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978-1-107-53644-9 - The Dairy of John Milward, Es2: Member of Parliament for Derbyshire: September, 1666 to May, 1668

Edited by Caroline Robbins

Excerpt

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PARLIAMENT OBSERVATIONS  
*of the*  
DAILY PROCEEDINGS *in this* SESSION  
BEGINNING *SEPTEMBER*  
THE 18<sup>TH</sup>, 1666.

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SEPTEMBER 17<sup>TH</sup>. This day I delivered in the Parliament's writ<sup>1</sup> with the indentures returned by Mr. Ashton, the High Sheriff, concerning my election to Mr. John Agar, the Clerk of the Crown, at his office in Middle Temple, from whom I received my certificate. He said his fee was two shillings or half-a-crown. I gave him five shillings.

SEPTEMBER 18<sup>TH</sup>. This day the Parliament met; the number of members that then were present was about an hundred and fifty. The Earl Ogle and Mr. Laurence Hyde, my Lord Chancellor's younger son, were the Commissioners that gave me the oaths of allegiance and supremacy, which when I had taken I went into the House and took my place as a member of it.

At the Speaker's coming into the House he made three congies to his Chair, and so went to the table.

Then came in his chaplain, who read common prayers, and after that the Speaker took his Chair.

Then a bill was brought in and read concerning corporations that owed money to any man, and the remedy prescribed how to recover a due debt from the same corporation. The bill was ordered to be read a second time on Friday following.

<sup>1</sup> A writ for the Derbyshire election was issued on 9 October 1665 (C.ŷ. viii, 613, S.P.D. 29, cxxxiv, no. 58). There was no session of Parliament between the adjournment of the Oxford Meeting on 31 October 1665 and that beginning 18 September 1666.

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Several motions were made to the Speaker for the granting new writs for the election of members in the places of those that were dead or called up to the House of Peers.

It was moved by Serjeant Maynard that before a writ was granted out or sent to any place for a new election the person dead or removed should be nominated in the House.

It was also moved by Mr. Prynne that every person that is or shall be called to the House of Lords shall have his special writ before the Speaker shall grant out any writ for the electing another member in his place; and his reason was, because a member that is to be called up to the House of Peers remains still a member of the House of Commons until he hath received his writ by which the King calls him up to sit in the House of Lords.

Mr. Secretary told the Speaker that the King did conceive that by reason of the late terrible fire in London many of the members of the House of Commons might be surprised with such a consternation that it might put a present stop to their coming up, and the House at the first day's meeting might not be so full as His Majesty desired. Therefore His Majesty desired that the House should be adjourned until Friday next, at what time he would speak to them of the great affairs of the kingdom.

Accordingly the House did adjourn till Friday next.

SEPTEMBER 21ST. This day the King in his robes and crown made a speech to the Parliament in the Lords' House.<sup>1</sup>

The speech was sent to [the] Speaker of the House of Commons, who read it to the House. It was voted to send the thanks of the House to His Majesty for his gracious speech and to assure him that they would take some speedy course for raising money for the carrying on the war against the Dutch.

And they sent to the Lords to desire their concurrence to the same, and several Grand Committees were nominated for several businesses.<sup>2</sup> And divers persons were added to those

<sup>1</sup> Cobbett, iv, 332, begins with the King's speech.

<sup>2</sup> C.ſ. viii, 625, gives Milward's name in the list of the Committee of Privileges. A complete list of the committees on which Milward served is not given here. The *Journals* do not always distinguish between the diarist and his cousin Robert, as, for example, on 16 October. See p. 24, n. 1 below.

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SEPTEMBER 21ST

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committees. I was added to the committee of privileges. It was debated whether it was not against the privileges of the House to desire the Lords' concurrence as aforesaid. It was voted generally that it was not any breach of their privilege.

It was also determined that if there be more than one that stand for a place and one of them be unduly returned, yet he ought to sit as a member in the House until the opponent come and bring it to a trial, and then if his return be proved to be illegal he is to withdraw from sitting in the House.

But if two stand for one place, and both of them be returned, and one only can serve, in this case neither of them is to sit as a member of the House until the election be determined.

It was this day ordered that the House shall be called on Monday, the first of October, and what member soever shall be then absent and cannot give a satisfactory answer for his absence, he shall be fined and shall pay twenty pounds.

It was also ordered this day that the officers of receipts shall bring in their accounts on Monday, the 24th of September of all the moneys that they have received of the taxes, prizes and militia money, and how it is and hath been disbursed, to a committee or to some select members to be appointed to examine their accounts and to report them to the House.

When the King was sat in the House of Peers he sent down the Master of the Black Rod to the House of Commons. When the Speaker had acquainted the House that the Master of the Black Rod was at the door and had asked the House whether he should be sent for in, he was then called in, and after that he had made three obeisances to the Speaker he came hastily to the Speaker's Chair, and then told Mr. Speaker that the King commanded the House of Commons to attend him in the House of Peers. Which done, he returned, the Speaker not moving his hat to him.

The House then attended the Speaker to the House of Lords.

SEPTEMBER 22ND. This day was the bill brought in against the importation of Irish cattle into England. At the debate it was opposed by Sir Charles Harbord and a Norfolk knight,

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Sir William Doyley, Sir John Holland and others. It was ordered to be reassumed into debate.<sup>1</sup>

It was moved to the Speaker that in regard of the scarcity of lodgings and habitations for them whose houses and dwellings have been burned, all Popish recusants (except the Queen's and Queen Mother's attendants) that would not come to the church nor had been at the church for six months last past, and that would not take the oaths of supremacy and allegiance, and all sectaries that had not come to the church for the last six months and all foreigners that were not denized or tolerated by the King should depart the city and not remain within ten miles of it upon the penalty of ten pounds a month.

This bill was brought in by Mr. Prynne, but it was laid aside.

It was very earnestly moved that all plate should be brought into the Mint and coined for the increase of coin, in regard that the very specie of money is supposed to be wanting.

There were these objections against this motion: 1st Objection: First, that at this time it would be a dishonour to the nation and that foreign nations nations which are not our friends, and those that were our professed enemies would be encouraged by it and induced to believe that we were reduced to that hardship and want of treasure that we were forced to coin our plate into money to maintain the war.

2nd Objection: Secondly, that the plate so coined would suffer a very great loss, the fashion of much of it being very costly and of great value, worth 8s. an ounce, yet at the Mint would not be valued at above 5s. the ounce.

Another bill was brought in against the importation of French commodities. It was backed with these arguments: 1st Argument: First that the linen cloth brought in did yearly stand us in seven or eight hundred thousand pounds, and that we did not export for it of our English commodities above fourscore thousand pounds in one year; the rest then of necessity must

<sup>1</sup> See bibliographical note above on the Irish cattle Act, p. xxviii. Norfolk opposition to this and similar Acts at all periods is due to the fact that the county has always devoted much attention to fattening cattle, imported from less fertile, or less expensive, districts.

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be supplied with our money, by which means our coin was exhausted.

2nd Argument: Secondly that the King of France did prohibit all our English commodities, and that if any of our commodities were found in his dominion they were assuredly burned. Colonel Birch.

It was also resolved that the general grievances of our nation should be taken into consideration.

The House took up the debate of the present great scarcity of coin, the way how to make it more plentiful, and whence the cause of the scarcity thereof did proceed.

Some said that the London bankers were the principal causers of it, for the treasure<sup>1</sup> of [the] kingdom from all places [there]of being brought into their hands, it had no circulation of returning into the country again, for the making more plentifully and for men's present supply of money.

It was proposed that a book of register should be had, that if men's estates were entered there, and the clearness of their estates were well understood, men might be supplied upon all occasions; that is, if men's estates were well known they might have credit enough for money. Colonel Birch.

It was truly and well said that if the importation of foreign goods did not exceed the exportation of our own commodities it would be a certain way to enrich us and to increase our treasure.

SEPTEMBER 24TH. It was this day moved that for the preventing of ravishing infants, and for the avoiding unlawful and clandestine marriages, that no persons should be married but they should first be asked three times in the church, and in case the man should dwell in one parish and the woman in another, the minister of that parish where the man dwells and where the banns were published should send a certificate to the incumbent of that parish where the woman dwells, that so the banns may be published there also. And that neither the bishop nor Chancellor nor any other officer should grant a licence to marry but it should incur a *praemunire*.<sup>1</sup>

<sup>1</sup> A correction of the MS. here seems to be in Milward's own handwriting.

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And if any minister do marry any persons without they be asked 3 times in the churches as above said, he shall, for his first offence, forfeit the value of his benefice for two years, and for his second offence in that kind, shall be suspended and made incapable of any future benefice.

And if the woman so married shall be of the full age of five and twenty years, that she shall not be capable of any dower.

Mr. Prynne brought in this bill, which was generally disliked and said to be full of dirty language.

The election of Sir Geoffrey Palmer's son who was chosen a burgess of Peterborough was this day called in question. There was two things in debate concerning his election.

First, whether he or his competitor, which was the Lord Fitzwilliam of Northamptonshire, had the greater number of votes.

Secondly, whether the return was legally made: for there are two which pretend to have power to make returns: viz: the Bishop of Peterborough and my Lord of Exeter.

This day there was a motion for the repealling that statute against the exportation of raw hides: and that there might be free exportation of horses, corn, and all other commodities.

The ministers that were named to preach at the monthly fast were Dr. Dalbin, the Dean of Westminster, and Dr. Outram, the parson of St. Margaret's, Westminster.

The ministers named to preach at the general fast the tenth of October were Mr. Stillingfleet and Mr. Frampton.

This day a message was sent to the House of Lords to desire their concurrence for the giving His Majesty thanks for his gracious speech, and to offer their assistance in raising a supply for carrying on the war.

Mr. Garroway was ordered to carry the message to the Lords. The Lords readily agreed to the message, and said they would send it to the King, and desire him to appoint a time when he would be attended by both the Houses.

There was a long debate about the revenues of free schools, hospitals etc.

Some moved to have new commissioners added to the ancient founders, which I think was justly opposed, because it [is]

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evident that new ones have stripped the old ones and their founders of all their intents.

But it is very just and reasonable to provide that the revenues be not unjustly converted to other uses, than was by the donors first intended.

SEPTEMBER 25TH. The House this day entered upon a long and serious debate concerning the fire of London, whether it was by the hand of God, or by design, and whether a committee should be named for the examination of it. Sir Charles Harbord, Sir John Maynard and others for it, Mr. Solicitor and many others were against it, whereupon it was put to the question, and it was carried in the affirmative for a committee to examine it. I was in my judgment against it.

This day the House of Lords sent to us to let us know that the King would have both Houses attend him that afternoon in the Banqueting House.

And after both Houses had presented their desires, His Majesty told them that the money that had been formerly given him had been very successful this year, and that he would as freely lay out whatsoever they should give him for the safety and good of the nation as formerly he had done.

This day the Committee of Privileges should have sat, but it is a rule that when the King sends for the Houses to attend him, all committees for that time are superseded.

A bill was brought in against Certioraries<sup>1</sup> at sessions by Mr. Prynne, to prohibit them unless good cause was showed to the Court or Sessions: Mr. Solicitor was for the continuance of Certioraries, my cousin Milward was against them and carried it.

SEPTEMBER 26TH. This day the bill against Irish cattle was read the second time; very many excellent speeches were made against the committing of the bill especially by the Solicitor, who certainly said as much as the cause would bear. Others

<sup>1</sup> Certiorari—an original writ issued out of King's Bench to command judges in inferior courts to return records of the case in question; or a writ to remove a case into Chancery. For this bill see also, H.M.C. 8th Report, p. 113*a*.

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spoke for the committing the bill and carried it. And so a committee was nominated for the business.

Sir Philip Warwick as Vice-Treasurer to the Earl of Southampton gave an account of his office, and Sir George Carteret brought in his accounts as Treasurer to the Navy; and Sir John Duncombe brought in his accounts as Treasurer to the Ordnance: all these delivered up their accounts to the House, upon which there were many speeches made and long debates upon the manner of examining them; in conclusion there was a committee nominated to examine them.

These two debates held the House till one of the clock.

SEPTEMBER 27TH. This day Mr. Prynne's bill against the episcopal power of granting licences for marriages was cast out, after that he had made a long speech to justify it.

The bill for free schools and hospitals etc. was cast out.<sup>1</sup>

The rest of the day was spent in debate concerning the rebuilding the City of London, the debate [held] till two of the clock.

Three things were offered the House in order to it.

First a model or models: many spoke for them but more spoke against them.

Secondly it was moved that every man might have leave to build upon his own area and propriety, the place where he dwelt, but that also was rejected.

Thirdly it was moved that two large streets, the one from Temple Bar to Leaden Hall, the other from the Bishop's Gate to the Thames, should be first built and then all other streets should be orderly fallen upon and where of necessity they must be enlarged, every man's propriety should be considered: and the right owners should build upon his own ground.

Though this was something controverted and [not] fully satisfactory in all particulars yet it was much assented to and with my consent.

This bill was formerly referred to a committee, but upon the debate the committee desired the House to resume it, whereupon it was moved in the House to present the whole business of the City to the King and to refer it to him to determine it, but upon

<sup>1</sup> C.ſ. viii, 628. This bill is not mentioned.



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a full debate it was judged improper to trouble the King with it unless the House also could send some proposals to His Majesty that might tend to the convenience of the speedy rebuilding of it.

It was the general opinion of the whole House that if some speedy way of rebuilding the City was not agreed upon that the City would be in danger never to be built, for if the citizens found a difficulty in it, and that things were not speedily provided for, the merchants and wealthiest of the citizens would alter their course of their life and trade and remove themselves and estates into other countries and so the City would remain miserable for ever.

In the afternoon the accounts were debated at the committee and many speeches were made which I think might well have been spared and the accounts with less ado have been rightly stated and perfected.

SEPTEMBER 28TH. This day it was first moved and assented to that certain persons should have liberty upon special business to go into the country for ten days.

In the next place it was moved to resume the debate for the rebuilding the City of London: and so long as I stayed it was stoutly moved to refer it to the King, and the City: but in the end it was left unresolved.

In the afternoon the committee met to consider the bill to prohibit importation of Irish cattle. I told my sense against the bringing in of Irish cattle to a Norfolk gent Sir William Doyley who was mainly against the bill: I asked him whether they did breed any beasts in Norfolk; he said they did.

I then asked him whether they could not feed these beasts in their own country; he said they could: I then asked him what need had they then of Irish cattle? He said that if they might be supplied for one year with cattle out of Ireland, they being at present in want of stock, they would desire no more.

The committee could not agree about the penalty to be imposed upon the cattle to be brought in and so it was left at that time.

I went this day to Lambeth, and dined with His Grace who received me with extraordinary favour.

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The debate of the accounts was this day resumed and it was moved that the Lord Treasurer should be sent to, to give order that every man that passed any accounts should bring them in with his hand put to them.

It was reported by Sir George Downing from the committee nominated for the increase of coin, that the sense of the committee was against the enjoining the coining of plate but that it should be left to the will and pleasure freely of the owners. And that there should be a remedy provided for the loss and charge that shall fall upon those that shall coin their plate and bullion.

And that they may have the same weight in coin that they have in plate with such abatement as the plate must of necessity suffer in the melting and coining and that the allowance and salary of the Mint and workmen should be raised out of some other commodities not much raising the price of those commodities and abating the King's customs.

This was proposed to be done after this manner: viz: it is supposed that the whole charge of the Mint will be defrayed for one year with the sum of two thousand pounds.

That the tax should be laid upon wines at 10s. a tun, which is two shillings sixpence an hogshead which will be one half farthing a pint, which is an insensible way of raising wine.

The House this day adjourned until Monday because Saturday was the feast of St. Michael the Archangel.

OCTOBER 1ST. This day there was very little done in the House; two things were principally debated. First the patent of the Canary Company.

Secondly the bill for sowing hemp and flax, in which was debated the allowances for the tithe in the behalf of the vicars.

They that undertake the plantation, do offer to pay the vicars for their tithes 2s. 6d. for every acre that is now broken up: but it was moved they should allow them more, or else the tithe in kind.

The House should have been called to-day, and the fine of £20 imposed upon all that were absent, but it was deferred until Monday next.