oversee the training and

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<sup>130</sup> E.B.Pryde D.E.Greenway S.Parker & I.Roy eds Handbook of British Chronology-Royal Historical Society Guides and Handbooks 3<sup>rd</sup> ed. (Cambridge rep 2003) p.142.

<sup>131</sup> CSPDom 1634-5 pp.529-30. David Matthews Social Structure in Caroline England (Oxford 1948) p.76. Cottington had accommodation in Salisbury House in 1634 and may still have been there.

<sup>132</sup> ODNB ‘Cottington, Francis, first Baron Cottington (1579?-1652)’.

<sup>133</sup> He was denied the inferior post of Captain of the Body Guard of the Yeomen of the Guard in 1617. Stone Family and Fortune p.117.

instil discipline. Tooke had inherited Popes in 1635, a property to the west of Hatfield Park. That year he published a work discussing the dangers of relying on England's natural defences or its military establishments abroad, and the necessity of re-organising the counties' trained bands. He saw the county muster-master as the key to any reforms. The book was dedicated to Salisbury and must have been published with his foreknowledge and approval. It was republished in 1646, retaining the Salisbury dedication. It can be seen as a way of getting Salisbury's views to a wider audience when military discipline was an issue.<sup>134</sup>

Tooke was a military man who had led eighty volunteers in 1625 on the disastrous Cadiz adventure under the command of Essex. He seems to have succeeded in bringing all his men back safely. Sir Edward Cecil had been held responsible for the failure. Tooke published another book in 1652, again dedicated to Salisbury. It attempted to show how to avoid such disasters as Cadiz in the future, and was a vindication of Sir Edward, now Viscount Wimbledon. Tooke had probably diplomatically delayed his work until after the death of Essex, who would have been offended.<sup>135</sup>

Tooke published an elegy in 1647 to John Harington, Lord Exton, again dedicated to Salisbury. Harington had been a member of the group that surrounded Prince Henry and included Salisbury. He had died in 1614 and by 1647 perhaps Salisbury looked back nostalgically to what might have been had he lived. Wootton described Harington as 'the right eye of the Prince of Wales' and would 'one day govern the kingdom'. His funeral sermon portrayed him as 'a model of puritan piety.'<sup>136</sup>

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<sup>134</sup> George Tooke Legend of Brita-Mart (London 1635 & 1646).

<sup>135</sup> ODNB 'Tooke George (1595-1675)' rev. Sean Kelsey. Tooke Cales Passion.

<sup>136</sup> George Tooke Belides or Eulogie and Elegie, of that truly Honourable John Lord Harrington, Baron of Exton (London 1647 & 1659) ODNB 'Harington, John, second Baron Harington of Exton (bap.1592 d. 1614)'.

Salisbury's early experience of the Courts of James and Henry had made him a confident courtier. Buckingham had accused him of disloyalty because he had stood up to him. The Fenton episode was naïve, but a more serious error of judgement was aborting his place in James's party to Scotland. It was a mistake to have placed himself in the hands of a royal favourite, especially as he might regard him as a potential threat because of his wealth and circle of friends. Favourites had the king's ear and could turn any criticism directed at them into criticism of their master. Salisbury was not a quarrelsome man, but was perhaps a little tactless on occasions. He was a conscientious Lord Lieutenant and had loyally carried out his Privy Council duties, despite the misgivings he must have felt from his religious perspective. He was probably also concerned by Charles' use of his councillors increasingly as rubber stamps without the opportunities for any input or discussion.<sup>137</sup>

Salisbury's political position was that of a confident nobleman, prepared to stand up to Buckingham and Wentworth when he thought the occasion warranted it. He was ready, when the need arose, to pursue his own concerns however powerful his opponent was. He could always fall back on the considerable cushion of his wealth and noble status.

He had not achieved the political positions of his forebears, perhaps because he had not been prepared to bend to the religious and political winds that shaped the Stuart Courts. He had served conscientiously as the King's Ranger, a Lord Lieutenant and Privy Councillor but was one of several earls who fitted in with the contemporary ideals of noble service.

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<sup>137</sup> Willson Privy Councillors pp.3,12-23.

## Chapter Five.

### Political Life 1637 to August 1642.

#### First Bishops' War.

The three kingdoms that made up the British Isles shared the same king, but their cultural heritages, religious practices and political systems varied. When Charles tried to impose the anti-Calvinist views that had gained the political ascendancy in England upon the others, he had started down a dangerous path, especially as a large number of the English were not in sympathy with those views anyway. He decided to impose a new service book on Scotland without any prior consultation; it was first read there on 23 July 1637 and caused uproar. Charles refused to compromise; so a majority of the Scots responded by subscribing to a Covenant on 28 February 1638. He decided to implement the anti-Calvinist religious innovations by force, justifying an invasion that he thought was to put down a rebellion that had been raised only by a minority.<sup>1</sup> Charles kept his plans quiet for a month; the English Privy Council was not told until 1 July 1638. In the summer of 1639 an army of 18,000 men was deployed on the Scottish border and a naval blockade was put in place to disrupt Edinburgh's maritime trade.<sup>2</sup>

Northumberland, in a letter of 29 January 1639 to Conway, revealed the state of preparations. He was soon to be a leading parliamentarian and allowance must be made for his outlook.

‘the King declares not where he expects to have the money that must defray the expense of his army, consisting of 24,000 foot and 6,000 horse. Letters are going to all the noblemen from his Majesty, signifying his resolution to go northwards, and requiring them to attend him with their retinues. The King is told that by this course he will have at least 1,200 horse raised and maintained without any charge to him.... The gentlemen of the Privy Chamber are to serve on horseback, for a guard to be near the King's person, and my Lord Chamberlain is to be their captain. How my Lord of Salisbury will endure this I know not.’<sup>3</sup>

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<sup>1</sup> Conrad Russell Fall of the British Monarchies 1637-1642 (Oxford 2003), hereafter, Russell British Monarchies.

<sup>2</sup> Sharpe Personal Rule p.795. BL Add. Mss 11045 (Scudamore Correspondence), fo 27 Newsletter 11 June 1639.

<sup>3</sup> CSPDom 1638-9 pp.377-8.

Charles used the Henrician precedent of feudal duty to bring his nobles to York. Salisbury, now forty-eight, may no longer have been the horseman he once was, or perhaps Northumberland thought that Salisbury would think his Court position, as Captain of the Band of Gentlemen Pensioners, should have made him Captain of the King's guard and he would be offended. One hundred and fifteen peers were called to York. Seventeen sent their excuses and seventy-seven promised attendance or contributions, but few offered horses. Salisbury apparently promised thirty.<sup>4</sup>

In York they were expected to swear an oath that bound them to support the king to 'the utmost of my power and hazard of my life'. Saye and Brooke refused the oath because it had not received parliamentary approval. They were imprisoned, but released when the king heard they had not committed an illegal action. Salisbury was in York and must have taken the oath. His household accounts confirm that he travelled there and to Scotland.<sup>5</sup>

Salisbury was active in impressing soldiers from Hertfordshire for the campaign and received instructions from the Privy Council on 18 November 1638 that he should

'cause an exact muster to be taken of all the arms and trained forces, horse and foot, within the county...that both commanders, officers and soldiers be very able and sufficient men...that all the able men within that county (besides the trained bands) from the age of sixteen to threescore be listed and enrolled, that upon any sudden occasion such levies may be likewise made.'<sup>6</sup>

A month later Salisbury received a letter from the king in Privy Council, expressing his concern about a shortage of horses. He ordered that

'every person having lands of inheritance of the clear yearly value of two or three hundred pounds *per annum* within the county, or other estate equivalent thereunto, should be chargeable with a horse, viz, two hundred pounds *per annum* with a light horse, and three hundred pounds *per annum* with a lance.'<sup>7</sup>

The king's next letter of 18 February 1639 indicated he realised that the Scots were prepared to do battle for their cause. Charles was intending

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<sup>4</sup> Sharpe Personal Rule p.799. CSPDom 1638-9 p.452. Samples of the replies sent to Windebank. CSPDom 1638-9 pp.621-2. Nobles were excused for a money payment. CSPDom 1638-9 p.327. HMC Buccleuch & Queensbury Mss vol 1 p.279.

<sup>5</sup> Adamson Noble Revolt p.6. Sharpe Personal Rule pp.822-3. HMC Salisbury 22 p.288.

<sup>6</sup> CP 131/63.

<sup>7</sup> CP 131/65.

‘to repair in person to the northern parts of this kingdom with a royal army.’ [He then asked that Salisbury should] ‘cause to be selected out of the trained bands in co. Herts. five hundred of the most able men...they are to be brought at the charge of that county’ [when an order is received. Once] ‘they are delivered over, they are to enter into our pay and so continue during the service.’<sup>8</sup>

Salisbury left for York on 1 April. His Deputies wrote to him on 26 March asking for his approval for their intended course of action and failing that, for his suggestions. They considered that efforts should be made to be fair to those who had to contribute,

‘by making the whole work, as it is county service, a county charge by a levy through the whole county as well for arms and horse as for pay and conduct; or those that shall be employed will, we fear, too murmurously at the least complain of the spare of their fellows. And we fear men will hereafter more unwillingly enter into the trained bands, if besides their great and ordinary charges in them they be solely to undergo these extraordinary charges when they are really put to service.’<sup>9</sup>

The reasons for the Scots’ dissatisfaction were common knowledge and attracted much sympathy.

Charles’ nerve failed him when he faced the Scots. The English peace negotiators at the subsequent conference, the Pacification of Berwick, were Essex, Salisbury, Vane, Holland, Arundel, Hamilton, Berkshire and Secretary Coke. The first four were later parliamentarians; Berkshire was a less than ardent royalist and the other three were neutrals. The king and Hamilton did the majority of the talking. The armies were disbanded and Charles recovered his Scottish royal castles.<sup>10</sup>

The major point in contention was the abolition of the office of bishop in Scotland. The Scots and some English negotiators, including Salisbury, thought it had been agreed to refer the matter to a General Assembly of the Kirk and that the king had agreed to ratify its conclusions. Loudoun, a Scots negotiator, gave Salisbury and

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<sup>8</sup> CP 131/58.

<sup>9</sup> CP 131/71.

<sup>10</sup> Woolrych *Britain in Revolution* pp.121-2. Woolrych considered that it was pressure from the nobility in Charles’ camp, including his privy councillors, which decided Charles. They wanted to petition for a Parliament and that was the last thing he wanted. Adamson *Noble Revolt* p.9. He thought that Charles chose to believe the exaggerated estimates of the Scottish reserves and accepted their offer to treat. Russell *British Monarchies* pp.63-8. Hamilton thought the king was prepared to accept a ceasefire in return for his Scottish castles.



Pembroke copies of their version of events and asked them to confirm their recollections.<sup>11</sup>

Charles heard that Salisbury and some other nobles had commended the publication and distributed some copies of the document on their journey south. The king thought the document was a distortion of the truth and was furious. Salisbury's loyalty came under suspicion and both he and Pembroke had to clear themselves of any complicity before the Privy Council in the presence of Charles.<sup>12</sup>

Pembroke characteristically rejected the allegation with indignation. Salisbury wrote to Windebank, that

'I am infinitely sensible of this aspersion so falsely laid upon me, and did not my conscience tell me how clear I am, I should not have a quiet hour, especially any such report should come to his Majesty, who I know is so just as he will not easily believe that I am guilty of so much want of duty.'<sup>13</sup>

A genuine misunderstanding may have occurred, but the Scots thought Charles was backtracking. They were disappointed they did not receive any of the expected help from members of the Privy Council, in particular Salisbury and Pembroke. The pair had lodged together during the negotiations; the outspoken Pembroke could have convinced the Scots of their sincerity during their social contacts. Charles refused to accept any Scottish legislation made in the spirit of the treaty and responded that 'he intended to rescind the current Pacification and renew the Scottish war'<sup>14</sup>

### **Second Bishops' War.**

Whitelock records that Laud advised Charles to keep out the Pacification commissioners, Pembroke, Salisbury, Holland and others from the discussions about renewing the war in Scotland. A junto of Laud, Strafford and Hamilton met on 3

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<sup>11</sup> CP 131- 78 'Some conditions of His Majesty's with his subjects in Scotland before the English Nobility, and are set down here for remembrance.'

<sup>12</sup> CSPDom 1639 pp.398 and 433. HMC Salisbury 22 p.xx.

<sup>13</sup> CSPDom 1639 p.402.

<sup>14</sup> Russell British Monarchies pp.66-7. Crummett Lay Peers p.20. Clarendon i p.207. CSPDom 1639 pp.398 &433. BL Trumbull Ms 17 February 1640.

December 1639 to decide to renew hostilities; however money as always was the problem for Charles.<sup>15</sup>

He decided to call a Parliament to obtain a grant of subsidy and support for another war. Northumberland considered the campaign would not be possible without an unprecedented grant, which he thought was most unlikely.<sup>16</sup> Charles called the Irish Parliament three weeks before the English, to give them an example of what he wanted. Strafford raised £180,000, with another £90,000 promised later, together with an army of 9,000 men to be ready by the end of May.

Charles started his war preparations before Parliament opened.<sup>17</sup> Salisbury received a letter on 17 March 1640 that asked him to raise six hundred and fifty able and serviceable men. Nine days later came a request to provide ‘fifty strong horses and seventeen able carters to take care of them...to be ready at Newcastle on Tyne by 15 June next.’ The charges to Newcastle were to be borne by the county; they would then be in His Majesty’s pay until they returned home. Another letter from the Privy Council the same day gave Salisbury further details on selecting the six hundred and fifty men. Many had thought that the army that went to the first Bishops’ war had not been up to standard, so it was decided to tighten up the selection and substitution procedures. Salisbury was to receive help with ‘the choice of the men the Earl of Northumberland, Lord General of his Majesty’s army, will forthwith send into that county commanders to assist in the choice and listing of them.’<sup>18</sup>

The levy engendered a crisis of authority in the county. Salisbury’s Deputies wrote on 10 April that they had no legal authority to raise money for the pay, coat and clothing of the soldiers or their deliverance out of the county, nor had any authority

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<sup>15</sup> Ruth Spalding ed Diary of Bulstrode Whitelock (Oxford 1989) p.34.

<sup>16</sup> Adamson Noble Revolt p.10.

<sup>17</sup> CSPDom 1638-9 p.571.

<sup>18</sup> CP 131/102.

been given to buy horses or for the costs of getting them to Newcastle. Furthermore they had no power

‘to impress the trained bands to this service if they shall refuse to take impress money, which in the present distemper of this country they may be apt to do: and so if we should make a precipitate haste before other countries have settled the work by their example, we may not only trouble the service here, but from it may disaffect other places.’

They asked for permission to disclose the letters to the officials involved, assuring Salisbury that no other party was privy to their discussions, not even a ‘penman.’<sup>19</sup>

The trained bands produced the best soldiers; they considered themselves to be of the ‘better sort’ and ‘the heart’s blood of the county’, implying that without them it would soon ail. These were the men that Northumberland’s selectors chose; they reacted with outrage and said that the authorities had no right to send them by sea to fight a foreign enemy. The instructions were that they should be conducted to Harwich for transport to Newcastle. They petitioned their Deputy Lieutenants, having expressed their loyalty to the king that

‘humbly desire we may enjoy the same privilege which our ancestors and predecessors of the same trained bands enjoyed, that is, to be exempt from foreign service, strange commanders, or to be transported to any place by sea...That we cannot conceive that this famous and populous kingdom should be in this distress before one blow be struck...the principal trade of the market towns and the chiefest husbandry and tillage in the country will not be endured for that we...are the heart’s blood of the county.’<sup>20</sup>

Further correspondence showed the dissatisfaction there was in the county.

Salisbury wrote on 1 May to his Deputies.

‘that having called the trained bands of the hundreds of Cassio and Dacorum, instead of obedience to his Majesty’s commands you find an obstinate denial and refusal of them, referring themselves to a scandalous and disobedient petition...I am therefore by his Majesty’s express command to signify his pleasure that you forthwith call the constable before you that delivered this petition, and by examination find out whence this petition came.’

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<sup>19</sup> CP 131/105.

<sup>20</sup> CSPDom 1640 pp.95-7.

Salisbury stressed the need to keep the county quiet and prevent similar troubles in the future. Most counties had sent out the warrants first and he instructed them that ‘by his Majesty’s express command...you presently send your warrants out to that purpose’.<sup>21</sup>

Salisbury’s deputies asked for his son’s help.

‘We think it our duty to advertise your Lordship that the country, especially about St. Albans, having taken notice that a new commission of lieutenancy is issued to your Lordship and Lord Cranborne, if there should be any so perverse and ill affected persons to this great duty as to dispute our authority to command him, it will we think be *onim exceptione majus* if Lord Cranborne vouchsafe to be present at their muster and march from hence’<sup>22</sup>

Cranborne would be used to impose the family’s considerable presence on any recalcitrants. The county was in turmoil, illustrated by the difficulties endured by the Sheriff in collecting ship-money and other assessments. Northumberland expressed his doubts that because the counties around London, including Hertfordshire, ‘are so damnably restive that I doubt we shall not get near our numbers of men from these places’. It is clear that experienced noblemen already had grave doubts about the king’s policies and actions.<sup>23</sup> On 25 May the Privy Council told Salisbury to ‘delay March to Gravesend till 1 July from where the soldiers are to go to sea.’ Had the councillors recognised the problems and were concerned that the unpopularity was not worth the cost?<sup>24</sup>

There was intense activity during the three months before the start of the war. There were orders and counter commands about the dispatch of men and their equipment. It was reiterated that all the costs must be met locally and action was to be taken to discipline soldiers for committing local outrages. That was a particularly difficult issue.<sup>25</sup> The king wrote on 8 July ordering them

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<sup>21</sup> CP 131/07. 1 May 1640.

<sup>22</sup> CP 131/08.

<sup>23</sup> John Bruce Notes of the Treaty Carried On At Ripon (Westminster 1864) p.xiv 30 May & p.xv 13 June respectively, hereafter, Bruce Ripon.

<sup>24</sup> CSPDom 1640 p.173.

<sup>25</sup> HMC Salisbury 22 pp.313-9.

‘to raise such number of the trained bands in that county as you shall think fit to suppress any mutinies that may arise, and to force them to obedience in all points according to our royal intention.’<sup>26</sup>

The trained bands had been retained because of the perceived dangers of an invasion from the continent and were thus available to discipline their county colleagues. The impressed men were being removed at the height of the growing season, with a harvest hard on its heels.

The king had recently mobilised a costly and apparently pointless expedition and his subjects were not enthused at having to go through the process again. The country had been subjected to the propaganda used to justify ship money and was understandably concerned it was being left defenceless by the loss of its men. The economic situation had deteriorated during the last decade because the price of food had risen by an astronomical seventeen per cent and this was affecting morale.<sup>27</sup>

Salisbury wrote to Secretary Windebank on 13 August that the soldiers here were

‘pulling down the rails about the Communion table; and at Hadham, where Dr. Paske is the incumbent, they have pulled down a window lately built by him’. [He wrote] ‘if there be not some present order for the disposing of the soldiers some mischief is very likely to fall out’. [Edmund Aylee, a glazier, was] ‘charged with being the captain of the unruly soldiers who had pulled down the altar rails in co. Herts.’<sup>28</sup>

A new situation was developing in the country, where religious discontent was joining with dislike of the king’s policies over the Scottish war and the disruption and pain these were causing. Salisbury and Holland expressed the view at Privy Council on 16 August that it was open to doubt if the shires would meet the costs of mobilisation for the king’s army to fight the Scots. Significantly this was in effect a warning of tacit rebellion. At the same meeting the Lords Lieutenant were told to go to their shires to await his Majesty’s instructions.<sup>29</sup> The Privy Council decided to disband the Hertfordshire levies before they could do more damage. Strafford wrote to Salisbury

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<sup>26</sup> CP 131/117.

<sup>27</sup> Sharpe *Personal Rule* pp.809-13. He gives examples of these problems. Smith *Nation State* p.439.

<sup>28</sup> Bruce *Ripon* p.xxv. *CSPDom 1640* p.580. *CSPDom 1640-1* p.7.

<sup>29</sup> *CSPDom 1640* p.690.

two days later to tell him his trained band was no longer needed and the men were to be orderly disbanded three days later.

The king informed Salisbury on 19 August

‘of the rebellion in Scotland, which with the indisposition of the Earl of Northumberland, Lord General, necessitates his repair in person to the Northern parts; and directing them to have in readiness the trained bands with such further horse and foot as they can possibly raise.’<sup>30</sup>

On 27 August Salisbury wrote, referring to the levied men, that

‘The Scots have come into this kingdom, and we have received his Majesty’s commands to have the foot and horse of this county in readiness to march upon knowledge of his pleasure’.<sup>31</sup>

Salisbury and Cranborne were still busy in September getting more men and equipment ready to supply the army.<sup>32</sup>

Parliament opened on 13 April 1640 and was notable for the co-operation between the dissident peers and the more militant members of the Commons. Harbottle Grimston, Sir Francis Seymour, Sir Benjamin Rudyard and John Pym all enjoyed the protection of powerful nobles and made the most influential speeches. They shared like-minded views with Warwick, Hertford, Pembroke and Bedford. Charles was frustrated in his efforts to obtain supply. He told the Privy Council of his intention to dissolve Parliament and asked for their opinions. Holland, Lieutenant General in the last campaign, expressed his doubts, and Northumberland spoke strongly ‘against the breking of the Parlement’ and thought this would doom the projected campaign to failure. Significantly his opinion was ‘taken by Charles as an act of disloyalty’.<sup>33</sup>

Charles looked at other options for raising money, such as debasing the coinage or obtaining a loan from the City, but was met with firm resistance. His councillors argued that trade was already depressed through the threat of war and these actions would make things worse. Charles was able to dissolve Parliament because of the

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<sup>30</sup> CP 131/118.

<sup>31</sup> CP 131/120.

<sup>32</sup> HMC Salisbury 22 pp.321-2.

<sup>33</sup> Adamson Noble Revolt pp.11-2. HMC De L’Isle vi p.262.

massive loans he raised from his courtier nobility. They had little choice, other than to risk alienation from the Court. Salisbury gave £10,000 and Pembroke at least £7,000.<sup>34</sup>

Salisbury was appointed to the committees for receiving petitions and for consideration of the custom, orders and privileges of the House. Time was once again spent on safeguarding those privileges and considering religious innovations, all of which must have vexed the king, who had only wanted a quick supply.<sup>35</sup>

Strafford was introduced into the Lords on 23 April, but with the dissolution twelve days later he had the opportunity to influence the king to go to war.<sup>36</sup> The godly Protestants were now on the defensive, trapped between a choice of supporting a war that few believed in or thought was winnable and being accused of treason. A victory for Charles would probably have meant no Parliaments for many years and a quickening of the pace of religious innovations. There was widespread discontent in the country and it would be difficult to raise the men that Charles needed.

Salisbury encountered problems when events were almost out of control in the City. Apprentices were carrying out attacks in London, but the authorities were unsure of the City Militia's loyalty and did not dare risk arming the men to quell any trouble. Charles was in grave danger of losing control of his capital city, effectively his administrative and financial power base, if things did not improve. Northumberland asked Salisbury on 15 May to dispatch 'five of the next adjacent companies to Highgate, and the troop of horse for the county'. Three days later Salisbury's deputies reported that eighty horse and two hundred men were on their way and a further three hundred foot would be there as soon as possible. That day Northumberland wrote to

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<sup>34</sup> B.E. Supple Commercial Crisis and Change in England 1600-1642 (Cambridge 1959) pp.125-131. Adamson Noble Revolt p.562-3 fn 142.

<sup>35</sup> LJ iv pp. 45-81.

<sup>36</sup> LJ iv p.65.

countermand the order. The situation must have been close to riot or even insurrection for Charles to consider using county trained bands against Londoners.<sup>37</sup>

Charles possibly hoped that the Scots would sue for peace; but the Scottish or Covenanters' soldiers were fighting under oath for their convictions, whilst his army did not have a cause to inspire them. Many were reluctant soldiers and thought they were being asked to fight 'for the Papacy against the Gospel.' Hamilton for the king and Loudoun for the Scots were trying until late July at least to achieve a peace between their clients. However Charles could not acknowledge this publicly without risking losing the impetus of his mobilisation.<sup>38</sup>

The Scots were in contact with the dissident English peers and asked for their support if they crossed the border. It would have been a step too far for the peers to show open support, which would have been high treason. They gave guarantees, the most important being that once the Scots entered England the seven dissident peers would be

'mutually engag'd one to another' [and] 'draw up a Remonstrance to be presented to the King, wherein they will comprise yours and their own just grievances, and require a mutual Redress.'<sup>39</sup>

The peers had found a very remote precedent from the Parliament of 1258, which had 'erected the twelve peers' authority. This allowed twelve noblemen to summon a Parliament when the king failed to do so. The seven peers mentioned in the undertaking to the Scots were Warwick, Essex, Mandeville, Bedford, Saye, Savile and Brooke.<sup>40</sup>

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<sup>37</sup> CP 131/108 to 111. Woolrych Britain in Revolution p.140.

<sup>38</sup> R. A. Houston and W. W. J. Knox 2 vol. History of Scotland (London: 2006) i pp.374-5. The oath was 'Whatsoever shall be done to the least of us for that cause, shall be taken as done to us all in general and to every one in Particular'. Kingston Hertfordshire p.5. Adamson Noble Revolt p.43 and fn 162 on p.548.

<sup>39</sup> Adamson Noble Revolt p.47. Lord Saville to Lord Loudoun 8 July 1640.

<sup>40</sup> Ibid. pp.46-8. Russell British Monarchies pp.151-3. The intelligence shared by the two parties gave both sides confidence in the enterprise.



The Scots invaded on 20 August, announcing that they did not intend to wage war but only to present petitions.<sup>41</sup> The English were caught unprepared because of delays in recruitment and the illness of their lukewarm commander Northumberland, who was replaced by Strafford. The king left for York on 20 August and sent Salisbury the following instructions on 31 August 1640. He was

‘To put in order the band of Gentlemen Pensioners with their servants and full number of horses for defence of the Queen, the royal children, the kingdom and city of London.’<sup>42</sup>

It was a sensible precaution to arrange for his family’s personal protection and was an indication of the faith that Charles still had in Salisbury’s loyalty. He was the senior noble amongst those left at Westminster.

On 1 September 1640 ‘a Court scheme’ was first mooted at the Privy Council, ‘whether some of the noblemen not counsellors should not be called to counsel if it be but to engage them?’ Conrad Russell recently thought Salisbury was a likely supporter because ‘his opinions and his circle of friends both make it an overwhelming probability that he was.’<sup>43</sup>

Charles included Salisbury in an Order of Council on 2 September 1640, ‘by all good ways in his Majesty’s absence to provide for the safety of this his kingdom and people’. This provided authority to meet any day-to-day events that might threaten his kingdom’s stability. The Scots were well into England before the king’s unprepared army reached York. By 15 September Charles learnt that he had effectively been beaten.<sup>44</sup>

The dissident peers began to reveal their designs whilst the Scots occupied the north of their country. Twelve peers signed the Petition for presentation to Charles that listed their grievances and asked him to call a Parliament. The Petitioner Peers and their

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<sup>41</sup> Rushworth *Collections* iii pp.1223-7.

<sup>42</sup> CSPDom 1639-40 pp.651-2. CP 131/121.

<sup>43</sup> CSPDom 1640-1 p.2. Russell *British Monarchies* pp.237-8.

<sup>44</sup> CSPDom 1640-1 pp.3-4. Woolrych *Britain in Revolution* p.147. Edinburgh Castle surrendered that day.

associates enjoyed considerable kinship and patronage ties. The network extended across the Percies, Herberts, Devereux, Sidneys and the Cecils. They represented a large portion of the ancient nobility and were a major force. Salisbury was involved in many of their deliberations and must have been in sympathy with their objectives, although crucially he saw the encouragement of the Scottish invasion as an act of disloyalty. The Petitioners did not want a change of monarch, but a different approach to monarchy. Many of the nobility and gentry felt Charles and his closest advisors had alienated them; but there was probably no one who visualised Charles' removal or the end of monarchy.<sup>45</sup>

Charles' response to the Petition was to call a Great Council to meet in York on 24 September to rally the nobility to his side and avoid calling a Parliament. The Privy Council joined the call for a Parliament on 16 September, when Arundel proposed they should 'write to the king, that presently he declare the calling of a Parliament that he may have the honour of it himself'.<sup>46</sup> They thought it inevitable and the best way to deflect the dissident peers' momentum. The Privy Council in Whitehall was having trouble attracting sufficient numbers to carry out any business. Many were with the king or travelling to York. Only four attended on 9 October, so no business was transacted, other than to tell Salisbury and eight others to attend the next meeting without fail. This must have been a busy time, but perhaps a good time to sit on the fence.<sup>47</sup>

Seventy-six peers went to York. Windebank reported to Charles that his position was untenable because thirty-seven of them supported the Petition and the invitation to the Scots to invade. All but one of the known twenty-three signatories to

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<sup>45</sup> Sloane Ms 1467 fo 132. This is a copy dated 8 August 1640 and was signed by 18 peers. Adamson Noble Revolt pp.xii & xiii. The Junto Cousinage, together with the offices they held or were nominated to in the autumn of 1641, are shown here.

<sup>46</sup> CSPDom 1640-1 p.67.

<sup>47</sup> Ibid. 1641-3 p.189.

the Petition came to York and received support from the other peers sympathetic to their aims.<sup>48</sup>

Charles called a Parliament once the Great Council opened, pre-empting anything the peers might do. He made it clear that his object was not to make peace: as

‘an army of rebels lodged within this kingdome, I thought it most fitt to conforme myself to the practise of my predecessors in like cases, that with your advice and assistance wee might ioyntly proceed to the chastisement of these insolencies.’<sup>49</sup>

The Great Council argued for the abandonment of the war and strikingly voted against the king. Sixteen commissioners were selected to treat with the Scots. The commissioners included seven of ‘The Twelve Petitioners’ and four that had added their signatures later. Salisbury was one of the remaining five. The selection was made on the basis that they would be acceptable to the Scots, because they had ‘all declared themselves in the past in favour of the Scots, and were equally zealous for the calling of a Parliament’. They were therefore more likely to succeed in the negotiations, which lasted for eleven months. Gustinian reported that it was believed Charles chose these men ‘to conciliate some of the most seditious to himself by the honour of such employment’.<sup>50</sup> However, it has been argued that Salisbury could not be safely counted as being biased towards the Scots at this point. Yet the second earl does seem to have favoured them, to judge from his actions after the first Bishops’ War.<sup>51</sup>

Salisbury copied a letter from the Scottish negotiators, in which they recognised that it was not normal for the king to join with his subjects

‘in granting safe conduct and safeguards. Our desire was not for any distrust of his Majesty...What his Majesty and your Lordships have done in this we are very well satisfied therewith’.<sup>52</sup>

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<sup>48</sup> Russell *British Monarchies* p.157, fn. 41. Adamson *Noble Revolt* pp.81-2 & App.pp.520-1. Crummett unpub *Lay Peers* p.147. Exeter was absent ill. He died 7 July 1640. The other eleven signatures were subscribed later.

<sup>49</sup> Russell *British Monarchies* p.157.

<sup>50</sup> *Cal S.P.Venetian 1640-2* pp.86-7. Gustinian to the Doge 12 October 1640. Bruce *Ripon*. The notes of Sir John Borough, clerk to the Commission, are recorded here.

<sup>51</sup> Russell *British Monarchies* p.158.

<sup>52</sup> *CP 131/128*. 29 September 1640.

The king signed the document and the peers witnessed his signature. It was agreed on 23 October that the Scots would send their delegates to London, but insisted that the treaty should also be submitted to Parliament. The Scots were now dealing with Parliament and not the king. The Scots had more faith in Parliament than the doubtful word of an unreliable king.<sup>53</sup>

The dissidents enjoyed the advantage whilst the negotiations continued and the Scottish army remained on English soil. It was not until the end of August 1641 that the Scots left, and early September when the English disbanded and the cost of the two armies was removed. Charles had to send twelve peers, including Salisbury, to the City on 4 November 1640 to ask for a loan of £50,000 to keep the English army in the field.<sup>54</sup>

Salisbury, as a member of the treaty negotiations and of the Lords, was surely aware of the collusion between the dissidents and the Scots. He was also a member of the Privy Council and held a position in the royal household. His instincts were to look for a middle way and reduce the volatility of the situation, which would not have been attractive to those who needed a victory.

### **Long Parliament.**

Salisbury wished to have two of his sons elected to this Parliament and wrote to Roger Kirkham that he was

‘very desirous to have my sonnes of it which makes me thus timely to give you notice of it to the ende that you may acquaint Mr. Keeling and such others of the better sort of Hartford of my desire’<sup>55</sup>

Salisbury was going to be busy with the Scottish negotiations and wanted Kirkham to get the leading citizens engaged to him, so they would not be able to make excuses later. Cranborne was elected the member for Hertford and Robert for Old Sarum.

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<sup>53</sup> Russell *British Monarchies* pp.161-3. *HMC Salisbury* 22 pp.327-9.

<sup>54</sup> *HMC Buccleuch & Queensbury Mss* vol 3 p.388.

<sup>55</sup> *CP* 114/118.

Salisbury now had his own reliable reporters of events in the Commons, both on the floor and behind the scenes.

The early days of the Long Parliament were spent preparing to impeach Strafford. He lost his right to sit in the Lords and was put under arrest until impeachment proceedings could begin. Salisbury was named as a witness in the preparatory examinations to put together the Commons' case against Strafford. The second earl took the oath together with his fellow councillors Northumberland, Pembroke and Holland.<sup>56</sup>

Salisbury was given the keys to the king's privy garden on 14 January 1641. This can be seen as a notable mark of Charles's trust and an effort to keep his support. It ensured that Charles and Salisbury would be able to communicate out of the sight of the Court. The king must have been aware that Salisbury was accepted by the 'middle group' in both Houses, men who were looking for a religious and political return to the Elizabethan settlement, and therefore had potential as a conduit of information. Strafford was currently facing impeachment, the king was seeking subsidy and Parliament was discussing a bill 'to prevent too long intermission of Parliaments'.<sup>57</sup> Salisbury might be an invaluable adviser.

Charles was under considerable pressure and had few friends that would give him any honest advice. It seems possible that Charles' speech at Whitehall on 25 January 1641 was influenced by Salisbury, for the second earl would surely have argued for the reformation of Government and not its alteration. That was the policy Charles proposed when he said he wished 'to reduce all Matters of Religion and Government to what they were in the purest Times of Queen Elizabeth's Days.' He wanted episcopacy to be retained, but would deal with any encroachment on the temporal sphere that might have taken place. He added he was happy to have frequent

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<sup>56</sup> LJ iv p.105.

<sup>57</sup> Russell British Monarchies pp.237-8. LJ iv p.136

Parliaments, as long as his honour was preserved, and that they were ‘the best Means to preserve that right Understanding betwixt Me and My Subjects, to the Contentment of us all’.<sup>58</sup> These were all sentiments that accorded with the ‘Cecilian’ outlook and can be taken as an oblique compliment to Salisbury’s two forebears.

Salisbury was added to the committee considering the subsidy bill on 3 February. The bill, which gave four subsidies, had been joined to another that prevented the too long intermissions of Parliaments, the triennial bill. These were passed on 16 February, when the king was present and gave them the Royal Assent. The triennial act for a Parliament every three years also recognised the ‘Twelve Peers’ right to petition for a Parliament. Both Houses of Parliament expressed their joy by ordering ‘that Bonfires be made, and the Bells be rung.’<sup>59</sup>

Salisbury’s experience in the Scottish negotiations and his financial acumen would have proved useful to the committee that went to the City of London ‘to procure One Hundred and Twenty Thousand Pounds’. This was to be set against the subsidy grant made earlier that day.<sup>60</sup>

If Charles had hoped that his concessions would gain Strafford’s freedom he was disappointed. The uncovering of the Army Plot convinced Parliament to act quickly, especially as there were indications that Charles was planning the dissolution of Parliament. Strafford’s trial was not reaching the conclusion that his opponents wanted, so they moved to the process of attainder. This meant an accusation would be sufficient, rather than a trial, where proof of the charges had to be produced. Charles knew he was in danger of losing Strafford. He was prepared to agree to keep him away from any public business and also promote some of the dissidents as a further token of his goodwill. Charles’ efforts were in vain and he assented to the attainder of Strafford. He appealed to the Lords to spare Strafford but if Strafford should try to communicate

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<sup>58</sup> LJ iv pp.141-2.

<sup>59</sup> LJ iv pp.150 & 163-4. CJ ii pp.86-7.

<sup>60</sup> LJ iv p.198.

with him then he would have him immediately put to death. The Lords could not advise acceptance of his request because of the danger to the royal family. They had received a request from the Queen Mother for an armed guard ‘in regard of Tumults of People dispersed aboard’ and reports of riotous assemblies that had to be dispersed by the trained bands. Salisbury was amongst the fourteen lords who ‘were appointed to wait on the King concerning this business’.<sup>61</sup>

The Army Plot culminated, on Charles’ orders, with the attempted release of Strafford on 3 May. This was immediately before the Lords began to consider his attainder. The next day, in the heightened sense of danger that prevailed, Salisbury took the Protestation, along with all the lords and bishops present. It consisted of an oath of association in the event of a coup and bound those that took it to defend the Protestant religion, the King, law, and the privileges of Parliament with their lives. It authorised what they did in defence of their oath. Cranborne and Robert Cecil had taken the Protestation in the Commons on 3 May.<sup>62</sup>

Salisbury was appointed to the committee about the Northern Business. This was charged with looking at the facts about the Great Council called to York, the Treaty of Ripon, the raising of the army that went to the north and who encouraged the Scots into the kingdom. They were not allowed to inquire into the current negotiations with the Scots. Thus Parliament had trespassed on Charles’ prerogative by involving themselves in foreign affairs.<sup>63</sup>

The Scottish Commissioners arrived in London to carry on the negotiations.

‘His Majesty hath thought fit to authorise,...the same Lords Commissioners that were chosen at the Great Counsel at *Yorke*, to treat at *Rippon*, and hath now given them the same full Powers to treat and conclude here with the said *Scottish* Commissioners: That this House doth now approve of the said Lord Commissioners; and, because it is always the form of such Commissions to have Power to determine and conclude, this House doth allow of the Commission; but hath ORDERED notwithstanding, that

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<sup>61</sup> Adamson Noble Revolt pp.211-3. Russell British Monarchies pp.274-302. LJ iv p.245.

<sup>62</sup> S. R. Gardiner ed Constitutional Documents of the Puritan Revolution, 1625-1660 (Oxford 1906) pp.155-6, hereafter, Gardiner Constitutional Documents. Russell British Monarchies pp.294-5. LJ iv p.234. CJ ii p.131-3.

<sup>63</sup> LJ iv p.91.

nothing done by them shall bind or conclude this House, unless the House be first acquainted therewith, and approve thereof.’<sup>64</sup>

Salisbury remained a commissioner and his papers reflect his involvement in the negotiations. Charles made it clear that the Great Council had selected the commissioners originally and that it was now Parliament who would have the responsibility for approving their work. A majority of the Commons was happy that these negotiations were spun out, because it suited the lower House to have a constraint on the king to wring concessions from him. Salisbury’s duties as a commissioner meant that he was often absent from the Lords. This was probably why he was not called upon to sit on as many committees as he might have done. He was however appointed to the committee for religion on 1 March ‘to take into Consideration all Innovations in the Church concerning Religion.’ They would have considered the anti-Calvinist changes; Laud and bishop Wren had recently been impeached.<sup>65</sup>

Salisbury was also on the committees that dealt with maintaining the privileges of the College of Physicians, and one that considered the treaty with the United Provinces in respect of Princess Mary’s intended marriage to the Prince of Orange. He was involved in the discussions about an intended journey the queen wanted to make to Spa, ostensibly to take the waters for her health. The queen was a Catholic and a member of the French royal family, so her motives were under suspicion.<sup>66</sup>

Salisbury was increasingly active in the Lords. On 7 May there was a joint conference of the two Houses ‘about the Peace of the Kingdom’. There had been intelligence of a possible French invasion of the Portsmouth area and consideration was given to how that locality could be put into a state of readiness. Part of the response was to prepare the trained bands of Hampshire and Dorset. Salisbury was recommended to His Majesty ‘to be joined with the Lord Cottington in his Lord Lieutenantship of the

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<sup>64</sup> LJ iv p.94, 20 November.

<sup>65</sup> HMC Salisbury 22 pp.328-330, 333 & 335-56. LJ iv p.174

<sup>66</sup> LJ iv pp.167, 280 & 313-8. CJ ii pp.210 & 215.



County of Dorset.’ The second earl was a natural candidate with his estate at Cranborne and his long experience. It was an indication that the dissidents thought he was trustworthy and probably had their doubts about Cottington’s reliability.<sup>67</sup>

When Charles let it be known that he had agreed to the appointment and that Cottington had ‘offered to surrender up his Patent’, it produced ‘much joy in the House and many put off their hats in sign of thankfulness.’ Charles’ messenger went on, ‘By this you might see how ready his Majesty was to satisfy all our just Requests: and was resolved to repose himself upon the Affection of his people’. This was an indication that Salisbury had a following within the Commons and that the king recognised that.<sup>68</sup>

When Strafford’s attainder was passed on 7 May, a bill ‘to stop any untimely adjourning, proroguing, or dissolving of this present Parliament’ was considered. This would have taken away from Charles the ability to prevent Parliament proceeding with the consequences of Strafford’s attainder. It also had the then-unrealised effect of prolonging the Parliament legally till 1660.<sup>69</sup>

Salisbury was appointed to the Committee for the Defence of the Kingdom on 8 May, a natural consequence of his Dorset appointment. The committee had ‘to consider the Defence of the Kingdom, and the State of the Forts, and the Commanders of them.’ There were fears that some commanders might have been loyal to the king in the event of a French intervention on his behalf. Salisbury received two surveys from Sir Walter Erle later that month.<sup>70</sup>

The Commons had asked their members to take a survey of the ammunition in their counties and to enquire if their Deputies and Lord Lieutenants were ‘persons well affected to the religion, and to the publick peace.’ Erle’s surveys showed an organised

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<sup>67</sup> LJ iv p.238. CJ ii p.142.

<sup>68</sup> BL Harleian Ms 477 f. 511v.

<sup>69</sup> LJ iv pp.238-9.

<sup>70</sup> LJ iv p.240. CJ ii p.135. Erle was a member of the Commons. HMC Salisbury 22 pp.353-4.

chain of command, but also how ill prepared the armaments of its defences were and the decay of old gunpowder that dated from 1588.<sup>71</sup>

The Commons received petitions from Watford and St. Albans against their High Sheriff, Thomas Coningsby, for levying ship money too rigorously and setting forth the burden and oppression of the people during the long intermission of Parliament. The vicar of Watford, Dr. Cornelius Burges, had preached ‘that for the cause of religion it was lawful for the subjects to take up arms against their lawful sovereign’. Arthur Capel, M. P. for Hertfordshire also demanded the end of episcopacy. The county was substantially on Parliament’s side. Salisbury obviously had his problems as their Lord Lieutenant, but must surely have had some sympathy with his fellow countymen and been aware of the more radical intentions.<sup>72</sup>

The climate of recrimination led to calls for the bodies that had helped to enforce things on the country to be made to account for their actions. Salisbury was on the committees that considered abolishing the Court of Star Chamber, as well as regulating the Privy Council and the Court of High Commission. The Royal Assent was given in early August to acts that declared ‘unlawful the late Proceedings touching Ship-money’ and ‘the Certainty of Forests’ and the ‘Bounds of the Forests’, as well as ‘the Prevention of vexatious Proceedings touching the Order of Knighthood’; three pieces of legislation that must have pleased Salisbury.<sup>73</sup>

The Lords defended their privileges on 2 July when they asked to continue to

‘rating and taxing themselves in Subsidies’ [and] ‘That both Houses may petition His Majesty, That Titles of Honour may not be bought and sold for Money, but that it may be conferred by His Majesty, as anciently it was, for Virtue and Merit’<sup>74</sup>

The Lords were anticipating that Charles might elevate his supporters in sufficient numbers to take control of their House.

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<sup>71</sup> CP 131/165-6. CSPDom 1641-3 p.638.

<sup>72</sup> Helen Poole *Watford and The Civil War* (Watford 1989) pp.3-4. LJ iv p.347. Capel was introduced to the Lords as Lord Capel on 7 August 1641 and later become a royalist.

<sup>73</sup> LJ iv pp.282, 298, 348 & 357.

<sup>74</sup> LJ iv p.297.

The Commons proposed to the king on 9 August, just as he was leaving for Scotland, that Pembroke and Salisbury be given the positions of Lord Steward and Lord Treasurer. This would have given all the major offices to men who were sympathetic to the dissidents in the Commons. Significantly, the proposition passed the House without a single dissent and was sent to the Lords, noting that

‘it will be requisite to have a Lord Treasurer that is a Person of Honour and Abilities, they have voted, *nemine contradicente*, the Earl of *Salisbury* to be a very fit Person for that Place’<sup>75</sup>

The Lords promised to return an answer but seem to have left it on the table. Charles ignored the suggested appointments. The matter embarrassed Salisbury because he wrote to Hamilton and maintained that the proposition ‘was much against my will’. He had two sons in the Commons, so he must have known and could have publicly disassociated himself. Salisbury had been ‘voted by Comon fame’ into the office in May 1641, but that was an expression of public opinion and had nothing to do directly with the Commons. His two immediate forebears had held the office and by 1641 their tenure perhaps seemed like a golden age to many. The Lords unsuccessfully recommended Pembroke and Salisbury on 2 December after the Commons had renewed their earlier request.<sup>76</sup>

Salisbury was active in the Privy Council in 1641-2 trying to root out and persecute recusants and Catholics. A pamphlet of 1606, printed in Latin, had revealed a plot that had threatened his father’s life if he continued his pursuit of recusants under cover of the Gunpowder Plot. Significantly, this was translated into English and printed in 1641. Was this done as a warning to William to stop his activities? It is difficult to find any other explanation, unless it was a piece of black propaganda to increase his status. It would have enhanced his popularity with those in the Commons who were

<sup>75</sup> CJ ii p.248. CSPDom 1641-3 p.81.

<sup>76</sup> LJ iv p.355. NAS Hamilton Ms GD 406-1-1495. BL Sloane Ms 1467 (Newsletters 1640-41) f. 76: letter of intelligence c. May 1641. CSPDom 1641-3 pp.188-9. CJ ii p.326. The position remained vacant until October 1643.

trying to remove ‘foreign’ innovations from the established Church and revitalise it through preaching.<sup>77</sup>

The king left to attend the Scottish Parliament on 10 August 1641 with his powers vested in a commission of twenty peers, which included Salisbury, and two men from the Commons. It had a balance between royalists and dissidents. Essex was given charge of the military, but without clear legal powers. The absence of the king, the appearance of plague and low attendances in Parliament made the prospect of dissolution attractive. The two Houses agreed that a Recess would start on 9 September and last till 20 October. The last two days saw a piece of procedural fencing that displayed the disunity that was latent in relations between the two Houses. The Commons had an ‘Order of the H. C. to prevent Superstition and Innovations in the Church’ printed and distributed, despite not reaching full agreement with the Lords. The next day the Lords presented the Commons with a *fait accompli*, ‘Order concerning Divine Service’ based on an Order made 16 January 1640. They had voted to have it printed and published with the names of those who dissented against the passage of the order and then asked the other House to join with them in it.<sup>78</sup>

“The Protestants Protestation” was inspired by these Orders and accused those lords who had protested of endeavouring to do away with the common prayer book. Six lords had protested out of the nine who voted against the order, which was carried by eleven votes to nine. The conflicting Orders gave men justification to reverse any innovations they perceived had been introduced; this let loose the iconoclasts.<sup>79</sup>

Adamson has credited Salisbury with the views expressed in the ‘angry satire’ and described him as ‘a peer sympathetic to political reform but deeply hostile to the Junto’s relationships with the Scots’. He ‘was in no doubt where blame lay for this

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<sup>77</sup> A True Copy of a bold and most peremptory Letter sent to the Honourable Earle of Salisbury (London 1641). Clarendon Rebellion ii p.539, iii p.485. CSPDom 1640 p.580.

<sup>78</sup> LJ iv pp.367, 379-80, 382-5 & 391-4.

<sup>79</sup> CP 140/241.

sudden grant of license to the iconoclasts'.<sup>80</sup> Salisbury was angry at the Junto because it had helped to unleash considerable and unnecessary unrest in his own county's churches. However there are other copies of "The Protestants Protest", which suggests that it may not have been Salisbury's own work. The Sloane item was annotated 'The copy of a most base and slanderous wicked libel'.<sup>81</sup> The outcry that the Orders produced may have prompted the king to write from Edinburgh on 18 October 'I am constant for the doctrine, and discipline of the Church of England, as it was established by Queen Elizabeth and my father.'<sup>82</sup>

The two Houses appointed committees to sit whilst Parliament was in recess; these were effectively the government in Charles' absence. On 1 October a second attempt was made by the Commons' committee to persuade the king to accept Salisbury as his Treasurer by combining the request with a new grant of tonnage and poundage. The king ignored the request and said he would only accept a grant for life. He refused any temporary grants and would not barter away his remaining prerogative powers, for he would rather live on his landed income than do that.<sup>83</sup>

These events were reported in the European Courts. The Venetian ambassador said that the Lower House

'asked that the vacant offices of Great Steward and Lord Treasurer should be bestowed on the Earls of Pembruck and Salisberi, who are Puritans ill disposed to his Majesty and strong partisans of the parliament. The King, although very sensible of the reflection upon the prudence of his government, and about his absolute prerogative of appointing to offices, accepted the paper without alteration, and made a good reply. But on the other hand, on the next day he nominated as Great Steward the Duke of Richmond, formerly Lenos [Lennox], one of those accused as being responsible for past disorders, showing his constant determination not to consent to any further encroachment upon his royal rights. The disaffected parliamentarians are highly incensed at this and threaten further attacks and charges.'<sup>84</sup>

Had Charles accepted Salisbury and Pembroke, they might have been an effective bridge to the Commons. They could perhaps have isolated the more extreme elements

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<sup>80</sup> Adamson Noble Revolt p.361.

<sup>81</sup> BL Sloane Ms 1467 fo 130.

<sup>82</sup> Ibid. 1467 fo 150.

<sup>83</sup> LJ iv p.394-5. CJ ii p.326. Willson Havelock Coates Journal of Sir Simonds D'Ewes (New Haven, US 1942) pp.207-8 & 216. Privy Council Register xii pp.200-1.

<sup>84</sup> Cal S.P.Venetian 1640-1642 pp.260-1.

led by Pym. Charles would never have agreed on religion with Pym and his adherents. Salisbury and Pembroke were not extreme men and were acceptable to a majority of the Commons and those lords who, like Northumberland, Leicester and Holland, reluctantly found themselves challenging the Crown. They could have attracted the moderates in sufficient numbers in both Houses to avoid a confrontation had Charles been prepared to be pragmatic. Charles had to change, if those who realised they had gone too far were to risk testing his goodwill.

Whilst the king continued to employ counsellors that held strong beliefs in parliament, they were able 'to believe that their principles were compatible with the crown's service' and that those principles did not have to be those of opposition. In the period after the Army Plot in May 1641 to the end of that year Charles made it clear he no longer wished to be advised by them. This pushed them into opposition and eventually onto the parliamentary side in the Civil Wars.<sup>85</sup>

A Lords' vote, immediately prior to Christmas 1641, in favour of deferring discussion of a request from the Commons to remove the king's man Lunsford from his recently appointed position as Lieutenant of The Tower, provides an insight into this process. Lunsford's appointment was seen as the prelude to the use of force against Parliament and the impeachment of the 'dissident' leaders. The minority decided to enter their protests, and of the sixty peers present twenty-two did so. The vote amounted to a public condemnation of Charles' government and the start of open opposition by the 'godly peers'. Salisbury voted for the delay and was amongst the group that generally later became the royalist camp. He did not join his friends Pembroke and Northumberland in opposition. Salisbury was in a complicated position, with a place at Court and a privy councillor, and would have lost any credibility he might still have had with the king. Charles realised that he had gone too far and

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<sup>85</sup> Conrad Russell 'Nature of a Parliament in Early Stuart England' in Howard Tomlinson ed. Before the English Civil War (London 1983) pp.16-7.

replaced Lunsford, so the initiative had passed back to the ‘dissident’ lords in Parliament.<sup>86</sup>

Salisbury joined twenty-two peers who entered a protestation when the Lords voted against a Commons’ request to dismiss Lunsford’s replacement on 17 January 1642. In a complex situation he was having a difficult time in balancing his royalist loyalties with his parliamentary and religious inclinations.<sup>87</sup>

The Crown had a veto on any bill that passed the two Houses and Charles could therefore render proceedings pointless. An ordinance was an innovation that the two Houses introduced to bypass the need to obtain the king’s assent in his absence or incapacity and to pass legislation that had the same force as statute law.<sup>88</sup> The Militia Ordinance of 5 March 1642 argued that the king had been misled by

‘the bloody Counsels of Papists and other ill-affected Persons, who have already raised a Rebellion in the Kingdom of *Ireland*, and...fear they will proceed not only to stir up the like Rebellion and Insurrections in this Kingdom of *England*, but also to back them with Forces from abroad for the Safety, thereof, of His Majesty’s Person’

Salisbury was not amongst the sixteen lords who used their Right of Protestation against the measure, showing his tacit acceptance of the Ordinance.<sup>89</sup>

The two Houses had legally usurped the king’s military authority; this enabled them to appoint their own Lords Lieutenant and Deputy Lieutenants. The ordinance list included Salisbury for the counties of Dorset and Hertfordshire, as well as the county and town of Poole.<sup>90</sup> The two Houses were once again flexing their muscles on 5 April when they voted to petition the king for his Royal Assent that the ‘Great Officers of State and Privy Counsellors to be displaced, and others recommended by the Parliament to be put in their Room.’ Eighteen lords recorded their protest against the measure;

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<sup>86</sup> Adamson *Noble Revolt* pp.474-7. *LJ* iv pp.489-90. Russell *British Monarchies* p.440.

<sup>87</sup> *LJ* iv p.506.

<sup>88</sup> Smith *Stuart Parliaments* p.233.

<sup>89</sup> *LJ* iv pp.622, 625-7.

<sup>90</sup> *LJ* iv pp.625-7.

Salisbury was not amongst them. He was almost certainly in the House because he was appointed to the ‘Committee to consider of scandalous Books, &c.’ that day.<sup>91</sup>

Salisbury was appointed to a committee ‘to consider what Lords have Leave to be absent and who not.’ The Lords ordered on 9 April

‘That the Lords that have Leave given them by this House...if they go to any other Place, Their Leave formerly given them shall be void...That there shall be no more Leave given to any Lords to be absent, until the Pleasure of this House be further known.’<sup>92</sup>

The parliamentary lords did not want their numbers to be dissipated and their legality compromised, especially if the absentees went to the king.

Charles asked all his peers to attend him at York for a Great Council. Salisbury went to York in May 1642 despite the two Houses’ wishes. His behaviour shows the extreme tensions that he must have experienced dealing with such a clash of loyalties.

He had told the Lords on 13 April

‘That he had received a Letter from His Majesty, under His Sign Manual, to command him to give his Attendance on His Majesty at *Yorke*, with a Letter of Dispensation and Licence to be absent, and give his Proxy, and, according to the Duty he owed to this House as a Peer, he humbly desired to know the Pleasure of the House herein, whether he should go or not.’

‘Then the House commanded the Letter to be read’

‘We have thought good, by these, to second Our former Commands of the 23<sup>rd</sup> of March last, for your attendance upon Us here (as one of Our Prime Officers of Our Household) at *St. George’s Feast*...’ We are so well persuaded of your Obedience to this Our Just Command, as We believe that you will not fail Our Expectation herein.’

‘Hereupon the House took the same into Consideration; and commanded and Ordered the said Earl of *Salisbury*. That he shall attend the House’<sup>93</sup>

Had the Lords agreed that Salisbury could go it would have recognised the king’s authority over them. Charles’ letter was a clever piece of pressure on a member of his household and a Garter Knight. Northumberland, Pembroke, Seymour, Essex, Holland and Saville also owned up to having received similar letters. The last two resigned their places as Lord Chamberlain and Groom of the Stool.

For the members of the Order of the Garter the moral pressure must have been significant. There were fifteen noblemen who were holders of the honour at the time of

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<sup>91</sup> *LJ* iv p.700.

<sup>92</sup> *LJ* iv p.708.

<sup>93</sup> *LJ* iv p.714-5. *HMCB. & Q* i p.294. ‘upon three hours debate, the resolution was they should serve the King here in Parliament’.



the king's letter. If we take out the three Scots, Morton, Hamilton and Lennox, as well as Somerset ensconced within The Tower, and Danvers too ill and old to take sides, we are left with six parliamentarians, Salisbury, Pembroke, Northumberland, Arundel, Mulgrave and initially the waverer Holland. The remainder, royalists, consisted of the disgruntled Lindsey, who gave his life for the royalist cause at Edgehill, Dorset and Hertford, peacemakers from the royalist camp, and the hardliner Berkshire. It is striking that the majority wanted a negotiated settlement and only Berkshire from the royalist side was against one.<sup>94</sup>

Salisbury left Westminster with his son-in-law Devonshire. They told no one, not even their wives, but pretended they were going to hunt at Hatfield.<sup>95</sup> In York he signed a Declaration, together with thirty-four other peers, that the king had no intention of waging war on his Parliament. He also subscribed to an Engagement with thirty-seven other lords, but 'Salisbury within a few days after stole away to London.'

The engagement or oath was

'to bear a true and faithful allegiance to my true and undoubted Sovereign Lord Charles and to resist to the utmost hazard of life and fortune all seditious, rebellions, conspiracies, covenants, and treasons against his royal dignity and crown, raised or set up under whatsoever pretence of colour so ever' and especially the positive engagement to 'defend his Majesty's person, crown and dignity, just and legal prerogatives against all persons whatsoever, and not to obey any rule, order or ordinance concerning the Militia that hath not the Royal assent.'<sup>96</sup>

Salisbury had not registered a dissenting vote when the Militia Ordinance was put before the Lords and presumably had to argue that he either did not take the Oath of Engagement or was pressurised into doing so. His motives must have come under suspicion from both sides but he surely found himself to be in an impossible position.

The atmosphere in York was highly charged and probably uncongenial to Salisbury if he was trying to broker a compromise. The king's Court would naturally

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<sup>94</sup> Holmes Garter, Woolrych Britain in Revolution pp.239 & 412. David L. Smith Constitutional Royalism and the Search for Settlement, c. 1640-1649 (Cambridge 1994) p.109, hereafter, Smith Constitutional Royalism.

<sup>95</sup> HMC B. & Q i p.301. Henry Elsing Remarkable Occurrences of State (London 1642) Northampton and Monmouth also went to York at the same time according to Elsing.

<sup>96</sup> Sir Philip Warwick Memorials of the Reign of King Charles the First (Edinburgh 1813) pp.234-5, hereafter, Warwick Memorials.

attract the more militant loyalists hoping for fame and fortune and would have little time for those seeking to avoid confrontation. Was it this that prompted Salisbury's return to London? Some contemporaries saw him as weak and inconsistent in his political beliefs. He did not help himself when he went to the Lords to declare 'That, whereas his name is printed as One of those Lords who have offered Horse at *Yorke*, his Lordship did disclaim it, as a Falsity.'<sup>97</sup>

Salisbury was in a difficult position as he tried to remain constant to his political and religious beliefs. He had been in the Court since his childhood and had an inbred loyalty to the idea of monarchy, as he had maintained in print in 1632.<sup>98</sup> He had a personal appointment in the royal household, as well as his oath as a Garter Knight to square with his conscience. He also had his kinship ties and family heritage to consider. It was a choice between continuing to support the time-honoured system of monarchy, despite Charles' personal failings, and the two Houses intent on reducing this monarch to a cipher. It was by far the most difficult decision that Salisbury had to make in his life. All the peers were faced with the dilemma of either supporting Charles or Parliament, unless they tried to retain a neutral position. There were moderate members on both sides who continued to work for a honourable outcome, but their efforts were made immeasurably harder once Charles raised his 'Standard Royall' at Nottingham on 22 August 1642.

The two Houses sent Edward Howard to Charles with 'Nineteen Propositions' on 1 June 1642. These would have resulted in them having complete control whilst they were in session if he had accepted them. The Privy Council was to revert back to the consultative position it had lost, in place of 'the Advice of private Men, or by any unknown or unsworn Counsellors' and would also be the effective power between

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<sup>97</sup> LJ v p.210. Crummett Lay Peers p.339. Clare was the only name missing.

<sup>98</sup> Downing Discourse

triennial Parliaments. The Propositions were clearly unacceptable to any king that had Charles' belief in his prerogative.<sup>99</sup>

Northumberland's letters to Salisbury helped bring him back to London and turned him away from being a reluctant royalist. His first letter was dated 31 May 1642. The Propositions are dated 1 June, but they had been debated by Parliament in the days prior to that.

'I do not know how it will be possible in the way of justice to divide your Lordship from the other Lords that are faulty...we have only cited your Lordship and the rest to appear against a certain day...The only way to redeem what you have lost is to do all the good offices you can whilst you stay at York, and to return hither again with all convenient speed'<sup>100</sup>

Pyckeringe, a Parliament messenger, had been sent to York and made his report on 30 May.

' Mr. *John Pyckeringe*, upon Oath, declared what Lords he met going to *Yorke*, and did see at *Yorke*: L. Keeper [Lyttleton]. E. of *Monmouth*. E. of *North'ton*. E. of *Sarum*. *He heard he was sick a-bed*. E. of *Devonshire*. E. *Dover*. L. *Dunsemore*, at York. L. *Andover*. L. *Capell*. L. *Rich*. L. *De Grey*. L. *Lovelace*. L. *Coventry*.'<sup>101</sup>

The Lords responded by ordering the absentees to appear on 8 June.

This encouraged Northumberland to contact Salisbury on 7 June and advise him that

'our House was more sensible of your leaving them than they were of the rest as less expecting it from you...If you not do something to redeem the good opinion of the Parliament, you will in danger to undergo as heavy a censure as those other Lords...I do not apprehend what greater inconvenience can happen to your Lordship for disobeying a verbal command of the King's (which you allege for the reason of your stay) than is likely to fall upon you for not obeying this writ...I do believe that having discharged that which you supposed to be a duty, you may see cause to return. P.S. If I can prevail I will persuade some of my friends that we may proceed not too hastily against those Lords that are good friends, so as we may still have it in our powers to show favour to those that shall deserve well of the Parliament.'<sup>102</sup>

William Montagu heard on 8 June that 'my Lord of Salisbury and some others that went to Yorke are returning home again.'<sup>103</sup> Northumberland sent Salisbury a further letter on 14 June observing that

<sup>99</sup> LJ v pp.97-9.

<sup>100</sup> CP 131/176.

<sup>101</sup> LJ v p.92.

<sup>102</sup> CP 131/177.

<sup>103</sup> HMC Buccleuch & Queensbury vol i p.304.

‘an unwillingness in you to displease the King you are resolved to stay in York...if you speedily return I dare confidently say that you shall not suffer any kind of censure from our House from what is past; but if you be satisfied in your own judgement if it is fittest for you to remain there at York, I will forebear to trouble you with any further thoughts of mine upon that occasion’<sup>104</sup>

This was followed two days later by another letter which informed Salisbury that

‘The House of Commons have this day brought up an impeachment against the 9 Lords that returned in answer to the Parliament...I can assure you that we resolve to make a great difference betwixt you and some others who, we hear, have expressed good affections to the Parliament and those 9 Lords whom we conceive to be fit to make examples of. If you or any other Lords excepting those 9 do return unto the Parliament, I do not doubt of your being well received, and what is past will not be remembered.’

The nine lords’ defence was that they went to give their obedience to the king, and would return on his order and when they could safely sit at Westminster, free of threats and violence.<sup>105</sup> The House of Lords proceeded with the impeachment in their absence on 15 July.<sup>106</sup>

Northumberland’s final letter was dated 20 June and told Salisbury that

‘There remains now nothing more for me to inform you of but you will receive a very hearty welcome both from the Parliament and from your own particular friends’<sup>107</sup>

Salisbury had probably realised the impossibility of changing Charles’ mind.

The ‘middle way’ that he had tried to follow was no longer feasible and was politically naive.

Salisbury was reported to have stood up to the king whilst in York and to have said that if to serve him meant he must neglect Parliament; then he would not do the former. As if to confirm this, he wrote to Northumberland saying he valued his conscience more than his place. William Montagu reported on 9 June that ‘My Lord of Salisbury’s return is daily expected...he values his conscience above his place, and will therefore leave his place, and keep that.’<sup>108</sup>

This shows the struggle Salisbury had in making the decision to come back.

Northumberland must have thought it worth his effort. It was not just family loyalty, for

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<sup>104</sup> CP 131/179.

<sup>105</sup> LJ v p.115.

<sup>106</sup> LJ v p.210.

<sup>107</sup> CP 131/181.

<sup>108</sup> Rushworth Collections iv p.461. HMC B & Q i p.305.

Anne Cecil had been dead for five years. He knew that Salisbury could be an ally in pursuing a middle way with his wealth, prestige and a following in the Commons. He had two strongly parliamentary sons there, Cranborne and Robert, who had been made Captain of the St. Martin's trained band on 2 February that year.<sup>109</sup> The second earl's Protestantism and patronage of independent preachers together with his previous political record would have attracted the 'godly' element to him.

The Lords asked Salisbury to appear at the bar of the House as a sign of their displeasure, but the order was dispensed with when Northumberland informed the House that Salisbury had returned to Hatfield House. He was allowed to make an apology instead and escape the indignity of appearing at the bar of the House as a delinquent.

'He confessed, he hath committed an Offence in going away to Yorke, without Leave of this House, for which he was heartily sorry....That the King sent him an express Command, upon his Allegiance, to give his Attendance, which accordingly he did, and when his Lordship came to Yorke, he desired the King's Leave to come to the Parliament; but his Majesty commanded him not to come away, yet his Lordship came away without the King's Leave.'<sup>110</sup>

Charles negated Salisbury's commission as Captain of the Pensioners on 7 July 1642, when he also dismissed Leicester from his Lieutenantship of Ireland and Warwick from his command of the Navy.<sup>111</sup>

The Lords may have shown Salisbury patience because he had access to the king and the opportunity to seek a compromise. Northumberland's remarks that 'the only way to redeem what you have lost is to do all the good offices you can whilst you stay at York' and 'have expressed good affections to the Parliament' suggest that.<sup>112</sup>

Salisbury was perhaps lucky that his judges were the Lords and not the Commons. They would have remembered that he had been a member of Charles' Privy Council and had pursued the collection of the forced loan and ship money, imprisoning

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<sup>109</sup> CJ ii p.409.

<sup>110</sup> LJ v, pp.151 & 156.

<sup>111</sup> Thomas Barom Divers remarkable occurrences that have hapned in the tower Thomason Collection (London 1642)

<sup>112</sup> CP 131/177.

those who had refused payment. Sir Nathaniel Barnardiston in particular had reason to remember Salisbury; he had spent a year in prison and was now in the Commons.<sup>113</sup> Salisbury would not entirely escape these actions, which came back to haunt him in 1647.<sup>114</sup> However, it was in the interests of the opposition to have as many eminent noblemen as possible supporting them when they asked the country for their assistance with money, men and arms.

That Salisbury had tried to get Charles to return to London was made clear in a printed letter of Thomas Andrews of 15 June 1642.

‘out of their loyaltie and care informes his Majesty, that they feared that those who had possessed his Majesties cares and breast with this evill and destructive counsel, they did very much feare would at the time of most hazard and danger, be backward and unwilling to put his will into execution. These perswasive reasons could not alter his Majesties resolution for the present, but he seemed to be somewhat displeased with their advice; Whereupon some of his counsel whose hearts and integritie stood well affected to the State, left his Majestie, viz, the Earle of Dorset, the Earle of Salisbury, the Earle of Clare, with one more Lord more whose name for the present, I cannot remember, took their leave and would have come to London.’<sup>115</sup>

Clarendon, a dedicated royalist, wrote that Salisbury’s motives were ‘so totally without credit or interest in the Parliament or country’ and shaped only by the possible loss of Hatfield House, which he ‘believed to be the highest point of prudence and politic circumspection’.<sup>116</sup> Hatfield House was close to London, where Salisbury also had properties, all of which would have been put at considerable risk. London was a bastion of parliamentary support and he had seen how the London mob could be used to intimidate opponents. Cranborne Manor did suffer considerable devastation at royalists’ hands and came close to being destroyed. Clarendon was writing in 1646-7 and was understandably bitter at being on the losing side. He probably thought their defeat would not have happened but for the lords who had supported the opposition. The

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<sup>113</sup> CSPDom1627-8 p.66.

<sup>114</sup> HMC De L’Isle vi pp.560-1.

<sup>115</sup> Thomas Andrews His Majesties Resolution concerning the setting up of His Standard (London 1642) pp.5-6.

<sup>116</sup> Clarendon Rebellion iii pp.495-6.

evidence does not support Clarendon's denigration of Salisbury's motives. Clarendon later came to realise that he had been supporting a flawed cause.<sup>117</sup>

Wormald felt that Clarendon's History of the Rebellion was understandably royalist in tone, because he was prepared to accept that

‘self-preservation and reaction to provocation were allowed as motives in the case of the king and his Royalist servants and were made to explain mistakes and their crimes to the verge often of excusing them, such motives could not be allowed in the case of the parliamentary leaders.’<sup>118</sup>

No one knew in 1642 that the opposition forces would be the victors, and in any case, Salisbury went to York and could not then be sure that he would be welcomed back by the Lords. Salisbury was not alone in his actions; other peers had similar thoughts before and during the conflict, but it took courage to take the decisions he did.<sup>119</sup>

Salisbury's religion was more in sympathy with that professed by most of the dissidents. He would certainly have suspected that a victory for Charles would open up the prospect of a return to further anti-Calvinist innovations and even Catholicism. Had Salisbury remained in York the Cecil family would have been split, with two sons in the Commons supporting the opposition side. For an obviously proven family man like Salisbury it would have been completely out of character.

The commissions given to Lords Lieutenant had been declared null and void when the Militia Ordinance was passed; the two Houses named new men they hoped would support them. Salisbury was retained in Hertfordshire and also appointed as Lord Lieutenant of Dorset and the town of Poole. This showed the opposition's confidence in him, in contrast to other lords who had suspected royalist or recusant tendencies. However, Salisbury's absence in York must have shaken that confidence and placed his

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<sup>117</sup> David Cressy England on Edge, Crisis and Revolution 1640-42 (Oxford 2006) pp.110-126. HMC Salisbury 22 pp.380-2 & 387. HMC Salisbury 24 p.281. Irene Coltman Private Men & Public Causes (London 1962) pp.69-98.

<sup>118</sup> B.H.G.Wormald Clarendon: Politics, History & Religion: 1640-1660 (Cambridge 1951) p.157, hereafter, Wormald Clarendon.

<sup>119</sup> Smith Constitutional Royalism pp.42-45. He looked at Hertford's career and his journey in the reverse direction to Salisbury. Hertford was one of the twelve petitioners.

counties in a quandary. The two Houses appointed a committee ‘to consider how the deputy-lieutenants of Hertfordshire could have the power to exercise in the absence of the Lord Lieutenant.’ Lord Cranborne was appointed to discharge his father’s duties on 8 July in both Hertfordshire and Dorset. Salisbury had created a vacuum that needed filling quickly. Four days later the Lords ordered that horses, men and arms should be quickly raised. Robert Cecil was one of the five Deputy Lieutenants that were appointed during the following month, when Cranborne was asked to summon the county militia for preparation for action.<sup>120</sup>

The appointments were necessary to formalise the command structure in Hertfordshire; a petition from the inhabitants of Watford, which was given to the Commons on 1 July 1642, revealed that. They offered their loyalty, £1270 and fifty horses and riders. The House approved the offer.<sup>121</sup>

Salisbury heard from Dorset, a royalist friend at York, just after he had left for London. The letter confirms that Salisbury had been searching for a compromise. Salisbury and Dorset, the queen’s Lord Chamberlain, would have had regular communication in the past, as their duties required some co-operation.<sup>122</sup> Salisbury had been doing ‘all the good offices’; otherwise Dorset would not have appealed to him to continue to ignore the extremists and work for a middle way. Dorset urged him

‘nott to bee active in any course, that may iustly induce his Maiesty, to believe you are engaged or willbee in any faction against him...study day and night, to keepe the more violent spirits from passinge the Rubicon’ [He went on to give his opinion of] ‘the tractable and councellable disposition of the King’ but that he was ‘apt to take extempore resolutions, upon the first impression’ whilst hoping for ‘an easy and safe way’ [out of] ‘this darke and inextricable labyrinth’.<sup>123</sup>

Dorset was a moderate and an independent-minded royalist; which shows how close those on the divide between King and Parliament were.<sup>124</sup> They wanted a

<sup>120</sup> CJ ii pp.459 & 732-3. LJ iv pp.193 & 207 & v pp.625-7.

<sup>121</sup> Humble Petition of the Inhabitants of Watford (London 1642)

<sup>122</sup> ODNB ‘Sackville, Edward, fourth earl of Dorset (1590-1652)’

<sup>123</sup> CP 131/182 27 June 1642.

<sup>124</sup> David L. Smith ‘More Posed and Wise Advice: The Fourth Earl of Dorset and the English Civil Wars’ in HJ (1991) vol 34 pp.797-829, hereafter, Smith ‘Wise Advice’.



constitutional settlement and had more in common with each other than with the extreme elements they now found as comrades. Dorset did not care that Salisbury had returned to London, only that once there he should promote reconciliation. On 4 August he warned Salisbury

‘Bee nott an actor or adviser in extreme courses that will sett all on fire and burne the authors in there owne flames first or last bee they whome they will, ether on one side or other, for noe dought there are to many hot headed people both heare and att London. That advise and perswade desperate wayes’.

Dorset also observed that

‘the day of doome approacheth’ [and] ‘the Rubicon is past’.<sup>125</sup>

He had clearly realised that Charles had gone too far and it would now be difficult for him to turn back.

Dorset had, according to Giustinian, the Venetian ambassador, been an early victim of the war. On 27 August 1642 a party of horse took all the arms and other private stores from his great house at Knowle on the pretext that they were destined for the king and arrested and imprisoned the custodian. Dorset wrote to Salisbury, probably in May 1643, to thank him for his ‘noble assistance in the preservation of my house at Knowle from the rapine of unconscionable men.’<sup>126</sup> The raid on Knowle was an understandable action; a cache of arms could have been used by a local uprising and was a warning to those who had property within the lines of communication.

Dorset was amongst those who consistently urged Charles to keep a dialogue going with the two Houses. The king reluctantly acted upon their advice as early as 30 August, only eight days after raising his Standard. He sent Dorset and Southampton to the Lords as peace commissioners. They reacted, according to Clarendon, ‘with unheard of insolence and contempt’, a response that gave strength to the royalist ‘war party’.<sup>127</sup> Dorset was again seen as the channel to the king when Essex approached him on behalf of the opposition. Charles replied once again he would negotiate, but not with

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<sup>125</sup> CP 197/127.

<sup>126</sup> CP 197/126. *Cal S.P.Venetian 1642-3* p.135.

<sup>127</sup> Clarendon *Rebellion* ii p.305.

any he had declared traitors.<sup>128</sup> The first major battle followed shortly after this at Edgehill and the Lords' efforts can be seen as the final effort to avoid an armed conflict. However, the approach may have strengthened the royalists' belief in their superiority.

There were men who continued working to bring the two sides back together to stop the extremists from prevailing. Their efforts were unpublished at the time for obvious reasons, but enabled contact to continue. They made up the majority of the negotiators, but their efforts proved to be in vain.<sup>129</sup> The goodwill these contacts must have generated helped to mitigate some of the misery of the 'aristocratic club' caused by the conflict. Royalist property was sequestered, but the parliamentary peers often tried to ease the situation. Parliamentarians probably received reciprocal treatment at the Restoration because of this.

Salisbury's son-in-law Devonshire had his property sequestered. He was one of the nine impeached lords, expelled from the Lords and committed to The Tower. He fled the country and returned in 1645 to submit himself to Parliament, when he was fined £5,000. He could not pay this, so Salisbury came to his rescue. A parliamentary committee met on 16 September 1645 and pardoned Devonshire.<sup>130</sup>

Anzolo Correr, the Venetian ambassador, had foreseen in 1637 that Charles' policies had stretched the political consensus dangerously and could end in tears. He thought it was only for the want of 'leaders, which they have not, it would be impossible to quiet them'. Correr said that Charles 'has had the laws interpreted in his favour by the lawyers of the realm' and exacted 'yearly taxes by virtue of his royal authority' on hops, wine, taverns, tobacco, coal, soap and other goods. He had also raised ship-money on all houses and fines on forests that men 'have held for many

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<sup>128</sup> LJ v p.380, 384-5 & 411-2. CJ ii pp.791 & 816.

<sup>129</sup> Smith Constitutional Royalism pp.109-143. He details the negotiations.

<sup>130</sup> Kingston Hertfordshire p.148. CJ iv p.275.

centuries'. Correr then turned to religion and opined that beyond the Catholics and Protestants a third party had emerged.

'This formed of the bulk of the people, of the lesser nobility, of some of the bishops and not a few of those lords who either from detestation of the servitude or because they are offended have not access to the Court. Taking the doctrines of Calvin as a basis for the reform of bishops and parliaments.'

He concluded 'that a prince who attempts, even with just cause, to reduce his subjects to servitude, who have been born under the laws of liberty, has a truly royal spirit and dares to the limits of daring, but he ought to realise in doing so he is putting his state in a constant fever, rendering it turbulent, rebellious and greedy of change'.<sup>131</sup>

This contemporary analysis, by an independent observer, illustrates the turmoil that men with Salisbury's religious beliefs must have suffered before they felt they had to confront Charles and try to get him to see reason. Throughout these years he had struggled to balance his instinctive loyalty to the Crown with his political awareness of the extreme unpopularity of Charles' policies. Salisbury probably realised by June 1642 that the incompatibility of his religious and political views with those of the Court created an untenable situation for him. The number of peers who wanted civil war in the middle of 1641, rather than feared one, was small. When it came, Salisbury was a consistent member of the peace treaty teams. His journeys to York and back to Westminster showed a man wrestling with the dilemma, like the earl of Hertford, to decide what form of constitutionality his conscience would allow him to accept. Salisbury could have logically arrived at this decision by deciding that the kingdom needed a constitutional monarch before he could be a constitutional royalist.<sup>132</sup>

It cannot be understated the amount of courage and the potential disaster that Salisbury's actions in May 1642 could have brought upon himself and his family. That he was unsuccessful in his efforts should not lessen recognition of this. He was probably seen by many at the time, and certainly since, of being weak. He was always a pragmatist, who responded to changing circumstances but held to his principles.

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<sup>131</sup> Cal S.P.Venetian 1636-9 p.300.

<sup>132</sup> Smith Constitutional Royalism pp.42-5.

## Chapter Six.

### From the Declaration of War to the Formation of the New Model Army.

The next two chapters look at Salisbury's part in the opposition's struggle to try to reach an accommodation with Charles and the gradual realisation that only his outright military defeat might bring him to negotiate. Recent research by Crummett and Adamson has been invaluable in clarifying the anatomy of the House of Lords and the peerage's motivations and activities.<sup>133</sup> There are a number of publications that deal with the events on the battlefield, but I have only mentioned these where they have impinged directly on the political life of the Lords. These include the works of Clarendon, a contemporary, and of Gardiner, whose views reflected a much later outlook.

When the king raised his standard it is doubtful if anyone could have envisaged that it would lead to his execution six and a half years later. The opposition lords spent those years trying to reach an accommodation with the king. They never wanted the king's head or parliamentary sovereignty, but only to limit his powers. It has been suggested that they were looking for 'a sort of aristocratic conciliarism to continue the government in the king's name until he came to his senses.'<sup>134</sup>

The opposition knew that they were playing for high stakes and could not expect any leniency in defeat from the king. In their eyes Charles had proved himself to be untrustworthy and therefore any settlement he made would have to give them cast-iron guarantees. They would need to hold the crucial positions of power and be sure that Charles could not dislodge them.

To appreciate the small number of lords on the parliamentary side and the burden they carried, it is helpful to understand the composition of the peerage. It is

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<sup>133</sup> Crummett Lay Peers. J. S. A. Adamson unpub PhD The Peerage in Politics, 1645-49 (Cambridge University 1986), hereafter, Adamson Peerage.

<sup>134</sup> Russell British Monarchies p.472.

unnecessary to consider the bishops once they had been impeached, since they could no longer claim their seats. Adamson considered they ‘had become the sheep led whither the King would lead them’ and ‘had imbued the entire question of bishops’ votes with a distinctly secular, political colour’.<sup>135</sup> The lay lords numbered one hundred and thirty-two when Parliament opened on 3 November 1640. That number included those who were unable to take their seats; nineteen Catholics; nine minors; another four that were too old to attend, two more that were considered to be insane, and Somerset and Middlesex who were both barred. That meant that ninety-six were eligible to receive a writ.<sup>136</sup>

The sons of senior members of the nobility were entitled to seek election to the Commons, so nearly half the membership of the House of Lords had some previous experience there and were familiar with their procedures. The contemporary noble members of the Commons would have had a considerable influence in their House because of their backgrounds. Cranborne and his brother were examples of this. Many peers had contact with members of the Commons through family connections or patronage, or positions within their households, as well as the ability to provide positions for those whose support they needed. This made co-operation and compromise between the two Houses much easier. As the number of lords at Westminster declined, those who remained became more influential and grew in stature, filling the vacuum left by the king and his Court.<sup>137</sup>

Before the civil war the lords were two loosely bound groups, distinguishable between those with Court affiliations and those outside, the ‘country’ peers. The Court peers either enjoyed positions given by the Crown, or regularly attended the Court because they were privy councillors or hoped to be noticed by their presence. They all

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<sup>135</sup> LJ iv p.396. J. S. A. Adamson ‘Parliamentary Management, Men-of-Business and the House of Lords, 1640-49’ in ed Clyve Jones A Pillar of the Constitution (London 1989) pp.26-7.

<sup>136</sup> Crummett Lay Peers p.1.

<sup>137</sup> Ibid p.3.

had a degree of dependency on Charles and generally agreed with his anti-Calvinist religious outlook. The ‘country’ peers included many Lords Lieutenant, who were aware of the problems caused by Charles’ policies in the localities. They were usually staunch Protestants, which was generally the creed of the lesser nobility. They felt alienated because they were unable to gain access to the Court, or if they did, they then experienced ‘the servitude’ which dependence upon the Court demanded. The Venetian ambassador recognised this division in 1637; that ‘the people were disaffected, to such a pitch, that if they had leaders, which they have not, it would be impossible to quiet them.’<sup>138</sup>

The older nobility were also disaffected and were mainly found in the alienated ‘country’ group. When the Long Parliament opened, forty-one of the hundred and twenty-three titles held by peers had been created before the accession of James. He created thirty-seven, and forty-five were Charles’ ennoblements. James was responsible for the initial creation of Salisbury, but the second earl probably thought of himself as descended from the earlier creation of Burghley. Adamson made the point that the ‘distinctly blue-blooded’ peerage was well represented in the Lords during and after the civil wars.<sup>139</sup>

Crummett considered that twenty-eight peers could be associated with the Court group. These included Salisbury, Pembroke, Holland and Northumberland because of their Court positions and councillor status. Their loyalties had been strained by Charles’ policies and they were obviously in the ‘country’ group by the time the king raised his standard. Many members of the peerage rallied to his call, and that, plus those who decided to retire to their estates, meant that the numbers attending the Lords fell dramatically. Only thirty-seven peers attended Parliament at least once between December 1642 and the end of 1644, which meant that the ‘country’ group faced less

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<sup>138</sup> Cal S.P.Venetian 1636-9 p.300. 24 October 1637.

<sup>139</sup> White Complete Peerage & ODNB. The initial date of a creation has been used to obtain these figures. Adamson PhD Peerage p.10.

opposition there and any voices for the king were muted. The ‘country’ group divided between two opinions: those who were all for making peace with the king on terms he might accept and those that wished to pursue a much harsher line. A vote was taken in the House on 20 December 1642 on the merits of peace proposals that were to be sent to the king. The thirteen men that voted for them can be seen as the ‘peace party’ and those against were the more militant. These used a previously rare procedure to have their votes recorded as a Protestation should they lose the vote. This now became a regular feature in the Lords’ Journal and turned it into a record of dissent. This vote was an important one and it is reasonable to assume that all those who could attend did so. Peers like Essex were of course absent on military duties. The thirteen lords in favour of the peace proposals were Salisbury, Exeter, Bedford, Clare, Holland, Northumberland, Pembroke, Suffolk, Rutland, Bruce, Howard of Escrick, Nottingham and Lovelace. The nine militants that opposed the proposals were Bolingbroke, Manchester, Peterborough, Warwick, Saye, Brooke, Grey of Wark, Wharton and Willoughby of Parham. It was notable that the ‘peace party’ was in the majority and that Bedford, Clare, Holland and Lovelace were later to join the king.<sup>140</sup>

The use of labels to describe similar-minded individuals as members of a party in the modern sense is entirely misleading. Those individuals in both Houses that had similar interests are of use to historians to illustrate groupings. Besides the ‘peace party’ two other labels are often used: the ‘war party’ and the much more numerous ‘middle party’. The ‘parties’ were not bound by any discipline to vote in any particular way, but came together when individuals felt a policy did, or did not, reflect their views. A problem for modern historians in considering these votes arises from a contemporary procedure. All members that were in the House when a division was called had to vote; the luxury of abstention was not available. On contentious issues

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<sup>140</sup> LJ v p.508. Crummett Lay Peers p.367.

therefore the larger 'middle group' had to make a choice between two extremes, neither of which they might have whole-heartedly supported.<sup>141</sup>

The opposition lords' energies were divided between the military leadership, men like Essex, Manchester, Warwick, Denbigh, Willoughby, Robartes and Grey of Warke; and the leadership of the civil authority, Northumberland, Pembroke, Salisbury and Saye and Sele. The military's aim was to win the war, or at least to force their peace proposals upon Charles from a position of strength. Their military duties obviously made it difficult for them to attend Westminster regularly. The civil authorities had to provide the money, men and equipment to gain the military advantage and then formulate and conduct the negotiations. They all hoped to lead Parliament along the road that best suited their own policies and interests. The military lords utilised the legal fiction that they had never taken up arms against the king, but only against his evil counsellors. All the lords felt that they were respecting their oaths of loyalty to the King-in-Parliament and that their actions were legitimised by the decisions made by Parliament.

When Charles set up his rival administration in Oxford he attracted many of his bureaucrats to him and created a vacuum in London. Aylmer found that just over half of the nine hundred men of gentry or noble status who held paid employment in the king's service remained loyal to him, outnumbering those who stayed out of the civil wars or supported Parliament.<sup>142</sup> That such a large proportion of his followers were prepared to go to Oxford was a remarkable testament to their loyalty and to the Crown's power. The lords filled the gap effectively with their own servants and from within their circles of patronage. These men had the education, training and the experience gained whilst looking after their masters' interests. It gave the Lords an

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<sup>141</sup> Valerie Pearl 'Oliver St. John and the 'middle group' in the Long Parliament: August 1643-May 1644' in *EHR* (1966) vol 81 p.517, hereafter, Pearl 'Oliver St. John'. The unavailability of abstention continued to be the case until 1906.

<sup>142</sup> G. E. Aylmer *King's Servants: The Civil Service of Charles I, 1625-1642* (London 1974) pp.337-344.



immediately strong voice in, and control of, the London-based administration. The alternatives were the City of London authorities or their merchant friends. Their loyalties were suspect and their expertise was unproven; besides which they were socially not acceptable to Parliament.

Money is the lifeblood of any war. It was needed to provide armaments, food and shelter for the troops, who also fight better when they are paid on time. Initially the supporters of both sides contributed eagerly to their causes. The wealthy royalists had the initial financial advantage with their money, jewels and plate. Once the initial burst of enthusiasm wore off and it became apparent that the conflict was not going to end quickly, the opposition side had to institute a more formal and efficient way of raising finance. An ordinance was passed by Parliament on 14 November 1642 that allowed the appointment of committees to raise money through loans. On 26 November the Committee for the Advance of Money was appointed and consisted of sixteen members. The two Houses of Parliament continued their privilege of making assessments on their own and their attendants' wealth, although now it was subject to their fellows' approval. This made it difficult to continue the practice of significantly underestimating their resources.<sup>143</sup>

The Commons told the Lords on 29 November 1642 that they had asked their members to bring in money and plate and wished 'to know of their Lordships...what Money and Plate they will bring in, for the maintaining of the Army.' This was a less than subtle way of asking the Lords to prove their support and irrevocably nail their colours to the opposition cause by a positive action against the king. Matters were not resolved by 6 February 1643, for Salisbury was on a committee set up to assess the Lords' assistants for their twentieth part. This was followed by a request from the

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<sup>143</sup> LJ v pp.445-6 &460-3. William O. Scroggs 'English Finances Under the Long Parliament' in Quarterly Journal of Economics (1907) 21 pp.463-487.

Commons on 13 March to take into consideration the weekly assessment that was to be self-assessed.<sup>144</sup> The next day they agreed that

‘the several Rates and Assessments of the House of Peers in *London* and *Westm.* and the Liberties thereof, shall be made by the several Assessors of each Parish, according to the usual Manner in other Rates and Assessments in the Several Parishes.’<sup>145</sup>

That the Lords were prepared to set a precedent affecting their privilege in this way shows the pressure they were under to show unity whilst the treaty negotiations at Oxford were proceeding.

War is an expensive business and Salisbury was called upon to pay his share and honour any promises of help that he made. He had lent Charles £10,000 to help finance the second Bishops’ War and £5,000 of the repayment had been assigned upon Sir John Wyntour. Salisbury asked on 20 September 1641, following the procedure of the Lords when personal business was involved, for permission to petition the Commons about the matter. They passed the petition to their committee for the Forest of Deane ‘to take into consideration the said Petition and Desire’ of the earl and three days later they tried to expedite it. Salisbury offered to lend this money “for the Service of Ireland”. The Commons accepted this and Wyntour was instructed to pay the £5,000 forthwith on 1 February 1642. The Commons found it necessary on 3 September 1642 to put Salisbury in mind of his former promise and two days later he agreed to lend £1,000 in advance of receiving Wyntour’s money. On 8 September it was ordered ‘That, notwithstanding any warrant from his Majesty to the contrary’, Wyntour was to pay £3,225 from the proceeds of wood from the Forest of Deane. It was only then, when they were able to spend the money on horse that the Commons were fully prepared to trust Salisbury; £5,000 of the capital and £300 of interest was received

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<sup>144</sup> *LJ* v pp.464, 591 & 646.

<sup>145</sup> *LJ* v p.647.

before civil war broke out. The remaining sum was received from the Revenue Committee between 1645 and 1649.<sup>146</sup>

Seven Privy Councillors attended the Lords in the years up to 1645. Essex and Manchester were generals, so their military duties usually kept them away; and Holland, who defected to the royalists in August 1643, only to return later, lost his entitlement to sit. The others, Northumberland, Pembroke, Saye and Salisbury were in regular attendance; their status, together with their membership of the important administrative and executive committees gave them powerful voices. They were also able to influence their Commons' associates through their constant close contacts in these committees. The four ex-councillors were members of the 'peace party' that came for a while to be seen as the best route to a settlement. Ironically this was also the case well before any hostilities had broken out.

The nature of the contact between the two Houses altered dramatically during the Long Parliament. The Lords had received legislation from the lower House for their acceptance or revision, but now they could initiate bills to be sent down to the Commons. The two chambers used to meet in formal conferences, when the Commons would come to the Lords; now regular contact was made at joint committees, often outside Parliament, where the discussions were more informal and private. There was naturally a good deal of deference given to the peers on these committees because of their rank, experience and wealth, as well as their ability to provide patronage.

It was important that the two Houses agreed; otherwise they would be unable to pass any ordinances and the country needed to see they spoke with the same voice. The royalists would also gain a propaganda advantage. Salisbury was active in providing patronage to help the process of agreement, although it would be simplistic to see this as bribery. Patron and client usually shared the same objectives, as the example of

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<sup>146</sup> CJ ii pp.351, 353, 404, 409, 750, 752 & 759. LJ iv p.482. Salisbury was appointed to the Joint Committee for the Forest on 25 November 1640. LJ iv p.96 & v pp.343-4. Stone Family and Fortune pp.120 & 143.

Samuel Browne illustrates. He was a leading member of the Commons and shared Salisbury's views on a church settlement based on an Erastian presbyterianism that would tolerate some independent congregations. Salisbury employed him as Steward of his Middlesex estates in 1646, when he was particularly useful in his discreet work on Salisbury's behalf in the civil war Exchequer. Browne was added to the Committee of Lords and Commons for the Excise on 3 June 1646. The same day he reported further amendments to an ordinance about preventing scandalous persons from receiving Holy Communion. These amendments included a fresh list of commissioners to sit in judgement on breaches of this ordinance. They included Browne, Salisbury and Cranborne. This was an example of where the Salisbury 'interest' group in the Lords matched that of the Browne 'interest' in the Commons and by acting together they were in a powerful position to influence the direction of policy.<sup>147</sup>

Salisbury was amongst the five peers the Lords wanted added to the Committee of Revenue in early 1644. The request was left on the table until March 1646 when the Commons agreed. The option may have been revived then, when it became apparent that Charles was beaten militarily and the flow of money to the committee would increase. It had been a Commons' committee only when few receipts came to Westminster.<sup>148</sup>

The Self-Denying Ordinance of 1645, which will be considered later, gave Northumberland, Pembroke, Salisbury and Saye, together with Wharton, nearly complete control over the Exchequer. Their appointments in 1644 to the Revenue Committee had predated this ordinance and were not affected by it. Lords who were fighting the royalists or who had shown little interest in parliamentary affairs were

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<sup>147</sup> ODNB 'Browne, Sir Samuel (b. in or before 1598 d. 1668)'. CJ iv pp.561-3.

<sup>148</sup> LJ vi p.399. LJ viii p.195 & 241. CJ iv p.491. The other peers were Northumberland, Pembroke, Saye and Wharton.

poorly represented on all committees and therefore had not been able to develop a Commons' 'interest' to help to pursue their policies.<sup>149</sup>

The five peers made sure that the civil servants used by the Revenue Committee were part of their client circle. Sir Robert Pye was the Auditor of the Receipt. He had a long connection to Pembroke and was one of the executors of his will together with Salisbury. Pye's work was in reality undertaken by Thomas Fauconberge, who received all the monies against his simple receipt and did all the accounting. Once Salisbury joined the committee he found employment for Fauconberge doing his own accounts. Arthur Squibb, one of Fauconberge's tellers, also joined Salisbury's household shortly after this.<sup>150</sup> This was an example of Salisbury's trait of wanting his affairs to be properly handled.

Browne and the other clients of the 'peace party' were able to assist their patrons with help for their fellow nobles. Their dominance of the financial committees and the auditing of their affairs enabled Salisbury and his colleagues to receive preferential treatment, which benefited their own financial affairs. Crucial to these arrangements was William Collins, who had been Salisbury's freelance Auditor since the 1620s. He had also worked for several noblemen during that time, including Northumberland and Pembroke. In the 1640s Salisbury was his main employer and on 10 June 1646 Salisbury extended his privilege of peerage to him as 'his menial servant' to escape a subpoena. Apart from the work that Collins performed, first as a member of 'the Committee of accompts' and then, after his appointment in 1647 as Auditor-General of the Revenue, when he was responsible for checking the veracity of the completed accounts, he was Salisbury's trusted advisor on household and staff appointments. He served Parliament as Auditor to the Irish Army in the 1640s. Collins

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<sup>149</sup> LJ vi p.399, viii pp.195 & 241. CJ iv pp.403 & 491.

<sup>150</sup> Adamson Peerage pp.40-41. HMC Salisbury 22 pp.417-8, 423 & 428. LJ vi pp.227-9.

was also called upon to help the Exeters when the royalists threatened the Burghley estates with sequestration.<sup>151</sup>

Edward Atkyns of Lincoln's Inn served the Cecils for many years and first appears in the Cecil Papers in 1627 as the earl's legal counsel. Atkyns became his deputy as Master Forester of the Game and Steward of Enfield Chase. He was by 1642 Steward of Salisbury's Middlesex lands until 1646, when he became Exchequer of Pleas. He was a J.P. in Hertfordshire and chairman of that county's sub-committee for accounts from August 1644, positions that were probably useful to Salisbury in ensuring that matters were well ordered in his own county. Atkyns was the connection between the second earl and a wider circle of support in the Commons. His father-in-law Sir Thomas Dacres sat there and was Salisbury's Chief Keeper of Enfield Chase and one of Salisbury's Deputy Lieutenants. Atkyns's colleagues at Lincoln's Inn included John Harington and Samuel Browne, who were both moderate puritans.<sup>152</sup>

The two Houses of Parliament needed mutual support to carry the country. One could not wage war without the other. The Lords, as the traditionally senior partners at the outset, provided most of the leadership and were ably backed up by their own followings and friends in the Commons. When the conflict with Charles continued and the peace negotiations failed, the Lords began to lose their authority and the Commons became more influential. That situation continued until a novel third force, the New Model army, brought matters to a conclusion.

The lords at Westminster continued to guard their own privileges and also those of the absent peers, often with success, when these were threatened. If the parliamentary peers wished to observe the ideal of King-in-Parliament, they had to continue to regard the House as the representative of the interests of all the English

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<sup>151</sup> LJ viii p.368. HMC Salisbury 22 pp.247, 277-9, 287, 420 (dd. 1650). HMC Salisbury 24 pp.275 & 279-80. Adamson Peerage pp.41-2. LJ vii p.420.

<sup>152</sup> HMC Salisbury 22 pp.152, 209-10 (Atkyns was also elected a Knight of the Shire with Salisbury's help in 1626), 234-5, 269, 287, 300-1, 311, 373. Adamson Peerage pp.44-5.

peerage. This had the considerable added advantage that every time any of the absent peers, royalist or neutral, approached the House for assistance they gave recognition to its legitimacy.

Salisbury was involved in the day-to-day administration that kept the country running and also with his consistent support for the 'peace party'. There is often no direct proof of his contributions to the group, but his regular support for them reflects that. The concerns and fortunes of the 'peace party' can generally be taken to reflect those of Salisbury. The second earl was soon busy with committee work. He was appointed on 23 August 1642 to a committee formed to stop prisoners in The Tower from having free association with each other. The Lieutenant of The Tower was ordered to ensure that prisoners should only be allowed to speak to each other in the presence of their keepers.<sup>153</sup>

The second earl was added to the Committee for the Safety of the Kingdom on 8 September 1642. The next day this committee, or any three members, was empowered to issue warrants for paying money to the Army. The committee was also given the power to direct the forces 'left behind, in the Lord General's absence'. These powers over the disposal of finance and the partial disposition of the Army placed the active members of the committee in influential positions. The extent of these powers was seen on 13 September when a message was received from the king and passed to them for their consideration.<sup>154</sup>

The Committee of Safety had come into being in July 1642 to deal with the problems associated with raising and deploying an army in the field. It effectively replaced the Privy Council. The old council members remaining at Westminster appear to have formed themselves into a committee without any authority from the two Houses. The committee 'assumed new powers to meet new situations' and in doing so

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<sup>153</sup> *LJ* v p.318 & 423.

<sup>154</sup> *LJ* v pp.343-6 & 350.

took away the initiatives previously enjoyed by Parliament and made many of their committees redundant. The committee issued instructions by warrant signed by their members and usually headed by Northumberland, Holland and Salisbury. This was a major task, as the warrants numbered several thousand each year and placed the responsibility on the signatories. Salisbury's previous work for the Privy Council was valued and his experience welcomed. It also indicated, despite his visit to York, that his fellow committee members trusted him and accepted that he had genuinely been trying to bring Charles to the negotiating table.<sup>155</sup>

After Edgehill the threat of the king's army closing in on London concentrated the 'peace-party's' minds in Parliament and the City. On October 29 Northumberland made peace proposals in the Lords, followed two days later in the Commons by Sir Edmund Waller. The proposals were agreed, but when they were presented to Charles he, from his own perceived position of strength, refused to accept one of their envoys. It was taken as a refusal to negotiate.<sup>156</sup>

Salisbury was increasingly active in the depleted Lords. He was appointed to a committee to inform the City of the reasons for both Houses' actions in sending the petition to the king containing the conditions for achieving peace and the advantages that they would have brought. These were the better to pursue the war in Ireland, to unite the king and the kingdom more closely, to prevent the loss of true religion and to preserve the liberties of the subject. The Lords also expressed their concerns about the great danger the king was in at the last battle at Edgehill and that so much blood had been spilt there with 'many of great Quality lost.' However, they were resolved they would not agree to any peace unless it was for 'the Preservation of Religion, the Liberty of the Subject, and the settling the Peace of the Kingdom.'<sup>157</sup>

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<sup>155</sup> Lotte Glow 'Committee of Safety' in EHR (1965) vol 80 pp.289-313, hereafter, Glow 'Committee of Safety'.

<sup>156</sup> LJ v p.424 & 430.

<sup>157</sup> LJ v p.439.



Salisbury was often selected as a committee member to go to the City to inform them of the reasons for their policies and to reply to their petitions. It was very important, for the City was the source of ready finance and reliable trained bands, as well as the body that they relied upon to keep discipline. In December two petitions were received from the appropriate bodies of the City and Westminster and a further two, one from the citizens and inhabitants of the City of London, Southwark and places adjacent, and the other, turned away because it had had been 'brought in a tumultuous Manner', from the inhabitants of Westminster. The Lord Mayor and his Common Council disavowed the 'inappropriate' petition from the City because it was 'tumultuous' and had not come through the proper channels.<sup>158</sup>

The Westminster petition was the impetus for a piece of propaganda, a printed letter from 'Your friend and Kinsman T. R.,...to be 'Reade and Burne'. It was addressed to 'Sir H. W. at his house in Westminster' and dated 28 December 1642. The author observes that 'your Petition for peace I see is not so happy as to finde successe in Parliament' and then details the reasons, amongst which he thinks it would be destructive to many parliamentarians and to 'some in the City's profits'. He saw that the call for abolishing the common-prayer book would lead to 'their new doctrines and extemporary babblings', whilst 'the dissolving of Bishopricks and Deanries' was to repay the money loaned upon public faith, that had been borrowed to advance 'the Lords warre, (for so they miscall treason)' but should really be repaid by them. He divided the lords that had remained at Westminster into those who had small and indebted estates and needed 'the rich profit of their command', and those in the two Houses 'all voting for Peace, to preserve the estates they have, not find them in the list of Officers to get maintenance'. The lords he named in the last category were

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<sup>158</sup> LJ v pp.496-501.

Northumberland, Pembroke, Rutland, Salisbury and Holland. On the subject of religion he wished to

‘follow the rule of the Apostle, to *obey the King, for Hee is set over us by God*, rather than runne with the new opinions and contrary doctrine of our militant Evangelists, Dr. Burges, Dr. Downing, Mr Marshall, and Sedgwicke.’

It is not surprising that Salisbury and Downing should find themselves as recipients of criticism in the same royalist letter, for their views must have been well known to the Westminster locals.

The writer’s motives were the injustice of having to contribute one twentieth of his estate, ‘which you know may come to three or foure hundred pound...by an Ordinance of both Houses (for want of an act of Parliament)’. The author was aware of the constitutional point that an ordinance did not carry the legal force of an act and Parliament without a king could not enact one.

He finishes by demonstrating the futility of the war from his viewpoint.

‘But had wee had the day at *Edge hill*, and totally routed the Cavilliers, would that have determined the warre? I feare rather have called in all the Monarchies of Christendome, to maintain Monarchie, and then were we engaged like the Low Countries, in perpetuall blood. How great then is our straight, for if wee succede wee undoe our selves. If the King by victory (or treachery of our Commanders) the labour is saved us then, for having refused his mercie, we must expect his justice.’<sup>159</sup>

Salisbury must have had the same thoughts about the futility of the war and the degree of mercy he could expect. However there is no indication that he faltered in his resolve to find a peaceful way to bring Charles back to the throne, or deviated from his belief in an Erastian church settlement, the doctrine that the state should have supremacy in ecclesiastical affairs.

The Lords’ Speaker was traditionally the Lord Chancellor, or if that office was vacant the Lord Keeper. When Littleton went to York with the Great Seal it raised the question of who should be the Lords’ Speaker. Charles had the prerogative of appointing either a new Lord Chancellor or a Lord Keeper, but that would have implied

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<sup>159</sup> T. R. *A Second Complaint being an honest letter to a dovtfvll friend: about the rifling of the twentieth part of his estate* (London 1643).

recognition of the Lords' legality. The Speaker was, in the numerically diminished Lords, a position of tactical importance, particularly once they became evenly divided after the Self Denying Ordinance. The Speaker had control over procedure, the order that business was dealt with and when he read any correspondence he had received. The king's letters came to him first and after he had revealed the contents to his fellow peers he passed them to the Commons.

At first Wharton filled the position. Howard wrote to the Lords on 13 June 1642, addressing his letter 'to the Speaker of the House of Peers for the Time being.'<sup>160</sup> Lord Kymbolton, later the earl of Manchester, was usually the Speaker from 26 November 1642 to 1 July 1643, when he was appointed to a command in the parliamentary army. On 22 September 1643 Grey de Warke was 'appointed to be Speaker this day' and filled the position until January 1646. The practice of recording attendances in the Lords' Journal also started on 22 September 1643. This was probably an indication that the Lords realised that the war was not going to end quickly and they had decided to tighten up their procedures. Manchester, who was a supporter of Essex, returned to the Speaker's chair on 26 January 1646. This proved crucial to events in the Lords and enabled Essex to gain a tactical advantage and put forward his policies.<sup>161</sup>

### **1643. The Oxford Propositions.**

A correspondence ensued between the king's secretary, Lord Falkland, and the Lords' Speaker 'for the time being', that eventually led to the Propositions being presented to the king at the Treaty of Oxford on 1 February 1643. Salisbury was a member of the committee of twelve that went to Oxford with the Propositions. Four came from the Lords, Northumberland, Pembroke, Salisbury and Holland, all of whom had been close to the king in the past, and eight from the Commons. Whitelocke

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<sup>160</sup> LJ v p.138.

<sup>161</sup> LJ v, vi & viii pp.128 & 188. ODNB 'Edward Montagu, second earl of Manchester (1602-1671)'. ODNB 'Grey, William, first baron Grey de Warke (1593-4-1674). BP Mercurius Britannicus No 65 6-13 Jan 1645[6]

observed that ‘they went to Oxford, the Commoners in the Lords coaches with them with a great retinue of servants’. The two Houses were apparently showing their solidarity.<sup>162</sup>

The committee, according to Clarendon, expressed their thoughts against Parliament’s

‘tyranny and unreasonableness, and especially against the propositions themselves had brought; but positively declared that if the King would vouchsafe so gracious an answer (which they confessed they had no reason to expect) as might engage the two Houses in a treaty, it would not be then in the power of the violent party to deny whatever his majesty could reasonably desire. [However] (though the King expected little from these private undertakings, well knowing that they who wished best were of least power, and the greatest amongst them as soon as they were but expected to incline to peace immediately lost their reputation) his majesty graciously dismissed those messengers’<sup>163</sup>

These lords had spent a lifetime in the Court and their inbred respect could easily be misunderstood for an unconditional desire for peace. In their enthusiasm to convey this, and with an understandable need to show their status as a minority in that setting, they could well have been misinterpreted. They knew that there were groups on both sides of the two Houses, who would, if given a token of goodwill, be able to carry the day. However, some would have seen their actions as potentially traitorous to Parliament.

Northumberland reported the king’s answers to the Propositions. Unsurprisingly these were seen as negative by Parliament, for the Propositions in reality gave Charles little, although they were less onerous than the Nineteen Propositions put to him eight months earlier. He called for a cessation of arms and free trade for all whilst a treaty was negotiated. The Lords called for a conference with the Commons on 20 February. Northumberland, Holland, Salisbury and Saye were selected to decide on the agenda.

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The Lords voted to accept Charles’ wishes for a cessation and free trade and that the return of all military installations should be the first item on any agenda. The

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<sup>162</sup> Gardiner Documents pp.262-7. LJ v pp.574-6. Ruth Spalding Diary of Bulstrode Whitelocke (Oxford; 1989) p.141, hereafter, Spalding Whitelocke.

<sup>163</sup> Clarendon Rebellion ii p.443-4.

<sup>164</sup> LJ v pp.590-1.

Commons reluctantly agreed after several close votes, but not before those members who were for breaking off the treaty had talked of impeaching five members of the Lords' 'peace party'. The Venetian ambassador reported that

'Perilous altercations have occurred this week between the two Houses of parliament. The Lords are moving steadily towards peace. Allured by the hope of resuming their places at court they have, at their own risk, made known to the king their devoted efforts to obtain it, according to his pleasure.'<sup>165</sup>

The five peacemakers are unknown, but are likely to have included the four lords who had been working hard to obtain it. It was dangerous for them to have placed their trust in an unreliable king, who was surrounded by many courtiers who would have at the best been unsympathetic.

The two Houses became ensnared in procedures that produced a delay. Charles sent letters to the Speaker indicating his mystification at this. A month after their return from Oxford, Parliament heard the committee's report. Salisbury was on the committee that set the agenda for a conference with the Commons. Charles found Saye unacceptable; he had been nominated as one of those to attend the king on the terms of the ceasefire. Salisbury sat on the committees that considered the various propositions and if any concessions should be made to the king.<sup>166</sup>

Northumberland wrote perceptively to Salisbury on 28 March from Oxford and reported that

'Every man seems earnestly to wish peace, but I believe it is with a reservation in most of them, so as it may be with conditions of advantage to the King. I do assure you that they are very high in their own conceits, and think it no easy matter to force them to things they think not reasonable...with the daily increasing of the King's forces, gives them great assurance of mastering their ends, but I hope the wisdom of Parliament will cross them in that design.'

Northumberland did not anticipate any movement on the Treaty until the 'cessation' was agreed. He thought the royalists' recent successes had given them encouragement,

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<sup>165</sup> LJ v p.608. CJ ii p.969. Cal S.P.Venetian 1643 6 March [24 February] 1643 Agostini to the Doge.

<sup>166</sup> LJ v pp.463-4 & 613-9.

but this had now been balanced a little by Sir William Waller's success at Gloucester, where 'we hear that near 1,000 prisoners are taken and some pieces of cannon.'<sup>167</sup>

The Commons recognised the need for the two Houses to speak with one voice during the negotiations. The Lords' Speaker 'for the time being' had signed the letters to the negotiators detailing their positions, but at the beginning of April the Commons asked that their Speaker should also be a signatory. A Lords' committee that included Salisbury thought this was an infringement of their privileges, but it was agreed

'for the present, to give Way that the Speaker of the House of Commons do subscribe to the Letter with the Speaker of this House for the Time, with a Salvo to the Rights of Privileges of the House of Peers.'

The Commons agreed

'that when their Lordships shall make it appear by Precedent that it hath not been usually done' [they would] 'be very tender and respectful of their Lordships Privilege therein.'<sup>168</sup>

The Lords were aware that in those abnormal times their status could easily be swept away if they did not jealously guard their privileges, but equally it was wise to make some concessions to maintain unity. The Commons, like the Lords, was divided between men who wanted peace or preferred confrontation, and some were beginning to lose faith in the Lords' 'peace party'.

Charles' ability to continue the negotiations had only been possible because of the presence of a strong 'peace party' that was prepared to prolong the dialogue until 14 April. This was despite the king's demand that any armistice would mean the surrender to him of the navy and the forts, including The Tower; which would surely have meant defeat for the opposition. The 'peace-party's' efforts to come to terms were probably seen by some to be playing into the king's hands, giving him time to regroup and portray himself as the victim. To others it held out the hope that war could be avoided.

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<sup>167</sup> CP 131/188.

<sup>168</sup> LJ v pp.696-99.

<sup>169</sup> LJ v pp.719-20. CJ iii p.44.

Remarkably, Salisbury, Pym, Saye, Manchester and Hampden made a secret approach to the queen in early May, when the more militant members of the Commons wanted to ask Scotland to send them aid. Salisbury and his friends were almost certainly concerned that bringing the Scots into the war would widen the breach and make a peace settlement more difficult. They wanted the queen to urge her husband to accept the Oxford proposals and assured her that Essex would not advance. The queen led them on in hope, while at the same time organising war supplies, particularly ammunition that her husband needed. She probably saw the approach as an encouraging sign of weakness and irresolution amongst the king's opponents. Salisbury and his colleagues on their part recognised the power that the queen had over her husband on matters of state.<sup>170</sup>

Charles was not really serious about ending the war by negotiation; he was plotting an armed uprising in the city, unbeknown to his own ministers. Certainly Clarendon appears to have been ignorant of the plot, for he insisted that he could not 'find evidence or reason to induce me to believe that there was any further design in the thing itself, or the King gave further countenance to it'.<sup>171</sup> The negotiations were probably a sham, as the king's duplicitous actions suggest. Charles used Sir Edmund Waller, one of the opposition's negotiators, as his go-between. Waller had previously defended the royal prerogative in the Commons. The Waller Plot, as it is known, was discovered at the end of May, when Waller was arrested. He confessed his guilt and placed others under suspicion. Amongst those he tried to implicate were Northumberland, Portland and Conway in the hope he might shift blame onto them. He thought that the two Houses and the army would not move against these noblemen. Northumberland immediately met the Commons' request that both Houses should examine him and asked for a hearing the same day. Northumberland was cleared when

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<sup>170</sup> Gardiner *Civil War* i p.133. M. A. Everett Green ed *Letters of Queen Henrietta Maria* (London 1857) pp.193-4 & 197-9, hereafter, Everett Green *Letters of Henrietta Maria*.

<sup>171</sup> Clarendon *Rebellion* iii p.51.

it was revealed by Lovelace that Waller had asked Portland to save the two of them by laying the blame on Northumberland and Conway. Portland and Conway, who had only remained at Westminster to further Charles' aims, were kept under close guard and their possessions held throughout June. On 29 June Portland petitioned for an early trial. The Lords called Portland and Waller to examine them together.<sup>172</sup>

Waller had probably contacted Northumberland, because he maintained that the earl had refused to take part, 'not because the plot was wicked, but because it was likely to fail.' Northumberland was too wily a politician to be involved and it is probable that Salisbury was also aware of it. The plot weakened the 'peace party' once Pym had revealed the details to the Commons, when he contrasted the opposition's peace efforts with the warlike plans of those around the king.<sup>173</sup>

The importance of the 'Waller Plot' is not adequately recognised by many historians. Woolrych covers it with a single paragraph and Smith does not mention it at all, yet it led directly to the Covenant. Ashton and Wormald recognised Pym's skill in exaggerating the plot's significance and the use he made of it. Gardiner thought it was a great setback for the 'peace party' and for Charles' reputation as a peacemaker.

'The result was a deepening of the gulf, already far too deep, by which the parties were divided. Charles was coming to be regarded at Westminster, no longer as a sovereign led astray by evil counsellors, but as a conspirator against the peace and safety of the nation.'<sup>174</sup>

The plot and the news that Charles had made contact with the Irish Catholic rebels made it easy for Pym to get acceptance for a Covenant. This would bind the membership of both Houses to support the army against the forces of the king. Salisbury took the Covenant on 9 June. He swore his innocence of the plot and his

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<sup>172</sup> Woolrych Britain in Revolution pp.256-8. Smith Constitutional Royalism p.81. LJ vi pp.94-7 & 114-7. CJ iii pp.110 & 636-7.

<sup>173</sup> Woolrych Britain in Revolution pp.257-8. LJ vi p.84. CJ iii pp.116-8. ODNB 'Waller, Edmund (1606-1687)'. Gardiner Civil War pp.144-9 & 156-8.

<sup>174</sup> Woolrych Britain in Revolution pp.257-8. Smith Constitutional Royalism. Robert Ashton English Civil War, Conservatism and Revolution 1603-1649 (London 1978) pp.209-10. Wormald Clarendon pp.127-8. Gardiner Civil War i p.148.



‘Loyalty to the King’s Person, and His Crown and Dignity.’ The essence of the Covenant was

‘And whereas I do Believe, in my Conscience, that the Forces raised by the Two Houses of Parliament are raised and continued for their just Defence, and for the Defence of the true Protestant Religion, and Liberties of the Subject, against the Forces raised by the King, that I will according to my Power and Vocation, assist the Forces raised and continued by both Houses of Parliament, against the Forces raised by the King without their Consent’.

It was decided that the Covenant should be taken throughout the kingdom. Robert Cecil took the Covenant on 6 June and Cranborne two days later. This display of solidarity by the Cecil family was striking.<sup>175</sup>

The petitions calling for peace that were received at Westminster must have encouraged Charles. The gentlemen of Hertfordshire sent one that was received on 11 January 1643. It called for peace but if not, ‘in the mean Time, there may be a Cessation of Hostility’. They asked for ‘Protection from the violence and Fury of unruly and dissolute Multitudes, who endeavour to raise themselves by the Ruin of your Petitioners.’<sup>176</sup> There was a great fear that the established order, not just the prerogative of the monarch, was in danger of being overturned and their estates ruined. Salisbury surely knew of the petition in advance and might have been consulted about it. These petitions would have given the ‘peace party’ a useful tool to forward their case and an additional stimulus to reach an accommodation.

The affairs of Hertfordshire were again before the two Houses on 31 March during the treaty negotiations. It may have been black propaganda that produced an ‘Ordinance for raising Money Weekly in Hertfordshire’. Parliament had ‘been credibly informed, that great forces are now marching, from Oxford, towards the Counties of Bucks, Bedford, Herts, and Counties adjacent’. The county was told it had to raise four hundred and fifty pounds each week over and above the weekly sum they were already expected to raise for their portion of the cost of the Lord General’s Army. The new tax

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<sup>175</sup> CJ iii pp.118 &120. LJ pp.86-8. Warwick Memorials pp.234-5.

<sup>176</sup> LJ v pp.545-6.

was to be used for the defence of their own county. A list of names was included of those who were responsible for the early expedition of the levy that was to last three months. The list consisted of the leading gentlemen of the county and was headed by Cranborne and his brother Robert.<sup>177</sup> Once again the Cecil presence was notable.

The breaking off of treaty negotiations soon led to renewed action on the battlefield. Salisbury had personally anticipated this would be the case and took steps to mitigate its effects on his property at Cranborne. Stillingfleet wrote to Collins from there on 27 April to report that he had

‘conveyed the best pieces of Salisbury’s furniture, etc....and delivered it at Carisbrooke Castle into the hands of Colonel Kerne...Smith, the Earl of Pembroke’s wardrobe keeper, to assume charge of the goods.’

He went on that they were

‘reasonable quiet in these parts neere us, butt in continuall ffeare as well of rogues as soldiers who range up and downe the country takinge mens goods by force. Rents come in very slowly, men are unwilling to pay.’<sup>178</sup>

That Salisbury had been right to take some measures to safeguard his property was proved a month later when on Sunday 28 May at

’11 a clock after sermon the quarter master took up Cranborne for the Lo: General Marquesse Hert and Prince Maurice for the whole army. When the Lo: Marquesse Hertford comaunded no hurte should be done Cranborne Howse, within half an hower after 5 or 600 of the Princes regiment broke into it, in an instant pulled out the iron barres and casements and carried away everie thing which was portable, plundered one of their captaines of his portmantles and 50 l. in money which he left there.’

The writer, probably Stillingfleet, his steward, also reported that they stole all the books and court rolls, either destroying them or offering them for sale. They turned the house into an abattoir by killing a hundred sheep within its walls. They stole ten horses and turned their own out into the barley and cornfields. Hertford and the Prince Maurice stopped them burning the house down and restored order by threatening to hang the originators of the outrage. However Sir James Hamilton returned three days later with his regiment of horse and foot to inflict further damage on the Manor and took away the locks and bolts. The writer said he was accused of being a Roundhead;

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<sup>177</sup> LJ v pp.682-5.

<sup>178</sup> CP Box D- 84, Inventory Gen 72- 12.

otherwise Salisbury would not have employed him. The destruction of the court rolls would have been welcomed by the common folk who probably saw the opportunity to escape the iron grip of precedent.<sup>179</sup>

That the Manor was badly damaged was confirmed when Captain Philip Cecil, with Pembroke's son, visited it on 2 July 1645. Cromwell was there on 20 October with Colonels Pickering and Hammond and their guard. The soldiers and countrymen came with their carriages and ate the corn and burnt the hedges, as well as burning the gates to the Manor and a little house within the orchard. The reference to the countrymen suggests that some of Salisbury's tenants may have taken the opportunity to burn the hated hedges that had enclosed some of the old common land.<sup>180</sup>

When the danger of further damage had passed by 1645 Salisbury

'Paid for three loades of strawe with the carriage to the mannor house to stop the windowes which were broken and spoild by the souldiers: and for puttinge in wooden barres and stoppage the windowes with strawe, and makinge cleane the house after the souldiers quarteringe there in' [October] '1645, Lieutenant Cromwell quarteringe about Cranborne with his armye of about 3000 souldiers att that tyme, li s. Paid for two loades of woode with the carriage and workemanship for hedging up the East garden where the pales were taken away by the Kings and Gorings souldiers and burnt up, xii s.'<sup>181</sup>

The house had to be partially restored and the opportunity was taken to extend it. The plans and payments for this work are in the Cecil Papers; from these it would seem the buildings were once again habitable in 1647. Although the manor was in a rural area, away from any major conflicts, there was still a deeply destructive impact felt by the people. To feed and maintain an army in the field it was necessary to live off the land, and in theory to recompense the locals.<sup>182</sup>

The misery caused by the war cannot be adequately illustrated by the financial costs, but they do help to give some idea of the disruption endured. This example is taken from the Cecil Papers and covers the period 25 March 1643 to 30 September

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<sup>179</sup> CP Gen 72- 12.

<sup>180</sup> CP Acs 43/6.

<sup>181</sup> CP Acs 43/2.

<sup>182</sup> HMC Salisbury 24 p.281.

1645. It shows how Salisbury's tithes at Blayden, close to Cranborne, were affected and includes the contributions that were made towards the maintenance of the troops at Poole, Wareham and other garrisons. The costs of impressed horses incurred that were used for moving the king's carriages from Blandford to Newbury and a great gun from Cranborne to Oxford. The charges paid for fetching coals for Lord Goring's army camped at Cranborne and the conveyance of provisions to several garrisons. Salisbury had to find part of the costs for transporting lame soldiers from Cranborne to Fovant, as a result of an exchange of prisoners, and the 'raising of dragoon horses and saddles for Sir William Waller, Sir Lewis Dives and Colonel Coker'. He played his part in quartering men commandeered by 'Sir James Hambleton, Lord Crafford, Colonel Bartlet, Colonel Ashley, Sir William Waller and the Earl of Essex when his army returned out of the West, 24 September 1644.' This was followed with providing provisions to the king and his army, when they were at Cranborne on 13 and 14 October 1644, and for Lord Goring's forces camped there in February 1645. Finally in April 1645 Salisbury helped financially to quarter men commanded by Colonel Carrack.<sup>183</sup>

The area around Cranborne changed hands on several occasions, which increased the financial burden placed upon the locality. Allen Winsor was responsible for collecting the tithes for the second earl and had made the contributions from these. It did not end there though for he was unable

'to pay my Lord his ffull rennet for the tithes. For sence thes trobls thay have left untilld above one hundred acers of ground in Blayden. Besids that which hath benn sowne hath bene much spoyled by solldiars horses. And that which wee have gotten into our barrenes, when any armie have marched neare unto us, wee have suffred much by them. So by this meanness the tithes are not as much worhe as they have bene in times paste.'<sup>184</sup>

The devastation that armies inflicted upon the countryside must have been dispiriting for the local inhabitants, whichever side they supported, if any. There was no incentive

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<sup>183</sup> CP Bills 254- 7.

<sup>184</sup> CP Bills 254- 7.

to plough and sow and thus it also raised the prospect of starvation. When any produce was garnered it might then be requisitioned. There was also an increase in lawlessness and opportunities were taken to reverse past grievances, such as enclosures. An outbreak was reported to the Lords on 3 July 1643 in Wiltshire and Dorsetshire. Captain Ludlowe was ordered to deal with the matter ‘with all possible speed’. These situations gave rise to the Clubmen movement that tried to alleviate their condition by their own efforts.<sup>185</sup>

The Dorset Clubmen had Articles of Association that were formalised before about 4,000 people on 25 May 1645. Lord Goring and his royalist army were raising irregular levies and causing a lot of local disruption. The articles banded the Clubmen together to obey any lawful command from either side but also to resist any plundering or unlawful violence. They undertook neither to endorse either side publicly nor to allow any Catholic to join the Association. They wanted peace as soon as possible, so they tended to favour the parliamentarians when they later gained the upper hand and were seen as the quickest route to peace. The parliamentary armies were also funded centrally and were less onerous in their demands. The Dorset Clubmen petitioned the king and Parliament separately on 17 July ‘for procuring a Peace’. They justified their action because they had

‘more deeply than many other Parts of this Kingdom tasted the Miseries of this unnatural intestine War, which have been the more extremely embittered unto them by the Pressures of many Garrisons’.<sup>186</sup>

The examples from Cranborne show how the Civil War affected Salisbury’s interests there. He also suffered when the royalists, to cover the costs of fortifying St. Michael’s Mount in 1642, sequestered his Cornish estates. However, he must have

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<sup>185</sup> LJ vi p.118. Daniel Defoe Memoirs of a Cavalier (London 1972) pp.125-279. This was based on the experiences of an unknown or imagined cavalier and illustrates the utter misery that a great many of the general populace suffered during the Civil War.

<sup>186</sup> Martyn Bennett English Civil War (Harlow 1995) pp.123 & 129.

regained possession of them, because he was able to transfer them to the third earl with a good title in 1666.<sup>187</sup>

The Cecil Papers have many other examples of the exactions made from tenants and the hardships they endured. They range from Marston and Pebworth in Gloucestershire to Brigstock in Northamptonshire. Salisbury was responsible for paying a share of some of the impositions and also suffered financially from the inability of his tenants to pay their rents. Many tenants took advantage of the chaotic situation to escape their responsibilities. It was understandable when the indiscipline of the soldiers of both sides had ruined whole districts and no one could forecast what the outcome of the war would be, or how long it might last.<sup>188</sup>

The war affected Salisbury's interests in ways over which he had no control, but in Parliament there were occasions that could be turned to his advantage. The Lords ordered that the second earl should be allowed to present Dr. Thomas Newcomen 'a Chaplain of his to a Benefice in his Gift'. The bishop concerned would have ordinarily had to give his approbation, but he was in Oxford with the king. Thomas Newcomen had a history as an adherent of anti-Calvinism, so it was perhaps surprising that Salisbury gave him his patronage. Newcomen's brother Matthew however had preached to the Long Parliament on many of their feast days and had given the opening sermon to the Westminster Assembly in the presence of both Houses of Parliament. The brothers were old members of St. John's Cambridge, itself a strong link with the Cecils. Thomas appears to have changed his beliefs after a period in prison decreed by the Lords in September 1642. Salisbury gave him the living at Clothall in 1653.<sup>189</sup>

Parliamentary opposition widened the division with the king with an ordinance calling for an Assembly of Divines on 5 June 1643. The Lords had passed the measure eight months earlier and then apparently ignored it, but now in their weakened position

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<sup>187</sup> [www.british-history.ac.uk](http://www.british-history.ac.uk) Parishes: Helland-St Hilary.

<sup>188</sup> HMC Salisbury 22 pp.375-388. LJ vii pp.483-7.

<sup>189</sup> LJ vi pp.81-2, 302-4 & 337. ODNB 'Newcomen, Matthew d. 1669'.

they accepted it. Salisbury was on the committee that considered it and was named amongst the ten Lords and twenty members of the Commons who would sit with the Divines in the Assembly to assert some lay influence. These numbers were later increased to fifteen and thirty respectively. They were charged with settling

‘a more perfect Reformation than as yet been attained...as may be agreeable to God’s Holy Word, and most apt to procure and preserve the Peace of the Church at Home, and nearer Agreement with the Church of Scotland, and other Reformed Churches Abroad’.

They were also told that the present church government by bishops was evil and a great impediment.<sup>190</sup>

The ‘peace party’ had amended the original Commons’ bill, so that the structure of church government should not resemble Scottish Presbyterianism. They wanted any clerical power that was suggested by the Assembly to be strictly subject to Parliament’s control. A draft ordinance was presented in September 1644 that gave ordained ministers the power to rule over their congregations without any parliamentary oversight. The Commons accepted this but the Erastian peers objected and removed the relevant clause.<sup>191</sup>

A case study of the parish of St. Martin’s-in-the-Fields provides an insight into what the Erastian peers and their likeminded friends did ‘to protect the interests of beleaguered divines whose attitudes to church government coincided with their own.’<sup>192</sup> St. Martins was not a typical parish, because it contained a number of noblemen who wielded great influence and patronage. They also favoured parliamentary control over clerics. Charles warned Laud in 1634 that they were particularly influential. Salisbury and his family were members of the St. Martin’s congregation and he contributed substantially to the lecturer’s payment.

The lords that attended St. Martin’s regularly, Salisbury, Pembroke, Northumberland, Howard and Wharton, were lay members of the Assembly. The

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<sup>190</sup> LJ v p.401, vi pp.81, 84-5, 89-90 & 92. CJ iii pp.68, 83, 93 & 119.

<sup>191</sup> LJ vii pp.4-5, 11, 13-5, 683-5. Adamson Peerage pp.82-8.

<sup>192</sup> Adamson Peerage pp.82-97.

lecturer Thomas Hill had found favour with Northumberland, Salisbury and Manchester because his views on church government corresponded with theirs. He wanted Parliament to increase its power over the Church. Daniel Cawdrey, a dogmatic High Presbyterian, was the incumbent at St. Martin's, and occupied the opposite position to Hill. In 1645 the Vestry wished to replace Hill, and Cawdrey worked hard to ensure his man was put forward. When the Vestry called a meeting on 3 October the peers arrived to put forward their candidate, Richard Lee, an Erastian Presbyterian. Salisbury had given Lee an annuity of twenty pounds the previous year and was later to give him the living at Hatfield. The lords' 'noble favour to us all' recorded the Vestry clerk

' was by some of the meaner sort slighted and disputed; but [they were] overswaid by the whole Vestry and better sort of the Kn[igh]ts and gent[lemen] of the p[ar]ish'.

Salisbury and his fellow lords saw the threat that High Presbyterianism posed to the secular authorities; it was members of this group who were prepared to take action, whilst the Commons seemed unaware of the dangers presented by trying to please the Scots. They wanted their form of Presbyterianism to be uniform across the two kingdoms. The smaller group of lords led by the Independents Wharton and Saye did not pose the same problems. They recognised that the civil authority was superior to the clerical one and looked to Parliament to ensure they would enjoy toleration. Salisbury took a particular interest in the Assembly's affairs in the late summer of 1646, as will be seen.

The 'peace party' may have lost ground in Parliament after the Waller Plot but the royalist successes on the battlefield in the summer of 1643 soon put pressure on it once again to seek a peace settlement. On 17 June Salisbury was appointed to a committee to consider what should 'be sent to the Lord General, to be presented by him, for procuring and effecting a happy Peace and Reconcilement between the King and the Parliament.' The same day it was approved and passed to the Commons for



their consideration. However Charles, probably thinking that he was now winning, sent Saye a letter that contained a declaration ‘That this was no free Parliament, and whatever came to Him as in Name of both Houses of Parliament He would not receive.’ Charles was making the point that without him, the third ‘House’, there was no Parliament. This delayed the discussion of any further propositions whilst Parliament sought a way to get Charles to withdraw his challenge.<sup>193</sup>

Salisbury was appointed on 20 May to be one of the ‘Commissioners of England to treat with Commissioners of Scotland about the Peace of both Kingdoms.’ The object was to negotiate a treaty between the two nations that would also include Ireland, and stop Charles driving a wedge between them. The idea that a Scottish army would again be invited on to English soil was not popular with either of the Houses. However, the parliamentary armies were suffering several setbacks. Evidence was received that Charles was suspected of collusion with the Irish Catholics and of inviting the Scottish royalists to invade England. This convinced Parliament on 19 July to send a peer and four members of the Commons to Scotland to ask for an army of 11,000 men.<sup>194</sup>

The queen arrived in Oxford on 14 July 1643 with a convoy of 150 wagons carrying armaments, ammunition and money from the continent to strengthen the royalists. Charles had promised her, according to Clarendon, never to ‘make any peace, but by her interposition and mediation.’ Her presence was going to make achieving a peaceful settlement more difficult.<sup>195</sup>

A committee that consisted of Northumberland, Holland, Pembroke, Bedford, Salisbury and Saye, peers seen as favourable to a settlement, were appointed on 2 August to consider what propositions should be made to Charles to try to effect one. These were to be shown to Essex by Holland first, in the hope that he would support

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<sup>193</sup> LJ vi pp.99-101, 103, 107-111 & 127.

<sup>194</sup> LJ vi pp.54-6. CJ iii pp.173-5.

<sup>195</sup> Gardiner Civil War I pp.163-6.

them before the Commons could influence him. The Commons discovered this and sent Pym to see Essex at the same time. Essex's acceptance, as Lord General, was seen as crucial to the fate of the propositions. Yet despite Essex's rejection, the Lords agreed the propositions on 4 August and called for a conference with the Commons. The Commons voted to consider the propositions by eighty-one to seventy-nine, but two days later changed their minds by voting eighty-eight to eighty-one against. The propositions would have given Charles almost all he wanted, but the members of the Commons, Essex and the threats of a large crowd at Westminster that had been roused by the City, ensured their rejection the next day. The Commons were so evenly split that the smallest outside pressure could increase the volatility of any contentious situation.<sup>196</sup>

Clarendon thought the propositions would have been accepted and honoured by Charles, especially as the fourth proposition intended

‘That all the members of both Houses who had been expelled only for absenting themselves, or mere compliance with his majesty, and for no other matter of fact against them, might be restored to their places.’<sup>197</sup>

Clarendon was indulging in wishful retrospective thinking if he thought that the more hot-headed royalists and the queen, let alone Charles himself, would have honoured the letter of the proposed treaty once the king could command majorities in both Houses again.

Probably as a result of the rejection of the propositions and the rough verbal treatment they received from the City mob, Holland, Bedford and Clare left Westminster to join the king in Oxford, thereby weakening the ‘peace’ party. If they expected a warm welcome from the royalist camp they were sadly disappointed. They were pardoned but did not receive any positions in the Court, although they all saw

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<sup>196</sup> *LJ* vi pp.162-3, 171-3. *CJ* iii p.197.

<sup>197</sup> Clarendon *Rebellion* iii pp.135-8.

military action at Gloucester and Newbury. They eventually returned to London, where they were forgiven, but refused re-admission to their seats in the Lords.<sup>198</sup>

Portland, Lovelace and Conway also left to join the king, who probably saw them as men who had stayed in Westminster to further his cause, and were therefore welcomed. The House of Lords had conveniently liberated Conway and Portland on bail on 31 July, possibly as a peace gesture.<sup>199</sup>

Before the defections to Oxford the Lords had appointed a committee to find out who had encouraged 'the Multitude to come down to the Parliament' on 7 August. The nine members included Salisbury, Pembroke and Northumberland, together with Holland and Bedford, who were shortly to abscond. The 'peace party' had been shaken, for their attendances and the amount of business they transacted was considerably reduced over the next month.<sup>200</sup>

The cold reception that Holland, Bedford and Clare received from the royalists was a bad error of judgement. Northumberland, a man of great influence, had retired to Petworth, probably to see how matters developed at Oxford and Westminster. Pembroke had asked on 9 August for permission to be absent from the House because of his health, which suggests he was also considering his options. He had presumably returned by 13 September, for it was then agreed that he should be appointed Lord Lieutenant of Somerset.<sup>201</sup>

Salisbury must have been unsettled by these events, as he seems to have absented himself after 8 August until 28 September, as there is no record in the Lords' Journal of his presence in the House. Robert Baillie, one of the Scots commissioners, when reporting the desertions, noted that Salisbury and Northumberland were said by

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<sup>198</sup> ODNB 'Russell, William, first duke of Bedford (1616-1700)'. ODNB 'Holles, John, second earl of Clare (1595-1666)'. ODNB 'Rich, Henry, first earl of Holland (bap 1590 d 1649)'. Gardiner Civil War i pp.185-6 & 199-202. Clarendon Rebellion iii pp.146-156. LJ vi pp.178 & 297.

<sup>199</sup> Clarendon Rebellion iii pp.142-3. LJ vi p.161.

<sup>200</sup> LJ vi p.173.

<sup>201</sup> ODNB 'Percy, Algernon, tenth earl of Northumberland (1602-1668)'. LJ vi pp.173, 198, 201-2 & 215.

some to be amongst them.<sup>202</sup> The second earl may also have been waiting to see how things unfolded.

The Commons' Journal records a request on 2 September that an ordinance for raising money to maintain forces sent out of Hertfordshire should be amended, so that the committee of that county could give warrants for the payment of the money raised. The reason given was 'that the Lieutenant, or his Deputy Lieutenants...are seldom at the Committee.' Was this because Salisbury and his sons were keeping a low profile at Westminster?

The triumphal return of Essex to London on 25 September after the relief of Gloucester and the members' attendance upon him on the next day to thank him, probably helped give the second earl the confidence to re-appear in the Chamber. The presence of Essex, and possibly a reassurance from him that he would cool down the extreme elements in the City, may have helped the remnants of the 'peace party' to return to Westminster.<sup>203</sup>

Had the 'big beasts' of the 'peace party' not returned from their diplomatic absence, the Lords would have found it difficult to make any overtures to Charles. He was strongly averse to Saye and Pym, who were now setting their respective parliamentary agendas, and the first signs of republicanism in the Commons were openly appearing. Henry Marten was expelled by the Commons for justifying the words of a clergyman, Saltmarsh, that 'it were better one family' [the king's] 'should be destroyed than many'. Marten wanted to 'utterly subvert monarchical government.' He had to spend a fortnight in The Tower.<sup>204</sup>

Whatever the reasons that prompted the various lords either to go to Oxford or to absent themselves from the House they proved disastrous, at least temporarily, for

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<sup>202</sup> D. Laing ed 3 vols Letters and Journal of Robert Baillie (Edinburgh 1841-2) ii p.99, hereafter, Laing Baillie.

<sup>203</sup> CJ iii pp.226 & 255. LJ vi pp.232-3.

<sup>204</sup> Gardiner Civil War i pp.202-3. BP Mercurius Aulicus 19 August 1643. CJ iii pp.206 & 208fn.

the ‘peace party’. In their absence the more militant members of the Commons were able to get legislation through without their input. It would probably have been difficult in the prevailing hostile climate to have opposed or suggested any amendments, but the opportunity was lost. The Scottish Propositions and the unity of the two nations’ religion, the sequestration of the king’s, queen’s and prince’s revenues, the Covenant, ‘Ordinance for removing superstitious Pictures, Images, &c.’ and the replacement of the Great Seal were all matters that the ‘peace party’ were unable or unwilling to influence at crucial stages.<sup>205</sup>

The most serious omission was the Lords’ inability to find any of their members able to go to Scotland to accompany the four Commons members in the negotiations on uniformity of religion and their entrance into the war. This gave the leadership to the militant younger Vane. Grey had refused to go and Rutland had pleaded illness. It was not until 1 November that Stamford was appointed to the committee.<sup>206</sup>

A further indication of the ‘peace-party’s’ loss of influence was a drop in the activity of the Committee of Safety. The absence of Northumberland, Pembroke and Salisbury meant that the number of days on which the committee met and the numbers of warrants that were signed both fell dramatically. This source of power had allowed the members of the Upper House to pursue their own agenda. The Lords’ members of the ‘peace party’ were responsible for two thirds of their House’s attendance at the committee, which together with their allies from the Commons had given them an influence that they had now lost. An illustration of this loss was the argument first made in the committee in early August of approaching the Scots to come into England; that it would be a good and necessary boost to morale. The information was contained in an intercepted letter from the committee and reported in a royalist newsheet that can be reasonably taken to reflect the truth.

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<sup>205</sup> *LJ* vi pp.199, 210-3, 217, 227-9, 233, & 252.

<sup>206</sup> *LJ* vi pp.128 & 228.

The 'Committee hath sent down an expresse Messenger to their Sub-Committee in Scotland, that they should use all possible meanes to bring over some Scots though they be never so few, for if we can obtaine but 500 Scots to land at Hull, it will infinitely encourage our friends, who now grow every day lesse and lesse, by reason so many fall from us, and daily prove false to us.'<sup>207</sup>

Attendances had dropped to crisis levels by the middle of August. There were three members in the Lords and less than sixty in the Commons, according to a jubilant *Mercurius Aulicus*. In an effort to boost the attendance in the Lords the Speaker sent letters on 25 August to North, Dacres, Lincoln and Bruce to attend the House forthwith. North pleaded illness and Dacres ill health, while Bruce and Lincoln apparently did not respond. Dacres was then ordered to attend 'in regard of the great important Business now in Agitation.' Lincoln was certainly a regular from 22 September, whilst Bruce and Dacres were in the House fairly regularly from the later part of October. For Parliament to retain its integrity and status it was essential that the House of Lords continued to function as more than a shadow of its former self.<sup>208</sup>

The Commons' Speaker threatened the absentees, some of whom had gone to Oxford, with the sequestration of their estates. As most of the absentees were sympathetic to a peace settlement, and had voted for considering the peace propositions, there was a resultant strengthening of the hardliners.<sup>209</sup>

The Lord Mayor and the City Council had orchestrated the mob outside Westminster on 7 August, but if their intimidation had not worked, they had planned to arrest Northumberland and Holland and six members of the Commons. That this was a serious threat was confirmed by the contents of some intercepted letters received by the Commons on 24 August. One was from the diarist Sir John Evelyn of Wiltshire, who had written from Petworth to his royalist namesake and cousin, the member for Godstone. The letter threw some suspicion upon Northumberland, for Pym ordered 'that no Violence be offered to the Earl of Northumberland his house...and that he'

<sup>207</sup> Glow 'Committee of Safety' pp.289-313. BP 'Mercurius Aulicus' 13 August 1643.

<sup>208</sup> BP 'Mercurius Aulicus' 21 August 1643. LJ vi pp.229-287.

<sup>209</sup> CJ iii p.211. Clarendon Rebellion iii p.140. Gardiner Civil War i pp.185-6.

[Colonel Morley] ‘send up the original Letter.’ It was also ordered that the two Evelyns were to be put into separate safe custody and denied all visitors.<sup>210</sup>

Was this an attempt to defend the Commons’ privileges or possibly a suspicion that peace proposals were being influenced from Oxford by using a freelance royalist with access to the lords in the ‘peace party’? The diarist had written from Petworth and he had visited Hatfield in March 1643. The affair finally came before the Commons in March 1644, when a vote was passed to free the diarist.<sup>211</sup>

Gardiner thought that Charles’ fortunes were at their zenith in the first week of August because of his army’s victorious summer and the low morale of the parliamentary army. It is easy to understand why the six peers deserted Westminster after the reaction to their peace efforts. Had Charles chosen to make an attack upon his capital then there is little doubt he would have carried the day.<sup>212</sup>

The two Houses recognised the danger and took steps to encourage Lord General Essex to be more active in pursuit of victory. They sent a committee ‘of as many Members as can be spared’ to him with instructions that they would be able to provide more men and money if he placed his army on a ready footing to march. Essex replied positively the same day. The reference to the shortage of members shows the pressures they were facing in meeting their commitments. The four that went from the Lords were probably all that had attended the House that day.<sup>213</sup>

At Westminster efforts were being made to try to strengthen the resolve of the parliamentary side with another covenant, known as ‘The Solemn League and Covenant’. This recognised the hoped-for entrance of Scotland into the war and the need to achieve conformity of religion within the two nations. The Commons swore this on 25 September and the Lords belatedly, and then only after a pointed reminder,

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<sup>210</sup> D’Ewes Diary Harleian Ms 165 fo 145.

<sup>211</sup> CJ iii pp.218, 220-2, 254, 313 & 414. Bray Diary i pp.38-9. Basil Duke Henning 3 vols House of Commons 1660-1690 (Cambridge 1983) i p.280.

<sup>212</sup> Gardiner Civil War i pp.194-7.

<sup>213</sup> LJ vi pp.191-3.

on 15 October. This seemed to bring Northumberland back to Westminster two days later, when he was immediately appointed to a committee to confer with Essex about ‘advancing the Armies.’<sup>214</sup> It is an indication of the status that he enjoyed in the Lords. Had he or anyone else not returned to take the Covenant their motives would surely have been placed under scrutiny? There is no better substitute to restore morale than a victory; Essex provided one with his timely relief of Gloucester. Both Houses received the news on 16 September and declared that a ‘Public Thanksgiving be given’.<sup>215</sup>

In an effort to increase the numbers of the peers attending their House the Journal started to record the names of those present from 22 September. That day eleven attended, however Northumberland, Pembroke and Salisbury were not present. The same day the Lords sent a message to the Commons that they wished to add the earls of Lincoln and Stamford to the Committee of the Safety of the Kingdom, because so many of the lords already appointed are absent. They also told the Commons ‘That this House is now thin, but that they will take it into their Consideration, and think of some convenient Time for the taking of the Covenant.’<sup>216</sup>

It would seem from these three items that the Lords realised they were becoming too stretched by absenteeism and in danger of losing their credibility. They could also have been delaying taking the Covenant, which many would have seen as the dangerous step of entering into an alliance with a separate country. An incentive to attend Parliament was an ordinance that allowed the assessment of any members who were or had been absent or were in war against Parliament. The Lords would lose their right of self-assessment and have no control over which of their assets were taken.<sup>217</sup>

When Salisbury returned to Parliament he was appointed to a committee for dealing with the supply of wood for the poor of Westminster and the City. The next day

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<sup>214</sup> Gardiner Documents pp.267-271. CJ iii p.254. LJ vi pp.242, 251-2 & 260-1. Robert Cecil and Cranborne took the Covenant on 30 September and 19 October respectively. CJ iii pp.259 & 282.

<sup>215</sup> LJ vi p.218-9. Gardiner Civil War i pp.202-206. Clarendon i pp.169-171.

<sup>216</sup> LJ vi p.229.

<sup>217</sup> LJ vi pp.2501.



the second earl, who was the Ranger for Enfield Chase, reported that so much wood had been cut there that it would destroy the forest. The House ordered that the delinquents Salisbury named should be sent for to answer the charges. Four men were found guilty a week later and committed to the Fleet. The Woodward of the Chase was ordered to use the constables to search for the wood that had been cut down and find the names of those who held it. This may seem a trivial matter when Parliament was desperately trying to raise money to fight the war. However winter was coming on and the supplies of coal from Newcastle and wood from the upper reaches of the Thames had been interrupted. Parliament could not allow a free-for-all in the forests around London, where no doubt there would be many entrepreneurs waiting to profit. They were also aware that a fuel shortage in a cold winter would have a devastating effect upon morale in London.<sup>218</sup>

The need to raise finance to bring the Scots over the border and threaten the royalists in the North and to put the parliamentary army onto the offensive was met in several ways. Salisbury was on a committee to speak to Justice Berkley about collecting a fine of £16,000 that the Lords had imposed on him because of a past judgement over ship money. The second earl also sat on a committee to consider a Commons' ordinance 'for the better Encouragement and Support of the Merchant Adventurers.' The two Houses were prepared to pass an ordinance that would be guaranteed to become an act once the king was once again in his place as King-in-Parliament. In return they would get a loan of £30,000 at eight percent and the Adventurers could assess their own membership for taxation in the future.<sup>219</sup>

The arrangement illustrated the temporary status of an ordinance, compared with an act of Parliament that carried the Great Seal. When Littleton, the Lord Keeper, left Parliament in 1642 to go to York he took the Great Seal, the highest symbol of

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<sup>218</sup> *LJ* vi pp.234-5 & 244.

<sup>219</sup> *LJ* vi pp.210-1 & 235.

sovereignty, with him. Charles was delighted to have it.<sup>220</sup> The Commons had been pressing the Lords since May 1643 to have a new seal produced to replace the missing one. Salisbury was on the committee which decided that ordinances were powerful enough and that a new seal was currently unnecessary. The members may have thought that such a highly provocative action, if they had agreed it, would have opened the gap between the king and the two Houses further. Agreement was reached on 11 October 1643 and on 30 November two peers and four commoners were sworn in as Commissioners. Gardiner saw the action ‘as an indication that they no longer intended to keep terms with the king.’<sup>221</sup>

The use of Commissioners was recognition that only the King-in-Parliament could give positions of State. Members of the Long Parliament observed this and used the same procedure that James had used when Robert Cecil, first earl of Salisbury, died: he had put the Secretaryship into commission. Bolingbrooke, one of the original Commissioners, died in June 1646 and the two Houses agreed on 3 July 1646 to make Salisbury a Commissioner in his place. Sir Thomas Dacres, Salisbury’s chief keeper of Enfield Chase, had nominated him in the Commons and he was sworn on 11 August. On 6 August 1646 the Great Seal, captured in Oxford, was brought to Parliament and broken in ‘the Presence of both Houses’.<sup>222</sup> This was an extraordinary symbolic moment, a repudiation of royal legal power.

On 12 December 1643 a motion was passed that ‘no Members of either House to hold any Place of Profit, except such as are necessary for the Safety of the Kingdom.’ This was referred to a committee, which included Salisbury, to draft an order to reflect this sentiment. It was read and agreed that it should ‘be entered as the Opinion and Resolution of this House’. However the proposition that it should be turned into an ordinance received a negative vote. It was probably recognised that the

<sup>220</sup> Clarendon *Rebellion* ii pp.110-9. Wormald *Clarendon* pp.107-9.

<sup>221</sup> *LJ* vi pp.54-6, 95, 97, 254, 305 & 318. Gardiner *Civil War* i p.250.

<sup>222</sup> *LJ* viii pp.408-11, 453-7 & 457-9. *CJ* iv p.634.

Commons would have given it a poor reception; but they now had a permanent record of their feelings.

‘Ordered by the Lords in Parliament assembled, That the Opinion and Resolution of this House is, from henceforth, not to admit the Members of either House of Parliament into any Place or Office, excepting such Places of great Trust as are to be executed by Persons of Eminency and known Integrity, and are necessary for the Government and Safety of the Kingdom.’<sup>223</sup>

Was it seen as a safeguard against the possibility that the new version of the Great Seal would be used to legitimise the elevation of members of the Commons to positions of state? That would emasculate the prestige of the Lords and be a challenge to Charles’ prerogative. Sir William Waller was already a general of an army and had attracted the jealousy of Essex. The Lords would have been aware of the ‘democratic winds’ blowing around London and probably felt their privileged position could be under threat.

They may also have been influenced because they considered the ‘real’ Great Seal legitimised their present sitting at Westminster and its replacement by an ‘impostor’ would bring to an end the legality of that sitting. This was the argument used by Charles to justify his calling of a Parliament in Oxford. They were also aware that an act of 1352 made the use of a counterfeit Great Seal an act of treason.<sup>224</sup>

That Westminster ‘no longer intended to keep terms’ with the king was reinforced by the news that Charles had agreed a cessation of arms with the rebels in Ireland. Salisbury was on a committee of six formed on 19 October to consider a printed declaration concerning the matter. They met next day in joint committee with the Commons. They feared that some English regiments would be released from the fight against the Irish Catholics and used instead to oppose the parliamentary army. Their suspicions were justified when two regiments landed in the West Country a few days later. Initially it was thought the released soldiers were Catholics and not in fact Protestants, which was the impression that stayed in the minds of many

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<sup>223</sup> LJ vi pp.338-9.

<sup>224</sup> Smith Constitutional Royalism pp.186-8.

parliamentarians. The two Houses responded by bringing forward the long delayed impeachment proceedings against Archbishop Laud and seeking the money agreed under the treaty with Scotland, so that their troops would be available for the parliamentary cause.<sup>225</sup> In the face of these events Northumberland and his friends were now powerless to put forward any more peace proposals and perhaps thought the point would soon arrive when only outright victory would bring them the opportunity to do so.

The Lords may have felt their power was being eroded but they still provided the majority of the military leaders in the field. The successes of Sir William Waller were causing resentment. Essex was aggrieved because he felt he should have supreme command; Waller's recognition of that mollified him. Whilst Essex remained Lord General the Lords knew they could still wield some influence.<sup>226</sup>

John Pym, the leader of the 'war party' in the Commons, died on 8 December. Harry Vane, junior, had worked closely with Pym and now emerged as the new leader. He had skilfully used the discovery of the Ogle and Brooke plots to further his agenda. Charles had agreed with Thomas Ogle that he would do something to help those with tender consciences in religious matters, otherwise known as Independents. Ogle would arrange that the garrison at Aylesbury would capitulate in return. Sir Basil Brooke received an assurance that Catholics would receive favourable treatment in exchange for raising a revolt in the City against the king's opponents. Unfortunately for Charles the correspondence involved in both plots was revealed to the Committee of Safety, in the case of Aylesbury by the active co-operation of Ogle's supposed friends there. The plots were allowed to run, the Independents involved decided they did not trust Charles and withdrew their support, whilst Charles' army was allowed to march into a trap outside Aylesbury and suffered a heavy defeat. Vane timed the revelations of the plots

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<sup>225</sup> LJ vi pp.263-5, 267-9 & 274. Gardiner *Civil War* i p.245.

<sup>226</sup> LJ vi pp.246-7.

to show the uselessness of any negotiations with Charles because of his complete lack of trustworthiness.<sup>227</sup>

On 22 December Charles summoned all those members of both Houses who had deserted Westminster, or were prepared to do so now, to receive a pardon from him and meet in a Parliament on 22 January 1644 in Oxford. The king's proclamation calling this Parliament was intercepted by Essex's soldiers and sent to the Lords on 2 January. The following day the Lords reacted to this by appointing committees to 'draw up an Answer to the King's Proclamation' and the procedure for impeaching the queen. Salisbury was a member of both committees.<sup>228</sup>

The king was playing the nationality card with his proclamation, by deploring the invitation of the two Houses to send Scottish soldiers into England, whilst conveniently ignoring his own invitation to the Irish to do likewise. The question of impeaching the queen had first come to the Lords from the Commons in June 1643, when Charles had proclaimed that this assembly was not a 'free Parliament'. The House of Commons was then effectively challenging the Lords to make good their resolutions made in committee, one of which was the impeachment of the queen. The Lords had left the matter on the table, but in the face of the king's actions they probably felt they had no other course than to proceed. On 3 January 1644 Salisbury was on the committee asked to look at the ways of proceeding and seek out any precedents.<sup>229</sup>

There was a gradual realisation that even if the Scots entered the war, the efforts of the two Houses' armies were too disjointed to guarantee a final victory. They could keep on achieving successes, but without a central direction free of delays, the war would continue. This would sap morale and infect their supporters with disillusionment. The two Houses had to remove any hope from the king that he would achieve an eventual military victory and thus recognise the need to negotiate.

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<sup>227</sup> LJ vi pp.369-71 & 385. For the Ogle and Brooke plots, see Gardiner *Civil War* i pp.259-275.

<sup>228</sup> LJ vi pp.361-5 & 370

<sup>229</sup> LJ vi pp.104, 107-112 & 362

The Commons' answer was to call for the formation of permanent standing armies. On 4 December, in response to a letter from Essex, passed to them by the Lords, it was recommended they acted 'speedily to take Order for Recruits and Maintenance of the Army'. The Commons voted for 10,000 foot and 4,000 horse to be under Essex's command and 6,000 horse and 2,000 foot under Waller's. The troops were to be paid regularly. The theory now had bones, but the difficult part was to put some flesh on them by finding sufficient volunteers, a task that was to take several months.<sup>230</sup>

To do this the two Houses decided that a body able to direct the commanders and their armies, as well as the Scots, to co-operate in joint actions would be more likely to achieve success. The commanders now had the confidence that the soldiers would be enlisted to the end of all hostilities and be paid regularly. On 11 December 1643 it was moved in the Lords

'That, in regard the Scotts Army hath appointed their Rendezvous the 29<sup>th</sup> December 1643...and considering the Forces of the City now with the Lord General are shortly to return, that a Conference may be had presently with the House of Commons...that they would speedily take some Course for the Recruiting of the Lord General's Army.'<sup>231</sup>

The result of these efforts to put the management of the war on a surer footing was the emergence of the Committee of Both Kingdoms. It consisted of twenty-five members, made up of the four London-based Scots commissioners, seven from the Lords and fourteen from the Commons. The Lords had been under-represented in the negotiations in Scotland and had allowed Vane to play the leading part. Vane had replaced Pym as the de facto leader in the Commons, ably supported by Oliver St. John. Whereas Pym had been in favour of a negotiated settlement with Charles, with safeguards, Vane and St. John wanted to negotiate from a position of strength after defeating him. The Scots' policy was the achievement of conformity of the three

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<sup>230</sup> LJ vi pp.322-4. CJ iii p.342. Gardiner Civil War i p.252. Cal S.P.Venetian 1643-7 pp.46-7.

<sup>231</sup> LJ vi p.335.

countries' religions to their form of Presbyterianism, whilst for the English it was for a new constitutional monarchical settlement.

Despite these contradictions the committee was going to be given very extensive powers at first but these were later, on paper at least, circumscribed. The Lords first considered an 'Ordinance for Committees of both Houses to treat with the Scots Commissioners' on 1 February 1644. Vane had brought it to the House; business had been heavy that day and it would seem that it was dealt with last and interestingly not entered in the Lords' Journal, as was the usual practice. As Notestein noted, 'In some way the measure was so managed as to be proposed and voted upon without much consideration.' The names that Vane had apparently included in the paper were not questioned and surprisingly included fourteen members of the Commons. It gave the committee the power 'to order and direct whatsoever doth or may concern the managing of the war' and also 'whatsoever may concern the peace of His Majesty's dominions.' The whole document would give them control over both the conduct of the war and of any peace negotiations, all without a time limit and without any need to refer back to the Lords and Commons first.<sup>232</sup>

The Commons were not as accommodating as the Lords and a new bill had to be drawn up. This placed a time limit of three months on the committee's activities and ensured that any peace proposals could not be entered into without the direction of both Houses. Salisbury had not been present when the ordinance had first been considered, but he was active over the next month in trying to alter it. The amendments that were made gave back some control to the 'peace parties'. Salisbury was one of the six lords the House tried unsuccessfully to add to the committee to change the balance towards the 'peace party'. The Lords came out of this episode badly; they had not sent anyone to the preliminary discussions in Edinburgh and then had allowed themselves to pass

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<sup>232</sup> Wallace Notestein 'Establishment of the Committee of Both Kingdoms' in American Historical Review (1912) vol 17 pp.477-495, hereafter, Notestein 'Both Kingdoms'. Pearl 'Oliver St. John' pp.490-517.

the original ordinance without proper scrutiny. They then found they were unable to make any further amendments when the bill finally came from the Commons. The Lords' 'peace party' had been out-manoeuvred.<sup>233</sup>

Salisbury lost the executive power he had enjoyed with his work on the Committee of Safety and now found himself in the minority 'peace party'. Why had he and his colleagues allowed this to happen? Vane had used his undoubted political skills by applying the duress of the need to bring the Scots quickly into the war. The Scottish commissioners certainly helped him by letting it be known that they had to present something tangible and acceptable to their colleagues in Scotland quickly. Vane was able to present his own draft legislation, containing most unusually the names of the new committee within it.<sup>234</sup> It was slanted in such a way that the balance might have favoured those looking for an outright military victory prior to opening any peace negotiations.

In early March Essex received a letter from Charles addressed to the two Houses, which he passed to them. A joint committee from both Houses, including Salisbury, met to open it and consider their response. The letter was an offer to negotiate a peace on which the Oxford session had advised Charles. It was unacceptable to those at Westminster, because they considered that they were the only rightful Parliament and that to recognise the 'Oxford Parliament' would have given it legitimacy. It was decided to reply stressing this. The Lords asked the Commons for their agreement to their letter in which they

'earnestly desire his Majesty to come to his Parliament, by such a Day as shall be named; and that if he will not, we must use such Means, and make such

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<sup>233</sup> LJ vi pp.404-30. Notestein 'Both Kingdoms' pp.489-95. Gardiner Documents pp.271-3. The full ordinance included the names of the committee.

<sup>234</sup> LJ vi pp.427-30.



Provision, for the present and future Preservation of religion, and of the Kingdom, as,  
in the Wisdom of the two Houses, shall be found fit and necessary.’<sup>235</sup>

This was, as Gardiner saw it, the ‘germ of the idea of the king’s dethronement’. If so, that this should emanate from the Lords showed how far their patience had been stretched. Ironically it was the Scottish commissioners on the Committee of Both Kingdoms that had the clause removed. The Lords’ committee responsible for drawing up the original letter was composed of Essex, Warwick, Saye, Wharton, Northumberland, Pembroke, Lincoln and Salisbury. The first four can be considered to have previously been looking for a negotiated settlement through military pressure, whilst the others were consistently looking for peace negotiations. Mulligan suggests that some of the individuals concerned may have agreed to the hard line taken, knowing that the Scottish commissioners, who had been selected because of their moderation, would not accept the draft letter without amendment. They would therefore escape any suspicion of contact with the enemy. The Scottish Commissioners’ moderate letter was the one that eventually went to the king. A further result of this reference to the Scots was that the Committee of Both Kingdoms now had control of any peace negotiations, despite the two Houses earlier apprehensions.<sup>236</sup>

The preparation of these peace proposals were not hurried along by the dominant ‘war party’, who were beginning to entertain realistic hopes of an early victory. The harsh conditions offered meant that the exercise became a charade, for they must have known that they would be unacceptable to Charles. The ‘war party’ had managed this time to include a provision requiring Charles to name a day for his return to Westminster; otherwise an alternative would be found for carrying on the government without him. This possibility was now in the public domain.

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<sup>235</sup> LJ vi pp.450-4. CJ iii pp.417-9.

<sup>236</sup> Gardiner Civil War i pp.328. LJ vi pp.451-4. Lotte Mulligan ‘Peace Negotiations, Politics and the Committee of Both Kingdoms, 1644-1646’ in HJ (1969) vol 12 pp.3-22, hereafter, Mulligan ‘Peace Negotiations’. CJ iii pp.423 & 429. LJ vi pp.458-464.

The ‘peace party’ did not have a policy to counter Vane’s political skills. He led the ‘war party’ in the Commons and the Committee of Both Kingdoms: he was usually a teller in the Commons when contentious votes were taken, and took the Commons’ ordinances to the Lords. The answer of the ‘peace-party’ was to admit their errant members back, but this required the Commons’ approval. They would not allow this and lose their own dominance. After three months it was necessary to renew the committee’s mandate. The Lords sent back many amendments that were designed to increase their membership on the committee. On 13 April they noted that it was their just right and privilege to name their own committee and the number of peers on it. Eleven days earlier Robert Baillie, one of the Scots commissioners, had observed that Pembroke and Salisbury had been aggrieved when the first committee had been set up and were leading the proposals to take any peace proposals away from the Committee of Both Kingdoms. However, success in the field had weakened their case.<sup>237</sup>

On 20 May, in a final attempt to increase the Lords’ representation, they asked that Pembroke and Salisbury be appointed to the committee. This was a reduction from the six they had originally asked for and would probably have got the support of the Scots, as the two peers were generally thought to be favourable to them. This caused a further delay that left the army without any firm direction. Once again Vane and St. John used parliamentary procedure to further their policy by reviving the original ordinance that the Lords had passed in February. This did not contain any time limit on the committee’s activities. The ‘peace party’ had been out-smarted once again; the old committee met on May 24 with the freedom to work without a time limit. Parliament now had no involvement in two important areas, the direction of the war effort and the peace negotiations.<sup>238</sup>

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<sup>237</sup> LJ vi pp.513-7. Laing Baillie ii pp.154-5.

<sup>238</sup> CJ iii p.503. LJ vi pp.560-2 & 564. Gardiner Documents pp.273-4. The Journals of both Houses during March, April and May show the constant problems the ‘peace party’ faced coping with Vane’s political skills.

Salisbury's local county committee was trying to assess and tax him on his parks. However, 'being Parks that are ancient and not liable formerly to any Taxes, and no Profit made of them' he found himself 'much grieved' by this. The House decided that his parks ought to be discharged from Assessments and Taxes. The Lords thought it wise to look at the matter in general and on 24 June 1644 read an ordinance twice, before passing it to a committee that excluded Salisbury. The ordinance came back to the House on 20 July for a third reading and was then returned to the Commons. Four days later it was read there and decided it should be left for another day when their House was full. The matter does not appear in either Journal until 12 November 1645, when it would seem that the Lords had been using their order as sufficient legality for their purposes. They probably considered it a matter that historically had been their privilege.

'The Order for exempting the Parks that belong to the Mansion-houses of Peers of this Land, being Ancient Parks, and no Profit made thereof, shall be general, that so any Peer as will may take the same out.'<sup>239</sup>

On 26 December the Commons were informed of the Lords' order and declared that all the parks, whether they belonged to lords or gentry, were to be taxed and assessed as other lands and the reasons were to be communicated to the Lords. There was a great need to raise money for the army in the north led by Fairfax, and the Lords' order exempting parks was no longer sustainable.<sup>240</sup>

The Lords saw it as a duty to protect the privileges of all the nobility, except those who were in arms against them, and even then they were prepared to help their dependents. It had the aspects of a club with a duty to all the members except the most errant. This attitude made the conduct of any negotiations easier and helped to make life pleasanter when hostilities were finally over.

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<sup>239</sup> LJ vi pp.597-8, 603 & 642-3. CJ iii p.568.

<sup>240</sup> LJ vii pp 698-9. CJ iv pp.385-6.

In the depleted Lords, Salisbury was called upon to sit on numerous committees. The experience he had gained from running his estates and his positions as a privy councillor and lord lieutenant would have stood him in good stead. On 2 October 1644 Salisbury and Pembroke confirmed that Charles had granted Little Windsor Park to the position of Gentleman Usher of the Black Rod before the hostilities. It was probable that, as regular members of the king's hunting parties, they would have been present when Charles made the arrangement. Their ability to quote first-hand experience of the royal Court and the Privy Council must have been of use on many occasions.<sup>241</sup> A week later Salisbury, Denbigh and Wharton prepared the address to be given to the Lord Mayor-Elect after he had been presented to the Lords. This was a duty that the Lords had to perform 'in the King's Absence and unhappy Separation from His Parliament.'<sup>242</sup>

On 12 October Salisbury served on a committee to consider a Commons' ordinance for raising money on the king's plate in The Tower. Kent, on behalf of his colleagues, recommended that the plate should not be melted down or pawned and that the money that would have been raised should be found elsewhere. The Lords probably felt that it was their duty to preserve the Royal Family's possessions whilst they recognised him as their King-in-Parliament.<sup>243</sup>

On 21 October Salisbury reported from the committee that had considered the sequestration of the estates of delinquents in Jersey. He suggested the need for a few amendments before they agreed to the ordinance from the Commons. The Lords were taking on the role of a revising chamber. This was a course that probably suited those in the Commons who did not want to be seen to be holding the more strident members back; thus transferring any odium to the other House.<sup>244</sup>

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<sup>241</sup> LJ vii pp.6-9.

<sup>242</sup> LJ vii pp.17-8.

<sup>243</sup> LJ vii pp.19 & 24.

<sup>244</sup> LJ vii p.30.

Salisbury's life in the Lords was a varied round of highly important business. He was involved in raising £66,666. 13s 4d or 200,000 marks for funding the Scots army; the consideration of Manchester's report on a disagreement between himself and Cromwell before the battle of Newbury; the provision of a new Seal for the County Palatine of Lancaster; the disposals of the livings that were in the gift of bishops, and on a committee to receive a letter from the Queen of Sweden. All these examples are taken from a month at the end of 1644 and none of them would have arisen had there not been a break with the king.<sup>245</sup>

The trial of Archbishop Laud lasted from 12 March to 11 October 1644. The Scots were keen to see some movement towards Presbyterianism in England and the trial was a token of intent. Salisbury, Pembroke, Lincoln, Warwick and Northumberland from the Lords were sworn in as witnesses to be examined before the trial started.<sup>246</sup>

Laud was found guilty on 17 December 1644 of three charges, but only fourteen peers were present in the House, according to him, although the Journal records twenty-one. One of the charges suggested that 'he hath endeavoured to alter and subvert God's true Religion'; significantly this was upheld with no dissenters. The other two charges were passed with some votes against them. The Lords were not happy with their verdict, so they asked the judges if the crimes actually amounted to treason as a matter of law. The judges passed it back to them because they were unable to give an opinion, and Laud correctly recorded that they "could not charge me with treason by any known law of the land". The Commons responded by sending up an ordinance for Laud's attainder. Two days later the Lords voted to delay the consideration of the ordinance. Salisbury, Stamford, North and Willoughby were selected to draw up the heads for a joint conference. Their report suggested that they

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<sup>245</sup> LJ vii pp.73, 76, 84, 88, 94 & 105.

<sup>246</sup> LJ vi p.459 & 466.

ought ‘to acquaint the House of Commons with their just Scruple therein, which is such, as for the present, until further Satisfaction, they cannot so freely consent unto the Ordinance’. Laud recorded that until they had been satisfied they could not act ‘in Honour and Justice’. They were probably also worried that their judgement would be liable to a challenge at some point in the future. This was a completely novel legal procedure, made all the more startling because Charles, as Supreme Governor, should have been the final arbiter.<sup>247</sup>

The Lords passed the attainder on 4 January 1645 and Laud was executed six days later. The final vote for the attainder of Laud is not known, but we do know that Pembroke, Salisbury and Saye were amongst those who were in favour, whilst Northumberland, Essex and Lincoln were either against it or had slipped away on some other business. Salisbury found himself amongst those who were generally against episcopal power, despite his family’s staunch adherence to the Elizabethan settlement, and can be seen to have started adopting a harder line.<sup>248</sup>

An ordinance to exclude the members of both Houses from holding “any Office, Civil or Military” was passed by the Commons on 19 December and went to the Lords two days later. There were twenty-seven lords who were entitled to vote. They were asked to deprive themselves of any present or future offices they might have or could have held. Not surprisingly they were unhappy with this and appointed a select committee, including Salisbury, to consider the alterations that should be made. The Commons applied constant pressure on the Lords to pass it, but they finally threw it out on 13 January 1645 with only four dissensions: Kent, Northumberland, Nottingham and Saye. On February 25 the Commons appointed a committee to draw up a fresh ordinance. This differed superficially from the earlier one because now members of

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<sup>247</sup> LJ vii pp.102, 109, 11-2, 124-7. William Laud ed Henry Wharton History of the Troubles and Tryal of William Laud Lord Arch-Bishop of Cant. (London 1695) pp.441-3.

<sup>248</sup> BP Mercurius Britannicus no 68 p.534. BP Mercurius Aulicus 5-12 Jan 1645 p.1333. Clarendon Rebellion iii p.465. Adamson Peerage p.290.

Parliament were no longer to be disqualified but had to resign their positions within forty days.<sup>249</sup>

In November 1644 Vane and Cromwell recognised that some of the army leaders were not pursuing an outright victory. Significantly, this was a major issue, since in their opinion, it would be the only way to bring the war to an end. The Commons asked the Committee of Both Kingdoms to ‘consider of a frame or model of the whole militia’ that could provide an army wholly at the disposal of the Committee.<sup>250</sup>

The measure to establish a standing army, the New Model, was passed by the Commons on 21 January 1645. This complemented the Self-Denying Ordinance and appointed Fairfax as the army’s commander-in-chief. On 28 January the ordinance went to the Lords and Fairfax’s List of his Officers followed on 5 March. The list was passed on 18 March by eleven votes to ten after some of the names were disputed. The vote was replicated on 3 April, the same day the Self Denying Ordinance was passed, when the Lords accepted Fairfax as leader of the New Model Army.<sup>251</sup>

The delay was caused by the wait for Essex and his seven fellow commanders to resign their commissions. Salisbury was on the committee that recommended on 2 April to the Commons, the same day Essex resigned, that some compensation should be made to Essex, Manchester and Denbigh for the service they had given.<sup>252</sup> It was at this point that the labels of the ‘peace and war parties’ have to be reversed. Essex and his friends were now ready to welcome the king back, provided only that he agreed to return to the situation prior to his deserting Parliament to go to York. However, Northumberland and his followers in the old ‘peace party’ thought that only defeat and a treaty that held the king tight in the grip of Parliament would suffice.

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<sup>249</sup> CJ iii pp.726-30. LJ vii pp.109, 123, 129, 131-2 & 134-6. Woolrych Britain in Revolution p.303. Gardiner Civil War ii p.118. Gardiner Documents pp.287-8.

<sup>250</sup> Gardiner Civil War ii pp.5-6. CJ iii p.703.

<sup>251</sup> CJ iv pp.26-7 & 83. Gardiner Civil War ii p.119 & Documents pp.287-8. LJ vii pp.263-5 & 276-9.

<sup>252</sup> LJ vii pp.299-301, 385-8 & 405-7. CJ iv pp.96-7 & 630.

Salisbury had voted for both Fairfax and the List of Officers in the company of the new 'war party'. The Self Denying Ordinance applied to all military and civil positions but did not affect those who held appointments made by the king; these included Salisbury as Captain of the Gentlemen Pensioners and Saye, Master of the Court of Wards.

The Commons expressed their gratitude to the Lords by drawing up a declaration of their wish to preserve the liberty and independence of the peers. There had been indications that some of the Commons had discussed taking away the privileges of the peerage and uniting them in one House, imitating the Scottish model. Ambassador Agostini had reported to the Doge in mid-January that

‘The ill feeling between the two Houses increases daily, the Lower being openly determined to bring down the Upper and destroy the lustre of the Nobility....The Common Council of the city has been induced to prepare a paper with extraordinary and shocking demands not only against the king himself, indifferent about injuring the deceased father by declaring the king with all his descendants, direct and collateral, incapable of succeeding’,<sup>253</sup>

The affair was blamed on malicious people spreading rumours, but it must have been taken seriously, otherwise it would have been unnecessary to make the declaration.

The Lords' awareness that their power was being eroded was apparent in their request made on 4 April to the Commons for a conference. They pointed out that they had passed the Self Denying Ordinance without any alterations or delays, and thought that it was now only right that the places the nobility had usually held as commissioners of the Great Seal, the Revenue, Admiralty and Navy should be restored to them. The Commons acceded to their request.<sup>254</sup>

It became increasingly obvious to those that were seeking a peaceful outcome that only negotiations for a set-piece treaty might succeed. In November 1644 the two Houses sent the king a new set of propositions. These were much tougher than any earlier set and showed how the formation of the Committee of Both Kingdoms had

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<sup>253</sup> Cal S.P.Venetian 13 January 1645 Agostini to the Doge.

<sup>254</sup> LJ vii pp.303-7.



affected attitudes.<sup>255</sup> Charles was probably content to take advantage of a break from hostilities during the winter and saw the negotiations, known as the Treaty of Uxbridge, as an opportunity to sow some discord amongst the parliamentarians, as his note to Nicholas of 5 February suggests.

‘I shoulde thinke, if in your privat discourses (I nowais meane in your publique meetings) with the London Commissioners, you would put them in mind that they were arrant Rebelles and their end must be damnation, riune, and infamy, except they repented, and founde some way to free themselves from the damnable way they ar in (this Treaty being the aptest) it might doe good; and chiefly, if Hertford or Southampton would doe it, though I belive it will have the owen operation by any of you.’<sup>256</sup>

It confirms that the king had no intention of reaching any agreement other than on his own terms. The royalists probably saw the formation of the New Model Army as a sign of weakness and did not fully recognise the potential threat that it posed. The ‘war party’ saw it as an opportunity to demonstrate the futility of negotiating with the king. However all Charles achieved was to bring the Scots into complete agreement with the opposition because of his attitude to Presbyterianism. This made the acceptance of the New Model Army Ordinance by both Houses easier.<sup>257</sup>

The experience must have been painful for both sides as the Lords’ Journal confirms. Salisbury was one of the negotiators and it was surely at this point he realised that only an outright military victory was likely to bring the king to any meaningful negotiations. He voted for the New Model Army List on 18 March and for Fairfax’s unchanged Commission on 1 April. Salisbury had effectively voted for the removal of his fellow nobles from the leadership of the parliamentary armies and to replace them with commoners. He had also opposed the Lords’ amendment instructing Fairfax to preserve the king’s body in any military action. These actions showed a change in attitude that now put him firmly in the ‘war party’, with Essex in the opposite camp.<sup>258</sup>

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<sup>255</sup> Smith Constitutional Royalism p.120-1. Gardiner Documents pp.275-87 gives the two Houses’ and the king’s counter propositions.

<sup>256</sup> Smith Constitutional Royalism p.122.

<sup>257</sup> Gardiner Civil War ii pp.120-131. Mulligan ‘Peace Negotiations’ p.13.

<sup>258</sup> LJ vii pp.136, 165-254, 276-9 & 292-9.

The acceptance by Salisbury and his fellow nobles of the break in the military tradition that had prevailed since Saxon times of armies that were commanded by the nobility was astonishing. This was followed on 25 May by a Commons' vote to appoint Captain Batten to command the navy without seeking the Upper House's confirmation.<sup>259</sup> All this reflects the Commons' desperate need to bring hostilities to an early conclusion in the face of Charles' continued intransigence and the danger that the City and the general population were becoming war-weary and would accept the king back on his own terms. That was something that many parliamentarians could not accept after they had invested so much of their prestige and fortunes in the war. They had, to quote Gardiner, been through a 'long struggle' that had 'threatened to rend the parliamentary party in twain and to lay it dishonoured and degraded at the feet of the king'.<sup>260</sup>

Once again it is possible to take the view that Salisbury had not been consistent in his actions. However he had taken the pragmatic road and recognised the changing situation and thought that the only policy to bring Charles to realise the need for a settlement was to defeat him in the field. To do that he was now prepared to support the only force that was able and, perhaps more importantly, willing to do so.

Salisbury displayed acute political acumen both in his pragmatic actions in the votes in the Lords and his moves between the 'peace' and 'war' parties. He kept his eye on the ultimate goal of bringing Charles to the treaty table. He has once been underrated and has had more success than he has received credit for.

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<sup>259</sup> CJ iv p.144.

<sup>260</sup> Gardiner Civil War ii p.191.

## **Chapter Seven.**

### **Military Victory, Regicide, Protectorate and the Restoration.**

When news came of the New Model Army's successes a different prospect was opened up for Salisbury and his friends. They began to anticipate the post-war settlement and positioned themselves to take advantage of it. They still hoped that Charles would remain king, but foresaw the necessity that they would have to continue the defence of the privileges their rank enjoyed and to maintain their unique position in the kingdom's government. If Charles should be deposed it would be imperative that they might somehow exercise the power they had possessed before 1642. They wanted to ensure that their ideas on the monarchy, government and religion were those that were accepted. They were faced with an unprecedented situation and the possibilities were far from clear. The immediate goal was to gain control of the king; otherwise he would always have the prestige of the Crown and be a magnet for any dissatisfaction.

Northumberland was seen as the leader of the 'war party' in the Lords after the breakdown of the Uxbridge Treaty negotiations. He had, like Salisbury, voted for the Self-Denying Ordinance and the New Model Army. The Commons showed their appreciation on 18 March by giving him guardianship of the king's two youngest children, the duke of Gloucester and Princess Elizabeth. The duke of York joined them in July 1646 after the fall of Oxford. It was seen by some as a precursor to Northumberland's appointment as Lord Protector over the duke of Gloucester should the king continue to refuse terms. Others saw the move as a way to block any ambitions that Essex might have had.<sup>1</sup>

Salisbury supported Northumberland in the 'war-party' but still remained his own man. Significantly, he had not joined Northumberland in opposing Laud's

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<sup>1</sup> LJ vii p.279. Gardiner Civil War ii p.189. Adamson Peerage p.38 fn.

execution, but they continued to co-operate in their personal and political lives. It may have been that Northumberland had some legal scruples over the execution and would surely have discussed these with Salisbury.<sup>2</sup> This probably illustrates how far Salisbury thought Laud had influenced Charles and hence the archbishop's personal responsibility for the civil war.

Salisbury, as chairman, reported from the committee dealing with the king's children that they considered that £3,000 per annum was 'a competent Proportion for' Northumberland's 'subsistence.'<sup>3</sup> The earl was also allowed £5,000 per annum for the children's expenses and the use of York House. In February 1648 Northumberland asked to be relieved of his responsibilities. The two youngest royal children were passed to his sister, the Countess of Leicester, in May 1649. The duke of York escaped in April 1648 but the earl was cleared of any responsibility.<sup>4</sup>

Northumberland received rapid payment of the sums that had been agreed; because the Committee of the Revenue was effectively run by the 'war party' and all the major recipients came from that grouping. The committee administered the money received by the Exchequer and had discretion on how quickly it was paid out. This also applied to money authorised by parliamentary ordinances.<sup>5</sup>

Importantly Salisbury had been able to weave an intricate web by placing his own staff, and those in his patronage circle, in control of financial matters.<sup>6</sup> The revenues were now flowing into the Exchequer at a faster rate because Parliament had control over more territory and access to a larger population to tax, as well as receiving more of the king's revenues. This made control of the Committee of the Revenue attractive; the pressures to bring in money had been considerably more arduous previously. The 'war-party' lords saw themselves as the natural inheritors of the major

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<sup>2</sup> See p. 214.

<sup>3</sup> *LJ* vii pp.124-7, 317-8, 327 & 357-8.

<sup>4</sup> *LJ* vii pp.380 & 577. *CJ* iv p.270. *ODNB* 'Percy'.

<sup>5</sup> *LJ* vi p. 399. *LJ* viii pp. 195 & 241. *CJ* iv p. 491.

<sup>6</sup> See p. 173.

positions of power in the post-war settlement. This was a view that many in the Commons might have agreed with as a guarantee that the king would be held in check.

The appointments of Salisbury, Northumberland, Pembroke, Wharton and Saye to the Revenue Committee had turned the committee from one controlled solely by the Commons to one with the status of a joint-committee. Importantly, the Commons had handed their unique and cherished privilege of initiating money matters to a bi-cameral committee. Many of the members of the Commons on the committee had close connections to these lords; for instance Salisbury, Pembroke, Howard and Rous worked together on the committee for the king's children. The relationships made in these bi-cameral committees were crucial. Their business was conducted in private and they would have had to consider joint tactics on many occasions to get their recommendations through the two Houses. In the absence of a Privy Council these committees took on a new status and gave their work an enhanced prestige. However, it was the network of officials that Salisbury and his allies in the 'war party' had put in place that gave them the control over the day-to-day workings, and which enabled them to get beneficial treatment for themselves and their friends.<sup>7</sup>

The committee was able to make discretionary payments without parliamentary orders. Salisbury for example received the remainder of the £10,000 that he had loaned the king to fight the second Bishops' war, despite the difficulties he had experienced when it was set against the revenues of the Forest of Deane.<sup>8</sup> The payments agreed involved capital of £5,000 and interest of £3,989; however he had to wait until December 1649 for complete settlement. He had borrowed £7,700 from Daniel Harvey and £800 from John Harrison to help him make the original payment. The second earl

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<sup>7</sup> See p.173.

<sup>8</sup> See pp.170-1.

was able to claim parliamentary privilege until 1660, when the Long Parliament was dissolved, before he settled those debts. This was a considerable financial bonus!<sup>9</sup>

The second earl continued to receive his daily payment of eight shillings and ten pence as Captain of the Band of Gentlemen Pensioners, although it no longer functioned. He also received a very generous two hundred to two hundred and fifty pounds per annum for winter fodder for feeding the deer at Theobalds; only Northumberland was allowed any similar payments. He authorised payments to his friends Sir Gregory Norton, vestryman in Salisbury's parish church at St. Martins-in-the Field, and John Tooke.<sup>10</sup> The payments were not unwarrantable greed or plain speculation, but a sign of his importance as a major political figure.

Parliament justified its legal existence by recognising that King-in-Parliament was still functioning. Therefore any payments made in respect of Salisbury's Privy Seal for his loan of £10,000, his royal appointments as Captain of the Pensioners and the Ranger of Theobalds could be made with a clear conscience. His opponents in the Lords were not entitled to such payments, or if so, received them after some delay, which was within the committee's discretion. These payments to Salisbury may well have caused a few raised eyebrows when the country was under a heavy financial burden.

The Revenue Committee's tightly-knit complex of receivers and granters was supplemented with compliant auditors, so that it was almost impossible for an outsider to ferret any information out of the system. However by late 1647 suspicions began to surface.

'The interwoven dependences of the Accomptants one upon the other are such, that there can be no faire play expected in the manning of the moneys; this Committee-mans or Officers Accompts and Receipts are to be audited, by this Brother Committee-man or Receiver, who is too allow it, and give him a discharge for the same, the next

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<sup>9</sup> CP A 37- 1-14, 161- 2 & 161- 5 4.12.1649.

<sup>10</sup> CP Hatfield Box L- 6, E- 407-8, 167. Transactions of the East Hertfordshire Archaeological Society X14 (1955-7) p.66.

day he that was Auditor before, becomes an Accomptant for as much to him that accounted before to him'<sup>11</sup>

It was normal then that their own officials supported the holders of the major positions of state. Salisbury's father had been an excellent example of that system.<sup>12</sup> The Commons had already suggested Salisbury as a Lord Treasurer and therefore it would not be surprising if he and others saw him as the probable occupant in any post-war settlement.

Naseby was the decisive battle in the war; the royalists never recovered from that defeat. The capture of the king's cabinet containing his correspondence was a coup. It exposed Charles as a cynical negotiator who could not be trusted and was prepared to turn to any agency that he thought might help him, whilst having no intention to adhere to any promises that he made to get that support. The Commons received the correspondence on 27 June and passed part of it to the Lords three days later. That the Lords had to ask the Commons for the remainder was an indication of their weaker position. Salisbury went with Parliament to the Common Hall to reveal the contents of the correspondence to the City. Parliament agreed that the letters should be printed and published.<sup>13</sup>

On 20 June, before the two Houses were aware of the contents of the letters, the Lords formed a committee, including Salisbury, to decide on the heads of a conference called to submit proposals to the king for a peace treaty. The next day the Scots commissioners also asked that peace terms should be offered to the king. These ideas were dashed when the king's treatment of previous negotiations was revealed. The Scots overcame their concerns and pressed the English to make a fresh approach to Charles. The Scots wanted a Presbyterian settlement of religion, which in some minds meant republicanism. The English were looking for a political settlement that would

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<sup>11</sup> Anon An Eye-Salve for the Armie (17 September 1647).

<sup>12</sup> See pp .43-44.

<sup>13</sup> LJ vii pp.458-9, 469-9 & 473-6. King's Cabinet opened: or, Certain Packets of Secret Letters & Papers, Written with the Kings own Hand (London 1645).

restrict the Crown's prerogative and settle the question of religion. The divergences between and within the two nations gave Charles fertile ground in which to sow discord, and optimism that he would eventually obtain his own terms by allowing his opponents to destroy themselves.<sup>14</sup>

By the summer of 1645 the Assembly of the Divines had been deliberating for two years. The episcopalians had not been prominent; they considered that the Assembly had no legal existence as it had been set up by an ordinance. The Presbyterians dominated the Assembly and argued for complete clerical control of the church, either because they believed in that policy or thought it politic to do so whilst the two Houses needed Scottish military support. They faced some opposition from the Independents, who wanted recognition and toleration from whatever established church was finally agreed. Within both Houses however there were many who wished for a reformed church subject to their control. The episcopalians favoured a limited clerical jurisdiction that would allow a degree of toleration.

Over the summer and autumn of 1645, when matters were at a crucial stage, Salisbury took a great interest in the Assembly's affairs. The evidence is circumstantial but it supports this view. Salisbury was absent from the House for much of this period, when his appearances almost all coincided with occasions on which the Assembly's matters came before the Lords. It was also remarkable that his chaplain Matthew Newcomen was a leading light in the Assembly's committees and presented some of their reports to the two Houses. Newcomen had worked hard in the Assembly to get 'the dissenting brethren' some recognition and the opportunity to put their case, although he was against any Erastian solution himself. Salisbury, as an Erastian, had surely persuaded Newcomen that 'the dissenting brethren' should have the opportunity to put their case. Salisbury's first appearance, when Assembly affairs were considered,

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<sup>14</sup> LJ vii pp.441-2. Gardiner *Civil War* ii pp.257-8.



was on 23 July when he was appointed to a committee to consider church government. This was nearly a full month since he had last attended the House. His next appearance was six days later, when the Lords considered the election of church elders. How should London be divided for those elections and who would be able to vote? He was there on 4 August when the House received a petition ‘That the ignorant and scandalous may be kept from the Sacrament’, which was presented by Newcomen on behalf of the Assembly of the Divines. The petition was a response to the Lords’s attempts to introduce toleration into the Assembly’s proposals. When it thought the answer was not going to be to its liking, the members of the Assembly presented another on 12 August. The second earl was present to receive this and also on the next day when the House discussed and agreed a Commons’ ordinance to give the militia the power to search for papists. His next appearance was in late August, when the ordinances for the Directory and the election of elders were considered and passed, and a further petition, this time from the ministers of London and Westminster, against any toleration was received. The co-incidence of the second earl’s appearances in the Lords when Assembly matters were considered cannot be seen as fortuitous.<sup>15</sup>

The City and the London ministers favoured Presbyterianism because it would give them stricter control over their citizens. They continued to petition for elders to have temporal power over their congregations. On 20 November Salisbury sat on a Lords’ committee that replied to these petitions by recommending to the submitters

‘to your Care, in all your Actions, the same Respect and Tenderness to the Privilege of this House: And do further declare their Readiness hath been, and shall be, to engage themselves as far as any, in the Maintenance of the Covenant, the advancing and settling Of God’s true Religion, and Discharge of the Trust reposed in them.’<sup>16</sup>

They were warning the petitioners not to interfere in a matter that the Lords considered to be their province, and that they were quite capable of carrying out their duty.

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<sup>15</sup> Rev Alex. F Mitchell & Rev John Struthers eds Minutes of the Sessions of the Westminster Assembly of Divines - November 1644 to March 1649 (London 1874) pp.118, 120-2, 208-9. LJ vii. pp.440-661. ODNB ‘Newcomen, Matthew’.

<sup>16</sup> LJ vii pp.713-8.

Salisbury only attended the Lords twice in September and four times in October. On one of those occasions an ordinance for continuing the Committee for the Admiralty, which had replaced the offices of the Lord High Admiral of England and Lord Warden of the Cinque Ports, was passed and Salisbury was added to the membership. Warwick had resigned these positions in April with the advent of the Self-Denying Ordinance and the positions had been put into commission. During the rest of 1645 the second earl attended the Lords regularly. The majority of the business was taken up by consideration of the treatment of the increasing flow of royalists seeking to desert the king; preparing another set of peace proposals to be sent to him; and further struggles on church government to try to accommodate those with ‘tender consciences’. The last committee that Salisbury sat on in 1645 showed that members still distrusted the king, despite the peace correspondence that flowed between Oxford and Westminster. The committee considered an ordinance to allow the stopping and searching of ships that might be carrying arms to the royalists in Ireland or England.<sup>17</sup>

The Scots renewed their demands on November 24 1645 for the early settlement of religion and for peace proposals to be sent to the king. This placed the English in a dilemma. The Scots wanted the freedom to practise their religion as Presbyterians. The English wanted a guaranteed parliamentary system, with religion firmly under the control of Parliament, and a monarch who had a reduced prerogative that took away his power over the militia and the appointment of his ministers. The English could not afford to be as relaxed as the Scots, who would have a distant monarch.<sup>18</sup>

The continuing problem with religion for the English had been recognised on 6 November when a bi-cameral committee was ordered

‘to treat with the Commissioners of Scotland and the Committee of the Assembly, do take into Consideration the Differences in Opinion of the Members of the Assembly, in Point of Church Government, and to endeavour a Union, if it be possible; and if that cannot be done, to endeavour the finding out some Way how far

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<sup>17</sup> *LJ* vii pp.306, 311, 623-5 & viii pp.42-4

<sup>18</sup> *LJ* viii p.9.

tender Consciencess...may be borne with...so the Proceedings of the Assembly may be not so much retarded.<sup>19</sup>

Salisbury, as a member of the committee and of the Assembly, was aware of the enormity of the task and the opportunity that it gave to make the Scots fully aware of that. The whole effort was aborted when the Independents said they wished for full liberty of conscience for themselves and all other dissenters. Robert Baillie observed that ‘The Parliament has no great inclination to satisfie either’. A majority of both Houses wanted religion to be regulated by them or by elders, but not by bishops.<sup>20</sup>

Preparing peace proposals was an easier undertaking, because it was most unlikely that Charles would take them seriously. The Commons added fresh proposals that extended the range of delinquency covering royalists. They also proposed that any appointments made to the peerage by Charles under the Great Seal, after it had left Parliament in 1642, were to be conditional on a vote of both Houses. They wanted Charles to give some recognition to prominent parliamentarians for their service to him. It was suggested that Northumberland, Pembroke, Essex and Warwick should receive dukedoms, whilst Salisbury and Manchester could look forward to becoming marquises. The proposals started in the Commons, who obviously saw the parliamentary peerage to be an important part of any settlement, and recognised the need to safeguard against any attempt by Charles to swamp the Lords with his own men.<sup>21</sup> It was important that Charles did not retain his prerogative of appointing noblemen who shared his views, who could then sit in the House of Lords as peers and dominate proceedings there.

Charles, in a letter of 26 December 1645 from Oxford, named Salisbury as one of those ‘that he is willing to commit the great trust of the Militia of this kingdom for such time and with such powers’ as were offered to him in the Uxbridge propositions. He

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<sup>19</sup> LJ vii p.679.

<sup>20</sup> Laing Baillie ii p.326.

<sup>21</sup> CJ iv p.359-362.

named thirty-one in all from both sides, but left out all those royalists who might be considered beyond the pale by his opponents. Salisbury's inclusion shows that Charles thought he was probably acceptable to both sides and that he did not think of him as an extremist.<sup>22</sup>

The king's response to the intended proposals was to seek to open negotiations with a view to conducting them himself in London. He was under pressure from his advisors, which included Dorset, Southampton, Hertford and Lindsey, to accept the best terms he could obtain and bring the war to an end. His opponents thought Charles was using a delaying tactic to gain time for the arrival of French troops he had been promised by the queen. He was also simultaneously seeking to come to terms with the Scots commissioners in London by offering them the Presbyterian settlement they wanted. To counter the king's wish to come to London, Parliament insisted that 'until Satisfaction and Security be first given to both Your Kingdoms, Your Majesty's coming hither cannot be convenient, nor be assented unto'. The prospects for these negotiations came to an end before January 1646 was out. Any negotiations now had to be conducted through the king's opponents. Salisbury, like his fellow peers, had to treat any approaches with caution because discovery could now lead to his impeachment.<sup>23</sup>

During the first half of 1646 both Houses spent a lot of time in preparing further peace proposals and answering the king's requests to come to London to conduct negotiations. One example was a Lords' committee, which included the second earl, which prepared an answer to Charles' letter of 23 March. The two Houses replied on 1 April 'That, until Satisfaction and Security be given to both Your Kingdoms...Your Majesty's coming hither cannot be for your own good nor Your Kingdom's'.<sup>24</sup>

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<sup>22</sup> LJ viii p.72.

<sup>23</sup> Gardiner *Civil War* iii pp.15-19. Smith *Constitutional Royalism* pp.126-7. LJ viii pp.31, 36, 72,99-100, 103-4, 108-9, 125-6 & 132-3. Smith 'Wise Advice' p.823.

<sup>24</sup> LJ viii pp.234 & 249

In January 1646 Essex gained control of the Upper House Speakership when his supporter Manchester was appointed and therefore had control over procedure. This gave Essex a potential tactical advantage over Northumberland, Salisbury and their associates as will become apparent. The Lords took seriously the threat of a popular uprising in London in favour of the king. A settlement with the king that was acceptable to his opponents was needed quickly to defuse this situation. The Commons had prepared an ordinance in January 1646 that allowed martial law in London. The Lords had delayed giving it their approval until 1 April after a close vote. In a House of twenty, nine had their dissent recorded. Those in favour were wary that Charles would attract a popular uprising. The ability to register a dissent in the Journal enabled the outside world to see clearly which side a peer favoured, forcing him to show his colours, however graduated his opinion might be, and could potentially leave him open to recriminations.<sup>25</sup>

The Journal shows that the peers were split into two groups with distinctive views. On 17 April they were evenly split on whether to support the Commons to stop the circulation of a book. The contents implied that the two Houses would not settle the government of the church and the militia and ‘therefore the Houses of Parliament will have no Peace, and intend to alter the Government of this Kingdom.’ The Lords agreed with the Commons’ vote the following day without a division but with some minor amendments. Possibly the ‘peace party’, having made their point, did not wish to antagonise the Commons.<sup>26</sup>

The ‘war party’ held the proxy vote of Mulgrave, but on 1 May Essex obtained his agreement to act as his proxy instead. The House agreed that it was a valid transfer, although it did not have the leave of the king. It had been queried on 18 May when Essex had used it when voting for the motion that ‘No Propositions to be sent to the

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<sup>25</sup> LJ viii pp.86 & 248-9.

<sup>26</sup> LJ viii pp.272-3 & 275-7. Some Papers of the Commissioners of Scotland, given in lately to the Houses of Parliament, concerning the Propositions of Peace (London 1646).

King but by joint Consent of both Kingdoms'. Essex knew the Scots were prepared to offer peace terms, provided they received satisfaction on religion, and would not be likely to support more stringent terms if that was going to thwart their policy.<sup>27</sup>

The second earl regularly attended the Lords in 1646, apart from August to mid-September, possibly due to fear of the plague in London. For that reason Northumberland asked the House on 25 August for permission to remove the royal children to Syon House. Salisbury was called upon to sit in many committees in 1646. On 1 January Salisbury he considered an ordinance 'to continue the Committee for the Army, and the Treasurers at War.' This was a necessity whilst the hostilities lasted. He was asked on 12 January to consider how the records of the Order of the Garter at Windsor should be preserved and not destroyed or lost, and to consider a declaration concerning the treatment of ambassadors and foreign agents. The peers continued to maintain the trappings of monarchy when these were threatened.

The changing course of the war meant the two Houses controlled more territory, and therefore the need to restrict delinquents' movements behind the lines could be relaxed. Salisbury served on the committee that amended the ordinance to allow this extra freedom. He was involved in committees dealing with the raising of forces to go to Ireland, the giving of supply to the Scottish army and the preparation of an ordinance for the repair of churches. This is only a sample of the matters, besides those of the religious settlement and the peace treaty, that took up Salisbury's parliamentary time.<sup>28</sup>

In early May 1646 Charles left Oxford and placed himself in the hands of the Scottish army at Newark; this gave the Scots a powerful bargaining tool to use in any negotiations with the English Lords and Commons. The Commons voted that 'disposing of the king's Person' should be a matter for both Houses and asked the Lords for their agreement. The Lords, with twenty-six present, rejected this; Salisbury

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<sup>27</sup> *LJ* viii pp.290-1 & 319.

<sup>28</sup> *LJ* viii pp.470. 481, 77, 96, 129, 174, 209, 303-4, 343, 354-5, 379-80 &438-9.

and ten others recorded their protests. They felt that as Charles had strict guards and no one had any access to him, the matter was so important they wished ‘to clear ourselves from the ill Consequences that may ensue thereupon’. A further proposal that the king should be sent to Warwick Castle was unanimously defeated. That would have placed the king in the custody of the ‘peace party’.<sup>29</sup>

The ‘peace party’ may have thought that events had overtaken them when the king was moved to Newcastle. Charles wrote to the Lords on 18 May with peace proposals and offering the surrender of Oxford on honourable terms. The king’s letter received a good response from the Lords on its receipt on 25 May. Charles had also written to the City; that prompted them to send a petition to the two Houses. It called for Presbyterian Church government and the immediate despatch of peace propositions. The Lords accepted the City petition. Salisbury and nine other peers out of a House of twenty-six recorded their protests and voted against it. A committee of seven, that had two of the protestors on it, were appointed to prepare the motion.<sup>30</sup>

The ‘peace party’ in the Lords was now in the ascendancy, but some of its members must have found it difficult to agree that they looked in favour upon such a petition. It wanted union with Scotland, strict Presbyterian Church government, the lifting of the burden of taxation and the removal of the parliamentary privilege of protection from any proceedings at law for the recovery of debt.

Salisbury entered his protestation on 4 June when he voted against an ‘Expedient for settling the Militia’. There were eleven protesters in a House of twenty-four. The Expedient dealt with the balance between the king and his future Parliament in the control of his forces on land and sea, after an initial period when Parliament would have sole control. The matter came before the Lords again on 12 June, when it passed with only one protest from the earl of Lincoln. The two Houses were to have control for

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<sup>29</sup> Gardiner *Civil War* iii pp.97-104. *LJ* viii pp.292, 308-11.

<sup>30</sup> *LJ* viii pp.328-9 & 331-4.

twenty years before sharing it with the king. They completed their work on 11 July and the propositions, accompanied by Pembroke and Suffolk, were sent to the king at Newcastle. The Propositions were in the form of bills to which Charles was expected to give his assent to make them into acts.<sup>31</sup>

Pembroke and Suffolk returned on 12 August with a letter from the king. The Speaker received a letter from the Scots Commissioners on the same day. Salisbury was on the committee to consider these letters and prepare some heads for a conference with the Commons. The second earl was also selected to attend the joint conference. The king's letter repeated his request to come to London to treat upon the terms offered him. The Scots in their letter recognised the king's intransigence, and offered to return to Scotland after due settlement of their costs, but wanted a consultation beforehand on disposing of the king's person. The Commons agreed with the Scots that the sum of £400,000 would be needed for them to agree to return their army to Scotland. The first £200,000 was to be raised by a loan from the City using the sale of the bishops' lands as collateral. The Commons asked the Lords on 11 September for their agreement and the next day six peers went to the City with the Commons so 'that the greater Lustre may be put upon the Business.'<sup>32</sup> This showed that the peers still commanded respect and that their word was greatly valued in the City.

In the midst of these negotiations, news was received of the death of Essex on 15 September 1646 as the result of a stroke brought on by a hard day's hunting. The 'peace party' had lost its leading light, which would affect the voting balance in the Lords. Mulgrave's proxy was transferred the next day to Warwick, the new 'leader' of the 'peace party'. That day the heralds were asked by what title Essex's cousin Sir Walter Devereux should be styled; they replied, Viscount Hereford. Hereford took his seat on 23 October, the day after Essex's funeral, and supported the 'peace party'. The saga of

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<sup>31</sup> LJ viii pp.354-8 & 371-2. Gardiner Documents pp.290-306.

<sup>32</sup> LJ viii pp.460-3 & 486-90. CJ iv p.644.



Mulgrave's proxy came to an end with his death and his grandson took his seat in the Lords on 20 October.<sup>33</sup> Baillie paid tribute to Essex's weight in affairs when he said

‘He wes the head of our partie here. Keeping all together, who are like by that alone to fall in pieces: the House of Lords absolutely, the City very much, and many of the Shyres, depended upon him.’<sup>34</sup>

The balance of voting in the Lords was tested on 22 September, when a vote was taken on the motion ‘That the Person of the King shall be disposed of as both Houses of the Parliaments of England shall think fit’. The Scots in Newcastle still held him. After a tied vote the motion was passed with six protests in a House of eighteen. Salisbury was appointed to the joint committee to discuss the matter with the Scots.<sup>35</sup>

An ordinance was enacted on 30 October to prevent peers from sitting in the upper house of Parliament who had been created since May 1642, when the Great Seal was removed. It was extended to exclude those that might be made in the future from sitting or voting without the consent of both Houses. The measure met with some resistance when nine peers voted against it in a House of twenty-three on the grounds that

‘the Ordinance seems to be perpetual, and not appearing to be sent to the King for His Consent, whereby Things that are to be perpetual might be settled in the old Way by the Three Estates’.<sup>36</sup>

The nine peers were opposed because it had no time limit and should therefore be passed by the two Houses and the monarch to be legal. The ordinance aimed to prevent Charles from flooding the Lords with sufficient supporters to overturn any legislation he did not like. The Commons had sent another ordinance to the Lords the previous day, which could be interpreted as a threat to members' privileges, in particular their immunity from being sued for debt whilst a parliament was in session. That the Lords' saw this as a threat was confirmed by their reactions. They passed the ordinance that stopped Charles' appointments and on 19 November when, after passing a resolution to

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<sup>33</sup> LJ viii pp.490-1, 498, 502, 544 & 532. ODNB ‘Devereaux, Robert, third earl of Essex (1591-1646)’.

<sup>34</sup> Laing Baillie ii p.401.

<sup>35</sup> LJ viii pp.498-500.

<sup>36</sup> LJ viii pp.543, 549 & 551.

let the Commons know they had not received the ordinance regarding their privileges, they changed their minds and left the matter on the table.<sup>37</sup>

On 14 December an ordinance was passed to justify all the proceedings in the two Houses since Charles had departed, and to give protection to all members and anyone else that had acted under their direction. The two Houses were aware of the possible end to the war and were giving members immunity for their actions. The same day an ordinance was considered that would annul all legislation which had passed under the Great Seal at Oxford and would confirm all that passed under the Great Seal at Westminster. Salisbury was on the committee to consider it, but the report does not appear in The Journal.<sup>38</sup>

On 9 October a motion was passed for an ordinance to abolish bishops. This was a necessary prelude to providing the City with the collateral for the £200,000 required for the return home of the Scots army. An ordinance from the Commons to allow this was passed on 30 November after the committee, which included Salisbury, had examined it.<sup>39</sup>

On 20 October the Speaker received some papers from the Scots which concerned the money they were owed and the transfer of the king to the jurisdiction of both Houses. Salisbury was on the committee charged to bring matters to a conclusion. The money was paid, the Scots left England and the king passed to custody. The Lords decided on 22 December that Charles should be brought to Newmarket. Two days later the Commons decided instead upon Holmby House, because Newmarket was in an area dominated by the Presbyterians and they feared they might come to terms with the king. The Lords accepted Holmby a week later.<sup>40</sup>

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<sup>37</sup> LJ viii pp.549-50 & 570-2.

<sup>38</sup> LJ viii pp.609-11. It may have been dropped as superfluous, since the ordinance passed on 14 December provided sufficient immunity.

<sup>39</sup> LJ viii pp.514-20, 531-40, 558-9, 561 & 585.

<sup>40</sup> LJ viii pp.6222-3, 627, 635 & 637. CJ v p.28. Gardiner Civil War iii pp.184-5.

Charles meanwhile wrote to the Lords on 20 December and asked to be allowed to come to London to treat on the propositions given to him at Newcastle. The Lords voted on 26 December not to change their earlier vote; they were almost speaking with one voice now, with only Lincoln registering a protestation.<sup>41</sup>

Charles left Newcastle on 3 February 1647 in the custody of the English forces and reached Holmby thirteen days later, having met enthusiastic crowds along the way. This evidence of his popularity doubtless confirmed to his opponents that they were wise to keep Charles away from London until he accepted the Newcastle Propositions.<sup>42</sup>

That Charles would not accept anything that would be acceptable to his opponents was rapidly becoming apparent. A letter was read in the Commons on 10 February from one of their commissioners with the king. It reported that he had openly said that ‘if he had but patience for six months, things would be in such confusion that he would obtain his ends without trouble’. There is no mention of this in the Commons’ Journal, but Bellievre, a French diplomat, reported it to Mazarin, the chief minister of the French monarchy. It was not in their interest to have fabricated the story. Charles’ letters to the queen show he had no intention of accepting Presbyterianism because he viewed its doctrine as anti-monarchical and hence it would lead to perpetual rebellions. In hers she advised him against any moderate counsellors and urged that if he remained resolved and constant they could again be masters. He must have been bolstered by the reception which the common people gave him and by his opponents’ reactions to his requests to come to London.<sup>43</sup>

The king was removed from Holmby by the Army on 4 June and taken to Newmarket. Whilst he had been at Holmby his hopes that dissension would occur were

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<sup>41</sup> LJ viii pp.626-8 & 630-1.

<sup>42</sup> LJ viii pp.699 & 713, ix p.25

<sup>43</sup> Gardiner Civil War iii p.215. J.Bruce ed Charles I in 1646: Letters of King Charles the first to Queen Henrietta Maria (Camden 1<sup>st</sup> series 63; 1856) pp.70-1. Everett Green Letters of Henrietta Maria pp.327, 329-31.

realised. The City, the two Houses, the parliamentary Army and the populace had ceased to be of one mind on a settlement with the king. The Army was now the most powerful force in the political arena, but even within it there was disagreement. This was caused mainly by the two Houses' inability and unwillingness to pay them any money. Now the king had been defeated in the field, it was not surprising the various factions should want to play the leading role in determining the outcome of the peace negotiations. The king should not be allowed to become a magnet for those who thought they were excluded. Charles was well aware of this. He surmised that the more discord he could cause the better the eventual settlement would be for him.

Salisbury was not a leading player in these affairs, but he had been busy with committee work in the Lords. In the early months of 1647 he was considering ordinances, one of which was to prevent ministers who had adhered to the enemy against Parliament from serving again. Another was to decide those persons who were fit to be judges, and one to prevent clerks of the Privy Seal who had deserted Westminster from regaining their positions. The two Houses were concerned to see that no one should be given responsibilities that had or might continue to espouse the royalist cause.<sup>44</sup>

Salisbury also considered reforms to Oxford University, dealt with East Indian Company business, the securing of Guernsey and Jersey to prevent any royalist risings, the prevention of the practice of clipping the coinage and the delicate question of how to proceed against a man indicted for blasphemy. He once again went to the City for £200,000, this time for the service of Ireland.<sup>45</sup> Salisbury was involved in matters outside the House and in particular he served on the Revenue Committee. There are few references to be found, but one appears in the Lords' Journal for 13 February, when Northumberland reported on their behalf that it was recommended that Lord Delaware

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<sup>44</sup> LJ viii pp.670-1 & 682-3.

<sup>45</sup> LJ ix pp.4, 13-4, 37-8, 55, 105 & 102-3.

should be the ranger of Finkley Walk in Chute Forest in the place of a papist. The signatories were headed by Salisbury. On 25 March the second earl reported that the committee recommended that John Nelthorp M.P. should be the new steward of the manor of Barton and Barrow. It is interesting that the Revenue Committee should have these patronage powers, as apparently no payments were involved, unless they were made in lieu of monetary considerations.<sup>46</sup>

The Commons ordered on 1 December 1646 that Salisbury's son Robert should have the 'Custody and Keeping of the Lodge in Theobald's-Park'; together with a pension of ninety pounds per annum. They asked for the Lords' concurrence, and the Lords passed the ordinance on 6 February. According to the French envoy Bellievre a secret approach had been made to the king by Warwick and Northumberland, that if he agreed to accept the terms which had been offered at Uxbridge, he might be allowed to come to Theobalds to agree a treaty there. Probably Cecil's appointment was connected to that.<sup>47</sup>

The Lords discussed an ordinance on 4 March 1647 to continue the pay of Fairfax's Army. They voted against it, with ten recording their protests, amongst them Salisbury. The vote was a blow to the Army's morale; they had just won a war but the Lords now refused to pay them. The subsequent interventions of the Army as a political force can be traced back to this vote.<sup>48</sup>

Two days later the Lords sent a letter to Fairfax ordering him not to quarter his Army in the areas dominated by the Eastern Association. Fairfax took this to mean that 'they were anxious to reserve a space in which a new force might be brought into existence to hold head against the existing army.'<sup>49</sup> The 'peace party' saw the Army as a threat whilst they had Charles as a prisoner, but they did not show Fairfax any

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<sup>46</sup> LJ ix pp.15, 103-4.

<sup>47</sup> CJ iv p.732. LJ viii pp.709 & ix p.17. Gardiner Civil War iii p.214.

<sup>48</sup> LJ ix pp.56-7.

<sup>49</sup> LJ ix p.66. Gardiner Civil War iii pp.218-9.

diplomacy. He had placed himself loyally at their command and had done nothing to justify their attitude. Fairfax ignored the Lords' letter.

On 16 April a matter affecting Salisbury's own privilege came before the House. His bailiff had shown Captain Stratton the Lords' order that no soldiers should be quartered in Salisbury's houses. Twenty soldiers had arrived at Quickswood to have four accommodated there. The bailiff had no alternative but to provide shelter for them at a local inn. It was ordered that Stratton should be brought to the Lords to answer for his contempt. Stratton apparently did not appear; this was probably another example of the Army's growing lack of respect for both Houses.<sup>50</sup>

The Lords voted that all foot soldiers, excepting those who were to go to fight in Ireland, should be disbanded. There was no mention of the pay they were owed. This did not mollify the unrest felt by the Army over their treatment by, what they saw as, an ungrateful Parliament. The Army leaders' allegiance was shaken and they began to develop an independent strategy in their dealings with the king. Their leaders now approached him with their own peace proposals and talked of removing him to a location under their own jurisdiction. The Lords recognised the disaffection that the delays in payments had caused and voted to offer six weeks' back pay on disbanding. The Commons confirmed this, but only after pointing out that the Lords had abused their privilege in proposing matters of finance. This was too little too late; the Army had ceased to trust the two Houses and had become politicised. Further concessions were offered of an extra two weeks' pay and an Indemnity Ordinance to give protection to any individual pursued at law for any actions carried out during the war. This proved not to be enough to divert them from dealing with the king independently.<sup>51</sup>

The 'peace party' in the Lords on 20 May won a vote fifteen to nine that Charles should be invited to Oatlands in an attempt to bring him closer to London and out of the

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<sup>50</sup> LJ ix pp.141-3.

<sup>51</sup> LJ ix p.152. CJ v pp.155, 165-6 & 180-1. Gardiner Civil War iii pp.218-249 for the disaffection of the Army towards Parliament.

hands of the Army. Salisbury was absent. On 3 June the Lords heard that the previous night seven hundred horsemen had arrived at Holmby to take possession of the king. The next day the Army escorted Charles to Newmarket. The Lords' response to the abduction of the king was to ask Northumberland to bring the king's children to St. James's and to ask Fairfax to come to the House and tell them

'of the Distempers and Dissatisfactions of the Army; and be advised of the best Way how they may receive Satisfaction, and the Distempers of the Army appeased.'

Charles was surely delighted to see the divisions within both Houses and between the Army and the two Houses.<sup>52</sup>

On 14 June Salisbury was a member of a committee asked to

'draw up a Declaration concerning the Intentions of the Parliament, for the Satisfaction of the Army, and Safety of the Kingdom' and 'to consider where the King shall be moved to.'

Was this seen as an attempt to trade some concessions to the Army in the hope they would surrender guardianship of the king? The following day the parliamentary commissioners with Fairfax relayed his complaints that their votes were encouraging men to leave, and that raising levies in the City was a course of action designed to oppose the Army. The Lords replied that they did not know of any extraordinary levies. They asked Fairfax not to bring his forces any closer to the City, and expressed a wish that the king should be brought to Richmond and put under guards named by them.<sup>53</sup>

The king was with the Army at St. Albans on 24 June when the 'war party' in the Lords voted twelve to ten to ask him to go back to Newmarket or Royston. The 'peace party' wished to see the king established in Richmond Palace and the Army disbanded. Fairfax told both Houses he would not go any further from London until the raising of the proposed City Militia was abandoned and the Reformadoes, the ex-royalist soldiers, were removed from London. He also demanded that the eleven members of the Commons who were sympathetic to the royalists should be excluded. Fairfax

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<sup>52</sup> *LJ* ix pp.199, 232-3 & 235-6.

<sup>53</sup> *LJ* ix pp.264-5.

meanwhile provocatively moved his headquarters to Uxbridge on 25 June. The next day the Lords voted to consider the demands of the Army, which had refused to move away from London until satisfaction had been received. They also voted twelve to eight to enlarge the powers of the parliamentary commissioners with Fairfax, to enable them to reach speedy conclusions according to their sense of the wishes of both Houses.<sup>54</sup>

Charles was moved to Hatfield House on 26 June after refusing to go back to Newmarket. The journey must have warmed the king's heart, for he was accompanied with cries of joy and his path was strewn with boughs and roses. He left on 1 July. Salisbury was attending the Lords and therefore almost certainly had no contact with Charles. The scenario that has been painted of Salisbury entertaining the king, despite the change in their relationship, was wrong.<sup>55</sup> Kingston also suggested that the second earl's hospitality allowed Drs. Hammond and Sheldon, the king's chaplains, to preach before the king with 'divers superstitious gestures'; presumably in Salisbury's chapel, erected and elaborately decorated by the first earl. The Commons immediately instructed the Army and the commissioners with the king that they prohibit 'Persons to come unto him, that ought not to have Access unto to him'. The Army had allowed Charles his preachers as a sign of their goodwill and instructed the guard to ignore the demands of the parliamentary commissioners if they asked for their removal. The king had joined 'in divine service conducted in accordance with the Prayer Book of the English Church' for the first time in over a year. Charles almost certainly felt more comfortable in the chapel at Hatfield than he would have done with the ministers of the Army. The Army wished to be on good terms with the king whilst they prepared their peace proposals.<sup>56</sup>

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<sup>54</sup> LJ ix pp.288-292 & 295-8.

<sup>55</sup> Kingston Hertfordshire p.72.

<sup>56</sup> CSPDom 1645-7 p.592. ODNB 'Dr. Henry Hammond (1605-1660)'. ODNB 'Dr. Gilbert Sheldon (1598-1677)'. Kingston Hertfordshire p.72. CJ v pp.225-6. Gardiner Civil War pp.301 & 306-7. LJ ix pp.295-314. Croft 'Religion of Robert Cecil'.



The Hatfield household expenses for 7 July include an item ‘for the hire of two men to watch the Parke when the King laye att Hattfield 18 s.’ and a letter from Fairfax to Colonel Horton from St. Albans on 19 June that asks him

‘to take care that the guard of horse now kept in the earl of Salisbury’s parks at Hatfield be removed from thence to some other places as convenient. You are likewise to acquaint the major of Colonel Hammond’s regiment that none of the officers or soldiers of that regiment shall quarter in his Lordship’s house at Hatfield.’<sup>57</sup>

Fairfax had anticipated the route the king would use and made sure that only those given the task of guarding the king would be there. He also ensured that the place would be in a fit state for his arrival. Salisbury was absent from the Lords on 1 to 7 and 10 to 13 July; perhaps he was dealing with the aftermath of Charles’ visit.<sup>58</sup>

On 14 July Salisbury reported a paper and an ordinance from the Revenue Committee that would have confirmed the officers and receivers who had been suggested by the committee. It was read twice, but was not passed pending a schedule of the names of the men to be appointed. His absences may have been connected to his involvement with the Revenue Committee. They probably also indicated a wish not to risk exposure to the plague that was affecting London.<sup>59</sup>

The Presbyterian-dominated Commons was meeting opposition to their proposed ordinances from the ‘Independent’ lords from the old ‘war party’. The ‘Independent’ faction was to play the leading role in ending the civil war. Its members had been responsible for the formation of the New Model Army and the appointment of their officers in an effort to bring the war to a speedier end by the outright defeat of the king. They came together in opposition to extreme Presbyterianism and wanted some toleration for those puritans who would not submit to Presbyterian church authority.<sup>60</sup>

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<sup>57</sup> HMC Salisbury 22 pp.390 & 401.

<sup>58</sup> LJ ix pp.306-318.

<sup>59</sup> LJ ix pp.330, 335 & 339.

<sup>60</sup> David Smith ‘Independents and the Long Parliament, 1644-48’ from [www.historyofparliamentonline.org/themes/politics-independent](http://www.historyofparliamentonline.org/themes/politics-independent). This is a comprehensive review of the ‘Independents’ influence.

On 9 July the Commons sent up two ordinances: the first referred to officers and soldiers and the second to delinquents and malignants. The Commons wanted to clear the London area of the Army or any other potential military groups that they considered a threat. The ‘Independents’ defeated the proposals by narrow majorities. The ‘Independents’ also voted to amend a Presbyterian-inspired order for suppressing plays, by adding the proviso that it should only run till 1 January 1648. There were six protests recorded in a House of twelve. These included Pembroke, who was seeking the Commons’ backing for his restoration to the Chancellorship of Oxford University and was probably seeking their approval.<sup>61</sup>

The political confrontation between the ‘Independents’ and the Presbyterians reached a new pitch on 19 July, when the Lords passed an order that all forces that were paid by the two Houses should be placed under the command of Fairfax. In a House of fifteen there were only five who recorded their protests. The Presbyterians now resorted to the use of outside pressure from within the City in an attempt to achieve their ends. On 21 July a large number of Londoners signed a Solemn Engagement to restore Charles to the throne on the basis of the offer he had made in a letter of 12 May to the Lords. In it he had agreed to abandon episcopacy for three years, the control of the militia for ten years and to come to Westminster to give the royal assent to the relevant bills.<sup>62</sup>

The Presbyterian opposition had been weakened on 13 July by the expulsion of ‘the eleven members’. The Commons voted on 22 July for the control of the City Militia to be returned to the two Houses. The ‘Independents’ then denounced the Londoners’ Solemn Engagement, having received the Army’s assurance of its support. On 26 July the two Houses received a petition from the City asking for control of the Militia to be returned to the City. The Lords, under duress, tried to avoid a response,

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<sup>61</sup> *LJ* ix pp.321-4, 330, 333-5 & 338. Charles had appointed Hamilton Chancellor when he held Oxford.

<sup>62</sup> *LJ* ix pp.193, 338-9 & 354.

but were threatened that they should either rescind the recent votes over the control of the Militia and the Solemn Engagement, or ‘they should never come out’. The nine peers present, including Salisbury, voted accordingly and adjourned their House till 30 July. The Commons followed suit after receiving some rough treatment from an ‘organised’ City mob of Presbyterians. They voted for control of the City Militia to be returned to the City, together with an invitation to the king to come to London.<sup>63</sup>

When the two Houses met on 30 July the two Speakers of the Lords and the Commons, eight peers and fifty-seven commoners were missing. They were nearly all ‘Independents’, so their absence gave the Presbyterians the ascendancy. In the Lords seven peers were present; they included Pembroke, who had apparently broken ranks with his fellows. The two Houses placed itself under the protection of the City Militia and prepared to face Fairfax’s Army.<sup>64</sup>

The ‘Independent’ lords had gone to Hatfield House, where a parliamentary messenger found them on 30 July. He went there with a message for Salisbury to attend the Lords the following day without excuse. The next day Salisbury attended a meeting at Northumberland’s home at Syon House, where the parliamentary ‘Independents’ conferred with the Army Council on the final form of ‘The Heads of Proposals’, the Army’s offer to the king.<sup>65</sup>

If Charles responded to the Army’s goodwill and was prepared to reach an agreement, the Army could present it to Parliament from a position of strength. Once again the king saw this as an opportunity to sow discord between his opponents. His reaction disappointed both the Army and Berkeley, his advisor, when Charles said,

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<sup>63</sup> LJ ix pp.322, 346, 354 & 356. CJ v pp.238, 244, 254, 256 & 258. Gardiner Civil War pp.321-338.

<sup>64</sup> LJ ix pp.358-61. CJ v p.259.

<sup>65</sup> J.S.A. Adamson ‘English Nobility and the Projected Settlement of 1647’ in HJ (1987) vol 30 pp.567-579.

referring to the Army, 'You cannot do without me! You will fall to ruin if I do not sustain you.'<sup>66</sup>

The threat of Fairfax and the growing unease of the City meant that the 'Independent' members who had fled Westminster were able to return in triumph on 6 August together with the two Speakers of the Lords and the Commons who had adjourned their Houses on 26 July. On 4 August Salisbury and the other peers signed a declaration that an early settlement was essential, but they must have known that they could never achieve this unless both Houses were secure. The Lords had an attendance of twelve, including Salisbury, on their return. A committee was formed to consider the violence that had been inflicted upon the House; it included all those peers present with the exception of Pembroke. Parliament had taken the precaution of placing itself under Fairfax's protection, with contingents at Westminster and The Tower. The 'Independent' lords and the Army now controlled the political agenda. The Commons however refused to accept that all the business undertaken in the absence of the two Speakers, who had adjourned their Houses on 26 July, was null and void. On 20 August Cromwell brought matters to a head with an implied threat of force. The Commons then accepted defeat and many of the Presbyterian members retired, giving the 'Independents' a majority in both Houses. The same day Pembroke acknowledged he had continued to attend the Lords in the Speaker's absence under duress; this satisfied his fellow lords and showed their toleration towards him. It was thought by some that Pembroke had inflamed the City on 3 May with a speech that the army was 'no longer the New Modle for there were 7000 Cavaliers in it'. The Commons decided to bring impeachment proceedings against the other seven lords who had attended the Upper House in the Speaker's absence. The Commons allowed these to drag on until 6 June

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<sup>66</sup> Gardiner Documents pp.317-326. The king's reply is on pp.326-7. Berkeley Memoirs of Sir John Berkeley containing an account of his negotiation (1699) pp.30-5.

1648 before they were dropped. Salisbury and his fellow ‘Independents’ were probably happy to neutralise their opponents, but had no wish to be vindictive.<sup>67</sup>

The Lords recorded their thanks on 11 August to the trained bands of Southwark and Hertfordshire for their help in assisting the Army ‘for the Preservation of the Peace of the Parliament, City, and Kingdom’. The bands’ actions were welcomed; not only for their physical support, but the increased legitimacy it gave to both Houses. A battle for hearts and minds was being waged, particularly by the use of pamphlets against Fairfax and the Army. Fairfax complained to the Lords and they passed an ordinance against the printing of scandalous pamphlets.<sup>68</sup>

The Scottish Commissioners insisted that the Newcastle Propositions, which had been agreed between the two nations, should be presented to the king. They had been sent twice the previous year and were again presented on 7 September. The king, as the peers had expected, rejected the Propositions. He suggested that The Heads of the Proposals ‘might be a fitter foundation for a lasting peace’. These were introduced to the Lords on 21 September. Charles was once again sowing dissent amongst those who were seeking to come to terms with him. There were now a growing number of influential men in the Army and at Westminster who no longer wished to reach an accommodation, and saw those that did as mere place-seekers. Indeed there were many soldiers who wanted to restrict the incomes of dukes, marquises and earls to £2,000 a year and to limit those of other classes in proportion, although how this could be done was impossible to say!<sup>69</sup>

On 22 September Salisbury was on a committee that decided to continue the Army Committee. This was now of the highest importance to the ‘Independents’, who

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<sup>67</sup> LJ ix pp.374-9, 384-98, 432-5, 482, 545-6, 667 & x pp.307-9. CJ v pp.220 & 295-6. Gardiner Civil War pp.338-52. Adamson ‘English Nobility’ pp.580-2. Adamson Peerage pp 169/219. ODNB ‘Herbert’.

<sup>68</sup> LJ ix pp.382-4, 440, 444 & 457. CJ v p.311.

<sup>69</sup> Gardiner Documents pp.290-316. It includes the King’s replies. LJ viii p.460, 627 & ix pp.193, 413, 434-5 & 441. Adamson ‘English Nobility’ pp.582-4. Gardiner Civil War iii pp.366-72. BP Perfect Diurnall of Some Passages in Parliament 4-11 October 1647.

had dominated its proceedings and kept in close contact with Fairfax and Cromwell. The co-operation that the ‘Independents’ and the Army enjoyed gave them an undue influence over affairs in the Commons that caused resentment there. The Lords passed sixteen papers dealing with the new proposals to the Commons on 15 October. These were agreed in their final form in a joint conference on 8 November.<sup>70</sup>

The king escaped from Hampton Court on 11 November, leaving a letter for the two Houses, in which he promised that he would ‘appear again if He can be heard, and will give Satisfaction.’ Charles made his way to Titchfield to await an expected vessel to make an escape to France. He had to seek the protection of Colonel Hammond, the Governor of the Isle of Wight, to escape the possible threat of murder by the “Agitators”. These men were radicals and had been elected by the soldiers to take their complaints to the senior officers. Charles had met some previously that were led by Cornet Joyce when he was taken from Holmby House. Salisbury was on a joint committee that considered what should now be done with the king. Instructions were sent on 15 November to Fairfax that the king should be lodged in Carisbroke Castle and that the island should be secured from royalists.<sup>71</sup>

The next day the Lords received a letter from Fairfax sent from Hertford. He recounted how he had rendezvoused seven regiments and how a further two had arrived uninvited. He complained that these two ‘had been very much abused and deluded’ by London agents. They had copies of An Agreement of the free People of England in their hats and were ‘very much inflamed towards Mutiny and Disobedience’. One of the uninvited regiments quickly came to obedience, but that of Colonel Lilburne had to be brought to heel by the arrest of some men, and the execution of one of them in front of the rendezvous. Corkbush Field, in the vicinity of Ware, was chosen for the rendezvous because of the support the people of Hertfordshire had given the opposition

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<sup>70</sup> LJ ix pp.444-5, 483 & 499. CJ pp.v 346 & 348. Adamson Peerage pp.193-8.

<sup>71</sup> LJ ix pp.519-522 & 525. Gardiner Civil War iv pp.12-20.

forces throughout the war. Salisbury and his two M. P. sons were still the county's Lieutenant and deputies, which probably helped. Fairfax had done his best to build good relationships with the local authorities, although they had complained about the burden of taxation and the free quarter taken by the Army. Salisbury, in the Lords, was placed on a joint committee 'to examine the Authors and Abbetors, and London Agents, for the seditious irregularities.'<sup>72</sup>

Salisbury was busy in the Lords on 20 November. The Commons had asked for joint committees to discuss the Propositions to be presented to the king and the London agents involved in the Ware affair. He was also asked to go with five of his fellow lords and twelve members of the Commons to the Common Council to bring in the arrears for the Army that afternoon. Two days later the Common Council thanked the Houses for stopping the Army from quartering in the City and agreed that the men would get the money to cover their arrears as soon as possible. The aldermen always responded to the threat of having an army quartered in their midst, fearing the disruption to trade and the disturbances they envisaged would occur.<sup>73</sup>

Northumberland reported on 26 November on behalf of the committee considering what propositions should be presented to Charles. He proposed that, after a conference with the Commons, they should offer the king four bills for his assent and then proceed to a treaty upon the other outstanding matters. Salisbury was a member of the committee that considered the bills when the Commons returned them on 11 December. They were presented to Charles on 24 December, when he was given four days to sign them into law, but he rejected them. The bills, to quote Gardiner, 'would have reduced the king to a position of subordination to the national will expressed in

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<sup>72</sup> Gardiner *Civil War* iii pp.383-394 contains a copy of John Lilburne's An Agreement of the free people of England. *HMC Salisbury* 22 p.390 & *HMC Salisbury* 24 p.282. Salisbury's bought a copy of this and a copy of William Ashurst's Answer to the People's Agreement (1648). Salisbury's purchases show he had a great interest in current affairs. Alan Thomson Ware Mutiny 1647: order restored or revolution defeated? (Ware 1996). *LJ* ix pp.526-8.

<sup>73</sup> *LJ* ix pp.534-40.

Parliament'. Charles had meanwhile been negotiating with the Scots. He had entered into an engagement with them that would have given him supreme military authority and the negative voice to stop any legislation he did not like. His engagement with the Scots went much further, for they agreed that should the English Parliament refuse Charles a personal treaty in London and the disbandment of all armies, they would send a Scottish army into England.<sup>74</sup>

Having rejected Parliament's advances and entered into an understanding with the Scots, the king chose that moment to try to escape again. The Army now made Charles a prisoner under close guard. A free king at the head of a Scottish army and with a restive English population could prove fatal to the 'Independents' and rekindle the civil war. There was an air of dissatisfaction and mistrust with the Army's motives; it would not have taken very much to capitalise on this. A declaration was made on 17 January 1648 that it would be treason for any person to make any approaches to the king without the consent of both Houses. It took the Lords several days to join the Commons in this declaration, which was passed by nine votes to four, but only after some timely pressure from Fairfax. Some indication of the form of that pressure can be seen in a letter from Fairfax to the Lords, written on behalf of the Council of War.

'taking Notice of some unworthy Endeavours to asperse the Integrity of their Proceedings, as aiming at the Overthrowing of the Peerage, and Undermining of the Rights and Privileges of the House of Peers, do unanimously declare, That they hold themselves obliged, in Justice and Honour, to endeavour [to] preserve the Peerage of this Kingdom, with the just Rights belonging to the House of Peers'

The 'Independent' lords would surely have realised that Fairfax was now able to set the agenda. If they opposed the Army by effecting a final settlement with Charles they would be under threat. Parliament resolved on 17 January 1648 that the Committee of England and Ireland at Derby House should now undertake the responsibilities of the

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<sup>74</sup> LJ ix pp.543-4 & 570-5. Gardiner Documents pp.335-356. Details of the Four Bills, Charles' reply and the Scottish Engagement. Gardiner Civil War iv pp.36-41.



Committee of Both Kingdoms. The same day the Scottish commissioners told Parliament they were returning home.<sup>75</sup>

Salisbury was now an outspoken ally of the Army and Saye's enthusiastic seconder in parliamentary debates. It was reported that it was his speech that had been decisive in its success. It has been suggested that Salisbury's self-interest influenced his opinion; to maintain his position in the Exchequer he needed the stringent terms that the Army would want to impose on the king, rather than the weaker policies that the Presbyterians wished to pursue. This may have been an element of the situation, but as so often the second earl's perceived self-interest was also more strikingly that of the Army and his fellow politicians.<sup>76</sup>

Charles had managed to divide his three kingdoms against each other and each of them within themselves. There was also the threat of a foreign invasion in the king's favour. However, he was for the first time a prisoner under close guard. It is noteworthy that, despite Charles' machinations, the two Houses and the Army's leaders, with few exceptions, were still working for a settled monarchy. The king's children were in his opponent's hands and Prince Charles, or failing him the Duke of York, might be crowned if the king could be made to abdicate or if he was declared unfit to rule. On 2 March it was ordered that Hampton Court should be kept ready to receive the children; Northumberland would continue to be responsible for them and keep all bad influences away from them. Salisbury, like all the principal participants, could not see the future and must have realised that his only course then was to co-operate with the Army. Matters were complicated on 21 April when the prince managed to escape.<sup>77</sup>

### **The Second Civil War.**

The Derby House committee was now so busy dealing with the unrest that on 25 May the two Houses agreed the military committees should sit constantly and that

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<sup>75</sup> LJ ix pp.620 & 663-5. Gardiner Documents p.356.

<sup>76</sup> BP Mercurius Pragmaticus 29 (18-25 Jan 1648). Adamson Peerage p.226

<sup>77</sup> LJ x pp.14-5 & 86-8. Gardiner Civil War iv pp.99-101.

their memberships should be extended. The Lords asked that Salisbury and four other peers should be added to the numbers at Derby House, the Commons nominated some others, amongst them Cranborne. The second earl and his son were appointed on 1 June and became regular attenders.<sup>78</sup>

The Scots had engaged to attack England if Charles was not allowed to go to London to negotiate a treaty. The plan was for co-ordinated royalist uprisings in England and Wales, together with help from Ireland, all timed to start when the Scots invaded. However, the Scots did not have an army ready before July and the southern uprisings had petered out before then, whilst the Irish forces did not materialise. Fairfax was able to concentrate his men against the ill-prepared Scots when they crossed the border on 8 July. Cromwell defeated the Scots under Hamilton by the end of August.<sup>79</sup>

The Commons sent the Lords some new propositions for peace on 1 June. These had been prompted by the uprisings in the counties adjacent to London. They also heard that another attempt by the king to escape had been thwarted. They received petitions from the City's Common Council and the London citizens calling for a personal treaty with the king. Salisbury was a member of the bicameral committee that went to the City to answer these demands. The next day the Lords heard that the most serious of the uprisings, the one in Kent, had been quelled and also that Warwick had taken charge of the fleet, putting down much of the mutiny that had affected it. Pembroke was thus able to report that the meeting with the City had been resolved satisfactorily. Without Fairfax and his well-trained and disciplined soldiers the 'Independents' could not have lasted long.<sup>80</sup>

Salisbury was busy with affairs in The Revenue and Derby House committees, as well as his duties in the Lords. How did he cope? He had a capable circle to call upon to advise him or to represent his views. On 16 June the second earl reported from

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<sup>78</sup> LJ x pp.282-3. CSPDom 1648-9 1 June 1649.

<sup>79</sup> Woolrych Britain in Revolution pp.402-420, for a full account.

<sup>80</sup> LJ x pp.293-300.

Derby House a letter which the committee wanted to be considered before it was sent to the States of Zealand and the States General. It asked for their co-operation in not harbouring or assisting any of the Navy's mutinous ships. The Lords' Journal shows that Salisbury attended the House intermittently after his appointment to the Derby House committee, which now had a decidedly 'Independent' look to it. This committee ran the administration and to a large extent political matters whilst the second civil war and the Scottish invasion were in progress. Both Houses dealt with the anticipated treaty with Charles and the settlement of church government. Salisbury and his 'Independent' friends were usually represented when crucial decisions were taken and he did occasionally give reports.<sup>81</sup>

The spreading of the 'Independent' resources however was not without its mishaps. On 18 July there was a motion from the Commons to declare that the Scots who had invaded England, and all those who had encouraged them to do so, should be declared traitors. The Presbyterian majority in attendance that day voted it down, after the 'Independent' minority tried unsuccessfully to get the matter deferred for some days. When the matter came up three days later the result was the same. The Commons ignored the Lords' votes and proclaimed that the Scottish invaders and their allies were enemies. This was an indication that the Commons were once again losing their respect for the Lords. The Lords again voted the same way on 2 August in a House of twelve, when Salisbury and four fellow 'Independents' lost because their resources were spread too thinly. The Army was fighting a war that the Presbyterian lords at times appeared not to want them to win, perhaps because they feared it might lead to republicanism.<sup>82</sup>

On 30 June the 'Independent' Northumberland asked the Lords to rescind 'The Vote of No Addresses' that had been passed six months previously. He also asked that the three propositions that were to be granted before any treaty could begin should no

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<sup>81</sup> LJ x pp.325-6 & 329.

<sup>82</sup> LJ x pp.384, 388 & 408. CJ p.644.

longer be required. They were the establishment of Presbyterian Church government for three years, the recall of all the king's declarations against the adherents of both Houses and their control of the militia for ten years. The Commons were unhappy, so the Lords gave them their reasons why they wished to adhere to their vote. The Commons changed their ground when it was explained that the three propositions were to be considered first and agreed upon, but would only be passed as acts once the whole treaty had been agreed. It took until 1 August when it was ordered

‘That a Committee of both Houses be sent to His Majesty, to acquaint Him with their Resolutions to treat Personally with His Majesty...in the Isle of Wight, upon the Propositions presented at Hampton Court’.

On 24 August the two Houses finally agreed in the interests of reaching ‘a speedy, safe, and well-grounded Peace’.<sup>83</sup>

The ‘Independents’ were out in force when the ordinance for settling church government came before the Lords on 22 August. It passed seven days later. It was a necessity that this should be done before any treaty negotiations were commenced; otherwise Charles could have manipulated any disagreement.<sup>84</sup>

The committee to treat with the king, on what became known as the Treaty of Newport, was made up of five lords and ten members from the Commons. The lords were the ‘Independents’ Northumberland, Pembroke, Salisbury and Saye, plus Middlesex. The negotiations opened on 18 September and their progress was reported in letters signed by the five lords. Both Houses requested on 4 November that some of the commissioners should return to London; Salisbury, Middlesex and Saye returned four days later. Their arrival was recorded in His Maiesties Declaration Delivered at Newport in the Isle of Wight, which included the latest parliamentary news on the treaty. Salisbury presented the news to the upper House on 9 November. That the five lords had remained for so long shows how seriously they had taken their task. They

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<sup>83</sup> LJ x pp.353-4, 371, 386-8, 403 & 405.

<sup>84</sup> LJ x pp.449-50 & 461-75.

were making every possible effort in the most difficult circumstances, although it is hard to believe that after their long experience of the king's duplicity they could have had much faith in the outcome. If the Newport negotiators had their doubts about Charles' sincerity, they were confirmed when it was heard that Ormond was once again in Ireland fermenting trouble and that Charles would not disavow him.<sup>85</sup>

The defeat of the Scots brought the second civil war to an end and gave men time to think. This especially applied to the Army, where a movement began to grow, to no longer treat with the king, but to bring him to trial. They had lost any faith that if Charles did agree a treaty he would not overturn it once he was in power. The Remonstrance of the Army was a justification to take these actions and a scheme for a future constitution, with a single chamber, to follow the overthrow of the monarch. Salisbury would have noted that the Lords played no part in these radical plans.<sup>86</sup>

The Council of Officers meanwhile made one final attempt to settle with the king, by offering him back his crown and returning to him and his family their royal lands, but severely limiting his political rights. Charles as expected rejected the overture on 17 November. Both Houses had agreed two days earlier that if Charles accepted the Newport proposals without alteration, he could regain his crown. A few days earlier the Derby House Committee had been informed that Charles planned to escape on 16 or 17 November. The Army arranged for his close confinement.<sup>87</sup>

When the Council of Officers met on 18 November and the king's reply was read, The Remonstrance was accepted with only two against, Colonel Rich and Salisbury's son, Captain William Cecil. It was introduced to the Commons two days later and to the Lords on 30 November. The Commons voted in a remarkably highly

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<sup>85</sup> LJ x pp.481-2, 578-9, 582-4 & 501-606. CSPDom 1648-9 pp.277-8. His Maiesties Declaration Delivered at Newport in the Isle of Wight (London 1648)

<sup>86</sup> A Remonstrance of his Excellency, Thomas Lord Fairfax, General of the Parliament's Forces, and of the General Councill of Officers held at St. Albans, the 16<sup>th</sup> of November, 1648 (London 1648)

<sup>87</sup> LJ x pp.587 & 592. Gardiner Civil War iv pp.241-4. A Message Sent from the Officers and Souldiers in the Army to the Kings Majesty in the Isle of Wight (London 1648)

attended House not to consider it by one hundred and twenty-five to fifty-eight. Holles, one of the leading Commons' commissioners, addressed the House the next day. It took the members four days before they could agree to discuss if the king had given them some good grounds for a settlement. They decided that he had by one hundred and twenty-nine votes to eighty-three. Cranborne was a teller and would probably have supported this. The Lords in a unanimous House of fifteen, which included Salisbury, arrived at the same conclusion. Members of the Army were still waiting for an answer to their Remonstrance. Having given Charles a final chance, and now knowing that Parliament was preparing to enter another round of negotiations based upon the king's final unsatisfactory answer to the last attempt, it was not surprising that they should decide to take matters into their own hands. On 6 December they excluded one hundred and forty-three members from entering the Commons. In the Lords the attendance was seven; it would have been pointless to conduct a purge there, as they were all of the same mind. About 470 members of the Commons were qualified to sit before the purge, which proved to be permanent, although some were allowed to return to their House after Charles's execution. This later became known as the "Rump Parliament".<sup>88</sup>

The Lords' attendances dropped to three on 14 December and the next day was only four, when they disallowed a protest by the excluded members of the Commons. Salisbury made few appearances and it is notable that Manchester deserted the Speaker's chair after 7 December, when no business was recorded. The House was adjourned for five days. On 23 December the Lords issued an order that all absent lords should attend the House 'to attend the great Affairs of this Kingdom, relating in an extraordinary Manner to all the Peerage of England'. The small number in attendance was making a mockery of their proceedings and adding weight to the calls for their abolition. Salisbury and his fellow peers responded with a turnout of eight and accepted

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<sup>88</sup> Mercurius Militaris. CJ vi pp.81 & 91-4. Gardiner Civil War iv pp.263-73. LJ x pp.615 & 624. Blair Worden The English Civil Wars (London 2009) p. 99, hereafter Worden Civil Wars.

the excuses of ill health of another six. On 2 January 1649 twelve attended, probably because they anticipated there would be two important votes. First

‘That by the fundamental Laws of the Kingdom, it is Treason in the King of England for the Time being, to levy War against the Parliament and Kingdom of England.’

This received a unanimous negative vote. Next a vote whether to erect ‘a High Court of Justice, for the Trial of the King’ received the same treatment. Significantly, Salisbury was missing.<sup>89</sup>

A week later, at the next meeting, Salisbury was nominated to a committee to consider and prepare an ordinance ‘that any King who shall hereafter levy War against the Parliament shall be guilty of Treason.’ If the committee ever met its findings seem to have conveniently disappeared. Attendance was now varying between three and six with little business being transacted. On 1 February 1649 a committee of ten was appointed to consider the settlement of the government of England and Ireland after the death of the king. There were only six in the House, so Salisbury and three others, including Northumberland, were added in their absence. This was an unusual constitutional procedure and probably reflected the Lords’ need to demonstrate that they took the issue seriously. They asked the Commons to appoint a committee but the lower House ignored the request.<sup>90</sup>

Salisbury, Pembroke, Denbigh and North visited Fairfax on 19 December 1648. This was probably a prelude to an overture to Charles in the hope he might accept the conditions offered to him. Two days later Speaker Lord Denbigh went to the king with this overture. The Lords had provided for a call on 28 December to consider the result. That Cromwell approved of this scheme is shown by the plea he made on 25 December to save the king’s life if he accepted the offer. Once again all this activity was in vain because Charles refused to see Denbigh. The Commons now passed the ordinance to

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<sup>89</sup> *LJ* x pp.625, 630-1, 636-7,639-41.

<sup>90</sup> *LJ* x pp.642-3 & 649-50.

set up a special court for Charles' trial, and pronounced it treason for a king to wage war against his own country. These were the two items that the Lords had refused. The ordinance appointed one hundred and fifty commissioners to try the king; amongst these were six peers, but not Salisbury. None of these peers agreed to sit in judgement upon Charles.<sup>91</sup>

The trial of the king opened on 20 January; the sentence of death was pronounced nine days later and then carried out the next day. Leicester, musing in his diary a year later, recalled that Pembroke, who had recently died, had told him that

‘out of his chamber window he looked upon the King as he went up the staires from the parke to the galerye in the way to the place of his death, which was quickly after....As I remember, the Earle of Salisbury hath told me that he was with the Earle of Pembroke at the same time. It would have become him also to have bin away, whose father and himself were as much bound as any men to the sayd late King and to his father K. James.’

Remarkably, Leicester was expressing his noble opinion of his memory of the Cecils. He had done his best to remain a neutral in the wars and probably did not approve of the two earl's action. It was a good example of the intense royalist feeling created after Charles' execution and their involvement remained a stain upon the two men's reputations, especially after 1660. That Salisbury and his fellow 'Independents' had laboured long and hard to do their best to bring Charles to his senses, as they would have seen it, was plainly obvious. Smith, writing about the constitutional royalists, in particular Southampton, Hertford, Richmond, Dorset and Lindsey, thought that 'a deep desire to protect the King's person characterised the peers' behaviour...and endeavoured up to the very last moment to save his life.' Coming from the opposite direction the same motives had been present in all the 'Independents'' actions, however exasperated they must have felt.<sup>92</sup>

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<sup>91</sup> LJ x pp.636 & 641. BP Mercurius Melancholicus 22 Jan 1649. Gardiner Civil War iv pp.285-92. CJ vi pp.105-7.

<sup>92</sup> Gardiner Civil War iv pp.297-330. He gives a full account of the trial and execution. Smith Constitutional Royalism p.140. HMC De L'Isle 6 pp.596-7.



Remarkably, the Commons had taken it upon themselves to enact legislation and provided themselves with a new Great Seal bearing only the coat of arms of the Commons. These were the trappings of a republican assembly. The Lords' last meeting was on 6 February 1649; the same day there was a move to retain the Lords as a purely consultative committee. This was rejected by the Commons on a vote of forty-four votes to twenty-nine. It was then decided without a division that the House of Peers in Parliament was useless and dangerous and ought to be abolished. The following day, also without a vote, it was decided that the office of a king should also be abolished. These motions finally became laws on 17 and 19 March respectively and marked the high points of republican radicalism.<sup>93</sup>

The act abolishing the Lords explicitly did not debar them from public life, which included 'the public councils of the nation, but [they] shall be admitted thereunto, and have their free vote in Parliament if they shall be thereunto elected'. They were also allowed to keep their titles and possessions as long as they behaved themselves. It was agreed by the Commons that a Council of State should be formed and the names of members were to be offered by a committee. Some wanted peers to be excluded, but eventually they were allowed into a body that numbered forty-one. It would not be independent constitutionally, but have the same relationship to the Commons as the Derby House Committee had enjoyed.

Six peers were recommended: Salisbury, Denbigh, Pembroke, Mulgrave, Grey of Warke and Fairfax of Cameron. James had created Fairfax's father a Scottish peer. On 9 February 'Denbigh, Pembroke, Salisbury, Mulgrave and the Lord General said that they had served Parliament faithfully, and were willing to do so still'.<sup>94</sup> The Council of State was elected as soon as 14 February; this showed a strong desire for continuity and that the peerage should be part of it. The five English peers had been in

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<sup>93</sup> *CJ* vi pp.132-3, 166 & 168. Gardiner *Documents* pp.384-8.

<sup>94</sup> *CSPD* Interregnum 1649-50 Feb 1649.

regular attendance in the Lords over the previous month; this might suggest that some approach may have been made to them, possibly before the Lords had last met.

The Council of State was to be elected each year. Salisbury was elected to the first and second Councils, when he served as President for the month of March 1653, and the fifth. The five peers, together with Fairfax, refused to take the Engagement that all members of the Council were obliged to take. They declined to approve of past actions that they had opposed, in particular the king's trial, the abolition of kingship, and of the Lords. Salisbury took an amended Engagement that bound him to 'the settling of the government...in the way of a republic'. Like Denbigh he could not honourably swear to things he had disagreed with in the past but could now agree to follow the only power in England, 'the House of Commons, in which the liberty and freedom of the people are so involved, that he is resolved to live and die with them'. A similar oath was extended to the whole country, and only then would they be eligible to benefit from the courts of law of the Commonwealth. The fledgling regime did not have the democratic agenda that Lilburne and Marten would have wished. The Commons had a conservative outlook and did not wish to share power with the general population, but needed to give a sense of stability to the nation's property owners. This sense of stability was given a public demonstration on 7 June when the Lord Mayor and the City gave a magnificent banquet at the Grocers' Hall for all the Army officers above the rank of lieutenant. The peers who were members of the Council of State attended and Salisbury was given a seat of honour close to Fairfax and Cromwell.<sup>95</sup> This was a singular honour and a public display of their appreciation of his support.

Salisbury, Pembroke and Howard of Escrick were the only peers to be elected to the Commons. However, some of their sons already sat there. That the second earl took

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<sup>95</sup> Firth House of Lords pp.220-3. Gardiner Documents pp.381-4 & 387. CJ vi pp.133, 138, 140, 149, 297 & 361-3. Chris. R. Kyle & Jason Peacey eds Parliament at Work: Parliamentary Committees, Political Power, and Public Access in Early Modern England (Woodbridge 2002) pp.130-48. C.H.Firth Acts and Ordinances of the Interregnum 1642-1660 (London 1911) pp.258-277. CSPDom 1649 p.9. CSPDom 1652-3 p.180.

this step was an endorsement of the new regime and a recognition that government, both national and local, had to continue. Salisbury was elected a burgess for Kings Lynn in September 1649. Leicester thought ‘he should have don well not to have protested against it so much as he did unnecessarily and allmost in all companyes.’ Possibly not all his fellow peers would have been overjoyed to see his commitment to the new order, but the Commons would have welcomed his vast experience of government. The second earl may have felt some tension at the clash between his inherited loyalties to the Crown and his continuing commitment to the parliamentary cause when he was in the company of his fellow nobles. However, it may have been the case that they were the ones to feel uncomfortable in his company.

Salisbury’s election meant that he had joined the majority of his fellow councillors who were also members of the Commons. This was very useful when Parliament wished to deal with some matter away from the public view; they merely transferred it to themselves sitting in the Council of State. The Commons voted that the second earl should be a member of the many committees that he had formerly served upon, such as those that dealt with Foreign Affairs, the Admiralty and Navy, the conveyance of former Crown property to the state and that for the Mint. They also passed an act that must have given him some personal pleasure when he was made a governor of Westminster School.<sup>96</sup>

Salisbury’s committee work covered a wide range of interests and showed that his experience was valued. On 24 October 1649 he was asked to consider all the various Engagements made since the Parliament had begun and to remove and explain any misconstructions that might have been made. The result of this was an act for a new Engagement to be taken throughout the kingdom. An amendment was made on 23 February 1650 to allow a further thirty days to take the Engagement for those who had

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<sup>96</sup> *HMC De L’Isle* 6 p.595. Firth *House of Lords* p.225. *CJ* vi p.297. Spalding *Whitelocke* p.406.

refused to take it and would not incur any penalties for their delay. Salisbury was a teller for this amendment, which indicated that he had been active in supporting it. It was passed by fifty-eight votes to twenty. Salisbury was probably concerned that many of his fellow noblemen had not taken the oath; Leicester was one of the beneficiaries of the delay. On 30 November the second earl was nominated to a committee to look at an act to encourage learning and the advancement of the Gospel in Ireland and on 29 January 1650 he performed a similar task for Wales. Salisbury was added to the committee that regulated the Universities. An act for the sale of Delinquents' land was committed to a committee after an amendment that these should not be sold for less than ten years' purchase. His financial experience would have been helpful with this and also on the committee to bring all finance into one general treasury. The earl acted as a teller on 24 April 1651 when an Article on Irish affairs was passed. This dealt with all those who were considered to have been delinquents and the punishments they were to receive. He also looked at how the Trustees of the sale of the royal property had carried out their duties and was to hear the complaints that had been made against them.

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Pembroke died in 1650 and Salisbury, as one of his executors, was subsequently involved for some years in finalising his will. Northumberland, another executor, petitioned the Council of State on 11 May 1654 about a debt for £50,000 they had all entered into with the City for the public service at the beginning of the Long Parliament. It was not until 1657 that an order was made by Parliament that any prosecution at law should be stayed. The Master of the Rolls ruled then that

‘These noble Lords did freely enter into this engagement, when we were in great distress, and for no benefit for themselves; but for the public.’<sup>98</sup>

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<sup>97</sup> *HMC De L'Isle* 5 p.598. *CJ* vi pp.312-3, 327, 352, 370, 388-9, 393-4, 400, 566-7 & vii 251.

<sup>98</sup> *HMC Salisbury* 22 pp.415-6, 418-20 & 427-8. *CJ* vii pp.528-9 & 561-2.

A goldsmith David Grey brought a debt of the second earl to the notice of the Committee for the Advance of Money on 22 September 1648. The committee offered a reward of twenty percent of the monies recovered from delinquents. This case concerned the earls of Lanerick and Dirleton, who were considered to be delinquents. Mr. Grey received a reward of £ 320 for the £ 1,600 that was paid by Salisbury to the State instead of to the two earls. It took Salisbury nine months to pay the money. It came before Parliament on 22 May 1649, when an order was made that the money should be used according to the Ordinance for Sequestration.<sup>99</sup>

The finances of the nobility benefited from their exclusion from political and Court life in the Interregnum. They were saved the costs of attending the Lords, the conspicuous consumption that was involved in Court life and the expense of a London residence. It probably gave many of them an opportunity to recoup their civil war losses. However, Salisbury was still very active and probably did not benefit to the same degree.

Salisbury approached the Commons in 1648 for some favourable treatment in respect of the transport of fifty tons of Portland stone from Theobalds for use at Hatfield House. He was not as successful in his efforts to obtain compensation for the losses he claimed he had incurred at Theobalds, Cheshunt and Enfield Parks in connection with his position as Keeper. The Commons agreed a sum of £ 5,360. 18 s. 4d. which was to come from the sales of Delinquents' estates. The saga lasted from 1650 for over six years before the Protectorate failed to honour the debt. The earl raised the matter once again in 1662 without success.<sup>100</sup>

Salisbury was asked to attend various ambassadors to and from Parliament. He was ordered on 18 December 1651 to accompany three ambassadors from the United Provinces from their lodgings to Parliament for an audience and to dine with them the

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<sup>99</sup> M. A. Everett Green ed 3 vol Committee for the Advance of Money (London 1888) ii pp.954-6. CJ vi p.213.

<sup>100</sup> HMC Salisbury 22 p.416 & 423-5. CJ vi pp.404-6, vii pp.56-8 & 466.

next day. He had to accompany the Lord Ambassadors from the Kings of Spain and Portugal on 14 and 16 December 1652 respectively to Parliament, the latter country having regained its independence in 1640. Four days later he was on a small committee from the Council of State that gave an audience to the agent from the Duke of Tuscany. The second earl reported from the committee that had been appointed to give an audience to the public minister from Hamburg on 28 January 1653, and read the letters of credence from the senators of that city to the House. The following month, on 24 February, he performed similar duties when the Queen of Sweden's public minister came to Parliament. The earl was probably selected for these duties because of his noble and family origins and the possession of a fine house close to Westminster; Salisbury House was used to accommodate the ambassador from Spain in December 1650. Parliament was no doubt pleased to receive these visits from foreign governments that signified recognition of their status.<sup>101</sup>

On 20 April 1653 Cromwell entered Parliament and forcibly dissolved it. Parliament had decided that fresh elections were necessary in an effort to lessen the Army's political power and give themselves some constitutional legitimacy, which had been lacking since the exclusion of the Presbyterian members in 1648. An amendment passed seven days earlier would have had the effect of allowing those Presbyterians back into Parliament. Cromwell's action stopped the electoral bill and ended the "Rump Parliament" that had consisted mainly of the members left after Pride's Purge in December 1648.<sup>102</sup>

Cromwell replaced the "Rump" with an assembly that had been nominated by the Army's hierarchy and has become known as "Barebones Parliament". Salisbury did not sit in this. He was elected for Hertfordshire to the two Protectorate Parliaments, but was only allowed to take his seat in the first one that sat from 17 September 1654 to 22

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<sup>101</sup> CJ vii pp.53-4, 229-230, 251-2, 261-2 & 762-3. CSPDom -1650 p.481 & 1652-3 p.41.

<sup>102</sup> HMC De L'Isle 5 pp.615-6. Worden Civil Wars pp.122-5. Smith Parliaments pp.16-9. Gardiner Documents pp.400-4. See p. 254.

January 1655. Cromwell dissolved this at the earliest possible moment because the members were once again more interested in fighting toleration in religion and weakening the Army's power, rather than confirming his ordinances. Salisbury sat on a couple of financial committees and acted as a teller when the question of reprieving a rotten borough, Queenborough, came before the House. This was decided by the Speaker's casting vote and has drawn the comment from Worden that Salisbury, as 'an electoral magnate...had good reason to support the preservation of decayed boroughs'. This was probably true once, but it is difficult to see why Salisbury would want or need to revive his career as an electoral magnate. The Commons' Journal records that Salisbury and seventy-eight others were refused entry when they tried to take their seats in the second Protectorate Parliament that Cromwell had called because he needed money. They had not received the approval of His Highness's council, because many of them had expressed disagreement with the Army's religious policies. A further fifty to sixty members then withdrew in protest. Why the second earl received this treatment is unclear, because his religious views still matched those of Cromwell. It could have been that his continual pursuit of compensation for loss of his rights did not meet the Council's approval.<sup>103</sup>

Although it is generally accepted that Salisbury did not play any part in the second Protectorate Parliament, he does appear in the Commons' Journal on several occasions when he was named as a member of a committee. It is difficult to believe he had not been in attendance on those days. He was named on 22 October 1656 to a committee to raise money for carrying on the Spanish war, in particular from the estates of papists. A month later he was named to consider a property dispute between two

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<sup>103</sup> CJ vii p.425. Smith Parliaments pp.139-42. Worden Civil Wars pp.130-3 & 138. Worden Rump Parliament 1648-1653 (Oxford 1974) p.151. Gardiner Documents pp.405-17.

parties named Rodney and Cole, and on 15 December he was named to consider a bill to confirm some improvements to the estate of the Earl of Carlisle.<sup>104</sup>

Cromwell was again disappointed by the Commons' actions against religious toleration and their efforts to weaken the Army. On 21 February 1657 he thought

‘That a House of Lords, or other check upon the arbitrary tendencies of a single House of Parliament, may be of real use. See what they, by their own mere vote and will, I having no power to check them, have done with James Nayler: may it not be any one's case, some other day?’

Nayler had been convicted of blasphemy and sentenced to death, later reduced to some severe corporal punishments. Cromwell was upset by the Commons' intolerance and saw that another body would be invaluable as a stop to what he perceived as an abuse of power.<sup>105</sup>

The Humble Address and Petition was also presented to Cromwell in February and offered him the kingship. He declined the offer on 8 May but remained as Lord Protector. The document set up a constitutional framework that protected Parliament but gave Cromwell the right to nominate forty to seventy men approved by the Commons to an ‘Other House’. Of the sixty-three people summoned to the ‘Other House’ on January 1658 only forty-two attended. The project met with great hostility and Cromwell dissolved Parliament on 4 February. The ‘Other House’ died with it. Seven peers had been nominated and only two attended. Salisbury was not selected and surely his pride must have been slighted. The second earl was sixty-seven, perhaps seen as being out of touch and possibly happy to no longer be in the eye of the storm. This would almost certainly have been the case in September 1659 when the second earl received a letter from his son Cranborne, who was on his deathbed, asking him to look after his family.<sup>106</sup>

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<sup>104</sup> CJ vii pp.444,458 & 468.

<sup>105</sup> S.C.Lomas ed 3 vols Letters and Speeches of Cromwell (London 1904) iii p.20. Smith Parliaments p.141.

<sup>106</sup> Gardiner Documents pp.447-64. Smith Parliaments pp.142-3. CP 200/25.



Cromwell died in September 1658; his son Richard took his place as Lord Protector. Salisbury played no part in the Parliament that ran from 27 January to 22 April 1659. The Army forced Richard to recall the 'Rump' Parliament on 7 May 1659; he resigned seventeen days later. Salisbury's name appears on two committee lists and on 18 August 1659 he was one of the three members delegated to accompany the Lord Ambassador of the King of France to and from his audience with Parliament 'with fit coaches, guards, horse and foot, and attendants'. The dissatisfied Army forced the closure of Parliament on 13 October. General Monck tried to call an end to the ensuing instability by the recall of the 'Rump Parliament' on 26 December 1659. This did not work, so Monck arranged for seventy-three of the excluded members from 'Pride's Purge' to be re-admitted to their seats on 21 February 1660, when in essence the Long Parliament was restored. It dissolved itself on 16 March to allow for new elections. These produced a strongly Royalist Convention that assembled on 25 April together with the House of Lords. Together they recognised Charles II to have been their rightful king since the death of his father.<sup>107</sup>

In the Declaration of Breda, dated 4 April 1660, Charles offered the hand of forgiveness to all his subjects and a guarantee that no punishments would be made apart from those agreed by Parliament. Salisbury gave the 'ringers at Hatfield' ten shillings on 13 June when the king was proclaimed there. Salisbury received a royal pardon on 18 July that 'also restores to him all lands forfeited for offences mentioned and freedom from suits, fines, etc.' Charles II visited Hatfield House on 24 August, when the second earl borrowed two damask beds, paid for four trumpeters to announce the food and twenty pounds for sweetmeats amongst other items. Once again he had to replace some plate after a royal visit. The occasion was a very public acknowledgement that Salisbury had been accepted back into royal circles and was followed by a command to

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<sup>107</sup> CJ vii pp.762-3, 765-7 & 781. Smith Parliaments pp.144-6. CSPDom 1659-60 pp.123 & 135.

attend the king's coronation on 23 April 1661.<sup>108</sup> Salisbury must surely have had his worries that the Restoration would bring its problems for him and his family. It must have been a huge relief that Charles II did not apparently harbour any ill feelings towards him.

The Lords' Journal shows that Salisbury attended the House regularly and there is no evidence that any attempt was made to stop him doing so. He did not however attend until the fifth sitting on 1 May 1660. Pepys suggests in his diary for 4 May that 'Lord Salisbury is put out of the House of Lords', and Owen thought that he was allowed to slip unobtrusively back into the House after Charles' coronation. However, he sat there throughout most of May. The Convention Parliament lasted till 29 December 1660.<sup>109</sup>

The Cavalier Parliament was summoned on 18 February 1661 and opened on 8 May 1661. Salisbury attended all but one of the seventeen sessions held in May, but only three in June. On 8 May he was there for the king's reconciling opening speech. Two days later, when the standing committees were selected, it must have dawned on him that his active parliamentary career was petering out. He was passed over for the large committees that dealt with Petitions and for those dealing with Customs and Orders of the House and Privileges of Peers. He was selected on 28 June for a much less glamorous duty, to consider a bill to cleanse the Streets of Westminster, which were near his own town house. The next day he made use of his parliamentary privilege to stop some legal proceedings that affected one of his tenants. He then had to wait till 7 January 1662 for an appointment to consider a bill to allow the sale of some land. In March he was selected for three, the 'Prize Goods Bill', another to allow the exchange of some lands upon a marriage, and a bill for repairing the streets of Westminster. Salisbury was often involved in the affairs of Westminster, both as a prominent citizen

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<sup>108</sup> Gardiner Documents pp.465-7. HMC Salisbury 22 pp.436-8 & 440.

<sup>109</sup> LJ xi pp.6-43. Pepys's i p.119n. Owen HMC Salisbury 22 p.xxvi.

and a major property owner. Burghley and the first earl had been High Stewards and had built an influential urban holding and power base. The second earl could not match this but still managed to hold on to a good deal of that influence, although increasing development and noble rivals diluted it. The session closed on 19 May 1662 but Salisbury was not there to hear the king's speech.<sup>110</sup>

The king opened the next session on 18 February 1663, when Salisbury's omission from the committees for privileges and the customs and orders of the House was rectified. He was added to the petitions committee a week later. His other committee work, in this short session, was to consider any defects in two Acts, affecting highways and the poor, and a bill concerning Writs of Error. The last in April was to consider any improvements that could be made to Ashdown Forest. The session closed on 27 July when Salisbury again missed the king's speech.<sup>111</sup>

The third session ran from 16 March to 17 May 1664. Salisbury retained his position on the petitions committee and was also on committees that considered three acts. They were concerned with highways, relief of the poor and regulating hackney coaches. None of these were connected to high politics. The second earl's last appearance in the Lords was on 5 April 1664. He had missed only one day in the session before this date. Why was there such an abrupt ending to his parliamentary career? Was it illness or possibly something that displeased him? The king had been present and gave two bills the Royal Assent. One of these repealed the act 'for the preventing of inconveniencies happening by the long intermissions of Parliaments' and replaced it with one 'for the assembling and holding of Parliaments Once in Three Years at the least.' To the ageing Salisbury, who had risked all for Parliament, to see the power it had gained to call and dissolve itself taken away, must surely have been the

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<sup>110</sup> *LJ* xi pp.240-477. J. E. Merritt 'Cecils and Westminster 1558-1612: The Development of an Urban Power Base' in *Croft Patronage* pp.231-242.

<sup>111</sup> *LJ* xi pp.478-580.

moment he decided that he no longer had a useful contribution to make. If by any chance this was a coincidence, it was an ironic one.<sup>112</sup>

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<sup>112</sup> LJ xi pp.581-621. Gardiner Documents pp.158-9. John Raithby ed 11 vols Statutes of the Realm 1628-80 (London 1810-28) v p.513.

### Conclusion.

The evidence shows that historians have treated the second earl unfairly and that his position should be reappraised. When William decided to go to York in May 1642, he went to speak to the king to persuade him to turn back from a confrontation with Parliament. This pivotal moment in his life probably throws more light on his character than all the other evidence that has been garnered. Some of the lords at Westminster probably knew that was his intention and gave him their blessing. He would have been seen as ideally suited to the role of peacemaker, because of his independent actions in the past, and also the recent mark of trust that Charles had shown him, when he gave Salisbury the keys to his privy garden. That gesture had given Charles the opportunity to sound out the second earl away from his close advisors.<sup>1</sup>

A militant majority in York surrounded the king, but he took time to walk with Salisbury and listen to him. However, Salisbury's efforts proved to be of no avail. There were people like Dorset, Lindsey, Clare, Hertford and Southampton in York who were sympathetic to achieving a peace; indeed Dorset in his letters to Salisbury showed how close the two were. Dorset recognised why the second earl had been in York, when he asked him to carry on his good work now he had returned to London and 'keepe the more violent spirits from passing the Rubicon'.<sup>2</sup> Events show that this was probably the last opportunity the two sides realistically had to draw back before Charles raised his standard.

The Andrews letter of 15 June 1642 tells us how Dorset, Clare and Salisbury tried to persuade the king not to listen to those

'who had possessed his Majesties cares and breast with this evill and destructive counsel...but he seemed somewhat displeased with their advice; Whereupon some of his counsel whose hearts and integritie stood well affected to the State, left his Majestie, viz, the Earle of Dorset, the Earle of Salisbury, the Earle of Clare'.<sup>3</sup>

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<sup>1</sup> Russell British Monarchies pp.237-8.

<sup>2</sup> Rushworth Collections iv p.461 CP 131- 182

<sup>3</sup> Andrews His Majestie's Resolution pp.5-6.

Montagu told his father that, referring to Salisbury, 'he values his conscience above his place, and will therefore leave his place, and keep that.'<sup>4</sup> The evidence indicates that Salisbury went to York to persuade Charles to negotiate with Parliament. He realised the impossibility of the situation and quickly returned to London to play his part there. It is important to remember that the king did not raise his standard for another two months and therefore a state of war did not exist and this was probably why the second earl did not face impeachment along with the other nine lords.

Salisbury's religion was important to him and had become increasingly incompatible with the religious and political drift of the Stuarts towards anti-Calvinism. He had absorbed from his youth the Cecilian wish for a settled political and religious order controlled by Parliament and objected to the bishops' involvement in secular matters. Clarendon's criticism of Salisbury was written by an embittered royalist in 1646-7 and unfortunately is the judgement that historians have accepted.<sup>5</sup> Doubtless Salisbury wished to preserve the family seat, but he had no guarantee that he would do so anyway. He could not be sure that the parliamentarians would prevail. He was constant in his efforts to bring reconciliation; he thought that Parliament was the best way to achieve that and to meet his own religious and political scruples. He did not want the death of his monarch but his reformation. He also recognised that the country needed a government and played his part in that before and after the death of the king. His approach in Parliament had to be tempered by the changing circumstances of the war and afterwards by the need to ensure stability from the threats of 'democracy', as envisaged by men like the Levellers and Diggers. He does appear at a superficial level to have changed tack from the 'peace' to the 'war parties' and then supported the Army, but this was the course he saw as the best and quickest way to finish the war. It could have brought a chastened monarch back to Westminster.

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<sup>4</sup> *HMC B & Q* i p.301.

<sup>5</sup> Clarendon *Rebellion* iii pp.495-6.

Perhaps the most difficult aspect to appreciate is the incredible stress that Salisbury must have suffered in committing himself to the parliamentary cause in 1642 and continuing to do so after the regicide. His whole life had been conditioned around the idea of loyalty to the Crown. It must have been difficult the first time, but like others, he could pragmatically argue he was still loyal to the ideal of King-in-Parliament. The civil war had not been about deposing the monarch but saving him from his 'evil counsellors'. The second time, after the wars had finished and numbers attending the House of Lords collapsed, to be followed by the regicide, it was remarkable, given his background, that he was still prepared to give his support to the parliamentary cause and suffer the odium of his fellow noblemen.

The second earl's reputation has also suffered because of his life-long friendship with Pembroke. Pembroke was temperamental and inconsistent, faults that Salisbury did not share, although the two men were coupled in some commentators' minds. Pembroke's coarse and direct approach got him out of many delicate situations, like his reactions before the Privy Council after the first Bishops' War and when the lords returned to Parliament in August 1647. Salisbury would rather write a letter than be so confrontational.<sup>6</sup>

Civil wars are usually messier affairs than those between countries, both on the battlefield and politically. Passions are aroused and the chance to settle old scores is rarely missed. The original causes are quickly subsumed and other agendas appear. Before the regicide those lords that Salisbury was associated with were steadfast in their aims to have a monarch, preferably Charles, and a settled religion controlled by Parliament. Fairfax and Cromwell recognised this and worked with them until Charles finally exhausted their patience. Cromwell always recognised the role of the nobility in his councils, and later in his attempts to introduce 'second chambers' as a balance to hold in check the extremists in the Commons. Stone argued that Salisbury's

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<sup>6</sup> See pp.121-2, 128-9 & .243-5. ODNB 'Herbert'.

‘persistent service of the regicide regime is either evidence of a time-saving desire to retain political influence at all costs or of a growing religious fanaticism.’<sup>7</sup>

He would certainly have wanted to be involved, if only to see that the religious changes were protected and that the interests of the nobility were maintained. However, there is no evidence that the second earl became a religious fanatic or that his political work brought him any real influence.

Salisbury’s reputation has also suffered from his apparent isolation after the Restoration. Northumberland and Leicester were once again sworn Privy Councillors, together with Manchester, Saye and Robartes, who were also given offices of state. Pepys’ and Owen’s comments that the second earl ‘is put out of the House of Lords’ and ‘he was allowed to slip back unobtrusively into the House of Lords’ are strange, as he was then in regular attendance. Salisbury was seventy in 1661: this could have been why Charles did not consider him for office, rather than from any antagonism. His public reconciliation with the second earl came with a visit to Hatfield House in 1660 after his coronation. He also appointed Salisbury High Steward of St. Albans.<sup>8</sup>

Salisbury left the family with a healthy estate that was more than sufficient to maintain its noble status. It would have been a formidable achievement to have further enhanced that status. The problems he faced after he inherited the title and debts in 1612 have been considered. He quickly managed the debts down to a sustainable level and rationalised the widespread land holdings into two groups, one centred on Hatfield House and the other on Cranborne Manor. He did this by selling off those properties that did not fit easily with his other holdings. With the money raised he reduced the debt burden, but felt confident enough to purchase other land that suited the estate when it became available. He also used the silk farm, with which James had rewarded his father, to further help reduce the overall debt. His business acumen successfully

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<sup>7</sup> Stone *Family and Fortune* p.147.

<sup>8</sup> Pepys i p.119n. Owen *HMC Salisbury* 22 pp.xxvi-vii. LJ xi pp.240-477.



allowed him to continue to borrow money, whilst reducing his debts, so that his interest payments were running at a sustainable five per cent per annum of his income.<sup>9</sup>

Of course he did not do all this by himself. He recognised the efforts of his employees, in particular Keightley, who was for many years the driving force behind the organisation and rationalisation that has been discussed. Salisbury's agricultural activities were seen as an example of the best, and as tightly run as any in England. This was of great importance to the family, because it not only ensured a steady income, but once the trauma of the civil wars had passed, the Cecils were in a stronger position to recover quickly. The second earl showed his appreciation of his servants, by helping them when they were sick, with accommodation and giving their savings a good return. They served him loyally in return and in the case of some families for several generations.<sup>10</sup>

Salisbury bequeathed his family a considerable inheritance in London property and rental income; this proved to have the potential to benefit them later. It was particularly fortunate as revenues from land after the Restoration either stayed the same or slowly declined. Future Cecils were lucky to have a diversity of income to help them. They were not alone of course, for other families who had bought land in The Strand and Westminster area also found they were sitting on prime development land. However, the second earl and his successors encountered financial problems, mainly due to the large families they produced. This was in contrast to the four previous generations, who had been able to pass their wealth almost intact down the line of inheritance, apart from Burghley, who managed to leave both his two sons healthy inheritances.<sup>11</sup>

Salisbury had fourteen children and he adequately provided for those that survived to maturity. Four daughters married members of the nobility; the Percies,

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<sup>9</sup> See pp.40-60.

<sup>10</sup> Clay Briefe easie and necessary tables.

<sup>11</sup> See 56-8.

Devonshires, Sydneys and Sandys. Cranborne married the daughter of a Scottish noble, James Maxwell, and Salisbury's grandson and heir to the Salisbury title married Margaret Manners, daughter of the earl of Rutland. The second earl had added a much wider kinship web to the one that he had inherited. The other four sons married outside the nobility.<sup>12</sup>

Salisbury took over the responsibility for his son's eight surviving children and the payment of his widow's jointure, an annuity of £1,800, after Cranborne's death in 1660. This was in addition to the costs he had entered into for his own family responsibilities and meant that he was spending more than a third of his total income this way. When he died in 1668 he had debts of £18,840 less arrears of rent of £8,000. To add to the burden upon his executors, his widow, the Countess Catherine, was now entitled to her jointure of about £2,000. The third earl's income was therefore reduced, but this did not stop him running up some fresh debts and making an over-generous and foolish will in favour of his ten children. Only the marriage of the fourth earl to a socially inferior daughter of a wealthy merchant saved the family from crisis. It had been the unwitting mistake of the second earl in setting the terms of his grandson's marriage settlement that was the seed for this near catastrophe. He had given him the right to raise money to provide for his children by settling estates in a trust. Salisbury had done this with the best of motives, but if so it was the third earl who had acted thoughtlessly.<sup>13</sup>

Salisbury had consolidated the family's noble status before the civil war. His efforts to bring about a peaceful settlement before the regicide do not take anything away from that. He might have been wise to retire from active politics then, but he did not have the benefit of hindsight. He could not foresee what the future held; only that the country needed a government and he thought he could contribute something to that.

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<sup>12</sup> See pp.76-9. Stone *Family and Fortune* Table 1.

<sup>13</sup> Stone *Family and Fortune* pp.152-56. *ODNB* 'Cecil, James, third earl of Salisbury'. *ODNB* 'Cecil, James, fourth earl of Salisbury'.

Salisbury was not a flamboyant politician, but a quietly effective one, who was always capable of taking an independent position and playing a key role in difficult times. He was certainly popular with the London crowd and the Commons when there were calls for his appointment as Lord Treasurer in the early 1640s.

Charles II had given both parliamentarians and royalists the hope that their concerns would be met in his declaration of Breda. He promised that those with ‘tender consciences’ would be tolerated in a new church settlement and that the royalists could pursue their claims for restitution of their confiscated estates in Parliament. In August 1660 the king showed further statesmanship in his efforts to bring stability to his kingdom with the Act of Free and General Pardon, Indemnity and Oblivion. This must have come as a great relief to those parliamentarian lords, who must surely have wondered what the future held for them. The act excused everyone, except those who had signed the death warrant of Charles I and a few others.<sup>14</sup>

The effects of the previous twenty years, on some of those involved in trying to bring peace, shows how Charles II achieved a balance that he thought would bring some harmony by not favouring one side against the other. Essex, Bedford, Pembroke had died and Holland had been executed for his part in the second civil war. Northumberland and Leicester were made Privy Councillors; Manchester, Saye and Robartes received this honour as well as official positions. Wharton was accepted back, but did lose some lands in Ireland. The royalists that had tried to broker a peace met their fates as follows; the unhappy Lindsey was killed at Edgehill in a noble gesture, thought by many to be suicidal, and Dorset died in relative poverty after his estates had been sequestered. Hertford was made Chancellor of the University of Oxford and

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<sup>14</sup> Gardiner Documents pp.465-7. Andrew Browning ed. English Historical Documents 1660-1714 (London 1953).

received the Garter, and Southampton was made a Privy Councillor and Lord Treasurer.<sup>15</sup>

The financial effects of the Interregnum upon the peerage are difficult to unravel. Salisbury lost a lot of rental income, especially in Dorset and Brigstock Park, where much of the land had been neglected or ploughed up. He was also left with the shell of Cranborne House, which had to be repaired, although he did take the opportunity to extend it. There were extra financial calls because of increased taxation and the need to repair properties damaged by soldiers. The nobility benefited from their exclusion from political and Court life in the period 1649-1660. When they were spared the costs of Court life and attendance in the Lords and all the conspicuous consumption that went with those activities, including the costs of a residence in London if they did not own a house there. They would have also had the time, if they had been minded to, to effect improvements to their estates. Southampton certainly did, for he rebuilt the area around Bloomsbury and provided himself with a fine London home.<sup>16</sup>

Southampton was pardoned in 1648 for his delinquency and the sequestration on his estates was removed against a payment of a fine, but no money was ever collected. Hertford's wealth in November 1646 was £6,300 per annum, but by 1652 he was in debt by £ 19,000. Northumberland was able fully to recover his lands in the north of England that had been occupied by both the Scots and the royalists. These had represented two thirds of his income, for which he received compensation from Parliament. Manners maintained a stance as a lukewarm parliamentarian in the war. He suffered the destruction of Belvoir Castle after its occupation by the royalists, but avoided any of the other penalties he might have suffered. Suffolk supported the parliamentary side until 1646 and thus escaped any fines. He was still dealing with the

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<sup>15</sup> ODNB 'Fiennes, William, first viscount Saye and Sele (1582-1662). ODNB 'Wharton, Philip, fourth Baron Wharton (1613-1690)'. ODNB 'Bertie, Robert, first earl of Lindsey (1582-1642)'. ODNB 'Seymour, William, first marquis of Hertford and second duke of Somerset (1587-1660)'. ODNB 'Wriothesley, Thomas, fourth earl of Southampton (1608-1667)'.

<sup>16</sup> Stone Family and Fortune pp.145-161 &237.

family debts he had inherited when the war started and although the hostilities did not help, he got into an even worse situation and had to sell off good property at difficult times.<sup>17</sup>

These are examples of how the Interregnum affected members of the nobility. Because of the ‘club attitude’ of the parliamentary lords and Charles II’s policy of reconciliation, together with the need to achieve a political balance, a large majority of estates escaped any lasting losses. The usual game of chance continued to affect families’ fortunes. Matters of marriage, death, birth, mismanagement and debt continued to decide their fate and the civil war was a temporary upheaval in their fortunes in the majority of cases.

Tawney thought that

‘When, in 1642, all went into the melting pot, the debts owed to the City by Royalists alone were put, in a financial memorandum, at no less than £2,000,000. Of the commercial magnates who, a few years later, scrambled for confiscated estates, not a few were creditors entering on properties long mortgaged to them. It was discovered, not for the first time, that as a method of foreclosure war was cheaper than litigation.’<sup>18</sup>

Hexter viewed this as probably correct, but pointed out that it was the royalist gentry who were affected the most and that by 1656 the vast majority of royalist peers were once again owners of their confiscated estates.<sup>19</sup> In view of this, and the lenient way the nobility had in reality been treated by their parliamentary members, it is not surprising that Trevor-Roper was able to conclude that

‘the land settlement of the Restoration passed through a royalist parliament so easily because, in fact, the net effect of these sales had been insignificant’<sup>20</sup>

The Salisbury family were fortunate because William’s management of his estates and the control of the debt burden were both so good. He was as consistent in this as he was in his religious and political beliefs. It should also be recognised that he was fortunate in that Charles II was a monarch who had not wished to pursue a

<sup>17</sup> ODNB ‘Wriothesley’. ODNB ‘Seymour’. ODNB ‘Percy’. Stone *Family and Fortune* pp.200 & 291.

<sup>18</sup> Richard H. Tawney ‘Gentry Take the Power to Which Their Economic Success Entitles Them’ in Philip A. M. Taylor ed *Origins of the English Civil War* (Boston, US 1960) pp.32-42. Hugh R. Trevor-Roper ‘Poor and Discontented Gentry’ in Taylor *ibid* pp.42-8.

<sup>19</sup> J. H. Hexter ‘Wealthy Parliamentary Gentry-and the Reality of Ideology’ in Taylor *ibid* pp.48-59.

<sup>20</sup> Trevor-Roper ‘Poor and Discontented Gentry’ in Taylor *ibid* pp.42-8.

vindictive policy on his Restoration. He probably also remembered the kindness and consideration that the 'Independent' lords had shown him as a captive child.

Salisbury retained an independent stance throughout his political career and religious life. This led to an aversion to Charles' 'drift' towards an Arminian view of kingship and religion. How much William had been influenced and inspired by the golden days spent in the company of Prince Henry, John Harrington and Raleigh will never be known, but he must surely have thought of them. Tooke published a book in 1647 dedicated to Salisbury in honour of Harrington, which shows they might have still been in his mind.<sup>21</sup>

The aim of this thesis has been to consider the harsh criticism Salisbury has received from historians by a careful and detailed look at his career. The earl played a major part in trying to bring about an understanding between the two Houses of Parliament and Charles. His support of the formation of the New Model Army and its policy of holding Charles captive brought the wars to an end, and allowed government to continue after the regicide. It was not his fault, and it must have been to his dismay, that Charles decided to become a martyr.

By 1642 the Cecil family had given loyal service since 1485 to seven Tudor and Stuart monarchs. The first, William Cecil, had masterminded the Elizabethan religious settlement and Robert Cecil had overseen the peaceful passage of James to the English throne. The corridors of the nobility displayed portraits of these two political giants. It was therefore remarkable that the second earl took the course he did and risked the family's reputation, status and wealth. He must have been painfully aware of the potential consequences of his actions, but despite this, his religious and political beliefs drove him on. The part he played on the political stage during the civil war has either been ignored or under-estimated. The evidence presented in this thesis shows that his role was one of very considerable significance.

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<sup>21</sup> Tooke John Lord Harrington

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