

T H E
H I S T O R Y
O F
E N G L A N D.

C H A P. I.

*New ministry.—Act of indemnity.—Prerogative established.
—Settlement of the revenue—Trial and execution of the
king's judges.—Queen reinstated in her possessions.—
Congratulated and presented with money—Dissolution of
the convention parliament.—Affairs of Scotland.—Disso-
lute manners of the times.—Affairs of Ireland.*

IN the foregoing pages of this History, I have, with an un- Ann. 1660.
remitted care and attention, through a variety of per-
plexed matter, endeavoured to explain and unfold to
the eye and the understanding of the reader, those causes and
circumstances which induced so large a part of the inhabi-
tants of Great Britain to co-operate in the throwing off a
government, to which the long habit of time immemorial
had rendered them zealously attached, and which it was
difficult, if not impossible, to exclude, without an entire re-
volution and reformation in the laws, customs, and manners

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Ann. 1660. which had prevailed from the first settlement of the Saxons in these islands.

I HAVE endeavoured to trace through all the perplexity of party jargon those discordant principles, and opposite views, which, from the want of a temporizing policy, occasioned all factions in a manner to co-operate in the flinging the military power of the state into the hands of the republicans, and consequently of co-operating in the death of Charles I. and the exclusion of his family from regal dominion.

IN justice to the illustrious dead, I have endeavoured to explain the motives, the views, the designs of the few leaders, who really meant honestly by the public.

I HAVE endeavoured to shew by an impartial relation of facts, and by such reflections as must naturally occur to a judicious historian, that the same principles, and opposite views of the several factions, which have distracted the affairs of this country from the period of the Reformation, together with the interested views of the lawyers, gave Cromwell an opportunity to wrest the power out of the hands of these leaders, to usurp the government, and, finally, operated to the destruction of the republican cause, to the defeating all plans of reformation, and to the re-establishment on the throne of his ancestors, without conditions or limitations, an exiled prince, unsupported by reputation, by revenue, or the assistance of any foreign power.

IT has been already observed, with what an intemperate zeal the new idol, Charles II. was addressed, complimented, and presented by all sects and parties, who, notwithstanding their

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THESE promotions were gratifications to the new converts of the Cavalier faction. The marquis of Ormond, that
B 2 staunch

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Ann. 1660. staunch supporter of the royal cause, was created a duke, and
 New mini- made lord steward of the household; the earl of Southamp-
 stry. ton high treasurer; Sir Edward Nicholas secretary of state;
 and Sir Edward Hyde, who in the late king's life, had been
 complimented with the privy seal, and the title of earl of
 Clarendon, acted in the double capacity of chancellor and
 prime minister.

THE first act of state was to give to the Convention, who
 had exercised the very important power of settling the form of
 government, the name and authority of a parliament.

THIS was performed by the king in great pomp: on the se-
 cond day after his arrival a bill passed the whole legislature to
 such a purport, with a proviso, that the present assembly might
 be dissolved by the king, after the usual manner; and another,
 that his majesty's assent to the bill should not determine the
 sessions.

THE chancellor assured the two houses, that his majesty
 had not forgotten his gracious declaration at Breda; and that
 he would, in all points, make it good: and the same men,
 who had exerted their authority in calling the exiled prince
 from a state of penury, mortification, and even insignificance,
 to opulence and power, now, after declaring that the whole
 nation had contracted guilt by the late rebellion, prostrated
 themselves, in their representative capacity, at his feet, and
 accepted his majesty's most gracious pardon.

THIS condescension in the parliament was necessarily fatal
 to those who had an immediate hand in the late king's death.
 A prince restored to power, without limitations or conditions,

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and dispensing pardon to an offending nation at his mere will Ann. 1660. and pleasure, could not, with any decent regard to the memory of a dead parent, extend such an indulgence to men who were termed his murderers. The parliament, in common justice, should have insisted on this condition : and Sir Thomas Fairfax had the generosity to acknowledge, that if such punishment was inflicted on any individual, he ought not to be excepted ; since having the command over the army when the king was in their hands, it would have been in his power to have prevented such a catastrophe. These were the nicer feelings of an individual. It was at first resolved by the Commons, that seven, then nine, of the late king's judges, should be excepted out of the Act of Indemnity : and this resolution was accompanied with a proclamation, requiring all the persons who had acted in this capacity, or had assisted at the trial, to surrender, on the penalty of forfeiting life and estate. Nineteen made their escape ; but the same number, on the dubious sense expressed in the proclamation, had the credulity to trust the faith of government.

It was now insinuated by the courtiers in the lower-house, that the Commons had not made their Sin-offering sufficiently extensive ; and on this insinuation it was further resolved, that twenty, besides such as were already excepted, or those who had sat as judges of the late king, should be excepted out of the general Act of Pardon and Indemnity, to suffer such penalties and forfeitures, not extending to life, as should be thought fit to be inflicted on them, by an act to pass for such a purpose.

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Ann 1660. THE loyalty of the Commons was however tempered by their prudence. They had the caution to reject several provisos, which tended to recriminate on the republican party, but which would have involved a large number of their own members ; and on the receiving a complaisant message from the king, signifying that he could not dislike what they had done, nor complain of what they had left undone, they passed their resolution into a bill, and sent it up to the Lords.

THE Lords, influenced merely by the spirit of resentment, and discarding every consideration of justice, mercy, or even expediency, resolved, besides the late king's judges, to except every one who had sat as judges in the courts where the peers had been condemned ; and the earl of Bristol moved, that no pardon might be granted to those who had any wife contributed to the king's death.

So wide an exception, in which every one who had acted in opposition, or taken arms against the sovereign, might be comprehended, gave a general alarm. No progress was made in the disbanding, or the payment of an army, which had effected so many Revolutions, whose principles were very formidable to the king, and whose maintenance cost him one hundred thousand pounds a month. It was debated in the Lower-house, whether any new bill should be sent up till the Act of Indemnity had passed ; nor could the general apprehension of the party be appeased, till the king, in a very judicious speech from the throne, effected an alteration in the conduct of the peers.

AFTER

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AFTER several conferences between the Lords and Com- Ann. 1660.
mons, in which the former strenuously insisted, that no
mercy should be given to those who had sat in judgment on the
king, a Bill of Indemnity passed, where all accused of ^{Act of In-}
having an immediate hand in the king's death were excepted; ^{demnity.}
where the estates of lord Munson, Sir Henry Mildmay, Sir
James Harrington, Phillips, Wallop, and Hazelrig, were
confiscated, and their persons subjected to such other pains
and penalties as the parliament should think fit; where
Hutchinson and Laffels were condemned in a fine, and de-
clared incapable of exercising employment; where Crom-
well, Bradshaw, Ireton, and other deceased offenders, were
attainted; and where St. John, and seventeen more, were
deprived of the benefit of the Act, if they ever accepted any
public employment.

THE king had been complimented with ratifying, by a ^{Prerogative}
new law, all the judicial proceedings transacted in the name ^{established.}
of the commonwealth and protector. It was declared, that
he had the prerogative of calling and dissolving parliaments;
the Commons, by not claiming the power over the militia,
had, in a manner, given up all pretension to such an autho-
rity; and the only restraint which remained against an exor-
bitant and undue exercise of regal power, lay in the narrow-
ness of the king's revenue.

THE conduct of the parliament in voting their temporary
supplies was cautious and frugal: an assessment of seventy
thousand pounds a month was imposed for disbanding an
army, which was an equal terror to king and parliament; and
all the other sums levied for this important purpose were
granted in a manner as shewed so plainly an intention to
preserve

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Ann. 1660. preserve the power of the purse, that the courtiers took the alarm : the poverty of the crown was represented as the source of all the misfortunes which had befallen the late king ; and in the present paroxysm of loyalty, the Commons, instead of trusting to that experience, which would undoubtedly have led the people to a patient submission to any grievances which were not intolerable to be borne, fell into the snare of the deceiver, and surrendered into the hands of the Crown the only remaining support of the popular part of the constitution.

Settlement
of the re-
venue.

THE ordinary revenue of queen Elizabeth and king James did not amount to five hundred thousand pounds ; and Charles the First's income, with the large sums he raised by illegal and oppressive methods, never rose beyond one million : it was now resolved, on the condition that wardship and purveyance should be utterly abolished, to settle the ample revenue of twelve hundred thousand pounds a-year on the present king. Thus by the votes of their representatives, who were deeply interested in the bargain, was the whole community constrained to purchase from the crown a prerogative, which only affected the richer part of the society ; and they were so far, even in these halcyon days, of reaping any pecuniary advantages from the restoration of their old government, that the Excise, which they termed the most oppressive of their burthens, and to which the exigencies of the commonwealth only required a temporary submission, was now, by an Act of Parliament, rendered perpetual ; half of it was settled on the king for life, and the other half on the crown for ever.

WITH

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WITH the Revenue Bill, and two others for raising the Ann. 1660. sum of one hundred thousand pounds, and the continuation of the seventy thousand pounds per month, the king was presented with one, entitled, *An Act for a perpetual anniversary thanksgiving*: “ A day, which Sir Harbottle Grimston, the speaker, said, God had been pleased, in honour of his majesty, to adorn with a new additional star, never seen before or since.”

THE king was further told in the name of the Commons, “ That this assembly had gone out of their old way; and before confirmation of liberties, or redress of grievances, had supplied the necessities of the Crown with the greatest gift that any prince of this kingdom had ever received from his people.”

ON the Act of Indemnity his majesty was assured, “ That his subjects had not the confidence to ask his majesty the pardon which his clemency had granted. The stile of miscreants, and subverters of religion, was used to all those who had steadily adhered to the principles on which they first engaged in the quarrel; and it was observed, that the parliament had found an absolute and indispensable necessity incumbent upon them, to except and set some apart for treacle, to expel the poison of sin and rebellion out of others, that they might be made sacrifices to appease God’s wrath, and satisfy divine justice.”

AFTER this harangue, the parliament were, by their own desire, adjourned; when, instead of thanks for their ample supply, they were told by his majesty, “ That the revenue they had settled on him, with the additional money bills, were so inadequate to his wants, that he had not

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been

Ann. 1660. been able to give his brothers one shilling since they came into England, or to keep any table at his own house but what he eat at himself *; and what troubles me most, added the king, is to see so many of you come to me at Whitehall, and to think you must go some where else for a dinner."

IN return for this gracious and artful compliment, the parliament presented the king's two brothers, the dukes of York and Gloucester, with the sum of seventeen thousand pounds, and his majesty with a present of five thousand pounds, for the repair of his houses.

As the parliament, in the Act of Indemnity, had not insisted on any exceptions in favour of any one of the king's judges, the natural resentment of a son, besides, in all probability, the desire of shewing an instance of exemplary vengeance in favour of royal blood, induced the king to exert his utmost influence over the Commons, to pass condemnation on those unhappy men, whom accident, or a voluntary surrender, had put into the hands of government. The prime minister, the earl of Clarendon, in a conference between the two Houses, exerted all the powers of his rhetoric to this purpose, and told the lower assembly, " That when the declaration at Breda was penned, his majesty never doubted, but that the parliament would have as great a resentment of

* According to Clarendon, the king's assertion on the œconomy of his house-keeping was contrary to fact; since, from the time of his Restoration, his house appeared in full lustre, and the charges and expence of the eating exceeded the precedents of the most luxurious times, inso-much that the debts contracted by these excesses were not discharged in many years.

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