

CHAPTER XXX.

Treaty of Newport.—Concessions of the King.—Remonstrance of the Army.—Cromwell's Letter to Hammond.—The King carried to Hurst Castle.—Members ejected from the Commons' House.—The king removed to Windsor.—Ordinance for the king's trial.—The High Court of Justice appointed.—The king before the High Court.—The king sentenced to death.—The king after his condemnation.—The king's execution.

WHEN the news of Cromwell's victory at Preston came to the Isle of Wight, "the king said to the governor that it was the worst news that ever came to England." Colonel Hammond replied, that if Hamilton had beaten the English he would have possessed himself of the thrones of England and Scotland. "You are mistaken," said the king; "I could have commanded him back with a wave of my hand."* It was evil news to the king that the last appeal to arms had failed. The Parliament now looked with as much alarm as the king might entertain at the approaching return of that victorious Army of the North. The Lords, especially, saw that their own power was imperilled by the dangers that beset the Crown; and they united with those who now constituted a majority in the Commons, to conclude a treaty with the king. There were violent debates; but it was at length agreed that commissioners should proceed to the Isle of Wight. The discussions were to take place in Newport. The commissioners for the treaty arrived there on the 15th of September. Clarendon says that those who wished ill to the treaty interposed every delay to prevent it being concluded during the absence of Cromwell; and that those who wished well to it pressed it forward for the same reason. Yet there were men left behind who had formed as strong resolutions against the restoration of Charles to power as Cromwell himself. Ludlow had been to Fairfax at Colchester whilst the treaty was debated in Parliament, to urge upon him that it was not intended by those who pressed it on most vehemently, that the king should be bound to the performance of it; but that it was designed principally to use his authority to destroy the Army. Fairfax was

* Ludlow, vol. i. p. 261.

irresolute. Ireton agreed with Ludlow that it was necessary for the Army to interpose; but did not think that the time was come for such a demonstration. With an Army ready to step in to break through the meshes of any agreement disapproved by them—with a king who in the midst of the negotiation was secretly writing, "my great concession this morning was made only to facilitate my approaching escape"—the Treaty of Newport can scarcely be regarded as more than "a piece of Dramaturgy which must be handsomely done."* For the opening of the last Act of this tragic history, the scene on the bank of the Medina is as impressive as any pageant, "full of state and woe," that the imagination could devise to precede a solemn catastrophe.

A house has been prepared in Newport for the king's reception; and its hall has been fitted up for this great negotiation, which might extend to forty days. The first day was the 18th of September. The king is seated under a canopy at the upper end of the hall. The parliamentary commissioners are placed round a table in advance of the royal chair. These are fifteen in number, five peers, and ten members of the Lower House. Behind the king are ranged many of his most confidential friends and advisers; of whom there are four peers, two bishops and other divines; five civilians; and four of his trusted attendants. Sir Philip Warwick, who was one of the privileged number, says:—"But if at any time the king found himself in need to ask a question, or any of his lords thought fit to advise him in his ear to hesitate before he answered, he himself would retire into his own chamber; or one of us penmen, who stood at his chair, prayed him from the lords to do so." The king was in a position favourable to the display of his talent for discussion; and he left upon the assembly during these tedious debates, a deep impression of his abilities, his knowledge, and his presence of mind. Nor could the sympathies of even the most prejudiced of his auditors on this occasion be withheld from his general appearance and deportment. His hair had become gray; his face was care-worn; "he was not dejected," writes Clarendon, "but carried himself with the same majesty he had used to do." Certainly if it be held somewhat an unequal trial to place one man to contend alone against fifteen disputants, some of extraordinary ability, such as Vane; on the other hand the rank of him who was thus pleading for what he believed to be his inalienable rights—his misfortunes—his display of mental powers, for

* Carlyle.

which few had given him credit—would produce impressions far deeper than if the advisers around his canopy had been allowed to argue and harangue, each after his own fashion. "One day," says Warwick, "whilst I turned the king's chair when he was about to rise, the earl of Salisbury came suddenly upon me, and said, 'The king is wonderfully improved:' to which I as suddenly replied, 'No, my lord, he was always so; but your lordship too late discerned it.'" Vane bore testimony to the talent of Charles; but he considered his "great parts and abilities" as a reason for very stringent terms. In this manner was the prolonged discussion of Newport conducted, from the 18th of September to the 29th of November, the original term of forty days for the duration of the treaty having been three times extended. All was in vain. Charles had conceded the questions of military command and of nomination to the great offices of state; he had even consented to acknowledge the legitimacy of the resistance to his power. But he had not conceded enough upon the question of religion to satisfy the more violent of the Presbyterians. There was unwise pertinacity on both sides, in the hour of a coming storm that would sweep away this paper-fabric of a Newport treaty like straws in a whirlwind. The commissioners had no absolute power to conclude a Treaty; the parliament discussed every point with a scrupulosity that foreboded no good result. Warwick records a speech of the king to Mr. Buckley, one of the commissioners, which shows how impracticable was a speedy agreement; "Consider, Mr. Buckley, if you call this a Treaty, whether it be not like the fray in the comedy; where the man comes out, and says, there has been a fray, and no fray; and being asked how that could be, why, says he, there hath been three blows given, and I had them all. Look, therefore, whether this be not a parallel case. Observe, whether I have not granted absolutely most of your propositions, and with great moderation limited only some few of them: nay consider, whether you have made me any one concession, and whether at this present moment you have not confessed to me, that though upon any proposition you were all concurrently satisfied, yet till you had remitted them up to your superiors, you had not authority to concur with me in any one thing."* The conferences were broken up, after the most violent demonstrations had been made to Parliament of the temper of the Army. On the 28th of November the commissioners left Newport with the definitive propositions.

* "Memoirs," p. 323.

In forty-eight hours it had become evident that two months had been wasted in vain contentions; that an inexorable fate was driving on to a dismal end of the long struggle between king and people.

Warwick has recorded that, during the progress of the Treaty, "every night, when the king was alone about eight of the clock, except when he was writing his own private letters, he commanded me to come to him; and he looked over the notes of that day's treaty, and the reasons upon which it moved; and so dictated the heads of a dispatch, which from time to time he made concerning the treaty, unto his present majesty, then prince." Clarendon drew up his minute account of the negotiation from these papers; and he gives a long and very interesting extract of a letter from the king to prince Charles, which he says, "deserves to be preserved in letters of gold." The sentiments which it breathes are certainly high-minded; but they also proclaim to what an extent the king was a self-deceiver. He writes, "by what hath been said, you see how long we have laboured in search of peace." He had solemnly promised during the negotiations that all hostilities in Ireland for his cause should be put an end to. At the very same time he wrote to the earl of Ormond, "Obey my wife's orders, not mine, until I shall let you know I am free from all restraint; nor trouble yourself about my concessions as to Ireland; they will lead to nothing." Charles goes on to say to his son, "Censure us not for having parted with so much of our own right; the price was great, but the commodity was security to us, peace to our people." In his heart he felt that he had really not parted with anything. "We were confident," he says, "another parliament would remember how useful a king's power is to a people's liberty; of how much thereof we divested ourself, that we and they might meet once again in a due parliamentary way, to agree the bounds of prince and people." The unhappy monarch appears to have forgotten that "the bounds of prince and people" were agreed, "in a due parliamentary way," by the Petition of Right; and that from the day in 1629 when he declared that he would depart from that due way, making the free monarchy of England absolute, the terrible misfortunes that he had endured during seven years of Civil War were the price that he had to pay for eleven previous years of despotism. He draws a true lesson from the tyranny of others: "These men, who have forced laws which they were bound to preserve, will find their triumphs full of troubles." His prayer for his subjects "that the

ancient laws, with the interpretation according to the known practice, might once more be a hedge about them," might have been more opportune when the ancient hedge was first broken down by the ministers of his own aggressions. But, with all this forgetfulness of the errors of the past, its sad lessons are not wholly forgotten, when he says, "Give belief to our experience, never to affect more greatness or prerogative than that which is intrinsically and really for the good of subjects, not the satisfaction of favorites."*

A week before the termination of the conferences at Newport, the Army from St. Alban's sends a "Remonstrance" to the Commons,—an unmistakable document,—calling upon the Parliament to bring the king to trial; and to decree that the future king should be elected by the representatives of the people. It was distinctly intimated that if the Parliament neglected the interests of the nation the Army would take the matter into their own hands. There was naturally a great commotion in the House; and the debate upon this "Remonstrance" was adjourned for a week. At about the end of that time the commissioners from Newport have made their report; and after twenty-four hours of debate it is voted that the king's concessions offered a ground for a future settlement. On the 25th of November the army of Fairfax is at Windsor. Cromwell had returned from Scotland, to the north of England, on the 11th of October. He is busily engaged in military affairs. The royalist governor of Pontefract refuses to surrender. A party from the garrison have sallied out on the 29th of October, and assassinated the parliamentary colonel Rainsborough, in his lodging at Doncaster. The Northern Army is badly off for shoes, stockings, and clothes, as Cromwell writes; but they are all full of zeal, and petition the General of the Army against the Treaty at Newport, which petition Cromwell forwards to Fairfax on the 20th of November, saying, "I find in the officers of the regiments a very great sense of the sufferings of this poor kingdom; and in them all a very great zeal to have impartial justice done upon offenders." There are nevertheless doubts and misgivings in the breasts of some Army men, as we may judge from a letter of Oliver to that "ingenuous young man," his friend colonel Hammond, at Carisbrook, who has expressed his dissatisfaction at the principle that "it is lawful for a lesser part, if in the right, to force a numerical majority." The king told sir Philip Warwick that the Governor

* Clarendon, vol. vi. p. 189—191.

was such a rogue that he could not be in worse hands. Though the Governor was faithful to his trust, he yet had a conscientious doubt whether the Army had a right to determine the great question at issue. The letter of Cromwell is dated from Pontefract on the 25th of November. It is altogether so characteristic of this extraordinary man, and moreover so strikingly illustrative of the nature of the principles by which he and many others were driving forward to perpetrate acts of violence and illegality, under a belief that they were moved by holy and just inspirations, that we may not unprofitably peruse one or two of its more striking passages:—

"You say: 'God hath appointed authorities among the nations, to which active or passive obedience is to be yielded. This resides, in England, in the Parliament. Therefore active or passive resistance,' &c. Authorities and powers are the ordinance of God. This or that species is of human institution, and limited, some with larger, others with stricter bands, each one according to its constitution. But I do not therefore think that the Authorities may do anything, and yet such obedience be due. All agree that there are cases in which it is lawful to resist. If so, your ground fails, and so likewise the inference. Indeed, dear Robin, not to multiply words, the query is, Whether ours be such a case? This ingeniously is the true question. To this I shall say nothing, though I could say very much; but only desire thee to see what thou findest in thy own heart to two or three plain considerations. *First*, Whether *Salus Populi* be a sound position? *Secondly*, Whether in the way in hand, really and before the Lord, before whom conscience has to stand, this be provided for;—or if the whole fruit of the War is not like to be frustrated, and all most like to turn to what it was, and worse? And this, contrary to Engagements, explicit Covenants with those who ventured their lives upon those Covenants and Engagements, without whom perhaps, in equity, relaxation ought not to be? *Thirdly*, Whether this Army be not a lawful Power, called by God to oppose and fight against the king upon some stated grounds; and being in power to such ends, may not oppose one Name of Authority, for those ends, as well as another Name,—since it was not the outward Authority summoning them that by *its* power made the quarrel lawful, but the quarrel was lawful in itself? If so, it may be, acting will be justified *in foro humano*. But truly this kind of reasonings may be but fleshly, either with or against: only it is good to try what truth may be in them. And the Lord teach us."

"We in this Northern Army were in a waiting posture; desiring to see what the Lord would lead us to. And a Declaration [Remonstrance] is put out, at which many are shaken:—although we could perhaps have wished the stay of it till after the treaty, yet seeing it is come out, we trust to rejoice in the will of the Lord, waiting His further pleasure. Dear Robin, beware of men; look up to the Lord. Let Him be free to speak and command in thy heart. Take heed of the things I fear thou hast reasoned thyself into; and thou shalt be able through Him, without consulting flesh and blood, to do valiantly for Him and His people." . . . "Dost thou not think this fear of the Levellers (of whom there is no fear) 'that they would destroy Nobility, &c., has caused some to take up corruption, and find it lawful to make this ruining hypocritical Agreement, on one part? Hath not this biassed even some good men? I will not say the thing they fear will come upon them; but if it do, they will themselves bring it upon themselves. Have not some of our friends, by their passive principle (which I judge not, only I think it liable to temptation as well as the active, and neither of them to be reasoned into, because the heart is deceitful),—been occasioned to overlook what is just and honest, and to think the people of God may have as much or more good the one way than the other? Good by this Man,—against whom the Lord hath witnessed: and whom thou knowest!"

On the 25th of November, the day on which Cromwell's letter is dated, colonel Hammond was directed to give up his post in the Isle of Wight to another officer, and return to the Army. The king had remained in the house at Newport in which the Treaty was conducted when the commissioners quitted the town. On the evening of the 29th of November, the king was surrounded by several of the noblemen and others who had been with him during the conferences. A report came to them that troops had landed in the island; and the fact was ascertained by one of Charles' attendants, colonel Cook. He had ridden to Carisbrook and to the coast. When he returned about midnight the king's house was surrounded by soldiers; and its very passages were filled with armed men, their matches lighted. Cook entered the king's apartments, wet and wearied. The king's friends were persuading him to attempt to escape, at all risks; and Cook told him that horses were at hand and a vessel off the coast. Charles now hesitates to break his parole; yet he had given it to Hammond, and had attempted to break it on several occasions. The resignation of despair had now come

over the unhappy king. He went to bed. At daybreak there was an alarm at his door. A colonel was there with a guard; and when the door was opened, the king was told by him that he had orders to remove him to Hurst Castle. They could not have named a worse place, said Charles. He apprehended assassination; and this castle at the mouth of the Solent,—which Warwick describes as "a place which stood on the sea, for at every tide the water surrounded it, and contained only a few dog-lodgings for soldiers,"—was more fitted for a deed of darkness than Berkeley or Pontefract, where deposed kings had perished. On that 30th of November, the Parliament had voted that they would not take the "Remonstrance" of the Army into consideration. The army is at Windsor. On Saturday, the 2nd of December, it is on its march to London; and before night is quartered in Whitehall, St. James's, and the suburbs. That Sunday must have been a day of fear and anxious curiosity. Presbyterian preachers setting forth the atrocity of the seizure of the king. Zealous soldiers, gifted with the power of eloquence, haranguing crowds in the parks. "For Tophet is ordained of old; yea, for the king it is prepared," was the text of many a field-preaching of that Sabbath. On the Monday the Commons are debating all day—they are debating till five o'clock on Tuesday morning the 5th,—whether the king's concessions in the Treaty of Newport are a ground of settlement. The practised orators have been heard again and again on this great question. There is an old man amongst them—one who has only been a member three weeks—who boldly stands up for the cause of fallen majesty. He is no royal favourite, he says. The favours he has received from the king and his party were, the loss of his two ears,—his pillorings, his imprisonments, his fines. It was Prynne, who spoke for hours; with honest energy, but with no great prudence when he described the Army at their very doors as "inconstant, mutinous, and unreasonable servants." Yet, whatever might have been the effect of this learned man's courageous effort for reconciliation, the very recital of his ancient sufferings must have revived in some a bitter recollection of past tyrannies, and a corresponding dread of their return. The House decided, by one hundred and twenty-nine to eighty-three, that the king's concessions are a ground of settlement. There was another assembly on the same day whose resolutions at that moment were of more importance even than a vote of the Commons. "Some of the principal officers of the Army came to London with expectation

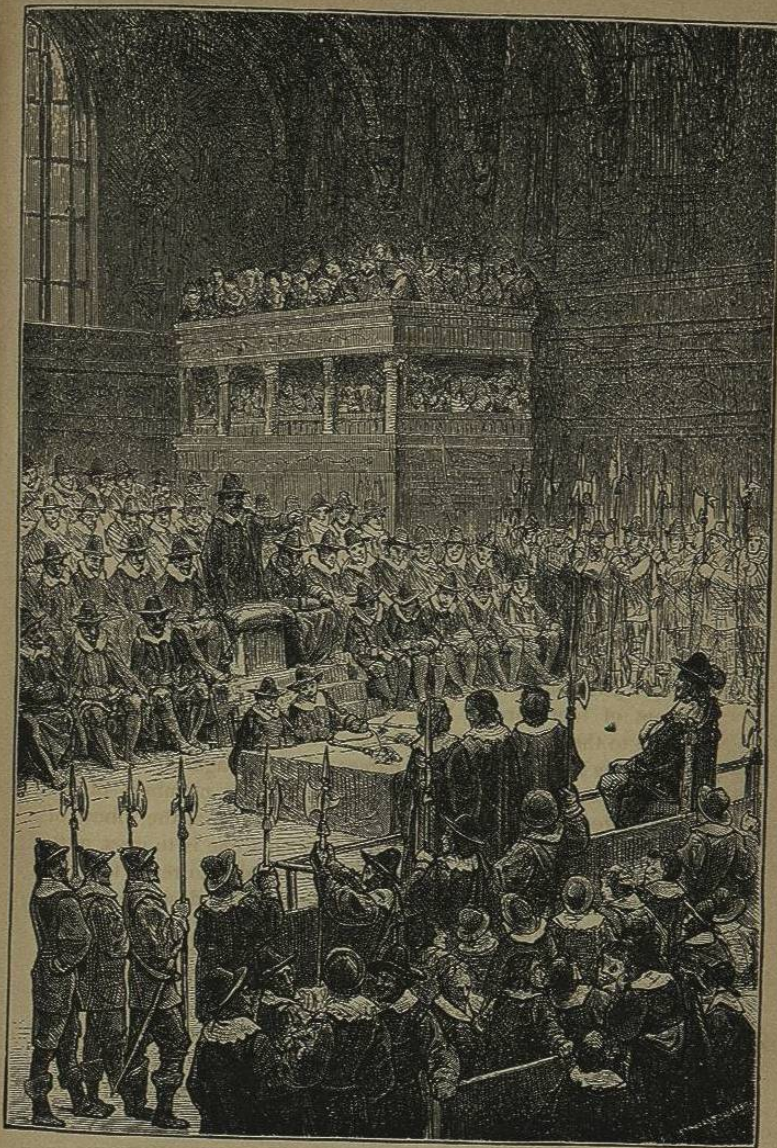
that things would be brought to this issue, and consulting with some members of parliament and others, it was concluded, after a full and free debate, that the measures taken by the Parliament were contrary to the trust reposed in them, and tending to contract the guilt of the blood that had been shed, upon themselves and the nation; that it was therefore the duty of the Army to endeavour to put a stop to such proceedings.* They went about this work in a very business-like manner. "Three of the members of the House, and three of the officers of the Army, withdrew into a private room to attain the ends of our said Resolution; when we agreed that the army should be drawn up the next morning, and guards placed in Westminster hall, the Court of Requests, and the Lobby; that none might be permitted to pass into the House but such as continued faithful to the public interests. To this end we went over the names of all the members, one by one. . . . Commissary-general Ireton went to sir Thomas Fairfax, and acquainted him with the necessity of this extraordinary way of proceeding."† Lieutenant-general Cromwell is still in the North.

What was thus deliberately resolved on the 6th of December was as promptly effected on the 7th. An order is given that the trained bands of the city shall withdraw from their accustomed duty of guard at Westminster. Colonel Rich's regiment of horse take up a position on that morning in Palace Yard. Colonel Pride's regiment of foot throng Westminster Hall, and block up every entrance to the House of Commons. Colonel Pride has a written list of names in his hand,—the names of those against whom the sentence of exclusion has been passed. As the members of the House approach, lord Grey of Groby, who stands at the elbow of colonel Pride, gives a sign or word that such a one is to pass, or to be turned back. Forty-one were ordered that day to retire to "the Queen's Court." It is easier to imagine than to describe the indignation expressed by the ejected. They are kept under restraint all the day; and in the evening are conducted to a tavern. There were two taverns abutting upon and partly under, the Hall known as "Heaven" and "Hell,"—very ancient places of refreshment much used by the lawyers in term-time; mentioned by Ben Jonson; and which, with a third house called "Purgatory," are recited in a grant of the time of Henry VII.‡ To "Hell," perhaps without the intention of a bad joke, these forty-one of the parliamentary

* Ludlow, "Memoirs," vol. i. p. 269.

† *Ibid.*, p. 270.

‡ Gifford. Notes to "Alchemist,"—Jonson's Works, vol. iv. p. 174.



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majority were led, and lodged for the night. The process went on for several days; till some hundred members are disposed of. Before the minority have obtained an entire ascendancy, colonel Pride is questioned for his conduct; but no satisfaction is given. The House makes a show of disapprobation; but the Serjeant-at-arms has brought a message that the excluded members are detained by the Army; and business proceeds as if the event were of small consequence. Cromwell has arrived on the night after the sharp medicine known as "Pride's purge" has been administered; and "lay at Whitehall, where, and at other places, he declared that he had not been acquainted with this design; yet since it was done he was glad of it, and would endeavour to maintain it." * Vane, who had spoken vehemently in the great debate of the 4th, against accepting the king's concessions as a ground of settlement, even boldly proclaiming himself for a republic, appears to have taken no part in the illegal proceedings which laid the Parliament at the feet of the Army. He retired to his estate, and did not come again to Parliament till a month after the final blow against monarchy had been struck. "Young Vane" has had justice done to his lofty capacity in being classed with the "great men" who "have been among us"—"hands that peened and tongues that uttered wisdom." † Yet his conduct in this crisis can scarcely be attributed to his high-mindedness: and probably Mrs. Hutchinson points to him, in saying, "I know upon certain knowledge that many, yea the most part of them, retreated not for conscience, but for fear and worldly prudence, foreseeing that the insolence of the Army might grow to that height as to ruin the cause, and reduce the kingdom into the hands of the enemy; and then those who had been most courageous in their country's cause should be given up as victims. These poor men did privately animate those who appeared most publicly." ‡ The parliamentary minority, being almost unanimous in their resolve to overthrow the existing government, though perhaps not yet agreed as to the mode of accomplishing this as far as regarded the person of the king, voted to rescind all the votes which had recently passed as to the grounds of a settlement. Another act of military power soon marshalled the way to a resolution of such doubts.

The drawbridge of Hurst Castle is lowered during the night of the 17th of December, and the tramp of a troop of horse is heard by the wakeful prisoner. He calls for his attendant Herbert, who

* Ludlow, vol. i. p. 272.

† Wordsworth.

‡ "Memoirs," vol. ii. p. 185.

is sent to ascertain the cause of this midnight commotion. Major Harrison is arrived. The king is agitated. He has been warned that Harrison is a man chosen to assassinate him. He is re-assured in the morning, in being informed that the major and his troop are to conduct him to Windsor. Two days after, the king sets out, under the escort of lieutenant-colonel Cobbett. At Winchester he is received in state by the mayor and aldermen; but they retire alarmed on being told that the House has voted all to be traitors who should address the king. The troop commanded by Cobbett has been relieved on the route by another troop, of which Harrison has the command. They rest at Farnham. Charles expresses to Harrison, with whose soldierly appearance he is struck, the suspicions which had been hinted regarding him. The major, in his new buff coat and fringed scarf of crimson silk, told the king "that he needed not to entertain any such imagination or apprehension; that the Parliament had too much honour and justice to cherish so foul an intention; and assured him, that whatever the Parliament resolved to do would be very public, and in a way of justice, to which the world should be witness; and would never endure a thought of secret violence." This, adds Clarendon, "his majesty could not persuade himself to believe; nor did imagine that they durst ever produce him in the sight of the people, under any form whatsoever of a public trial."* The next day the journey was pursued towards Windsor. The king urged his desire to stop at Bagshot, and dine in the Forest at the house of lord Newburgh. He had been apprised that his friend would have ready for him a horse of extraordinary fleetness, with which he might make one more effort to escape. The horse had been kicked by another horse the day before, and was useless. That last faint hope was gone. On the night of the 23rd of December the king slept, a prisoner surrounded with hostile guards, in the noble castle which in the days of his youth had rung with Jonson's lyrics and ribaldry; and the Gipsy of the Masque had prophesied that his "name in peace or wars, nought should bound."† But even here he continued to cherish some of the delusions which he had indulged in situations of far less danger. He was still surrounded with something of regal pomp. He dined, as the ancient sovereigns had dined, in public—as Elizabeth, and his father, and he himself had dined, seated under a canopy, the cup presented to him on the knee, the dishes solemnly tasted before he ate. These manifestations of respect he

* "Rebellion," vol. vi. p. 223.

† "Gipsies Metamorphosed."

held to be indicative of an altered feeling. But he also had an undoubting confidence that he should be righted, by aid from Ireland, from Denmark, from other kingdoms: "I have three more cards to play, the worst of which will give me back everything." After three weeks of comparative comfort, the etiquette observed towards him was laid aside; and with a fearful sense of approaching calamity in the absence of "respect and honour, according to the ancient practice," is there anything more contemptible than a despised prince?"

During the month in which Charles had remained at Windsor, there had been proceedings in Parliament of which he was imperfectly informed. On the day he arrived there, it was resolved by the Commons that he should be brought to trial. On the 2nd of January, 1649, it was voted that, in making war against the Parliament, he had been guilty of treason; and a High Court was appointed to try him. One hundred and fifty commissioners were to compose the Court,—peers, members of the Commons, aldermen of London. The ordinance was sent to the Upper House, and was rejected. On the 6th, a fresh ordinance, declaring that the people being, after God, the source of all just power, the representatives of the people are the supreme power in the nation; and that whatsoever is enacted or declared for law by the Commons in Parliament hath the force of a law, and the people are concluded thereby, though the consent of King or Peers be not had thereto. Asserting this power, so utterly opposed either to the ancient constitution of the monarchy, or to the possible working of a republic, there was no hesitation in constituting the High Court of Justice in the name of the Commons alone. The number of members of the Court was now reduced to one hundred and thirty-five. They had seven preparatory meetings, at which only fifty-eight members attended. "All men," says Mrs. Hutchinson, "were left to their free liberty of acting, neither persuaded nor compelled; and as there were some nominated in the commission who never sat, and others who sat at first, but durst not hold on, so all the rest might have declined it if they would, when it is apparent they should have suffered nothing by so doing."* Algernon Sidney, although bent upon a republic, opposed the trial, apprehending that the project of a commonwealth would fail, if the king's life were touched. It is related that Cromwell, irritated by these scruples, exclaimed, "No one will stir. I tell you, we will cut his head off with the

* "Memoirs," p. 158.

crowns upon it." Such daring may appear the result of ambition, or fear, or revenge, or innate cruelty, in a few men who had obtained a temporary ascendancy. These men were, on the contrary, the organs of a widespread determination amongst thousands throughout the country, who had long preached and argued and prophesied about vengeance on "the great delinquent;" and who had ever in their mouths the text that "blood defileth the land, and the land cannot be cleansed of the blood that is shed therein, but by the blood of him that shed it."* They had visions of a theocracy, and were impatient of an earthly king.

Do we believe, as some, not without reasonable grounds, may believe, that the members of the High Court of Justice expressed such convictions upon a simulated religious confidence? Do we think that, in the clear line of action which Cromwell especially had laid down for his guidance, he cloaked his worldly ambition under the guise of being moved by some higher impulse than that of taking the lead in a political revolution? Certainly we do not. The infinite mischiefs of assuming that the finger of God directly points out the way to believers, when they are walking in dangerous and devious paths, may be perfectly clear to us, who calmly look back upon the instant events which followed upon Cromwell's confidence in his solemn call to a fearful duty. But we are not the more to believe, because the events have a character of guilt in the views of most persons, that such a declared conviction was altogether, or in any degree, a lie. Those were times in which, more for good than for evil, men believed in the immediate direction of a special Providence in great undertakings. The words, "God hath given us the victory," were not with them a mere form. If we trace amidst these solemn impulses the workings of a deep sagacity—the union of the fierce resolves of a terrible enthusiasm with the foresight and energy of an ever-present common sense—we are not the more to conclude that their spiritualism, or fanaticism, or whatever we please to call their ruling principle, was less sincere by being mixed up with the ordinary motives through which the affairs of the world are carried on. Indeed, when we look to the future course of English history, and see—as those who have no belief in a higher direction of the destiny of nations than that of human wisdom can alone turn away from seeing—that the inscrutable workings of a supreme Power led our country in the fullness of time to internal peace and security after these storms, and in a great degree

* Ludlow uses this text from "Numbers," c. xxxv., in explaining his convictions.

in consequence of them, can we refuse our belief that the tragical events of those days were ordered for our good? Acknowledging that the overthrow of a rotten throne was necessary for the building up of a throne that should have its sole stable foundation in the welfare of the people, can we affirm that the men who did the mightier portion of that work,—sternly, unflinchingly, illegally, yet ever professing to "seek to know the mind of God in all that chain of Providence,"—are quite correctly described in the Statute for their attainder, as "a party of wretched men, desperately wicked, and hardened in their impiety."

On the 19th of January, major Harrison appeared again at Windsor with his troop. There was a coach with six horses in the courtyard, in which the king took his seat; and, once more, he entered London, and was lodged at St. James's palace. The next day, the High Court of Justice was opened in Westminster-hall. The king came from St. James's in a sedan; and after the names of the members of the court had been called, sixty-nine being present, Bradshaw, the president, ordered the serjeant to bring in the prisoner. Silently the king sat down in the chair prepared for him. He moved not his hat, as he looked sternly and contemptuously around. The sixty-nine rose not from their seats, and remained covered. It is scarcely eight years since he was a spectator of the last solemn trial in this hall—that of Strafford. What mighty events have happened since that time! There are memorials hanging from the roof which tell such a history as his saddest fears in the hour of Strafford's death could scarcely have shaped out. The tattered banners taken from his Cavaliers at Marston-moor and Naseby are floating above his head. There, too, are the same memorials of Preston. But still he looks around him proudly and severely. Who are the men that are to judge him, the king, who "united in his person every possible claim by hereditary right to the English as well as the Scottish throne, being the heir both of Egbert and William the Conqueror?"* These men are, in his view, traitors and rebels, from Bradshaw, the lawyer, who sits in the foremost chair calling himself lord-president, to Cromwell and Marten in the back seat, over whose heads are the red-cross of England and the harp of Ireland, painted on an escutcheon, whilst the proud bearings of a line of kings are nowhere visible. Under what law does this insolent president address him as "Charles Stuart, king of England," and say, "The Commons of England being deeply sensible of the calamities that have been brought upon this nation,

* Blackstone, book i. c. iii., p. 196, Kerr's edition.

which are fixed upon you as the principal author of them, have resolved to make inquisition for blood?" He will defy their authority. The clerk reads the charge, and when he is accused therein of being tyrant and traitor, he laughs in the face of the Court. "Though his tongue usually hesitated, yet it was very free at this time, for he was never discomposed in mind," writes Warwick. "And yet," it is added, "as he confessed himself to the bishop of London that attended him, one action shocked him very much; for whilst he was leaning in the Court upon his staff, which had a head of gold, the head broke off on a sudden. He took it up, but seemed unconcerned, yet told the bishop it really made a great impression upon him." It was the symbol of the treacherous hopes upon which he had rested,—golden dreams that vanished in this solemn hour. Again and again contending against the authority of the Court, the king was removed, and the sitting was adjourned to the 22nd. On that day the same scene was renewed; and again on the 23rd. A growing sympathy for the monarch became apparent. The cries of "Justice, justice," which were heard at first, were now mingled with "God save the king." He had refused to plead; but the Court nevertheless employed the 24th and 25th of January in collecting evidence to prove the charge of his levying war against the Parliament. Coke, the solicitor-general, then demanded whether the Court would proceed to pronouncing sentence; and the members adjourned to the Painted Chamber. On the 27th the public sitting was resumed. When the name of Fairfax was called, a voice was heard from the gallery, "He has too much wit to be here." The king was brought in; and, when the president addressed the commissioners, and said that the prisoner was before the Court to answer a charge of high treason, and other crimes brought against him in the name of the people of England, the voice from the gallery was again heard, "It's a lie—not one half of them." The voice came from lady Fairfax. The Court, Bradshaw then stated, had agreed upon the sentence. Ludlow records that the king "desired to make one proposition before they proceeded to sentence; which he earnestly pressing, as that which he thought would lead to the reconciling of all parties, and to the peace of the three kingdoms, they permitted him to offer it: the effect of which was, that he might meet the two Houses in the Painted Chamber, to whom he doubted not to offer that which should satisfy and secure all interests." Ludlow goes on to say, "Designing, as I have been since informed, to propose his own resignation, and the admission of his

son to the throne upon such terms as should have been agreed upon."* The commissioners retired to deliberate, "and being satisfied, upon debate, that nothing but loss of time would be the consequence of it, they returned into the Court with a negative to his demand." Bradshaw then delivered a solemn speech to the king, declaring how he had through his reign endeavoured to subvert the laws and introduce arbitrary government; how he had attempted, from the beginning, either to destroy Parliaments, or to render them subservient to his own designs; how he had levied war against the Parliament, by the terror of his power to discourage for ever such assemblies from doing their duty, and that in this war many thousands of the good people of England had lost their lives. The clerk was lastly commanded to read the sentence, that his head should be severed from his body; "and the commissioners," says Ludlow, "testified their unanimous assent by standing up." The king attempted to speak; "but being accounted dead in law, was not permitted."

On the 29th of January, the Court met to sign the sentence of execution; addressed to "colonel Francis Hacker, colonel Huncks, and lieutenant-colonel Phayr, and to every one of them." This is the memorable document:—

"Whereas Charles Stuart, king of England, is and standeth convicted, attainted and condemned of High Treason and other high Crimes: and Sentence upon Saturday last was pronounced against him by this Court, to be put to death by the severing of his head from his body; of which Sentence execution remaineth to be done:

"These are therefore to will and require you to see the said Sentence executed, in the open street before Whitehall, upon the morrow, being the thirtieth day of this instant month of January, between the hours of ten in the morning and five in the afternoon with full effect. And for so doing, this shall be your warrant.

"And these are to require all Officers and Soldiers, and others the good People of this Nation of England, to be assisting unto you in this service.

"Given under our hands and seals,

"JOHN BRADSHAW.

"THOMAS GREY.

"OLIVER CROMWELL."

And fifty-six others.

* "Memoirs," vol. i. p. 280.

The statements of the heartless buffoonery, and the daring violence of Cromwell, at the time of signing the warrant, must be received with some suspicion. He smeared Henry Marten's face with the ink of his pen, and Marten in return smeared his, say the narratives. Probably so. With reference to this anecdote it has been wisely observed, "Such 'toys of desperation' commonly bubble up from a deep flowing stream below."* Another anecdote is told by Clarendon; that colonel Ingoldsby, one who signed the warrant, was forced to do so with great violence, by Cromwell and others; "and Cromwell, with a loud laughter, taking his hand in his, and putting the pen between his fingers, with his own hand writ 'Richard Ingoldsby,' he making all the resistance he could." Ingoldsby gave this relation, in the desire to obtain a pardon after the Restoration; and to confirm his story he said, "if his name there were compared with what he had ever writ himself, it could never be looked upon as his own hand." Warburton, in a note upon this passage, says, "The original warrant is still extant, and Ingoldsby's name has no such mark of its being wrote in that manner."

The king knew his fate. He resigned himself to it with calmness and dignity; with one exceptional touch of natural human passion, when he said to bishop Juxon, although resigning himself to meet his God, "We will not talk of these rogues, in whose hands I am; they thirst for my blood, and they will have it, and God's will be done. I thank God, I heartily forgive them, and I will talk of them no more." He took an affectionate leave of his daughter, the princess Elizabeth, twelve years old; and of his son, the duke of Gloucester, of the age of eight. To him he said;—"Mark, child, what I say; they will cut off my head, and perhaps make thee king; but thou must not be king so long as thy brothers Charles and James live." And the child said, "I will be torn in pièces first." There were some attempts to save him. The Dutch ambassador made vigorous efforts to procure a reprieve, whilst the French and Spanish ambassadors were inert. The ambassadors from the States nevertheless persevered; and early in the day of the 30th obtained some glimmering of hope from Fairfax. "But we found," they say in their despatch, "in front of the house in which we had just spoken with the general, about two hundred horsemen; and we learned, as well as on our way as on reaching home, that all the streets, passages, and squares of London were

* Forster. "Life of Marten," p. 314.

occupied by troops, so that no one could pass, and that the approaches of the city were covered with cavalry, so as to prevent any one from coming in or going out. . . . The same day, between two and three o'clock, the king was taken to a scaffold covered with black, erected before Whitehall.*

To that scaffold before Whitehall, Charles walked, surrounded by soldiers, through the leafless avenues of St. James's Park. It was a bitterly cold morning. Evelyn records that the Thames was frozen over. The season was so sharp that the king asked to have a shirt more than ordinary, when he carefully dressed himself. He left St. James's at ten o'clock. He remained in his chamber at Whitehall for about three hours, in prayer, and then received the sacrament. He was pressed to dine, but refused, taking a piece of bread and a glass of wine. His purposed address to the people was delivered only to the hearing of those upon the scaffold, but its purport was that the people "mistook the nature of government; for people are free under a government, not by being sharers in it, but by due administration of the laws of it."† His theory of government was a consistent one. He had the misfortune not to understand that the time had been fast passing away for its assertion. The headsman did his office; and a deep groan went up from the surrounding multitude.

It is scarcely necessary that we should offer any opinion upon this tremendous event. The world had never before seen an act so daring conducted with such a calm determination; and the few moderate men of that time balanced the illegality, and also the impolicy of the execution of Charles, by the fact that "it was not done in a corner," and that those who directed or sanctioned the act offered no apology, but maintained its absolute necessity and justice. "That horrible sentence upon the most innocent person in the world; the execution of that sentence by the most execrable murder that was ever committed since that of our blessed Saviour;" ‡ forms the text which Clarendon gave for the rhapsodies of party during two centuries. On the other hand, the eloquent address of Milton to the people of England has been in the hearts and mouths of many who have known that the establishment of the liberties of their country, duly subordinated by the laws of a free monarchy, may be dated from this event: "God has endued

* Despatch from the Ambassador Extraordinary of the States General; in the Appendix to Guizot's "English Revolution."

† Warwick, p. 345.

‡ "Rebellion," vol. vii. p. 236.

you with greatness of mind to be the first of mankind, who, after having conquered their own king, and having had him delivered into their hands, have not scrupled to condemn him judicially, and, pursuant to that sentence of condemnation, to put him to death." * In these times in England, when the welfare of the throne and the people are identical, we can, on the one hand, afford to refuse our assent to the blasphemous comparison of Clarendon (blasphemy more offensively repeated in the Church Service for the 30th of January), and at the same time affirm that the judicial condemnation which Milton so admires was illegal, unconstitutional, and in its immediate results dangerous to liberty. But feeling that far greater dangers would have been incurred if "the caged tiger had been let loose," and knowing that out of the errors and anomalies of those times a wiser Revolution grew, for which the first more terrible Revolution was a preparation, we may cease to examine this great historical question in any bitterness of spirit, and even acknowledge that the death of Charles, a bad king, though in some respects a good man, was necessary for the life of England, and for her "teaching other nations how to live." We must accept as just and true Milton's admonition to his countrymen in reference to this event, which he terms "so glorious an action," with many reasonable qualifications as to its glory; and yet apply even to ourselves his majestic words:—"After the performing so glorious an action as this, you ought to do nothing that is mean and little, not so much as to think of, much less to do anything but what is great and sublime. Which to attain to, this is your only way: as you have subdued your enemies in the field, so to make appear, that unarmed, and in the highest outward peace and tranquillity, you of all mankind are best able to subdue ambition, avarice, the love of riches, and can best avoid the corruptions that prosperity is apt to introduce (which generally subdue and triumph over other nations), to show as great justice, temperance, and moderation in the maintaining your liberty, as you have shown courage in freeing yourselves from slavery."

* "Defensio pro populo Anglicano."

CHAPTER XXXI.

Proclamation against a new king.—The Icon Basiliké.—Council of State appointed.—Trial and Execution of Royalists.—The Levellers.—The Levellers in the Army suppressed.—Trial of Lilburne.—Charles II. at St. Germain's.—Ireland.—Cromwell Lord Lieutenant.—Cromwell's Campaign.—Drogheda.—Wexford.—Cromwell's Account of the Slaughters.—Waterford.—Rupert driven from the Coast.—Surrender of Cork.—Cromwell's Policy in Ireland.—Cromwell returns to London.

ON the afternoon of Tuesday, the 30th of January, the Serjeant-at-arms accompanied by pursuivants, and surrounded by cavalry, appears at Cheapside. Trumpets sound, and crowds gather about, to hear a proclamation, that whoever shall proclaim a new king, without authority of parliament, shall be deemed a traitor. An hour only has passed, since the last king, upon the scaffold at Whitehall,

"bowed his comely head
Down as upon a bed."*

What a night of curiosity and fear in the public haunts and private chambers of the great city! That afternoon the House of Commons order "that the Post be stayed until to-morrow morning, ten of the clock." That Post, which under the Parliament has become general, instead of being irregularly despatched upon a few roads, is now a weekly conveyance of letters into all parts of the nation. On that morning of the 31st it will go out of London with letters and little newspapers that will move terror and pity throughout the land. A few will rejoice in the great event; some will weep over it; others will vow a fearful revenge. "The more I ruminate upon it," writes Howell seven weeks afterwards, "the more it astonisheth my imagination, and shaketh all the cells of my brain; so that sometimes I struggle with my faith, and have much ado to believe it yet." † There was, at the time of the king's execution, a book being printed which was to surround his life with the attributes of a saint, and to invest him in death with the glory of a martyr. The "Icon Basiliké, or Portraiture of his Sacred Majesty in his Solitudes and Sufferings," purported to be written by Charles

* Andrew Marvel.

† "Letters," vol. iii. p. 36.