UNIVERSITY OF SOUTHAMPTON

SIR FRANCIS WINDEBANK AND THE PERSONAL RULE OF CHARLES I

by

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ABSTRACT

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The study opens with a survey of the rise and fall of the Windebank family over five generations, in relation to office-holding and property ownership. An examination of the circumstances leading up to Windebank's appointment as Secretary of State in 1632 is followed by an indication of his profits of office, which shows that he was neither corrupt nor grasping, and suggests reasons for the relatively low yield of the Secretaryship in the 1630's. His work on committees and commissions illustrates the scope and burden of Secretarial duties, and reveals deep ministerial rifts.

Windebank conducted the King's most confidential foreign negotiations, particularly with Habsburg states. The traditional view of the central position occupied by the Palatinate in Caroline foreign policy is contested, and Flanders appears as a more significant determinant of English action. Windebank showed a sustained concern for English naval and commercial interests, and tried to maintain the European balance threatened by growing Franco-Dutch power. His advocacy of negotiation with Spain was rooted in these considerations, and was so tempered by scepticism as to render misleading the pro-Spanish label usually attached to him. His dealings with foreign ambassadors illustrate royal oscillations between Habsburg and Bourbon alliances, but also reveal Windebank's continuing and informed conviction of French insincerity.

His initiative in seeking better relations with Rome was founded in humanitarianism and an enlightened wish for compromise. The response to his efforts in 1638-40 at mobilising sufficient resources to re-establish royal authority in Scotland revealed widespread lack of co-operation at all social levels. His policies provoked many of the grievances enunciated in 1640, and his flight marks the first stage of the Long Parliament's search for ministerial accountability.

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ABBREVIATIONS

Add. MS.	Additional Manuscripts in the British Library
A. P. C.	Acts of the Privy Council of England
Avenal	Georges, Vicomte d'Avenal. Lettres, instructions diplomatiques et papiers d'état du Cardinal de Richelieu, 1608-42, 8 vols., Paris, 1853-77
B. I. H. R.	Bulletin of the Institute of Historical Research
B. L.	British Library
Bodl. L.	Bodleian Library
C	Chancery records in the Public Record Office
C. J.	Journal of the House of Commons
Clar. MS.	Clarendon Manuscripts in the Bodleian Library
Clar. S. P.	Clarendon State Papers
C. R. O.	County Record Office
C. R. S.	Catholic Record Society
C. S. P. D.	Calendar of State Papers, Domestic Series
C. S. P. Ven.	Calendar of State Papers and Manuscripts relating to English Affairs existing in the Archives of Venice
D. N. B.	Dictionary of National Biography
E	Exchequer records in the Public Record Office
Econ. Hist. Rev.	Economic History Review
E. H. R.	English Historical Review
Harl. MS.	Harleian Manuscripts in the British Library
Harl. Soc.	Harleian Society
H. M. C.	Royal Commission on Historical Manuscripts, Reports
J. M. H.	Journal of Modern History
L. J.	Journal of the House of Lords
L. S.	Lord Steward's records in the Public Record Office
Nalson	John Nalson, An Impartial Collection of the great affairs of state in the year MDCXXXIX to the murther of King Charles I ... , 2 vols., 1682-3

P. C.	Records of the Privy Council in the Public Record Office
P. C. C.	Wills proved in the Prerogative Court of Canterbury, now in the Public Record Office
P./P. and	Past and Present
P. R. O.	Public Record Office
PROB	Probate records in the Public Record Office
R. O.	Record Office
Rushworth	John Rushworth, (ed.), Historical Collections
Rymer, Foedera	Foedera, conventiones, literae et cujuscumque gen. Acta Publica, inter Reges Angliae et alios ab (a) 1101 ad nostra usque tempora, ed. Thomas Rymer, 1704-32.
SP	State Papers in the Public Record Office
T	Treasury records in the Public Record Office
Trans. R. H. S.	Transactions of the Royal Historical Society
V. C. H.	Victoria County History

Old Style dating has been used throughout, except that the year has been taken to begin on 1 January. In references to diplomatic despatches, both Old Style and New Style dates have been given.

PREFACE

In the twentieth century, Sir Thomas Roe's remark on Sir Francis Windebank's appointment, that "there is a new secretary brought out of the dark", is still apt. Windebank's comparative anonymity results partly from the fact that he has so far attracted no biographer. He possessed nothing of the stature of Laud or Strafford, and in the framing of policy during the Personal Rule his career appears insignificant compared with theirs. He is not a heroic figure, and his prudent but inglorious decision to fly abroad in 1640 rather than face the wrath of the Long Parliament deprived him of the chance of a martyr's rôle. He was a man of the second rank, and although brief references to him frequently appear in modern works, he is often dismissed as of little account.

In the nineteenth century, Gardiner admitted his honesty, but had little else to say in his favour. A glance through the index of more recent general histories of the early seventeenth century, or biographies of major figures such as Laud and Strafford, reveals no more than two or three references to Windebank, usually covering the same familiar ground. Monographs on the development of responsible rule accord him more careful but still cursory treatment, while surveys of parliamentary government often, understandably, ignore him altogether. Mrs. Higham, in the most detailed study of seventeenth-century Secretaries of State, acknowledged him to be "clearly one of the most important figures in the second rank" by 1635, but the scope of the book permitted her to undertake little more than an outline of his duties and performance. Professor Aylmer, in the standard modern work on the central administration under Charles I, deliberately concentrates on those who did not hold the highest offices. It is here again, however, that Windebank may be briefly but clearly glimpsed in the context of his working life, particularly in relation to his subordinates. That historians have made little progress in their view of Windebank is suggested by a reference to him in a recent article by Professor Smuts as an adversary of Henrietta Maria, and one of a group of "relatively colourless royal servants, often of mean birth, who had

risen through their energy and single-minded devotion to policies supported by the King."

Disparaging comments, largely based on the hostile evidence of his political opponents in the seventeenth century, centre mainly on his character as a crypto-Catholic and a Spanish sympathiser. Laud's bitter personal resentment at Windebank's supposed defection in 1634 led him to extend to Sir Francis his obsessive strictures on Cottington and Weston. The charges of self-seeking and procrastination that he levelled at all three men have been too readily accepted by later historians unsympathetic to prerogative rule, and principally interested in the evolution of parliamentary government and the early origins of democracy.

The part that Windebank played as an administrator has been largely ignored. Charles I's government during the Personal Rule, like most governments in most periods, was conducted by many men of the second rank such as Sir Francis. In the search to discover more about the nature of administration and politics in the 1630's and the reasons for the break-down in 1640-42, his activities repay attention. His close connexion with the King, deriving from the hybrid position that the Secretaries still held, part civil servants, part private secretaries, put him at the point where policy was made at the highest level, and a large part of his regular work was the interpretation of the King's wishes to other officials.

This study seeks to examine those aspects of Windebank's career that may throw light upon his own conduct in office, his relationship with the monarch and with other members of the central administration, the means he used to advance policies which he initiated or supported, the success that he achieved and the ultimate price that had to be paid. While the broad outlines of the Secretaries' powers and duties were well established by the seventeenth century, the 1630's were still a formative period, as Mrs. Higham showed, particularly with respect to the tasks undertaken by each of the pair, and emphasis and interpretation varied with individual holders of the office. As far as possible, therefore, those areas of administration and government that occupied most of Sir Francis's

time and attention will be defined and illustrated, and the division of duties between himself and his fellow-Secretary will be established.

Charges of aloofness, insulation from reality, ignorance of events outside England and even outside the Court, have sometimes been levelled against Charles I and the government of the Personal Rule. In this context Windebank is of interest as one of the principal agents through whom the King received information and transmitted instructions. Gardiner and Seeley both reserved especial condemnation for the foreign policy of the Personal Rule in these respects, and little detailed attention has been paid to the subject since their time. A substantial part of Windebank's duties was concerned with the King's most confidential diplomatic negotiations, particularly in relation to the Habsburg states, and an examination of his correspondence may permit a reassessment of the traditional view of the priorities of Caroline foreign policy in the 1630's. An attempt will therefore be made to establish the quality and comprehensiveness of the information and advice on European developments that was being tendered to the King, the nature of the policy that was being shaped in London, and the extent to which Windebank was able to influence the King's actions. In particular, his own attitude towards Spain and the implications of this for policy-making will receive special attention.

The part played by the Scottish crisis in precipitating the break-up of the Personal Rule is familiar enough. What is less clear is the extent to which the King and the central administration were aware of the accumulated unpopularity that they had aroused in England, and the probable effects of this upon their call to arms in 1639-40. Windebank's position as the Secretary in London who was responsible for co-ordinating many of the military and financial measures designed to combat the Covenanters enabled him to test opinions on this issue at many social levels. A survey of his activities in this connexion during his last two years in office should enable us to measure the stages by which the King's ministers became aware that their position was gradually becoming untenable.

Not least among the stresses to which the government of the Personal

Rule was subjected were the deep divisions of opinion that had long existed within the Privy Council itself. Windebank's own opinions and style provoked criticism and distrust while also securing friendship and alliance. Without attempting to impose a rigid classification of factions upon the shifting patterns of contemporary political allegiance, some attempt will be made to indicate the chief differences of opinion that affected Windebank's relations with other members of the Privy Council and its committees.

In the early seventeenth century religion was a major determinant of men's actions and attitudes. Windebank's early adherence to Arminianism placed him among those associates of Laud who became the chief targets of Prynne and other pamphleteers in the 1640's. His sympathy with Catholicism and his ultimate conversion make it easy to label him as one of the death-bed Papists, and his leniency towards Catholic priests, Jesuits and recusants made him one of the first targets of attack in the Long Parliament in November 1640. It seems desirable to attempt a more careful definition of his religious practices and beliefs, and to examine his dealings with the succession of Catholic envoys with whom he discussed the prospect of better relations between England and Rome. In a matter so nearly affecting the central issue of ministerial responsibility in 1640, it is also necessary to establish the extent to which he used or abused the wide and ill-defined Secretarial powers of committal, release and the issuing of warrants.

In examining the career of one of the King's servants, and the effects of his conduct and policies upon the reputation of his master's government, it is easy to lose sight of the man himself. Much of the tone of an official's interpretation of his work is set by his attitude to the profits of his post, and a survey of Windebank's income and landed estate should clarify his position in this respect while facilitating comparison with his contemporaries and predecessors. The rise and fall of gentry families has attracted much attention and speculative explanation. A brief case-history of one more dynasty of armigerous office-holders over several generations provides some particular illustrations of general trends, and also introduces us to

Francis Windebank as a son, husband and father.

The absence of any considerable collection of family papers or estate records has rendered this last task difficult, and provides an immediate reminder of one of the effects of the disintegration of his fortunes. The survival of a number of his sons' letters among Sir Francis's official correspondence in the Public Record Office and the Bodleian Library; the numerous friendly references to his children in Ambassadors' despatches; a short diary of his father's among the Rawlinson MSS; and Sir Thomas's letters to his Cecil patrons among the State Papers all help to convey impressions of Sir Francis as a family man.

By contrast, many aspects of his career as Secretary of State are almost embarrassingly well-documented. The principal sources are housed among the State Papers in the Public Record Office, and consist of correspondence and other papers relating to a wide variety of domestic affairs, his notes of proceedings in Star Chamber and of the business transacted by several committees of the Privy Council. The material is particularly abundant during the last two years of his Secretaryship, during the Scottish crisis. The Strafford MSS. in the Sheffield City Library are valuable for the light they throw on his relations with Wentworth.

Still more voluminous is the accumulation of uncalendared ambassadors' despatches directed to Windebank, preserved among the State Papers, Foreign. A similar collection in the Clarendon MSS. in the Bodleian Library relates mainly to diplomatic dealings with Spain and the Empire. Many of these are printed in the Clarendon State Papers, and may be supplemented by Hopton's letter book in the Egerton MSS. and the Aston papers among the Additional MSS. in the British Library. Some indication of the view taken by foreign Ambassadors of Windebank and of various aspects of the government of the Personal Rule may be derived from the French transcripts in the Public Record Office, from Salvetti's despatches in the British Library and from the Calendar of State Papers, Venetian. Since reliance is placed mainly upon English primary sources, however, the chief aim of this part of the study has been to demonstrate

the picture of European diplomacy that was being presented to Windebank and the King by the English Ambassadors and Agents abroad. The Roman transcripts in the Public Record Office, supplemented by similar material in the British Library, contain lengthy reports of conversations between Windebank and the Papal envoys, while Prynne's pamphlets provide a Puritan polemicist's version of Windebank's career.

The study that follows endeavours to convert the sketchy caricature of Sir Francis Windebank that is so often displayed, if not into a finished portrait, at least into a recognisable human likeness.

INTRODUCTION PART I: THE WINDEBANK FAMILY

Francis Windebank was born in 1582, the only son of Thomas Windebank and his wife, Frances, and was baptised in August at St. Martin-in-the-Fields, Middlesex.[1] He came from one of the armigerous gentry families which provided so many office holders in the central administration during the Personal Rule of Charles I, and both his father and his grandfather had served the Crown in the sixteenth century.

His ancestry in the male line is not easy to trace more than two generations back, although the right of his grandfather, Sir Richard Windebank, to bear arms is listed in several of the heralds' rolls of the period.[2] Sir Richard's wife, Margaret, appears to have been of Welsh or Marcher stock, and her father, Griffith ap Henry, probably followed the Tudors eastward in the late fifteenth or early sixteenth centuries.[3] Ap Henry served in the English garrison at Calais, and since there was a John Windebank listed among the inhabitants of Guisnes in 1501 it is likely that this geographical proximity led to a marriage between their children.[4]

Richard Windebank followed a soldier's career under Henry VIII, Edward VI and Mary, and served for more than twenty years in the English garrisons at Calais, Guisnes and Boulogne. In 1533 he was listed as one of the twenty-two spears in the garrison at Calais, mostly young men of good family, at the beginning of their careers, accompanied by one or two followers.[5] In 1544 he was knighted,[6] probably when the King was in France during the summer campaign, and by 1547 he had been appointed one of the council at Boulogne,[7] serving there as Chief Porter and Knight Marshal.[8] Further advancement followed, for after the loss of Boulogne in 1550 he became Deputy at Guisnes.[9] He then moved back to Calais and in April 1554 Lord Wentworth, in recommending Sir Richard's appointment as Knight Porter of Calais, described him to the Queen as an old servant of her father, "who had very honestly and painfully served in the wars, and is both sage and discreet in peace."[10] He was fortunate enough to retire from active service before the loss of Calais, and was rewarded in 1556 by an annuity of

a hundred marks for life, "in respect of his age and long service."[11] He did not live long to enjoy his retirement, however, dying at Poplar, Middlesex, less than two years later in 1558.[12] Although he had held a succession of responsible posts, he remained away from the centre of government and thus lacked opportunities for securing advantageous grants of land and money.

Service in the English garrisons in France was also a significant factor in determining the arrangement of marriages in the next generation, since Sir Richard came into contact there with a number of men from older-established and wealthier families than his own, and these associations helped to secure advantageous marriages for two of his children. The total size of his family is unknown, but he had at least one daughter, Jane, and two sons, Richard and Thomas.[13] Among the spears serving with Richard Windebank at Calais in 1553 was Sir Henry Palmer, whose ancestors had been settled in Sussex since the fourteenth century.[14] He held a number of posts at Guisnes in the 1530's including those of Master of the Ordnance and Treasurer, and in 1547 was again serving with Sir Richard on the Council at Boulogne.[15] He had estates said to be worth £1500 p. a. around Calais and Guisnes and then acquired monastic lands at Wingham in Kent, to which he retired after the capture of Calais in 1558.[16] Some time before 1540 he married Sir Richard's daughter, Jane. The Palmers were still living in prosperity at Wingham in the seventeenth century, and in 1623 one of the great-granddaughters of Jane Windebank, Anne Brett (née Meredith), married Sir Francis Cottington, the friend and close political associate of Sir Richard's grandson, Sir Francis Windebank.[17] Another of Jane Windebank's great-granddaughters, Lady Cottington's sister, Jane, wife of Sir Peter Wyche, was also happy to remind Sir Francis Windebank of their kinship when congratulating him on his appointment as Secretary of State and recommending her husband to his protection.[18]

Also serving with Sir Richard Windebank in 1547 on the council at Boulogne was Edward Dymoke, whose family, the Dymokes of Scrivelsby, had long been established in Lincolnshire and had provided the hereditary

champions of England since the fourteenth century. Edward had succeeded his father in 1544 and was champion to Edward VI, Mary and Elizabeth.[19] He was one of the largest landowners in Lincolnshire, rivalling the Earl of Lincoln, and his will lists manors and other lands in nineteen parishes in Lincolnshire as well as an estate in Oxfordshire.[20] In 1566 his fourth daughter, Frances, married Sir Richard's son, Thomas, and it is probable that this marriage was founded not only on their fathers' association, but also on the proximity of their lands, since some of Sir Richard's leasehold property lay in Lincolnshire.[21] The marriage may have marked a social advancement for Thomas Windebank but it does not appear to have been a happy one. His wife did not enjoy living either in Berkshire or in London, and by 1596 she was complaining bitterly of her husband's neglect and appealed to Sir Robert Cecil for help and arbitration.[22] Although there seems to have been a temporary improvement in their relations there was still serious friction within the family four years later, and Lady Windebank eventually returned to Lincolnshire where she died in 1613, six years after her husband.[23]

Thomas Windebank's career seems to have been little affected by the influence of either his father or his wife's relations, and he owed his advancement almost entirely to the Cecils, another Lincolnshire land-owning family who had arrived in the county far more recently than the Dymokes, but who wielded immeasurably greater political patronage. The means by which Thomas Windebank rose were the same as those by which the fortunes of many families were enhanced in the late sixteenth and early seventeenth centuries: attachment to a powerful patron and the acquisition of office in the central administration. Appointments to office were controlled by a relatively small group at the centre, themselves often holding high office and seeking to strengthen their position by the creation of a circle of dependants in lesser offices. Once appointed, these dependants in turn frequently increased their status so that they were able either to exercise patronage on their own account or to secure the extension of their patron's assistance to other members of their family.[24]

The first tangible result of Cecil's interest in Thomas Windebank of which a record has survived was his appointment for life as one of the ten prebendaries of Worcester Cathedral in 1559.[25] He then entered Sir William Cecil's service as a secretary and in May 1561, principally on account of his reliability and his knowledge of French and Italian, was sent abroad to accompany Cecil's eldest son, Thomas, on the Grand Tour.[26]

The task of a travelling tutor was often an unenviable one, but Thomas Windebank was perhaps unusually unfortunate in his charge. By the time young Cecil was nineteen it was clear that he was not inclined to study, and his father confessed defeat; "I mean not to have him scholarly learned but civilly trained", he wrote to the English Ambassador in Paris.[27] Thomas Windebank's task, aided by Cecil's written exhortations, was to supervise this training.

The saga of the struggle is recorded in Windebank's frequent reports to his patron, and in Cecil's sorrowful replies.[28] During the first year in Paris Thomas Cecil reluctantly submitted to the usual programme of dancing, riding and music lessons, reading with tutors, French conversation and Latin studies.[29] He put the least possible energy into these activities, and applied himself with enthusiasm to extravagant spending and a scandalous love affair.[30] In the early summer of 1562 Windebank removed him from France, and the ensuing five months were spent in travelling through the Netherlands and Germany.[31]

Windebank did not enjoy the experience. As early as January 1562 he was hopefully suggesting that it was time to return to England, while by December, at the end of his endurance, he was sending weekly letters to Sir William asking for his own recall and for the appointment of a replacement tutor.[32] Even the risk of offending his patron and damaging his own career was apparently preferable to continued association with Thomas. At the end of 1562, however, Cecil's younger son, William, died, and Thomas and his tutor were allowed to return to England early in 1563.[33]

Soon after his return to England in 1563 Thomas Windebank left Sir

William's service but remained in friendly correspondence with him and continued under Cecil's patronage in his next appointment as Clerk of the Signet, until Cecil, by then Lord Burghley, ceased to be Secretary in 1572.[34] Windebank then corresponded frequently with Sir Francis Walsingham on Signet Office business during Walsingham's tenure of the Secretaryship between 1573 and 1590, and the tone of his letters is often friendly and familiar.[35]

In the ordinary course of their duties the Signet Clerks always had some opportunities of contact with the monarch during their periods of attendance at court, but it was only in unusual circumstances that these contacts could become frequent and that a Clerk of the Signet could become involved in a considerable amount of political activity as a consequence of acting as the Secretary's deputy. These circumstances arose in Thomas Windebank's case during the last twelve years of the sixteenth century. By this time he had considerable experience and had become skilled under exacting taskmasters in administrative routine, not only in the Signet Office but also for a brief period as Clerk of the Council.[36] In Walsingham's later years Thomas Windebank increasingly took the Secretary's place in the time-consuming business of attendance upon the Queen in order to secure her signature to documents or her consent to courses of action still under consideration. Fickle and wilful, and increasingly prone to indecision, Elizabeth would prevaricate and procrastinate, frequently refusing to sign bills, letters and warrants to which she had already agreed in principle. Much depended upon her mood, and Windebank's reports to Walsingham record a long series of unpredictable successes and failures.[37]

From the dates of his letters it can be seen that his presence at court was no longer restricted to his three months' annual attendance as Clerk of the Signet and that his attendance upon the Queen was by now more or less continuous. His de facto position was recognised by one of Elizabeth's Italian petitioners, who addressed him in April 1590 as "uno delli Secretarii di sua Ma^{ta}."[38] It was indeed as the Queen's private secretary that Windebank acted for the next six years, for after Walsingham's death in

1590 no Secretary of State replaced him until Sir Robert Cecil was appointed in July 1596.[39] The delay was largely the result of the political manoeuvrings for nomination to this influential office between Burghley and Essex, and Burghley succeeded in retaining control by exercising many of its powers himself with the assistance of his son, Thomas Windebank, and others of his secretariat.[40]

The three-cornered correspondence conducted between Lord Burghley, Sir Robert Cecil and Thomas Windebank during this period dealt with almost every aspect of government including finance, foreign policy, the appointment of ambassadors and officers of state and a wide variety of domestic issues.[41] Even after Sir Robert Cecil's appointment as Secretary of State in July 1596, Thomas Windebank continued to play the same rôle in relation to the Queen. By this time Sir Robert was outspoken to Windebank in his comments on current problems and events.[42] Their relationship was not confined to business, for at the end of July 1604 Cecil stayed at Haines Hill on his way back to London from a visit to Bath.[43]

Although Windebank still continued to occupy the humble post of Clerk of the Signet, his duties and influence exceeded those that were normally exercised by holders of that office. Like many of Elizabeth's servants he received no elevation in title until after her death, and when he was knighted he was among the hundreds who were dubbed in the garden at Whitehall before the King's coronation on 23 July 1603.[44] The most tangible reward in social terms for his labours in office, and one of the consequences of the Cecil patronage, was his accumulation of an estate, which coincided very closely with his enhanced duties from the late 1580's onwards.[45] From the size of this estate and the amount of capital that Sir Thomas Windebank accumulated in the later years of his career as Clerk of the Signet, it is clear that for him the profits associated with office were not inconsiderable. The surviving evidence is very fragmentary and does not permit of any estimate of his income, but there are occasional indications of its sources and of the ways in which he was investing his capital.

His official emoluments as a Clerk of the Signet, like most of the

official emoluments in the sixteenth and seventeenth centuries, did not permit of much capital accumulation. Signet Clerks received no salary and were dependent for most of their remuneration on their share of the fees charged at the Signet Office for bills passing the signet. It is likely that Sir Thomas Windebank's income from this source was rather under £200 p.a. in the early seventeenth century, though he made every effort to increase it.[46]

In the later part of Elizabeth's reign, steps were taken to ensure that the Signet Office was not bypassed in the case of bills passing the Great Seal by immediate warrant sent direct to the Chancellor. Chancery clerks and others were instructed to register leases and other grants at the Signet Office before they passed the Great Seal. As far as the Queen and the House of Commons were concerned, this was a question of the rôle of the Signet Office as an office of record, largely a matter of convenience for the Queen and a check on the actions of the sovereign for the Commons. As far as Thomas Windebank and the other Clerks of the Signet were concerned, it was a much more pressing question of loss of fees, and Windebank exercised constant vigilance over the tendency of other departments to defraud the Clerks of the Signet of their just dues. Thus he secured an order from the Queen that the Clerks of the Signet and Privy Seal should have the same fees for presentations and promotions granted by the Lord Chancellor and Lord Keeper as if they had passed under her own hand, and that the fees for licences to sell wines should be restored to the Clerks of the Signet.[47] In June 1592 he and Thomas Lake, another Clerk of the Signet, were still trying to ensure that grants of benefices by the Lord Keeper did not deprive them of fees.[48] In 1596 Windebank and Lake renewed the attack on the practices of the Chancery Clerks, this time over grants of custodies of lands, "in order that the fees of the signet, wherein the secretary has the fifth part, may not be defrauded".[49] In the same year Windebank also turned his attention to the nefarious practices of the Clerks of the Pipe in dividing leases "so that being only of the value of 20 nobles, they can pass by the Exchequer seal only, and thus escape the charges of the signet and privy seal and the great seal."[50]

The relatively large numbers of bills passing the signet in the early seventeenth century may perhaps be partly accounted for by Thomas Windebank's implacable determination to safeguard his own income.[51]

As members of the Household, the Clerks of the Signet were also entitled to a diet, and in Thomas Windebank's time they seem to have shared a diet of six dishes of meat served at the Secretary's table.[52] Fees and diet, however, were only a small beginning, and the greater part of Thomas Windebank's income from office was undoubtedly derived from the unofficial gratuities that were paid to him for securing the passage of bills at the signet and for other services. Few records of these survive, but we find that in June 1604 he was given £20 by a grateful father for obtaining the King's signature to a presentation to a benefice for his son.[53] A much more substantial windfall had come in January 1591 when the Queen gave him £300, the fine paid for the lease in reversion of the deanery of Auckland granted to Lady Bridget Askew at Thomas Windebank's suit.[54] It was recognised by contemporaries that the Clerks of the Signet were well placed to secure favours from the monarch. Francis Gall, enumerating the relative advantages of a Clerkship of the Privy Seal and a Clerkship of the Signet, was definite on the point: "... the clerks of the Signet often obtain some suit of the Queen, the clerks of the Privy Seal seldom ..."[55]

Some indication of Windebank's financial dealings during 1604 can be found in his diary, and this gives an idea of the amount of capital that he was retaining in cash and lending out at interest, in addition to the much larger sums invested in property. Like many men in the early seventeenth century he was accustomed to keeping large sums of money in the house, and at Drury Lane on 13 July 1604 he recorded that there was £1,220 divided between himself, his servant, Henry Green, and his daughter Margaret, who seems to have undertaken the running of the household. In August he recorded total sums of £1,060 in the London house and £953 at Haines Hill, while by November there was a total of £2,310.[56] Lending out money at interest was another of Thomas Windebank's ways of investing his capital, and there are notes of £100 lent to Sir Robert Osborne in May 1604, and a

similar loan of £100 to Sir Ralph Gray in July. In August 1604 he recorded that the total value of the bonds on which money was owing to him was £1,996.[57]

The patronage of the Cecils and Windebank's service as private secretary to the Queen must have brought him many opportunities of this kind, and, constantly aware of the undesirability of missing chances of making money, he was pained at any enforced absence from court. In the latter part of the sixteenth century he seems to have been afflicted by a recurrent fever,[58] and by 1604 he had begun to suffer from the stone.[59] In May 1594 he wrote to Sir Robert Cecil about a burning fever that had lasted for a fortnight, and complained of the way in which his ill-health was affecting his income. He disarmingly asked for Cecil's influence in securing him "some meet thing" from the Queen, without his asking.[60] It was this willingness to ask for favours from his patron, combined with a careful attention to detail in money matters,[61] that enabled him to accumulate a considerable stock of capital from a relatively minor office. The money was not only used to purchase an estate, but also to provide his son, Francis, with the training that would fit him for office in his turn, and would prepare him to take his place in London and county society. The considerable expansion of university education in the late sixteenth and early seventeenth centuries resulted partly from the circumstance that many families like the Windebanks were sending a son to Oxford or Cambridge for the first time.[62]

Francis was sent to Oxford, conveniently close to Haines Hill, matriculating there at St. John's College on 18 May 1599,[63] and graduating B.A. on 26 January 1602.[64] The universities were a training ground for the public service in more senses than one, and Francis Windebank's years at St. John's led to his friendship with William Laud, nine years older than himself, a fellow of St. John's since 1593, and one of the patrons to whom Windebank was to owe his appointment as Secretary of State in 1632. Life at St. John's and friendship with Laud also helped to shape his religious views.[65]

Unlike Laud, Francis Windebank did not remain at St. John's but

returned to London and was admitted to the Middle Temple on 4 February 1603.[66] Increasing numbers of other young men were similarly spending time at one of the Inns of Court to study a little law, to attend plays and sermons, and to mix with the courtiers at nearby Whitehall.[67] Francis needed no introduction to London, since the Windebank town house was in Drury Lane, and he already had an entrée to Court by virtue of his father's position there. In 1604 Sir Thomas also enlisted his son's aid in some of the routine drafting work of the Signet Office.[68] Francis was not destined for a legal career and did not obtain any legal qualification. He remained in England for some eighteen months after being admitted to the Middle Temple, and then went to complete his education abroad.

A period of foreign travel was another ingredient in the recipe for training the sons of the gentry in the early seventeenth century, bringing with it the opportunity of acquiring foreign languages and some experience of foreign customs, society and politics.[69] By the time that Francis Windebank was old enough to benefit from the experience, Sir Thomas was prosperous enough to provide it for him and so from 1604 until early in 1608, Francis continued his formal education by travelling on the continent.

In one respect his education remained incomplete, for his travel did not include military training. His character in later life was not noticeably warlike, and his religious sympathies would hardly have encouraged him to fight for the Dutch against the Spaniards. The accession in 1603 of a pacific monarch and the conclusion of peace with Spain in 1604 suggested little immediate need for martial talent, and in these circumstances Sir Thomas Windebank may well have agreed with Burghley that "... it is a Science no longer in request than in use. Soldiers in Peace are like Chimneys in Summer."[70]

In August 1604 a licence was issued for Francis to travel for three years with one servant and two horses,[71] and on 6 September 1604, aged twenty-two, he left Haines Hill with a parting present from his father of £10 and Sir Thomas's own ambling horse.[72] Only a few of his letters have

survived, but they give some indication of his temperament, abilities and itinerary. Like most young Englishmen he first stayed in France. In May 1605 he was in Bourges, sending Sir Robert Cecil forceful and entertaining observations on French reactions to England's latest diplomatic moves.[73]

Francis's letters to his father were respectful, affectionate and informative, and were evidently also designed to demonstrate that Sir Thomas was getting a good return on his investment in his son. He seems to have had an aptitude for languages. Early in 1606 he was writing proficiently in French to suggest that it was now time to leave Paris to acquire another language and to avoid the dissolute English with whom he was thrown into contact.[74] He proposed two alternative programmes. The first was to move to Geneva and to spend the following summer there. The second, which he preferred, was to go to Germany for five or six months and then on into Switzerland or Poland. He would then take the more orthodox route into Italy, and go on via Naples to Spain, where he thought he might soon become "un passable Hespagnol". German and Spanish seemed to him to be the two most useful languages to acquire, in view of current English foreign policy, and he judged that six months in each country would give him a working knowledge of both.[75] When a decision had to be taken he usually proposed two alternatives, with the advantages and disadvantages of each. He would next indicate his own preference, with reasons, and formally submit himself to his father's judgement. These were early examples of the habit of mind that later made him a useful Secretary of State.

The next surviving letter was directed from Lucca in July 1607, by which time Francis was writing fluently in Italian and was asking permission to move on into Spain.[76] There is no record of his stay there, but Spanish was another language that he used frequently in his later career.[77] His visit could not have lasted long, however, for Sir Thomas Windebank died in October 1607, and Francis, then aged twenty-five and with his initial training completed, returned to England early in 1608 to enter into his inheritance and to take up his labours in the Signet Office.[78]

In June 1608 he married Edith Jackson, who came of an Essex family,[79] and although very little evidence survives, there is nothing to suggest that it was either socially or financially advantageous to him. He may have chosen his own wife, consulting his personal inclinations rather than economic and social self-interest. Edith Windebank proceeded to give birth to a large family that would have been a burden on a wealthy, aristocratic estate many times larger than Francis Windebank's relatively modest patrimony. Laud referred to their "many sons",[80] but their daughters were even more numerous. There were at least eleven children of the marriage, and nine of them survived to maturity.[81]

Francis Windebank's sisters do not seem to have made prosperous alliances either. Whether as a result of Sir Thomas's recent arrival in Berkshire or for some other reason, the upward social mobility that was signified by his acquisition of a landed estate and the provision of an aristocratic education for his son was not paralleled by impressive marriages for his children. The two eldest daughters, Anne and Mildred, married brothers, Henry and Robert Reade of Faccombe, a small village in north Hampshire, about thirty miles from Sir Thomas's newly acquired country house at Haines Hill.[82] They were the sons of Andrew Reade, who had recently moved into the area and had reunited by purchase the three parts of the manor of Faccombe split up by a divided inheritance a century before.[83] The Reades probably originated in Gloucester, but do not appear to have been of any considerable standing in the county, and their descendants were among the many new families who moved into Wiltshire and Hampshire in the late sixteenth century.[84] Anne married Henry in 1592, and they lived at Haines Hill for a time after their marriage. Henry Reade did not inherit the manor of Faccombe from his father until 1623, and Anne died a year later in 1624.[85]

Mildred's marriage to Henry's younger brother, Robert Reade of Linkenholt, Hampshire, a neighbouring manor to Faccombe,[86] was even less prosperous. She was Robert's second wife, and when he died in 1626 she was left with four children of her own as well as three children by his

previous marriage. The estate was burdened with debt at the time of his death, and under the provisions of his will and a trust set up in December 1626, she continued to live at Linkenholt until her own death in 1630, when the manor was sold to provide portions for his children. Her younger son, Robert, who became Sir Francis Windebank's secretary, was speaking no more than the truth when he claimed to be a poor man who had his own way to make in the world.[87]

Of Sir Thomas Windebank's two younger daughters, Ellen married Richard Denton in 1612,[88] and Margaret Windebank was a spinster of twenty-three at the time of her father's death in 1607. Under the terms of his will she inherited £800 and a house in the parish of St. Martin-in-the-Fields, and this may have improved her prospects, for she then married John Grymesdyche, an office-holder in the Royal Wardrobe, with an estate at Knottingley, Yorkshire.[89]

Even before his appointment as Secretary of State in 1632, Francis Windebank had begun to provide his sons with a similar education to his own in preparation for careers in the public service. Thomas, the eldest, matriculated from the same college as his father in November 1629, at the age of seventeen, and left St. John's, probably in 1632, without taking a degree.[90] Francis, the second surviving son, was not sent to university, but Christopher took up residence at Oxford in 1630, at the age of fifteen. He was a demy of Magdalen College for five years, when he in his turn left without graduating. It had become clear by 1632 that he was reluctant to apply himself to his studies, and in 1635 he was suddenly removed and sent to Spain.[91] Sir Francis, in spite of his Arminian sympathies, was almost Puritan in his insistence on the value of hard work and held strong views on filial duty.[92]

In 1630, Laud's influence secured a scholarship for John Windebank at Winchester,[93] and four years later Sir Francis obtained the King's recommendation for his youngest son's election to the next vacant scholarship at New College, Oxford. Not surprisingly, this was enough to put him at the top of the waiting list, giving him precedence even over the Bishop of

Winchester's nephew.[94] A sudden vacancy in September 1634 enabled John to go up to Oxford almost immediately, and the Warden of New College, Dr. Robert Pinck, writing to Sir Francis a few weeks later, was clearly relieved to find that the royal nominee was likely to prove an asset rather than a liability:

> "Your son hath been now a few weeks scholar probationer of our College, and a very happy exchange we have in him: a rose for a nettle .... Of a quick and nimble spirit he is, but withal seems to be no less of a meek disposition, pliable to receive all good impressions and forms of instruction."

His cousin Thomas Reade, a fellow of New College since 1626, and described by Dr. Pinck as "very able certainly, and to spare", was appointed as one of his tutors, and the Warden promised Sir Francis to have "a watchful eye ... over them both, tutor and all."[95] He seems to have made good use of his time at New College for he graduated B.A. on 5 April 1638, M.A. on 22 January 1642, and held a fellowship there from 1636 until 1643.[96]

The names of Thomas and Francis Windebank are also recorded on the Lincoln's Inn admission register for March 1633,[97] but since Thomas Windebank had already left England by January 1633 and did not return until June 1637, and Francis had entered Wentworth's service in Ireland by November 1633, it seems likely that their admission was no more than a formality.[98] The choice of Lincoln's Inn is surprising, for it was the most Puritan of the Inns of Court,[99] but the selection is probably sufficiently explained by the identity of their sponsor, John Harrison, a reader at Lincoln's Inn and a kinsman of Sir Richard Harrison, Sir Francis's neighbour at Haines Hill.[100]

Sir Francis made good use of his diplomatic contacts on behalf of his three elder sons by arranging for them to stay in the households of various English Ambassadors abroad, or to travel in their company. The tour followed by Thomas, the eldest son, was the most extensive, lasting over four years and covering the Netherlands, France, Spain and Italy. Early in 1633 he accompanied Arundel to the Hague on his mission of condolence to

Elizabeth of Bohemia,[101] and then went to France, staying at Orleans until the summer of 1634, learning French, entertaining his friends "en Prince", and writing home to his cousin, Robin Reade, for supplies of perfumed gloves.[102] In the autumn he moved on to Spain, where he struck up a close friendship with Arthur Hopton, the English Agent, and "learnt Spanish strangely fast."[103] In the following spring, he moved on to Italy, visiting many cities including Rome, Naples, Florence and Venice, where he stayed in Feilding's household while suffering from a recurrent fever, returning to England in June 1637.[104] Meanwhile Francis Windebank had travelled with the Earl of Arundel on his mission to the Emperor in 1636, in the company of Arundel's son, William, and had then joined his elder brother in Italy for the final stages of Thomas's tour.[105] Christopher went with Lord Aston to Spain in October 1635,[106] where he stayed in the Ambassador's house in Madrid, "much made of, till, according to the custom of his family, he fell in love with a woman."[107] Contracting a clandestine marriage with a Spanish girl of good family, he aroused Sir Francis's patriarchal wrath, and was forced by his father to abandon his wife and child, and leave for Italy, where he continued his studies until 1639. He then moved to France, remaining in exile until he was joined by his father in 1640.[108]

Although none of the other marriages of Sir Francis's children proved as disastrous as Christopher's, it appears that for the second generation in succession the status of the Windebank family was not enhanced by aristocratic or wealthy alliances. The size of Sir Francis's family, taken in conjunction with his twenty years' service as a Clerk of the Signet, without advancement and with a relatively low income, militated against his chances of providing the tempting financial inducements that would have attracted eligible brides and grooms for his children.[109]

His eldest daughter, Margaret, formed the most successful alliance in financial if not social terms when she married Thomas Turner of Heckfield, Hampshire, son of a mayor of Reading.[110] Sixteen or seventeen years older than his bride, he had, like Sir Francis, graduated from St. John's College, Oxford, and was also a protégé of William Laud.

Through Laud's influence he secured a series of preferments, becoming first Laud's own chaplain, then in 1629 Chancellor of London and Chaplain in Ordinary to the King, while his income was augmented by the acquisition of a series of livings and prebends. In 1641 he became Dean of Rochester, and in 1643 Dean of Canterbury, though he did not take up this appointment until after the Restoration.[111] Heylyn cited Turner's marriage and preferment as a convenient antidote to the hostility aroused by Laud's declaration in 1631 that he would promote single rather than married men.[112] Their three sons also achieved the most successful careers of any of Sir Francis's grandchildren. Francis, the eldest, became Master of St. John's College, Cambridge, in 1670, and Bishop of Ely from 1684-90. Thomas Turner was the prosperous and generous President of Corpus Christi College, Oxford, from 1688 until his death in 1714, while William, the youngest, became Archdeacon of Durham.[113]

Thomas Windebank, after cautiously and unsuccessfully courting the eldest daughter of Sir John Lambe, Dean of the Arches and another of Laud's nominees in office,[114] was recommended by the King as an eligible match for the only daughter and heiress of George Kensham, of Tempsford, Bedfordshire. The prospective bride was thirteen years old, exactly half Thomas's age, and the marriage did not take place.[115] He eventually married Anne Grymes, from Suffolk, who produced a son, Francis, to inherit his father's baronetcy, which nevertheless died out in the next generation for want of male heirs.[116]

Francis Windebank, prevented by Wentworth from making a similar mistake to Christopher's,[117] later married and had a daughter, Frances, who became the wife of Sir Edward Hales, titular Earl of Tenterden, and the central figure in the test case in 1686 over James II's use of the dispensing power.[118] The marriage of Sir Francis's youngest son, John, to Susan, daughter of John Holloway, public notary of Oxford, was chiefly remarkable, like his father's, for its fertility, since he had at least nine children.[119] Of Sir Francis's younger daughters, Jane died in 1619, the fate of Edith and Anne remains uncertain, and two daughters became nuns in Paris after their

father's exile.[120]

Sir Francis's flight to France in 1640 and the outbreak of the Civil War either ended or severely damaged the careers of his four sons and two Reade nephews. Sir Francis used his powers of patronage to secure posts and reversions for his own and his sister's sons, and, in the case of Clerkships of the Signet, was evidently planning to maintain something approaching the heredity of office described by Trevor-Roper.[121] In 1627 he secured the appointment of his eldest son, Thomas, as Gentleman of the Privy Chamber to Charles I, while in 1633 Thomas succeeded to the reversion of the Clerkship of the Signet held in trust for him by his cousin, Robin Reade, since 1631. After the Restoration he did not establish his claim to exercise the office, which was taken over by Sidney Bere when Thomas had been summoned several times in vain to take up his duties. There is no indication of the nature of Thomas's later career, though he was created a baronet in 1645.[122] There is little trace, either, of his son, Sir Francis Windebank, who may have returned to the earlier Windebank tradition of military service, since he was described as "of the Tower of London" on his marriage licence in 1686.[123]

Francis Windebank, Sir Francis's second surviving son, entered Wentworth's service in Ireland in 1633, being sent back to his father in 1635 because of his entanglement with Sir Beverly Newcomen's daughter. In 1638 he was appointed Usher of the Privy Chamber to Prince Charles, and became a major in Colonel Charles Gerard's Regiment, the Bluecoats, during the Civil War, distinguishing himself in the engagements at Cirencester and Cheriton.[124] His career ended tragically in 1645 when he was court-martialled and shot after surrendering Bletchingdon House, near Oxford, to Cromwell at the first summons, having, according to Heath, been persuaded by the alarm of his young wife and other ladies who were visiting the house.[125] There is no indication of Christopher's occupation until 1649-50, when he was acting as assistant and interpreter in Madrid to the embassy of Sir Francis Cottington and Sir Edward Hyde from Charles II to the King of Spain. No further traces of him appear, although he is said to

have died in poverty in Spain.[126]

John Windebank achieved the most satisfactory career of Sir Francis's sons, though not as an office-holder. In May 1645 he was appointed Gentleman Usher of the Privy Chamber to Prince Charles on the death of his brother Francis, and served Charles II in France, being sent back to England "on the reduction of his family". After the Restoration, however, he lost the post, because Sir Edward Nicholas, who had succeeded John's father as Secretary of State, "delayed till the places were filled up." He had already completed his medical training abroad during the Interregnum, however, and after 1660 had a long career as a doctor in Guildford and London, becoming a sub-commissioner of Excise for Surrey and an Honorary Fellow of the College of Physicians.[127] He still frequented the Court and was a close friend of Dr. Waldegrave, who attended the Queen at the birth of the Prince of Wales in 1688. He also kept in touch with Francis Turner, Bishop of Ely, one of his successful nephews.[128]

Robin Reade, Sir Francis's secretary, was less fortunate. Having secured in December 1637 a reversion to one of the four Tellerships of the Exchequer, he was hoping in December 1641 for a post as Clerk of the Council to replace Edward Nicholas. Failing to secure this, he also failed to take up his reversion to a Clerkship of the Signet after the Restoration. Declared by Sidney Bere, an interested party, to be "now Romish and beyond seas", he apparently never reappeared as a claimant for office.[129] His brother, Thomas, who had been appointed Latin Secretary for life in 1619, served under Sir John Byron in the Civil War, was appointed Principal of Magdalen Hall in 1643 but was deposed in 1646 when Oxford surrendered. He went to Paris, and then entered Douay College, later moving to the Carthusian monastery at Nieuport. After the Restoration he returned to England, and was appointed Surrogate to Sir William Mayrick, judge of the Prerogative Court of Canterbury, but died in poverty in 1669.[130] The most notable descendant of Sir Francis's eldest sister, Mildred Reade, was George Washington, who traced his ancestry back to George Reade, younger brother of Thomas and Robin, who went to America and there married a

French Protestant refugee.[131]

By the tests of office-holding and marriage, therefore, the Windebank family, with few exceptions, did not succeed in maintaining the upward social mobility that was begun in the late sixteenth century by Sir Thomas Windebank and continued by Sir Francis. In these respects, as in landowning, the Windebanks emerged briefly for about half a century from relative obscurity only to disappear once more, mainly as casualities of the Civil War and Sir Francis's loss of office.

Notes to Introduction Part I: The Windebank Family

1 B. L., Harl. MS. 1,551, f. 87; Register of St. Martin-in-the-Fields, Harl. Soc. (1898), p. 15. Both the exact date and place of his birth are uncertain. Lysons, Magna Britannia I, p. 301, says that he was born at his father's house at Haines Hill, Berkshire, but this seems to be a misreading of Wood, Fasti I, p. 290. Bodl. L., Rawlinson MS. B224, f. 40, Memorials of Sir Francis Windebank, Secretary of State, gives his birthplace as London but records his date of birth as "about the year 1587". See Appendix A for genealogical tables of the Windebank family.

2 B. L., Harl. MS. 5,846, f. 112; Stowe MS. 692, f. 94.

3 B. L., Harl. MS. 1,551, f. 87. There were still a number of ap Henrys listed as tenants of manors in Carmarthenshire and Herefordshire in 1553. Cal. Close Rolls, Edward VI, V, 1547-1553, p. 209; Cal. Patent Rolls, Edward VI, V, 1547-1553, p. 76. The Cecil family had made the same journey, and this may help to account for the Cecil patronage of Thomas Windebank in the later sixteenth century.

4 B. L., Harl. MS. 5,846, f. 4; Stowe MS. 692, f. 9; Cal. Close Rolls, Henry VII, II, 1500-1509, p. 9. Guisnes, about ten kilometres south of Calais, had been the chief English outpost in the Marches of Calais since 1436. R. Allen Brown, H. M. Colvin and A. J. Taylor, The History of the King's Works (1963), p. 452.

5 B. L., Cotton MS., Faustina E. VII, f. 83. Muster-roll of the Garrison of Calais.

6 B. L., Harl. MS. 1,551, f. 87; W. A. Shaw, The Knights of England II (1906), p. 56.

7 C. S. P. Foreign, 1547-1553, p. 294. Lord Grey and the Council at Boulogne to the Council, 4 February 1547.

8. Acts of the Privy Council, 1547-1550, p. 519; B. L., Harl. MS. 5,846, f. 112; Stowe MS. 692, f. 94.

9 B. L., Cotton MS. Titus B 2, f. 198. Officers of Guisnes to Queen Mary, 25 July [1553]; John Strype, Ecclesiastical Memorials III i (1882), p. 22.

10 C. S. P. Foreign, 1553-1558, p. 70. Lord Wentworth to Queen Mary, 5 April 1554.

11 Acts of the Privy Council, 1554-1556, Appendix p. 383.

12 P. R. O., PROB 11/40/37. Will of Sir Richard Windebank, dated 8 August 1558, proved 19 August 1558.

13 B. L., Harl. MS. 1,551, f. 87; Roger Jenyns, Pedigree of the Palmers of Sussex, 1672 (1867), Appendix, genealogical table.

14 B. L., Cotton MS. Faustina E VII, f. 83; Edward Hasted, History of Kent (1800) IX, pp. 234-5.

15 Jenyns, op. cit., p. 6; D. N. B., XV, p. 161; C. S. P. Foreign, 1547-1553, p. 294. Lord Grey and Council at Boulogne to the Council, 4 February 1547.

16 Jenyns, op. cit., p. 6; Hasted, op. cit., p. 235; D. N. B. XV, p. 161.

17 Jenyns, op. cit., p. 13 and Appendix, genealogical table. Anne was twenty-two years younger than her husband. M. J. Havran, Caroline Courtier (1973), pp. 69, 122; Hasted, op. cit., p. 235.

18 Jenyns, op. cit., p. 13; P. R. O., SP 16/236/26, Jane, Lady Wyche to Windebank, 6 April 1633. From Constantinople she wrote, significantly, "He has been ambassador for five years in this place."

19 C. S. P. Foreign, 1547-1553, p. 294. Lord Grey and Council at Boulogne to the Council, 4 February 1547; A. R. Maddison (ed.), Lincolnshire Pedigrees, Harl. Soc. (1906), IV, pp. 1202-5; Lincolnshire Wills, 2nd ser. 1600-1617 (1891), p. xxii; Samuel Lodge, Scrivelsby (1893); D. N. B., VI, pp. 294-5.

20 P. R. O., PROB 11/49/217-8. Will of Sir Edward Dymoke, dated 8 June 1566, proved 30 October 1567; Lincolnshire Wills, p. xxxxv; Lodge, op. cit., p. 78.

21 B. L., Harl. MS. 1,551, f. 87; Lincolnshire Pedigrees, p. 1205; Lodge, op. cit., pp. 71, 162. They were married at Scrivelsby on 20 August 1566. For Sir Richard Windebank's lands see Introduction, Part II, p.30. There seems to have been a strong Lincolnshire contingent among the English officers in France. Edward Clinton, Earl of Lincoln, was Governor of Boulogne from 1547 until its surrender in 1550. C. S. P. Foreign 1547-1553, p. 354; D. N. B. IV, p. 548.

22 HMC 9: Salisbury (Cecil) VI: p. 400, Mrs. Windebank to Sir Robert Cecil [26 September 1595]; Ibid., pp. 418-9, Thomas Fowler to Sir Robert Cecil, 4 October 1596.

23 P. R. O., SP 12/275/3, Lady Windebank to her husband, 2 June 1600; Lincolnshire Wills, 2nd. ser., 1600-1617, p. 86.

24 G. E. Aylmer, 'Office-holding as a factor in English history, 1625-42'. History, 44 (1959), pp. 228-240; The King's Servants (1961), pp. 69-96; H. R. Trevor Roper, The Gentry, 1540-1640, Econ. Hist. Rev. Supplement I, pp. 10-12; J. Hurstfield, 'Political Corruption in Modern England: the historian's problem'. History, 52 (1967), pp. 16-34; 'Office-holding and government mainly in England and France', in Freedom, Corruption and Government in Elizabethan England (1973), pp. 303-5, 314-316, 320-1.

25 Le Neve, Fasti, III, pp. 45, 82.

26 P.R.O., SP 70/26/60, Sir William Cecil to Sir Nicholas Throgmorton, 8 May 1561; HMC 9: Salisbury (Cecil) V, p. 69; C.S.P.D. 1547-80, p. 176. Thomas was later Marquis of Exeter.

27 P.R.O., SP 70/26/60, Cecil to Throgmorton, 8 May 1561.

28 There are numerous letters from Thomas Windebank to Cecil in C.S.P. Foreign, 1561-2 and C.S.P.D. 1547-1580. A brief account of the tour is given in Conyers Read, Mr. Secretary Cecil and Queen Elizabeth (1955), pp. 212-7.

29 C.S.P. Foreign 1561-2, p. 396, Thomas Windebank to Cecil, 12 November 1561.

30 P.R.O., SP 12/22/49, Cecil to Thomas Windebank, April 1562.

31 C.S.P.D. 1547-1580, pp. 201, 205, Thomas Windebank to Cecil, 9, 27 August, 2 September 1562.

32 Ibid., pp. 193, 213, 214, Same to the same, 19 January, 13, 20, 28 December 1562; C.S.P. Foreign 1562, p. 604. Windebank seemed to like Germany little more than he liked Thomas Cecil: "For qualities commonly commended in gentlemen, Germany is not the place to obtain them."

33 C.S.P.D. 1547-1580, p. 213, Cecil to Thomas Windebank, 15 December 1562; C.S.P. Foreign 1563, pp. 37-8, Henry Knollys to Cecil, 12 January 1563. By this time Knollys, who was the alternative tutor proposed by Windebank, had added his voice to the chorus and was proposing that "they take their journey together with speed towards their natural land."

34 Egerton Papers, Camden Soc. (1840), p. 134; Goodman, Court of James I, I, p. 175, "... so Sir Thomas Windebank, who was another clerk of the signet, did belong, as I do take it, to Secretary William Cecil, so that it was usual for them to be bred up in that manner, and therefore could be no disparagement unto him."

35 P.R.O., SP 12/219/31, Thomas Windebank to Walsingham, 17 December 1588; 224/32, Same to the same, 11 May 1589; 230/20, Same to the same, 21 January 1590. See also C.S.P.D. 1547-80, pp. 500, 565-6.

36 A.P.C. 1586-7, p. 288.

37 See, for example, C.S.P.D., 1581-90, pp. 565-6, 593, 600, 653.

38 C.S.P.D. 1581-90, p. 658, Andreas de Loo to Thomas Windebank, 6 April 1590. He is also referred to as "Secretary Windebank" in Walter B. Devereux, Lives and Letters of the Devereux, Earls of Essex, 1540-1646 (1853), I, p. 489.

39 P.R.O., Lists and Indexes XLIII, Home Office, Introduction.

40 P.R.O., SP 12/233/109, Thomas Windebank to Burghley, 22 October 1590; P.M. Handover, The Second Cecil (1959), pp. 72-3, where Burghley's foresight in selecting Windebank for this appointment is recognised. Conyers Read, Lord Burghley and Queen Elizabeth (1960), p. 466.

41 See, for example, B.L., Harl. MS. 6,995, arts. 31, 39, 47, 49, Thomas Windebank to Burghley, 19 May, 8 November 1590, 20, 23 February 1591; C.S.P.D. 1591-4, p. 443, Thomas Windebank to Cecil, 29 February 1594.

42 P.R.O., SP 12/266/36, Cecil to Thomas Windebank, January? 1598; SP 12/274/49 and C.S.P.D. 1598-1601, p. 397, Cecil to Thomas Windebank, 26 February 1600, is a long, humorous letter which conveys an excellent impression of the relationship between the two men.

43 Bodl. L., Ashmolean MS. 64, f.31, Diary of Sir Thomas Windebank.

44 Shaw, Knights of England, II, p. 115; W C. Metcalfe, A Book of Knights (1885), p. 145; John Nichols, Progresses of James I, p. 205.

45 See Introduction, Part II, pp. 31-4.

46 Edward Chamberlayne, Angliae Notitia (1692), II, pt. ii, p. 6; Francis Peck, Desiderata Curiosa, I Liber ii, p. 8, records an annual fee of £5 to each of the four Clerks of the Signet, but this appears to be an error. HMC 53: Montagu: p. 58, Offices and Fees (1607).

47 P.R.O., SP 12/241/73, [The Queen to the Lord Keeper]. Draft by Thomas Windebank, February 1592.

48 P.R.O., SP 12/242/45, Thomas Windebank to Lake, 6 June 1592.

49 P.R.O., SP 12/261/83, Thomas Windebank and Lake to the Lord Treasurer, 1596?

50 P.R.O., SP 12/261/84, Remembrance for Mr. Secretary concerning the Clerks of the Signet, 1596?

51 P.R.O., SP 15/36/34, Signet Office accounts, May 1604, 169 bills; 36/61, September 1604, 78 bills; 37/42, May 1605, 104 bills; 37/52, July 1605, 102 bills; 38/8, March 1606, 57 bills. Evans, op. cit., p. 207, says that between July 1540 and November 1542 "there were seldom more than ten perpetuities in a month, whereas the number of warrants sometimes reached sixty or seventy, though the average was rather lower."

52 P.R.O., LS 13/169, p. 81, Lord Steward's Miscellaneous Book, 1629, "the Clarks of the Signett havinge had in the xlth yeare of Queene Elizab: and longe before a Diett of sixe Dishes of meate served to the boarde end of Mr. Secretarie ..."

53 Bodl. L., Ashmolean MS. 64, f.24. Thomas Windebank's Diary, 21 June 1604.

54 C. S. P. D. 1591-4, p. 8, Docquets, January 1591.

55 HMC 9: Salisbury (Cecil) VII: p. 419, Francis Gall to Sir Robert Cecil, 6 October 1597.

56 Bodl. L., Ashmolean MS. 64, ff. 26, 36, 40.

57 Ibid., ff. 23, 26, 38, 41.

58 P. R. O., SP 12/224/32, Thomas Windebank to Walsingham, 11 May 1589; HMC 9: Salisbury (Cecil) IV: p. 534, Thomas Windebank to Cecil, 20 May 1594; Ibid., VII, p. 284, Same to the same, 1 July 1597.

59 Bodl. L., Ashmolean MS. 64, f. 22, Thomas Windebank's Diary. "Satterday, the 19 of this May 1604 I began to take the water for the stone." ff. 27, 28, 38, 45, contain some alarming remedies for his illness, that on f. 38 beginning with "The left hynder hoofe of a barren pig ..."

60 HMC 9: Salisbury (Cecil) IV: p. 534, Thomas Windebank to Cecil, 20 May 1594.

61 It is perhaps significant that one of the charges levied against him by his wife was that he kept her short of money. "He hath left me without men or money but £10 to pay my doctor and poticary and keep house this month, and no clothes to put on me and will send me none." HMC 9: Salisbury (Cecil) VI: p. 400, Mrs. Windebank to Sir Robert Cecil [26 September 1596].

62 Mark H. Curtis, Oxford and Cambridge in Transition (1959), pp. 3-4; 'The Alienated Intellectuals of Early Stuart England', P. and P. 23 (1962), p. 32; L. Stone, 'The Educational Revolution in England, 1560-1640', P. and P. 28 (1964), pp. 47-51; Crisis of the Aristocracy, pp. 679, 689-90.

63 Bodl. L., Rawlinson MS. B 224, f. 40; J. Foster, Al. Oxon. (1892), IV, p. 1659, where his age is given as thirteen; A. Clark, Register of the University of Oxford (1887), II, ii, p. 234.

64 Foster, op. cit., p. 1659; Clark, op. cit., II, iii, p. 230.

65 Foster, op. cit., p. 885; Wood, Athenae Oxonienses, II, i, p. 290; and see Chapter I, pp. 56-7 , and Chapter VIII, p. 363.

66 John Hutchinson, Notable Middle Templars (1902), p. 263; Foster, op. cit., p. 1659.

67 Wilfred Prest, 'Legal Education of the Gentry at the Inns of Court, 1560-1640', P. and P. 38 (1967), pp. 20-39; L. Stone, 'The Educational Revolution in England, 1560-1640', P. and P. 28 (1964), p. 41; Crisis of the Aristocracy, p. 690.

68 Bodl. L., Ashmolean MS. 64, f. 27, Diary of Sir Thomas Windebank.

69 J. W. Stoye, English Travellers Abroad (1952), p. 66.

70 John Strype, Annals IV (1731), p. 341, Lord Burghley, Instructions to his son, Sir Robert Cecil, when young.

71 Bodl. L., Ashmolean MS. 64, f. 31, Sir Thomas Windebank's Diary, 18 August 1604. No restrictions were specified in the licence, so that unlike many of his contemporaries he was free to go to Spain or to Rome if he wished.

72 Ibid., ff. 30, 31, 20, 30 August, 6 September 1604.

73 HMC 9: Salisbury (Cecil) XVII: pp. 191-2, Francis Windebank to Viscount Cranbourne, 6 May 1605; P. R. O., SP 14/18/49, Same to the same, January? 1606.

74 P. R. O., SP 14/18/48, 56, Francis Windebank to Sir Thomas Windebank, 29 January/8 February, 31 January 1606. He was possibly referring to William Cecil, Lord Roos, grandson of the Earl of Exeter, his father's former charge, who arrived in Paris in the summer of 1605 and stayed there for more than a year, spending extravagantly. HMC 9: Salisbury (Cecil) XVII: p. 564; XVIII: pp. 117, 131, 157; Stoye, op. cit., pp. 45, 54. Francis was staying in the Faubourg St. Germain, near the house of the English Ambassador, Sir George Carew, and since most English visitors to Paris frequented the Ambassador's house, it was difficult to avoid contact with them except by leaving the city.

75 P. R. O., SP 14/18/56, Francis Windebank to Sir Thomas Windebank, 31 January 1606; 18/96, Same to the same, 16/26 February 1606. He referred to the more ambitious of the two schemes as "un si grand tour", and hoped that his father would allow him to stay abroad for another two years.

76 SP 14/28/27, Francis Windebank to Sir Thomas Windebank, 21/31 July 1607. He had also spent some time in Piacenza, SP 14/28/123, George Rooke to Francis Windebank, 24 December 1607. By this time his handwriting had changed. In his letters from France he was using a small, precise form of the Secretary hand, ornamented with sweeping flourishes. In Italy he was practising the elegant Italic hand that was by then a well-established fashion there. His adult writing combined some of the characteristic features of both styles.

77 Windebank's negotiations from 1633 onwards with the Spanish Agent, Necolalde, were conducted partly in Spanish. Bodl. L., Clarendon MS. 8, ff. 216-7; Clar. S. P. I, pp. 77-8, 118-120. Sir Francis's son, Christopher, habitually wrote to him in Spanish from 1637 onwards. P. R. O., SP 94/39/56, 77, 97, 107, 116, Christopher Windebank to Sir Francis Windebank, 7/17 March - 17/27 May 1637.

78 C. S. P. D. 1603-1610, p. 403, Francis Windebank to Andrews, 10 February 1608, and see Chapter I, pp. 48-52.

R. Scrope and T. Monkhouse (eds.), State Papers collected by Edward, Earl of Clarendon, commencing 1621, 3 vols. (1767-86).

79 'Weddings at St. Saviour's, Southwark', The Genealogist, N.S., 6 (1890), p. 153; Visitations of Surrey, 1662-8. Harl. Soc. (1910), p. 122. The Jackson family is mentioned neither in the Visitations of Essex nor in V. C. H., Essex, and is therefore presumably not one of the old landowning families of the county.

80 P.R.O., SP 16/169/72, William Laud to Edward Stanley, June 1630; Laud, Works, VII, p. 36.

81 See genealogical table, Appendix A.

82 B. L., Harl. MS. 1,551, f. 87.

83 V. C. H. Hants., IV, p. 316. He bought Faccombe Punchardon and Faccombe Knights in 1579 and paid £1,100 for Faccombe Sendy in 1583.

84 Wiltshire Visitation Pedigrees, 1623, Harl. Soc. (1953-4), pp. 160-1. Between 1565 and 1603 109 new names were added to the original 203 families of armigerous gentry in Wiltshire. V. C. H. Wilts., V, p. 122.

85 Register of St. Martin-in-the-Fields, 1550-1619 (1898), p. 78; V. C. H. Hants., IV, p. 316. Monument to Anne Reade in Faccombe Church. The manor passed to their eldest son, Francis Reade, when his father died in 1647.

86 They were married on 31 July 1600. Register of St. Martin-in-the-Fields, 1550-1619 (1898), p. 84. The manor of Linkenholt was part of the monastic property in Hampshire acquired by Thomas Wriothesley and was sold almost at once in 1545 to Richard Reade, probably because it was a small manor lying at some distance from the main estate. Hants. C.R.O., 5M53, Wriothesley Estate Documents. Summary, p. v.

87 P.R.O., SP 16/41/70, Will of Robert Reade of Linkenholt, dated 10 December 1626; SP 16/41/71, Deed of appointment of trust, 10 December 1626. The trustees were his brother-in-law, Francis Windebank, his brother, Henry Reade, and his cousin, Nicholas Blake; P.R.O., SP 16/172/70, Will of Mildred Reade, dated 15 August 1630; P.R.O., SP 16/480/64.

88 'Weddings at St. Saviour's, Southwark', The Genealogist, N.S. 7 (1891), p. 33; Reading Central Library, Hurst Parish Registers (copy). Baptisms, 1585-1607. She was baptised on 5 February 1593.

89 Margaret was baptised at St. Martin-in-the-Fields on 12 August 1584. Register of St. Martin-in-the-Fields, 1550-1619 (1898), p. 17; P.R.O., PROB 11/111/1, Will of Sir Thomas Windebank; C.S.P.D., Addenda 1625-49, p. 401, Report on the management of the Great Wardrobe, 1630; C.S.P.D., 1631-3, pp. 484-5, Report of [John Grymesdych] on the state of the Wardrobe accounts [1632?]; C.S.P.D., 1638-9, p. 548. John Grymesdych to Sir Francis Windebank, 8 March 1639.

90 Foster, op. cit., p. 1659; G. E. C., Complete Baronetage, II (1902), p. 233.

91 Foster, op. cit., p. 1659; J. Bloxham, The Magdalen College Register, II (1896), V, p. 124; P. R. O., SP 16/225/71, Henry Hammond to Sir Francis Windebank, 26 December 1632. Hammond complained of Christopher's "old habit of idleness, not debauchedness or ill-employment, but doing nothing and seeking excuses for it."

92 Bodl. L., Clar. MS. 12, f. 63, Sir Francis Windebank to Aston, 14/24 July 1637. "But when I perceived he never owned me but when he wanted money, nor then neither but in a very ill hand and worse matter, I could not but to himself discover my true sense of it ...."

93 P. R. O., SP 16/169/72, Laud to Edward Stanley, June 1630; T. F. Kirby, Winchester Scholars (1888), p. 174.

94 P. R. O., SP 16/270/19, Charles I to the Master and Fellows of New College, 24 June 1634; Ibid., 272/33, Stanley to Sir Francis Windebank, 21 July 1634. "He [the Warden] out of his respect to your Honour next after the command of his Majesty, and the rest because they durst do not otherwise, all concurred in the business without opposition."

95 P. R. O., SP 16/275/27, Dr. Robert Pinck to Sir Francis Windebank, 6 October 1634; C. S. P. D. 1634-5, p. 209, Thomas Reade to Windebank, 16 September 1634; Ibid., p. 211, Edward Stanley to the same, 19 September 1634. John matriculated on 23 September 1634, aged seventeen, Foster, Al. Oxon. IV, p. 1659.

96 Foster, op. cit., p. 1659; Chester, Westminster Abbey Registers, p. 254.

97 Lincoln's Inn Admission Register, 1420-1893, I (1896), p. 220.

98 P. R. O., SP 84/146/46, Thomas Windebank to Sir Francis Windebank, from The Hague, 17/27 January 1633; C. S. P. D., 1637, p. 71, Same to the same, 5/15 May 1637; Knowler, op. cit., I, p. 162, Sir Francis Windebank to Wentworth, 20 November 1633.

99 W. R. Prest, The Inns of Court, 1590-1640 (1972), pp. 204-5, where Lincoln's Inn is described as "the real stronghold of puritanism among the four inns", and "a focal centre of London puritanism". In 1633, the year of the Windebanks' admission, Prynne dedicated Histrio-mastix to the benchers of Lincoln's Inn.

100 Lincoln's Inn Admission Register, 1420-1893, I (1896), p. 220.

101 P. R. O., SP 84/146/46, Thomas Windebank to Windebank, 17/27 January 1633.

102 C. S. P. D., 1633-4, p. 315, Thomas Windebank to Reade, 4/14 December 1633; Ibid., 1634-5, pp. 55, 75, Thomas Windebank and Philip Warwick to Reade, 22 May/1 June, 13/23 June 1634.

103 Clar. S. P. I, pp. 217-8, Hopton to Windebank, 1/11 January 1635.

104 P. R. O., SP 16/319/83, Thomas Windebank to Windebank, 30 April/10 May 1636; C. S. P. D., 1636-7, pp. 108, 173, Same to the same, 31 August/10 September, 25 October/4 November 1636; P. R. O., SP 16/345/22, 349/28, Same to the same, 27 January/6 February, 3/13 March 1637; C. S. P. D., 1637, Scudamore, passport for Thomas Windebank, 12/22 June 1637.

105 P. R. O., SP 16/320/21, 321/71, 349/29, Francis Windebank to Windebank, 5/15, 20/30 May 1636, 3/13 March 1637.

106 P. R. O., SP 16/299/42, Christopher Windebank to Reade, 29 September/9 October 1635; Bodl. L., Clar. MS. 11, ff. 85, 89-90, Aston to Thomas Windebank and Windebank, 8/18 March 1637.

107 Clarendon, Rebellion, XII, 103n.

108 Bodl. L., Clar. MS. 12, ff. 176-7, Windebank to Aston, 12/22 October 1637; P. R. O., SP 16/372/55, 398/71, 435/67, Christopher Windebank to Windebank, 25 November/5 December 1637, 15/25 September 1638, 12/22 December 1639.

109 L. Stone, Crisis of the Aristocracy, 1558-1641 (1965), pp. 173-8, surveys the problems faced by the aristrocracy and gentry in connexion with the financing of marriages.

110 Edward Hasted, History of Kent (1801), XII, p. 24; D. N. B., XIX, p. 1285; XXI, p. 637.

111 Hasted, op. cit., pp. 22-6; C. S. P. D., 1638-9, p. 191; Ibid., 1640, p. 11; D. N. B., XIX, p. 1285.

112 P. Heylyn, Cyprianus Anglicus (1671), pp. 211-2.

113 D. N. B., XIX, pp. 1263-4, 1284-5; Hasted, op. cit., XII, pp. 22-6; John Walker, Sufferings of the Clergy (1714), p. 6.

114 C. S. P. D., 1633-4, p. 155, Thomas Windebank to Lambe, 28 July/7 August 1633; P. R. O., SP 16/299/48, Same to the same, 10/20 October 1635.

115 C. S. P. D., 1638-9, p. 139, Charles I to Kensham, 1 December 1638. Her age did not prevent her from marrying Anthony St. John in the following year, when her father became insane and she succeeded to the property. V. C. H. Beds., II (1908), p. 252.

116 J. and J. B. Burke, The Extinct and Dormant Baronetcies of England (1844), p. 573.

117 Knowler, op. cit., pp. 361-2, 416-7, Wentworth to Windebank, 16 January 1635, Windebank to Wentworth, 1 May 1635; Sheffield City Library, Strafford MSS., vol. 9, f. 19, Wentworth to Windebank, 21 April 1635.

118 G. E. C., Complete Peerage, XII i (1953), pp. 670-2; D. N. B., VIII, pp. 911-12; Hasted, op. cit., VI, pp. 90-1; R. Cox Hales, 'Brief Notes on the Hales Family', Arch. Cant., XIV (1882), pp. 64, 71-2.

119 Visitation of Surrey 1662-8, Harl. Soc. (1910), p. 122; A. Clark (ed.), Life and Times of Anthony Wood I (1891), p. 120.

120 W. D. Pink, 'Notes on the Windebank Family', Notes and Queries, 8th ser. i (1892), p. 23.

121 Trevor-Roper, op. cit., pp. 29-30.

122 Foster, Al. Oxon. IV, p. 1659; Wood, Fasti I, p. 291; G. E. C., Complete Baronetage II, p. 233: J. C. Sainty, Officials of the Secretaries of State 1660-1782, pp. 57, 117-8; Laud, Works VII, pp. 41-2; P. R. O., C66/2631, Grant in reversion, 25 April 1633; C. S. P. D., 1660-1, p. 445, Petition of Sidney Bere, December ? 1660.

123 Faculty Office, Marriage Licences, Harl. Soc., XXIV (1886), pp. 179-80.

124 Knowler, op. cit., I, pp. 256, 361-2, 416-7; D. N. B., XXI, p. 636; M. Toynbee and P. Young, Strangers in Oxford (1973), p. 25.

125 Wood, Fasti I, p. 291; James Heath, A Chronicle of the Civil Wars I (1676), p. 75; W. Hamper (ed.), The Life, Diary and Correspondence of Sir William Dugdale (1827), pp. 78-9; V. C. H. Oxon., VI, pp. 57-8.

126 Clarendon, Rebellion (ed. Macray) XII, 103 n.

127 Wood, Fasti II, p. 185; C. S. P. D., 1660-1, pp. 18, 232, 356; Cal. Treas. Books I, pp. 176, 489.

128 Bodl. L., MS. Rawlinson D 680, ff. 100, 102, 110-11, 121; MS. Rawlinson D 756, f. 16.

129 C. S. P. D., 1631-3, p. 155, Laud to Dorchester, 29 September 1631; Ibid., 1637-8, p. 6, Docquet, 4 December 1637; P. R. O., SP 16/486/71, Reade to Thomas Windebank, 17/27 December 1641; C. S. P. D., 1660-1, p. 445, Petition of Sidney Bere, December ? 1660.

130 C. S. P. D., 1619-23, p. 8, Grant, 29 January 1619; D. N. B., XVI, p. 796; Gillow, op. cit., V, p. 399.

131 Anthony R. Wagner, 'Queen Elizabeth's American Ancestry and Cousinship to George Washington and Robert E. Lee', The Genealogists' Magazine, VIII (1938-9), p. 371.

INTRODUCTION PART II: THE WINDEBANK FAMILY ESTATE

For twenty-three years, between 1533 and 1556, Francis Windebank's grandfather, Sir Richard Windebank, spent the greater part of his adult life in the English garrisons in France, and he can in consequence have had little time to devote to his estate in England. It is not possible to determine the total size of this, but there are indications that it was not large. There is no evidence to suggest that he inherited any land from his father, and although his wife, Margaret, is described as the daughter and co-heir of Griffith ap Henry,[1] there is nothing to show the size or nature of her inheritance. The surviving evidence concerning Sir Richard's lands refers solely to leasehold property in Lincolnshire and Nottinghamshire, lying on either side of the Grantham to Newark road some seven miles south-east of Newark.

The earliest reference to his holding is contained in a lease, dated 24 October 1531, from the prior and convent of Haverholme to Richard Windebank of Staunton, Nottinghamshire, of their manor of Staunton for seventy-four years at an annual rent of £4 6s. 8d.[2] Made at the beginning of what was to prove a period of extraordinary inflation, this must have been a very profitable investment for Sir Richard. Haverholme was a Gilbertine priory, occupied only by the prior and six canons at its surrender in 1538.[3] The total value of the property of the house in 1535 amounted to no more than £70 15s. 10d.,[4] and at the Dissolution the lands were retained in the hands of the crown bailiff.[5] Richard Windebank was listed among the tenants of the monastery in 1535,[6] and at some time before 1540 he was also leasing a water-mill and cottage in Marston, Lincolnshire, and other Haverholme lands in Hougham, but the indications are that these were small in extent.[7]

When Sir Richard died in August 1558 he left all his wordly movable goods to his wife. His will is brief and does not specify the nature of the movable goods, nor does it mention any land.[8] Lady Windebank survived

her husband by only four months, being one of the many who died in the "very sickly season" that followed Mary Tudor's death.[9] Apart from a few small bequests to women friends she left all her goods, "moveables and unmoveables", to her son, Thomas.[10] There is nothing to indicate whether the leasehold of the manor of Staunton, or any other estates, were included among the "unmoveables". Although the evidence of these wills is not very enlightening, it is tempting to conclude from their character that the bequests do not involve any substantial quantity of land.

Sir Richard died at Poplar, Middlesex, and described himself in his will as "late inhabiting the town of Calais",[11] while in the heralds' records of his right to bear arms he was described as Knight Marshal at Boulogne.[12] It is perhaps significant that in both cases his service in France was thought to provide a better means of identification than the more usual references to birthplace or principal manor.

If the Windebank lands in Lincolnshire and Nottinghamshire seem unimpressive in quantity, they had the compensating advantage of being strategically situated in relation to the estates of wealthier and more influential neighbours, and this was to prove instrumental in advancing the fortune of Sir Richard's son, Thomas. It is unlikely that his marriage with a daughter of Sir Edward Dymoke of Scrivelsby brought Thomas any land, although Frances Dymoke's marriage portion of £100 would have increased his capital and might later have been invested in property.[13] Far more important in relation to Thomas Windebank's ultimate acquisition of an estate was his association with the Cecil family, who had been established in Stamford, some twenty miles from Staunton, since the late fifteenth century, and who, from the 1540's onwards, were steadily increasing not only their political importance but also their local influence in South Lincolnshire and the surrounding area.[14] Thomas's employment, first by Lord Burghley and then as a Clerk of the Signet during the ascendancy of Burghley and his son, Sir Robert Cecil, undoubtedly brought him opportunities of accumulating capital and acquiring leases which he was unlikely to have secured without their assistance. As a result, he built up a

comfortable estate to bequeath to his children, and so provided Sir Francis Windebank with both the town and country houses that he was to occupy during his tenure of office. Perhaps surprisingly, Thomas Windebank's accumulation of property was not centred on Lincolnshire and Nottinghamshire. Instead, he transferred his activities and his residence to Middlesex and to Berkshire.[15]

The date of the move to Berkshire coincides with the increasing duties that Thomas Windebank was assuming in the later years of the century, first during Walsingham's illnesses, and then under the Cecils' patronage when he was acting as the Queen's personal secretary from 1590 onwards. He was forced to spend more and more time at court, and it was clearly more convenient that his country house should be situated within easy reach of London. Berkshire was one of the counties that seem to have been undergoing a particularly rapid series of changes in the composition of its landowning gentry in the late sixteenth century. Fuller remarked that lands in Berkshire "are very skittish and often cast their owners", and attributed the replacement of the old county families by newcomers to the proximity of London: "... the nearest place sixteen the farthest sixty miles from the same, yet the goodness of the ways thither, and sweetness of the seats there... setteth Barkshire really nearer than it is locally to London."[16]

Thomas Windebank bought the Haines Hill estate at some time between 1589, when William Hide of Haines Hill, a previous owner, died, and 1593, when the baptism of his daughter, Ellen, marks the first surviving record of his residence in the parish.[17] There is nothing to indicate whether the lease of the manor of Staunton was retained or relinquished after the move.[18] His acquisitions of land were spread over some twenty years and followed a consistent pattern which suggests that they were the result of a considered plan. They may be classified into three categories. Firstly, there was a group of five houses in the parish of St. Martin-in-the-Fields, Westminster; secondly, the Haines Hill estate and a number of neighbouring manors and parcels of land in Berkshire and Wiltshire; and lastly some purchases of fee farms and leases in reversion

of widely scattered properties ranging from Kent to Northumberland. The first two groups of property were clearly intended to be retained in the family and to form the basis of a patrimony for his son and daughters. The third group was probably speculative in nature, and any profits derived from these transactions may well have been intended to finance further purchases of the other two types.

Of the five houses in the parish of St. Martin-in-the-Fields, four were bought in pairs at different times from two different owners and were let to tenants. The fifth house was leased by Thomas Windebank, and since this was bequeathed to his son, together with its contents, it was presumably the Drury Lane house in which Sir Thomas had been living and which was Sir Francis's home in London throughout his tenure of office.[19] Drury Lane in the late sixteenth century was a growingly fashionable area which was still being developed.[20] It can hardly be a coincidence that Thomas Windebank had chosen to live close to his patrons only a short distance from Burghley House in the Strand and from Sir Robert Cecil's residence a little further east.[21]

In addition to acquiring a town house, Thomas Windebank did not neglect to build up a country estate. Some time before 1593, as he recorded in his will, he bought "a certain house called Haines Hill and lands in counties of Wilts. and Berks. in which purchase I have joined with me my son Henry Reade and my old good servant and friend Henry Green."[22] Henry Reade was the husband of Thomas Windebank's eldest daughter, Anne, and Henry Green appears to have acted as Sir Thomas's steward and secretary, keeping some of his accounts and being associated with him in various financial transactions.[23] The joint ownership may have been a device to protect his heir, then still a minor, against the possible depredations of the Court of Wards.

Haines Hill, in the parish of Hurst, was a large house with a long gallery and several courtyards. It is not clear whether the house was complete when Thomas bought it or whether he or his son subsequently

extended it.[24] At all events, he soon took the opportunity of increasing the land attached to it, for at about the same time he bought from Oliver Coxhead the manors of Mordells and Odes and the capital messuage of Banisters, also in the parish of Hurst; and from Thomas Kerry, one of the Clerks of the Privy Seal, some neighbouring parcels of land known as Odes Grove or Woodes Grove.[25] In 1606 he further consolidated his holdings in the district by buying from Sir Edwin Sandys, who was in financial difficulties, the nearby property of Stanlakes and also the manor of Hinton Pipard, with lands in Berkshire and Wiltshire.[26] The rest of his land in Berkshire consisted of leasehold property. In 1600 he had obtained a lease from the Crown of the manor of Clewer, in Ripplesmere Hundred, near Windsor,[27] and at some time before 1603 he was granted a lease in reversion for forty years of the manors of Claremere Windsor and Dorset Fenney.[28]

In addition to the country estate in Berkshire and Wiltshire and the town houses in Westminster, patiently collected over a number of years, Thomas Windebank also acquired other property further afield, which involved him in more speculative ventures. In the tenth year of Elizabeth's reign he had been granted the lease of the manor of Downe Barton in Kent, and this was renewed by James I in 1604 for sixty years at an annual rent of £60, on Sir Robert Cecil's recommendation.[29] Thomas presumably disposed of this lease before his death in 1607, since there is no mention of it in his will, and it was certainly no longer in the possession of the Windebank family by 1636.[30] A more ambitious project was the purchase in August 1604, in association with Thomas Bellot and William Blake, of the manor of Stamford and Dunstan with the castle of Dunstanburgh in Northumberland. The price paid for the fee farm was £1492 14s., and the annual rent amounted to £45 4s. 8d. Thomas Windebank's share in this venture had also been liquidated before 1607.[31] Yet another land deal appears to have been in prospect in March 1605, when Sir Robert Cecil was writing to the Dean of Windsor about the conditions of a lease to be granted to the King for Sir Thomas.[32]

If Sir Thomas Windebank had illustrated what could be done with the aid of a powerful patron in the way of building up a landed estate from the fruits of an apparently somewhat humble office, his son's career, on the other hand, demonstrates the acquisition of high office without a corresponding increase in lands. The reasons for this can only be suggested. In the late sixteenth and early seventeenth centuries there was an active land market stimulated by the disposal of the remainder of the monastic estates, by sales of other Crown lands, and by numerous re-sales.[33] By the 1630's there may well have been fewer opportunities for Sir Francis than had come the way of Sir Thomas. The difference in the nature of their patrons may also help to explain the contrast. The Cecils were themselves notoriously acquisitive of land, and Sir Thomas may have been inclined to imitate their habits, although necessarily on a very much smaller scale.[34] Sir Robert Cecil, as we have seen, used his influence on more than one occasion to help Sir Thomas to acquire Crown leases. Laud, however, more concerned with protecting the property of the church than with building up his own possessions, is not likely to have had the same effect on Sir Francis. Standards of political morality seem to have been relatively low in the late sixteenth century,[35] and although there is little evidence to show how Sir Thomas acquired his capital, he appears to have accumulated a good deal more as a Clerk of the Signet than his son did as Secretary of State. Sir Thomas's journal for 1604 reveals a careful, somewhat fussy, attitude to financial affairs, and he was not unwilling to ask for favours.[36] Sir Francis does not seem to have been unduly acquisitive, particularly in contrast to his contemporaries, Portland and Cottington. It is likely, too, that much of his income disappeared in current expenses, leaving little margin for the accumulation of sufficient capital to be converted into land. Large families could be a serious burden on a landed estate, and Sir Francis had to provide for four sons and at least five daughters, whereas only four of Sir Thomas's children appear to have grown to maturity.

At all events, it seems clear that the expansion of the estate that had been proceeding steadily under Sir Thomas now ceased, and that after some

early contraction it remained static in size until it was broken up during the Interregnum. When Sir Thomas died in 1607, Francis Windebank inherited the Drury Lane house and its contents and one of the other four houses in the parish of St. Martin-in-the-Fields. He also inherited the whole of the estate in Berkshire and Wiltshire, consisting of Haines Hill, Mordells and Odes, Odes Grove, Hinton Pipard, Stanlakes and the leases of Claremere Windsor and Dorset Fenney.[37] In addition to these he acquired the manor of Clewer, which is mentioned neither in Sir Thomas's will nor, since it is leasehold property, in his Inquisition. It is possible that this lease was settled on Francis before his father's death.[38]

Francis did not inherit the other three houses that Sir Thomas owned in Westminster, which were bequeathed severally to his three daughters, Margaret Windebank, Anne Reade and Mildred Reade. Like many men who had built up an estate by their own efforts in the late sixteenth and early seventeenth centuries, Sir Thomas was prepared to leave some part of it to his younger children, and did not insist that the whole property should pass to his eldest son. Francis's inheritance was also diminished by the substantial bequest of £800 to Margaret Windebank, and by legacies totalling about £100 to Henry Green and other servants in Sir Thomas's household. He did, however, receive the residue of the estate, whatever this may have been.[39]

Sir Thomas's wife is not mentioned in his will although she survived him by six years and would therefore presumably have been a further charge on the estate until her death in 1613. She seems to have severed her connexion with Berkshire, for her will was proved in Lincoln in April 1613. Her son inherited from her only her "Writing tables covered with silver and gilt with the Dimockes arms graven upon them", and after a number of small legacies to relatives and friends she left the residue of her goods to Robert Morecroft, alderman of the city of Lincoln.[40]

In 1610, a little more than two years after inheriting the property, Francis Windebank sold Hinton Pipard and Stanlakes to Richard Aldworth.[41]

In 1617 he also entered into negotiations to sell the lease of Clewer, but the intending purchaser decided not to buy, and he therefore kept it, paying an annual rent of £23.[42] In 1633 he petitioned the King to be allowed to compound for an estate of thirty-one years after the expiry of his lease of Clewer.[43] The outcome of this petition is not known, but Sir Francis was still paying his subsidy assessment in the parish of Clewer in April 1641, after his flight to France, and was still remembering his charitable obligations as a landlord by making gifts to the poor of Clewer at Christmas.[44] There is nothing to indicate, however, that he increased these obligations by extending his lands. There are no traces either of permanent additions to the estate or of the transient property speculations in which his father had engaged.

In 1640 Sir Francis's political career came to an end with his flight to France, and in October 1645, on information being laid that Sir Francis and his eldest son still owned an estate at Haines Hill, orders were given for its sequestration.[45] The Committee at Goldsmith's Hall was not the only body interested in the estate, and a struggle broke out between their agents and those of the County Committees for Wiltshire and Berkshire who, in April 1646, took possession of the house and began to cut the woods.[46] The dispute over priority of seizure continued for more than two years, while the parties to it wrangled over receipts of rent from the Haines Hill tenants.[47] In the meantime Sir Francis died in exile in France in September 1646.[48] His eldest son, Sir Thomas, compounded on the Oxford Articles for £400 a year on the estates at Haines Hill and Clewer, which were said to be worth £600 a year.[49] Further difficulties arose over his title to the lands, and the Committee for Compounding finally agreed to set a fine on condition that he could show that his father had conveyed the estate to him before his impeachment. In March 1647 Sir Thomas petitioned the House of Lords to instruct the Committee to conclude the matter, producing evidence that the estate had been settled on him by Sir Francis in 1641, and that no order of impeachment had been made against his father. On 1 April 1647 a fine of £810 was set, and by 12 July 1648 Sir Thomas had paid this in full.[50]

This was not the end of the matter, however, and Sir Thomas was not to retain possession of either Haines Hill or Clewer. No evidence survives to indicate the subsequent course of events or the reasons for the loss of Haines Hill, but by 1653 the property had passed into the hands of Richard Bigg, a Parliamentary supporter whose family came originally from Benenden in Kent.[51] At the Restoration he was confirmed in possession and Haines Hill and the manors of Mordells and Odes remained in the Bigg family until the mid-eighteenth century.[52] The lease of the manor of Clewer was sold by Sir Thomas at some time before 1660, possibly to meet the cost of the fine, and was not regained by the Windebanks after the Restoration. The fate of the Drury Lane house is not known. In the spring of 1641 there was some question of its being rented first by the Dutch ambassadors and then by the Duc de Vendôme, but Sir Francis was hostile to both these suggestions and contrived to prevent at least the first transaction taking place.[53]

The collapse of Sir Francis's career and the loss of his estate had considerable consequences for his family. The comforting conclusion that the majority of royalists in south-east England successfully regained their land[54] tends to obscure the plight of those who did not manage to secure reinstatement or re-purchase. The loss of income from Haines Hill and Clewer during the years of sequestration, the cost of compounding and the payment of the fine were serious financial burdens when combined with the loss of income from the Secretary's office and the expense of maintaining Sir Francis, his wife and family in exile. If the Windebanks were not reduced by their political allegiance quite to the level described by Sir John Oglander,[55] they at least ceased to be county landowners, and no later member of the Windebank family in the seventeenth and early eighteenth centuries appears to have held an estate of comparable size to that built up by the elder Sir Thomas and enjoyed by Sir Francis.

An investigation into the nature of the property owned by Sir Francis's sons and their heirs gives some indication of the extent and

permanence of this loss of status as a county landowning family. The evidence is meagre and is mainly derived from wills, but it points to the conclusion that those of Sir Francis's sons who returned to England, and his grandchildren, became town-dwellers, centred mainly on London and Oxford, owning little more in the way of real estate than the town houses in which they lived. Little further is known about Sir Thomas Windebank. He had not appeared by 1661 to take up his reversion of a Clerkship of the Signet, the date and place of his death are unknown, and he does not appear to have left a will.[56] His son, Sir Francis Windebank, succeeded to the baronetcy and was described as "of the Tower of London" when he married Elizabeth Parkhurst in 1686 at Lee, near Blackheath.[57] He died in 1719 in Eagle Street and was buried at St. Andrew's, Holborn, when the baronetcy became extinct.[58] In his brief and simple will, in which he is described as "of the parish of St. Andrew's, Holborn", he left all his estate, the nature of which is unspecified, to his wife.[59] She in turn died in 1730, leaving an elaborate and detailed will bequeathing her possessions to her daughter and granddaughter. The only property listed is "one messuage in Eagle Street in the parish of St. Andrew's, Holborn, Middlesex", otherwise the estate consisted of annuities from the Exchequer, money invested in stock and funds and lent out on security, and jewels and plate.[60] It would seem, therefore, that the landed property of the senior male Windebank line had dwindled from the not inconsiderable estate left by the first Sir Thomas in 1607 to one London house.

Sir Francis's second son, Christopher, remained abroad after the Restoration and died in poverty in Spain.[61] Francis, the third son, aged only thirty-one or two at his execution in 1645 and still at the outset of his career, was unlikely to have accumulated an estate in the early years of the Civil War.[62] His daughter, Frances, was described as being "of St. Paul's, Covent Garden" in the licence for her marriage to Sir Edward Hales in 1669.[63]

John Windebank is the only one of Sir Francis's sons who appears to have made an effort to recover part of his father's estate or to acquire a

substitute. In 1660 he petitioned for the lease of the manor of Clewer, which had been promised to him in compensation for the loss of his place as Gentleman Usher of the Privy Chamber, but the petition was unsuccessful and Clewer was granted instead to the Duke of Albemarle.[64] He practised after the Restoration as a doctor at Guildford, and in 1672 there is a reference to his petition, of which the outcome is not known, for a lease of the Old Castle of Guildford.[65] In his will he is described as being "of the parish of St. Martin-in-the-Fields, Middlesex", and his bequests to the poor of that parish suggest that he had been resident there for some time.[66] In 1702 he was living in the parish in York Buildings,[67] and had probably, like most of the other residents in that area, bought or leased the land or the completed house in or after 1674, when the site of York House was sold for building plots.[68] No property is mentioned in his will, which lists only financial and other small bequests, and the residue of his estate, left to his daughter, Frances Loveday, is described only as "goods and chattels".[69] He may have conveyed the house in York Buildings to her before his death, however, for she too is described as being of the parish of St. Martin-in-the-Fields in her will.[70] The persistence of the metropolitan connexion is illustrated by the circumstance that John Windebank, his wife, Frances Loveday, another of his daughters and one of his granddaughters were all buried in the south cloister of Westminster Abbey over a period of fifty-seven years between 1682 and 1739.[71]

Although the evidence is far from conclusive, the total absence of lengthy wills enumerating individual manors and parcels of land of the kind left by Sir Thomas Windebank in 1607 and Sir Edward Dymoke in 1565, and the references to goods and chattels rather than to lands in connexion with the residue of the estates suggests that the Windebank family achieved the status of substantial landowing gentry for no more than sixty years. Sir Francis's sons and their descendants, while remaining within the ranks of the gentry and even continuing their upward social mobility in respect of the acquisition of hereditary titles, suffered a severe economic decline in terms of landowning, and shrank to the status of prosperous town-dwellers. Just

as office-holding and adherence to a powerful patron had facilitated the acquisition of the estate by Sir Thomas Windebank in the late sixteenth century, so the failure to regain office and the absence of any influential voice speaking on behalf of his grandchildren probably diminished their chances of recovering any part of the estate after the Restoration. The death of Sir Francis in 1646 freed Charles II from any moral obligation that might have been imposed by the reproachful return of an old servant of his father's in 1660. If Sir Francis had had fewer children, or had been more unscrupulous in his exploitation of his own opportunities, or had been more provident, the stock of accumulated capital might have been sufficient to balance the losses of income and additional expenditure during the war years and the Interregnum. As it was, however, the accumulation and dispersion of the Windebank estate within three generations and little more than half a century provides another case history in the social mobility of English landowners in the sixteenth and seventeenth centuries.

Notes to Introduction Part II: 'The Windebank Family Estate

1 B. L. Harleian MS. 1,551, f. 87.

2 HMC 55: Var. Coll., VII: p. 371.

3 V. C. H., Lincolnshire, II, pp. 187-8.

4 Valor Ecclesiasticus IV, p. 118.

5 Dugdale, Monasticon, VII, p. 950.

6 Valor Ecclesiasticus IV, p. 118.

7 L. and P., Henry VIII, XV, 831, 18; Dugdale, Monasticon, VII, p. 950.

8 P. R. O., PROB 11/40/37, Will of Sir Richard Windebank, dated 8 August 1558, proved 19 August 1558. The dates indicate that the will was made during his last illness, and this may help to explain its brevity.

9 John Strype, Annals, I (1824), pp. 45-6. She was buried in St. Edmund's, Lombard Street, on or about 12 December 1558.

10 P. R. O., PROB 11/42A/16. Will of Margaret Windebank, dated 13 October 1558, proved 13 December 1558.

11 P. R. O., PROB 11/40/37.

12 B. L., Harleian MS. 5,846, f. 112; Stowe MS. 692, f. 94.

13 P. R. O., PROB 11/49/217, Will of Sir Edward Dymoke of Scrivelsby, dated 8 June 1566, proved 30 October 1567.

14 G. Goodman, Court of James I, I (1839) p. 175; Egerton Papers, Camden Soc. (1840), p. 134; B. W. Beckingsale, Burghley: Tudor Statesman (1967), pp. 5-9, 62, 64, 74.

15 Some confusion is likely to arise over the location of parts of the Windebank property, particularly in the case of the principal estate of Haines Hill and its neighbouring manors. In the late sixteenth and seventeenth centuries Haines Hill was in the liberty of Broad Hinton which, although lying east of Reading, had been attached to Wiltshire by the Earls of Salisbury as an appurtenance of their hundred of Amesbury. From the early fourteenth century, therefore, and possibly longer, it had been part of Wiltshire and it was not until 1844 that it was annexed to Charlton Hundred in Berkshire. Since, however, most of Sir Francis Windebank's local activities, as a J. P., for instance, and as an aspiring though unsuccessful parliamentary candidate for a county seat in 1640, were connected with Berkshire, it has seemed better to refer to Haines Hill by its geographical rather than by its legal location. See V. C. H., Berks., III, pp. 247-8; V. C. H., Wilts., V, pp. 1-2.

16 T. Fuller, Worthies, I (1662), p. 101.

17 Reading Central Library, Parish Registers, Hurst, Burials 1585-1767, Baptisms 1585-1607 (Copies); J. C. F. Wimberley, History of the Parish of Hurst (1937), pp. 44-5.

18 If it was retained, it is unlikely that Sir Thomas renewed the lease in 1605. There is no mention of either Staunton or of Sir Richard's other lands in Sir Thomas's will, which is explicit in its other references to leasehold property. P. R. O., PROB 11/111/1. Staunton was not held by the Windebanks later in the seventeenth century. By 1646 the manor was being administered by Mrs. Anne Staunton, the widow of the previous owner, a Royalist colonel. HMC 55: Var. Coll. VII: p. 373.

19 P. R. O., PROB 11/111/1, Will of Sir Thomas Windebank.

20 John Stow, Survey of London (1956), pp. 398-9.

21 Burghley House was begun by Sir Thomas Palmer, Thomas Windebank's brother-in-law, who was executed in 1593. It was taken over, re-named and completed by William Cecil. L. C. C. Survey of London, XVIII (1937) p. 125. In the same area, from 1599 onwards, Sir Robert Cecil first lived in Holborn, then in the Strand near his father, and was later building Great Salisbury House and Little Salisbury House on the south side of the Strand. HMC 9: Salisbury (Cecil) IV: p. 292, V, p. 23. The houses in Drury Lane were generally much smaller than the great mansions in the Strand, and other inhabitants of the street in the early seventeenth century included Lady Cope, who moved there "to a poor cottage" from a larger house in the Strand on the death of her husband. Not all the houses were poor cottages, however, for Esmé Stuart, first Earl of March, owned a house there also, and in 1623 lent it to the French Ambassador, Tilliers. N. McClure, Letters of John Chamberlain, I (1939), pp. 594-5, II, p. 521.

22 P. R. O., PROB 11/111/1, Will of Sir Thomas Windebank; C 142/644/16, Inq. p. m. of Sir Thomas Windebank.

23 Bodl. L., Ashmolean MS. 64, ff. 19, 26v, 30v, 31, 40v.

24 The older portions of the house were probably built by William Hide in the 1580's. V. C. H., Berks., II, p. 248; N. Pevsner, Buildings of England, Berkshire (1966), p. 210. Thomas Windebank bought the house not from William Hide but from Oliver Coxhead and his wife. P. R. O., PROB 11/111/1.

25 Ibid; P. R. O., C 142/644/16, Inq. p. m. Sir Thomas Windebank. There is a note in Sir Thomas's journal for 1604 that he paid Mr. Kerry £50 on 8 March, "so I owe him now but 50 li. more". This may be part of the same transaction. Bodl. L., Ashmolean MS. 64, f. 19v. No contemporary record has survived of the size of Haines

Hill, but in 1841 the house, gardens, home farm and surrounding park and woodlands amounted to 342 A., 2 R., 38 P. Berks. C.R.O., D/P 73/27, Hurst, Tithe Award, 1841, Schedule.

26 P.R.O., PROB 11/111/1; C 142/644/16. These purchases put Sir Thomas into possession of two more recently-built manor houses. V.C.H., Berks., III, pp. 249-50, 255.

27 V.C.H., Berks., III, p. 73. The manor house at Clewer was said to be in a very ruinous state in 1584, so that here he acquired only the site and the lands.

28 P.R.O., PROB 11/111/1, Will of Sir Thomas Windebank.

29 Bodl. L., Ashmolean MS. 64, f.22, Sir Thomas Windebank's diary; P.R.O., SP 38/7/199, 23 July 1604.

30 E. Hasted, History of Kent X (1800), pp. 238-9. Charles I then granted the lease to William Collins and Edward Fenn.

31 P.R.O., SP 38/7/235, 23 August 1604.

32 C.S.P.D., 1603-10, p. 208, Viscount Cranborne to the Dean of Windsor, March 1605.

33 H.J. Habakkuk, 'The Market for Monastic Property, 1539-1603', Econ. Hist. Rev., 2nd Ser. X (1958), pp. 362-80; J. Youings, The Dissolution of the Monasteries (1971), Chapter 5, The Dispersal of Monastic Lands.

34 L. Stone, 'The Fruits of Office' in Essays on the Economic and Social History of Tudor and Stuart England, ed. F.J. Fisher (1961), pp. 89-116; L. Stone, Family and Fortune (1973), Part I, The Cecils, Earls of Salisbury.

35 J. Hurstfield, 'Political Corruption in Modern England', History, 52 (1967), pp. 19-20; J.E. Neale, 'The Elizabethan Political Scene', in Essays in Elizabethan History (1958); L. Stone, Family and Fortune (1973), p. 5.

36 Bodl. L., Ashmolean MS. 64, Diary of Sir Thomas Windebank, passim; HMC 9: Salisbury (Cecil) IV, p. 534, Thomas Windebank to Sir Robert Cecil, 20 May 1594.

37 P.R.O., PROB 11/111/1, Will of Sir Thomas Windebank; C 142/644/16, Inq.p.m., Sir Thomas Windebank.

38 C.S.P.D., 1633-4, p. 379; Ibid., 1640-1, p. 546; V.C.H., Berks., III, p. 73.

39 P.R.O., PROB 11/111/1.

40 A.R. Maddison, Lincolnshire Wills, 1600-1617 (1891), p. 86. Will of Frances, Lady Windebank, dated 11 February 1612, proved 24 April 1613.

41 V. C. H. Berks., III, p. 255; Richard Aldworth's heir was threatened with sequestration in 1649, when the property was said to be worth £160 p. a. "before the troubles". Cal. Cteee. for Adv. of Money, pt. 2, pp. 983-4; The Wiltshire Magazine, XXIII (1887), pp. 314-5.

42 P. R. O., SP 14/92/110, Windebank to Mr. Windsor, July 1617; P. R. O., SP 16/371/60, 409/29, Reade's accounts for Sir Francis Windebank, 1637, 1638-9.

43 C. S. P. D., 1633-4, p. 379.

44 P. R. O., SP 16/479/32, Certificate of Richard Harrison and William Barker, 14 April 1641; SP 16/485/54, Sir Francis Windebank to Thomas Windebank, 3/13 November 1641. No manorial records have survived for the early seventeenth century, but the Court Book of the manor of Clewer, 1689-1726, reveals a large number of tenants on small parcels of land. Berks. C. R. O., D/E Ld M 1.

45 P. R. O., SP 19/A21/46, 4/301, 24 October 1645; Cal. Cttee for Adv. of Money, p. 614.

46 P. R. O., SP 19/5/26, 26 April 1646; 5/30, 4 May 1646; 5/45, 1 June 1646; HMC 5: 6th R. Appendix: p. 107, Petition of Lt. Col. John Lilburne, 24 March 1646; L. J., VIII, p. 234.

47 P. R. O., SP 19/5/60, 22 June 1646; A21/66, 8 April 1646; A5/26, 27 April 1646; 6/79, 11 October 1648; 6/114, 16 November 1648.

48 Bodl. L., Rawlinson MS. B 224, f. 40.

49 P. R. O., SP 19/21/110, 16 September 1648; 102 A/179, 30 November 1648; Cal. Cttee. for Compounding, p. 1465.

50 Ibid., P. R. O., SP 19/102A/180, 27 April, 2 May 1649; C. J. V, p. 510, 23 March 1647; L. J. IX, p. 104. 25 March 1647; X, p. 196, 15 April 1648. Sir Francis left no will and his son took out letters of administration in October 1650. P. R. O., PROB 6/25/149.

51 Bodl. L., Ashmolean MS. 851, f. 26. Richard Bigg's father, also called Richard, lived in the parish of St. Giles-in-the-Fields, Middlesex, and his mother was the daughter of a citizen of London.

52 V. C. H., Berks., III, pp. 255-6; Berks. Arch. Journal, 19 (1913), p. 122; Wimberley, op. cit., p. 66; Parish Registers, Hurst, Burials, 1585-1767.

53 C. S. P. D., Addenda, 1625-49, p. 629, Philip Burlamachi to Thomas Windebank, 23 December 1640; HMC 58: Bath II: p. 76, Sir Francis Windebank to Thomas Windebank, 19 February/1 March 1641.

54 Joan Thirsk, 'The sales of royalist land during the Interregnum', Econ. Hist. Rev., 2nd ser. V (1952), pp. 192-5, 205; 'The Restoration land settlement', J. M. H., XXVI (1954), pp. 323, 327; H. J. Habakkuk, 'Landowners and the Civil War', Econ. Hist. Rev., 2nd ser. XVIII (1965), pp. 130-51.

55 F. Bamford (ed.), A Royalist's Notebook. The Commonplace Book of Sir John Oglander (1936), p. 109. "There were in Yorkshire a hundred families extinct or undone, so that none of them could appear again as gentlemen. Death, plunder, sales and sequestrations sent them to another world or beggar's bush, and so all - or most - shires."

56 C. S. P. D., 1660-1, p. 445, Petition of Sidney Bere, December? 1660; Ibid., 1661-2, p. 3, Declaration, 5 June 1661; Procs. Soc. Antiquaries of London, 2nd. ser. V (1872), p. 378; G. E. C., Complete Baronetage, II (1902), p. 233; J. B. Burke, Extinct Baronetcies (1844), p. 573.

57 Daniel Lysons, Environs of London, IV (1796), p. 508.

58 G. E. C., Complete Baronetage, II (1902), p. 234.

59 P. R. O., PROB 11/570/198. Will of Sir Francis Windebank, Bart., dated 3 February 1716, proved 8 October 1719.

60 P. R. O., PROB 11/637/112, Will of Lady Elizabeth Windebank, dated 5 September 1724, proved 3 April 1730.

61 Clarendon, Rebellion, XII, 103 n; Procs. Soc. Antiquaries of London, 2nd. ser. V (1872), p. 379.

62 Wood, Fasti, I, p. 291; V. C. H., Oxon., VI, pp. 57-8; W. D. Pink, 'Notes on the Windebank Family', Notes and Queries, 8th ser. I (1892), p. 23.

63 Kimber and Johnson, Baronetage, I (1771), pp. 96-7; Wotton, Baronetage, I, p. 96, where she is described as "daughter of Sir Francis Windebank of Oxfordshire, knt."; Pink, op. cit., pp. 23-4, where she is mistakenly thought to be the daughter of Sir Francis Windebank, Bart.

64 Cal. Treas. Books, I, 1660-1667, pp. 5, 66, 275; C. S. P. D., 1661-2, p. 262.

65 Cal. Treas. Books, III, Pt. II, 1669-1672, p. 1131, Petition of John Windebank, 22 October 1672; Foster, Al. Oxon. IV, p. 1659.

66 P. R. O., PROB 11/477/171, Will of Dr. John Windebank, dated 17 February 1704, proved 15 August 1704. He had presumably long since retired from his practice in Guildford, since he congratulated himself on his "great age of eighty and six years".

67 Bodl. L., Rawlinson MS. D 680, ff. 100, 102, 110-11.

68 L. C. C. Survey of London, XVIII (1937), pp. 51-7, 81-3. The site, between the Strand and the river, had been sold by the Duke of Buckingham in the early 1670's when the leasing of York House to a succession of ambassadors had proved unprofitable. Many of the purchasers bought one plot and built a house on it.

69 P. R. O., PROB 11/477/171, Will of Dr. John Windebank.

70 P. R. O., PROB 11/681/8, Will of Frances Loveday, dated 5 December 1706, proved 18 January 1736.

71 Westminster Abbey Registers, Harl. Soc. (1876), pp. 202, 204, 254, 347, 352.

CHAPTER I

APPOINTMENT AS SECRETARY

On hearing the news of Francis Windebank's appointment as Secretary of State in June 1632, Sir Thomas Roe commented, "There is a new secretary brought out of the dark."[1] That there is an element of sour grapes in Roe's attitude is undeniable; he was, after all, himself a disappointed candidate for the office which Windebank had just acquired. But it is also undeniable that the statement contains a certain element of truth, and that it is perhaps no less apposite in the twentieth century than in the seventeenth.

At the time when Roe was writing, the element of accuracy in the remark was connected chiefly with the circumstances of Sir Francis's early career. Unlike most early seventeenth century Secretaries of State, he had held only one previous appointment in the central administration, and that had been the comparatively lowly post of a Clerk of the Signet. He had held no diplomatic appointment which would have introduced him into that intricate network of agents and ambassadors of which Roe himself was a part. Keeping in touch with each other by despatches and personal letters and by the co-ordinating supervision of the Secretaries of State, they were less formally but more continuously aware of each other's activities through the insatiable avidity for scraps of news, gossip and rumour that was an occupational characteristic of the conscientious seventeenth century diplomat.

Neither had Windebank been part of the much closer though more acrimonious community in the House of Commons in the 1620's, listening to each other's views and canvassing each other's opinions on finance, religion, the limits of the royal prerogative and many other growingly divisive issues. Again, unlike most Secretaries of State, he had no previous experience as a member of Parliament.

From the early years of James I's reign, Francis Windebank had

been serving in the Signet Office, where his father, Sir Thomas Windebank, had occupied the post of Clerk of the Signet under Cecil patronage from the 1560's until his death in 1607. Attempts by office-holders to secure a de facto if not a legal hereditary succession to an office that had proved profitable were not uncommon in the late sixteenth and early seventeenth centuries,[2] and this tendency is well illustrated by the Windebank family. In February 1605 Sir Thomas had secured for his son, probably with Lord Salisbury's assistance, a grant in reversion of a Clerkship of the Signet after Levinus Munck and Francis Gall, who were already reversioners to the office.[3] The practice of granting reversions to Clerkships of the Signet seems to have been a recent innovation, for Gall, who had in 1597 been unsuccessfully trying for fourteen years to obtain a third reversion to a Clerkship of the Privy Seal and had just been offered by Cecil a reversion to a Clerkship of the Signet instead, was distinctly sceptical about his chances:

> "... no reversions are granted of the Clerkships of the Signet: there are already two of the Privy Seal... For your offer to obtain for me a reversion of a clerkship of the Signet I am very grateful, yet I fear that the Queen will not consent to this, for which there is no precedent in any time save that of Mr. Clyff, especially as I am untravelled and unlanguaged." [4]

His scepticism about a grant from Elizabeth seems to have been justified in the event, for he finally crowned twenty years of endeavour by obtaining his reversion from James I in August 1603.[5]

By the time that Francis Windebank returned to England in 1608 after completing his education by three years' travel abroad he suffered from neither of Gall's disabilities, but his prospects of entering into a Clerkship of the Signet must have seemed remote. The date on which he formally took up his office is unknown, since the chronology of succession to Clerkships of the Signet in the early part of James I's reign remains somewhat obscure.

At James's coronation in July 1603 the four Clerks of the Signet were Sir Thomas Windebank, Sir Thomas Lake,[6] Sir Thomas Clarke,[7] and Sir John Wood.[8] Sir Thomas Windebank died in October 1607,[9] and Sir John Wood died in September 1610.[10] Sir Thomas Clarke was still in office in

July 1606,[11] but the date of his death or retirement is unknown. Sir Thomas Lake ceased to be a Clerk of the Signet on his appointment as Secretary of State in 1616.[12] In October 1609 a reversion to a Clerkship of the Signet was granted to Roger Caldert, "in reversion after Sir John Wood, Sir Thomas Lake, Levinus Munck or Francis Gall."[13] From this it might be inferred that Munck and Gall had succeeded Sir Thomas Windebank and Sir Thomas Clarke, and that Caldert was to have the next vacant place, but the omission of Francis Windebank's name is puzzling.

In August 1628 Windebank himself claimed to have "served now near the time of three apprenticeships in the place", and to have "passed over those active and strict times of my late Lord of Salisbury without check".[14] This suggests that he started work at the Signet Office, whether officially or unofficially, immediately after his return to England in 1608. In 1611 he endorsed a letter from the King to Salisbury with the note, "This was the first occasion that ever gave me access to his Majesty",[15] and in the same year two more reversions to Clerkships of the Signet were granted to Sir Humphrey May and to Robert Kirkham.[16] It may perhaps be inferred, therefore, that Francis Windebank was employed unofficially in the Signet Office from 1608 onwards and that he officially took up a Clerkship in 1610 or 1611 after the death of Sir John Wood.

The four Clerks of the Signet formed part of the Secretary's office and their main function was to prepare documents for the monarch's signature, including both the private royal correspondence and the warrants and other commands which were to be sealed with the signets kept in the custody of the Secretaries of State.[17] As minimum qualifications they needed to possess the ability to draft documents of various kinds and to write fluently in English, French and Latin. Most of the actual labour of copying was undertaken by subordinates. They dealt with a wide variety of business, including grants of land, leases, patents, pardons, passports, royal assents to the election of bishops, licences, references and annuities, and therefore became familiar with many of the administrative processes of the central government.[18] In the seventeenth century the Signet Clerks

served for one month each in rotation, Windebank's months of attendance being March, July and November.[19] Fees were divided equally between them for each period of waiting, and a proportion was paid to the Secretaries of State. They worked closely with the Secretaries, and since they often owed their appointment to Secretarial patronage they can to some extent be identified with the patron's interests while he survived in office. Nevertheless, when the Secretaryship changed hands, the Clerk remained in office and often worked harmoniously with the new incumbent.

Of his work at the Signet Office Francis Windebank has left few traces and those mainly of a routine nature.[20] In his early years he presumably owed allegiance to Lord Salisbury as his own and his father's patron, as, indeed, did Levinus Munck and Francis Gall.[21] By 1623 he seems to have been more particularly attached to George Calvert, who had also been a member of Salisbury's secretariat and with whose views on religion and foreign affairs he would have been in sympathy.[22] With Edward Conway, on the other hand, he came into collision after sending an unsatisfactory assistant to represent him during the last few days of his month of attendance in July 1628, when the court moved down to Hampshire during the preparations for the second expedition to La Rochelle in the summer of Buckingham's assassination. Windebank stayed in London to clear up the remainder of a heavy month's business at the Signet Office, and was clearly aggrieved by Conway's sharp rebuke while admitting the justice of the complaints against his servant, Peers.[23] Conway's reply was conciliatory; he referred to "too great a strangeness between you and me", and continued, "Whatever the omissions were, I do easily forget and pass by them without laying any tax upon you, that have given good proof of your diligence and abilities in his Majesty's services."[24]

The hazards of choosing an unsatisfactory deputy were well illustrated by the case of Peers, and Windebank seems to have employed a number of other assistants at the Signet Office, though whether successively or concurrently is not clear.[25] By March 1632, and probably for some time before that, his chief assistant and personal secretary was his nephew,

Robin Reade, who continued to hold this post throughout Windebank's term of office as Secretary of State.[26]

On 5 February 1632, Dudley Carleton, Viscount Dorchester, died at the age of fifty-seven, just over three years after he had finally secured the long-sought appointment as Principal Secretary of State.[27] The scramble for office had not slackened by the 1630's and there was no lack of eager candidates for the Secretary's place. Nor, as usual, was there any lack of speculation as to the identity of Dorchester's successor. The field of candidates was large and included Lord Cottington, Viscount Falkland, Lord Aston, Sir Thomas Roe, Sir Isaac Wake and Sir Kenelm Digby, "to whom some stick not to annex Mr. Walter Montagu and Sir James Bagg."[28]

The final choice was likely to be decided by the King's personal inclinations, the current political situation and the influence of one or more powerful patrons. Charles I's own preferences were an important consideration, for in this transitional period the Principal Secretaries were still the King's private secretaries and members of the Household, as well as ministers of state. Charles I had so far shown no wish to appoint a forceful personality as Secretary, and the successful candidate would need to be obedient to the King's commands and broadly sympathetic to his views, while possessing sufficient ability and retaining sufficient independence to give advice on matters of state and to conduct a considerable volume of business in the King's frequent absences from London.

The senior Secretary, Sir John Coke, possessed certain inconvenient shortcomings and it would be desirable if his colleague had attributes to compensate for these. Coke was notoriously inept in the conduct of foreign affairs, dilatory in replying to correspondence and capable of arousing a good deal of personal animosity. A candidate who showed diplomatic ability, efficiency and despatch in dealing with business, and who was personally likeable would therefore have strong claims to consideration. Sir John was also a convinced Protestant and strongly antagonistic to the Roman faith: a colleague who was tolerant towards Catholicism would provide a balance and

would inspire more confidence among those Catholic powers, particularly Spain and the Empire, with whom it was necessary to deal. This was the more desirable in view of the contemporary international situation and the King's decision to abandon a militant foreign policy and to rely upon diplomacy in his attempts to secure the restitution of the Palatinate. Since it was clear by 1632 that Charles intended to govern without Parliament for as long as possible, experience in the Commons and fluency in debate were largely irrelevant for the moment, and proven or potential skill in committee was a more desirable recommendation.

Not the least significant factor in the choice of a Secretary was the operation of the patronage system. The necessity of attaching oneself to a powerful patron if one wished to acquire high office in the early seventeenth century is everywhere apparent, and successful aspirants to the post of Principal Secretary were no exceptions to this rule. For the first twelve years of the century, Sir Robert Cecil dominated the secretarial scene, and his fellow in office, Sir John Herbert, was largely a cipher.[29] Cecil's unwillingness to tolerate competition restricted most of those who enjoyed his patronage, like Sir Thomas Windebank, to lesser posts among his own assistants or to Clerkships of the Signet.[30] After his death, appointment to a Secretaryship depended upon the influence of the reigning faction at Court, for a place so close to the King could not prudently be ceded to an uncommitted or potentially hostile candidate. Thus Winwood owed his appointment in March 1614 to Rochester,[31] and Lake's elevation from Clerk of the Signet to Principal Secretary of State in January 1616 was supported by the Howards.[32] Buckingham's patronage reigned supreme during the decade after 1618 and the next five Secretaries owed their places in greater or lesser measure to him.[33] Even Carleton's appointment as Secretary of State in December 1628 was a posthumous exercise of patronage by Buckingham. He had promised Carleton that he should succeed Conway, and the King implemented this undertaking four months after Buckingham's death, when Conway became Lord President of the Council.[34]

The assassination of Buckingham in August 1628 created something

of a vacuum in this as in other respects, and there was competition for the exercise of political power and patronage between three leading members of the Privy Council, Richard, Lord Weston, the Lord Treasurer; the Earl of Holland, a friend of the Queen's; and William Laud, Bishop of London. Of these three, Weston can most readily be identified as Buckingham's heir to the control of appointments to high office. In November 1628 Cottington had been readmitted to the Privy Council, and in the spring of 1629 Weston arranged the reshuffle by which Cottington succeeded Newburgh as Chancellor of the Exchequer, while Newburgh became Chancellor of the Duchy of Lancaster.[35] Sir Henry Vane's appointments as Comptroller of the Household in 1629 and Privy Councillor in 1630 were also due in part to Weston's influence,[36] and it was Weston who in 1628 held out the inducements which helped to draw Wentworth into the King's service.[37] As early as November 1628 he had been described as "a main man",[38] and as the minister "who has now the helm in his hand".[39] By 1632 with the King's support he was firmly embarked on a policy of peace and non-intervention in Europe, of strict economy and the husbanding of resources and of non-Parliamentary government.[40]

Non-Parliamentary government involved a further increase in the importance of conciliar government, and this in turn had repercussions on patronage. In the absence of parliament it was natural, if illusory, to believe that the wider political nation could be largely ignored. The struggle for political control centred on the Privy Council and its committees, and since the most important of these latter seldom had more than ten members, a great deal of influence could be wielded by a relatively small group of like-minded men. In this context the vacancy in the Secretaryship in 1632 assumes even greater significance. Not only was it a position close to the King, it was also a post which carried with it a seat on the Privy Council and most of its committees, and it was the first such post to fall vacant since 1628.[41] It is perhaps not surprising, therefore, to find that on the death of Dorchester Weston took immediate steps to safeguard his position. He took charge of Dorchester's seals and undertook the

exercise of the Secretary's office himself,[42] enlisting Coke's aid a few weeks later when the burden of the dual office grew too great.[43]

Weston's rivals were no less aware than he of the significance of the Secretaryship. Lord Holland, indeed, had already made an abortive attempt at a political double coup by attempting to detach Cottington from Weston's side with the offer of the post of Secretary in 1631, on Cottington's return from Spain. Unfortunately for Holland, however, this offer had been dependent on Carleton's acceptance of the place of Lord President of the Council, left vacant by the death of Conway, and Carleton had refused to move to the more exalted but less influential place. Moreover, Cottington himself was too conscious of the value of Weston's friendship to accept the offer without Weston's approval, and since this was not forthcoming, the proposal died a sudden death.[44] Holland represented the French interest at Court, centred on the Queen, as opposed to the Spanish sympathies of Weston and his followers, and as a patron whose influence depended partly on the distribution of pensions and places he was naturally hostile to the Lord Treasurer's current policy of retrenchment.

The third potential patron on the Privy Council, William Laud, was politically the most isolated of the three, and was another opponent of Weston's. He had been exercising a good deal of influence over clerical appointments since Charles I's accession in 1625, and as Bishop of London since 1628 he wielded more influence in the church than the Archbishop of Canterbury. In temporal matters, however, his powers of patronage were considerably more limited. He had been a member of the Privy Council since April 1627, but he lacked the appealing personal qualities that might have secured him a political following.

Of the list of candidates for the Secretaryship supplied by the Court and City gossips, Cottington, Aston and Bagg may be regarded as members of Weston's camp, and Digby and Montagu as being acceptable to Holland, although these political clients were less subservient to their patrons than in Buckingham's day. Digby was also on very good terms with Laud, who

appears to have had a particular affection for him for many years. Roe was seeking Holland's support, though it is unlikely that he secured it, and Wake and Falkland seem to have been uncommitted to any patron but personally pleasing to the King.

It is noticeable that among these candidates there was a preponderance of men who were well regarded by the King and who had already served in his Household, of High Anglicans or Catholic sympathisers, and of those with diplomatic experience. Agreement on the final choice was not swiftly arrived at, and four months passed while the appointment was deliberated. In the event, most of the speculation proved wide of the mark, for none of these men was selected. Instead, the senior Clerk of the Signet, Francis Windebank, was sworn Principal Secretary of State on 15 June 1632, and took his seat on the Privy Council, being knighted at Greenwich three days later.[45] His appointment was unexpected, and we may recall once more Sir Thomas Roe's comment:

> "That there is a new Secretary brought out of the dark is no news; preferred by my Lord of London - not my Lord Mayor - whose sufficiency may be great for anything I know. In other things he is well spoken of, and if he please my master, he loves himself, better than he ought that is displeased." 46

It was not only Roe who attributed Windebank's appointment to the influence of Laud. Laud's own claim to responsibility, contained in the entry in his diary for 15 June 1632, is explicit: "Mr. Francis Windebank, my old friend, was sworn Secretary of State; which place I obtained for him of my gracious master King Charles."[47] Many later writers have accepted and repeated the claim and have usually quoted the diary entry.[48]

The friendship between Laud and Windebank had been built up in various ways over a long period. Nine years younger than Laud, Francis Windebank entered St. John's College, Oxford, in 1599, a year after Laud graduated M.A., and left in 1602, a year after Laud was ordained deacon and priest.[49] St. John's at this time was becoming a celebrated training-

ground for those with High Church tendencies, and the similarity of their views created a bond between Laud and Windebank at a time when religious opinions were polarising.[50] There were other opportunities for contact, in Berkshire as well as in Oxford, for Francis Windebank's home at Haines Hill was within seven miles of Laud's native town of Reading, with which he maintained an active connexion. Laud was also on friendly terms with Sir Richard Harrison, who lived nearby at Hurst Manor, and owned the larger part of the parish in which Haines Hill was situated.[51] By 1625 Laud was making lengthy visits to Haines Hill, staying there in July to escape the plague in London, and returning in November from his see at St. David's to stay at Haines Hill over Christmas and into the New Year.[52] In 1629 he fell seriously ill on his way to court at Woodstock and again took refuge at Haines Hill, staying there from mid-August until the end of October.[53] As a solitary bachelor who seems to have had difficulty in building up satisfactory friendships, Laud valued this relationship highly. He expressed his appreciation in practical ways by using his influence to advance the fortunes of Francis Windebank's children. John Windebank's place at Winchester College in 1630[54] and Thomas Windebank's reversion to a Clerkship of the Signet in 1631[55] were both due to Laud's intervention. Francis Windebank's eldest daughter, Margaret, married Thomas Turner, Laud's chaplain and another graduate of St. John's.[56] A number of personal contacts and mutual obligations had thus accumulated over more than thirty years, and it is easy to assume that Windebank's appointment to the Secretaryship in 1632 was simply the consequence of Laud's latest expression of friendship and gratitude.

It is probable, however, that the situation was more complex than this and that the appointment, often regarded as a victory for Laud, was not solely due to the Bishop of London. Writing to Roe nearly two years later, when Roe was again canvassing likely patrons, Laud disclaimed his ability to help him and minimised his own part in securing Windebank's appointment:

"It may be because I had once the happiness to join in assistance to help my old acquaintance Mr. Secretary Windebank forward, you may conceive me able to do more than I am: but I would very willingly have you understand that if he had not had more powerful friends than myself, he had never been where he is. And therefore, I pray, build no more hopes upon me than I am able to answer." 57

This may have been Laud's way of protecting himself against Roe's importunity, but it is probable that it was no more than the truth.

In the first place, it is unlikely that Weston, who had taken such care to control the vacant Secretaryship for the previous four months, would have tolerated the selection of a candidate of whose sympathies he was not assured. Since Windebank was related by marriage to Weston's close political associate Sir Francis Cottington,[58] whose London house until the death of his wife in 1634 was in the parish of St. Martin-in-the-Fields only a short distance from the Windebank town house in Drury Lane,[59] it is probable that Windebank's views on religion and politics were already well known to both Weston and Cottington. The increasing rapport between these three men that is detectable by 1635, interpreted by Laud in dramatic terms as a personal betrayal,[60] was probably no more than a manifestation of a compatibility that had existed from the outset, fostered by increasingly frequent co-operation on the Privy Council and its committees. Windebank, though a friend of Laud's, was no devotee of the policy of "Thorough".[61]

Francis Windebank had other powerful contacts at the centre of government, for he was warmly regarded by Thomas Howard, Earl of Arundel and Surrey.[62] The Earl of Arundel was a prominent member not only of the Privy Council but also of the influential Committee for Foreign Affairs, the inner advisory body popularly known as the Junta, on which Weston was a leading figure but to which Laud was not admitted until March 1635.[63] Since 1628 Weston's position had been strengthened by his alliance with Arundel, whose reconciliation with the King and with Buckingham he had effected.[64]

Yet another long-standing friend of Windebank's on the Privy Council was Richard Neile, Bishop of Winchester, to whom Laud himself owed much of his early advancement.[65] For four years, from 1621 until the end of 1625, Laud had lived in Durham House, Neile's palace in the Strand,[66] and no doubt Windebank visited them there, just as he proposed to visit Neile at Farnham Castle in 1630.[67] Windebank's views on religion were similar in many ways to those of Laud and Neile and he based his own daily prayers on the book of devotions produced by John Cosin, another of Neile's protégés and a frequenter of Durham House.[68] The King could thus be assured that Windebank was in spiritual harmony with his own views and with the current High Anglican orthodoxy.

It seems clear that Francis Windebank was better known than is often supposed, and that he was not solely dependent upon Laud. His other patrons and friends, highly placed in both the King's counsels and in the Anglican church, were likely to recommend him for his political and religious opinions and to speak of him from long acquaintance and from a warm appreciation of his personal qualities. Charles I must himself have already been familiar with Windebank in consequence of his long service as Clerk of the Signet, and would therefore have been aware of the blend of industry, moderation and good humour that made him capable of transacting a formidable quantity of business and of presenting his opinions in a way which allowed him to retain his independence while avoiding occasion for giving offence. The most comprehensive list of his good qualities as an administrator and courtier is provided by Lloyd:

> "His integrity and faithfulness so singular that he would lay aside all obligations to please any one, to satisfy the great obligation that was upon him of doing justice... His lenity and moderation, which was a happy mixture of discretion and good nature, like the silken string running through the pearl-chain of all his transactions... His plain dealing, a great jewel in the court of Princes... and a resolution rather to displease than betray his Sovereign; offering free but humble counsels, gilding and sweetening his wholesome pills." 69

He was fifty years old in 1632, which was about the usual age at which seventeenth century Secretaries of State took up their appointments.[70] His

early education, his linguistic skill and his long experience in the Signet Office qualified him to undertake the routine work of the Secretary's place, and his lack of Parliamentary experience was of little significance in 1632, though it was to prove a serious handicap in 1640. The chief deficiency in his qualifications, particularly in view of Coke's similar shortcomings and of the large volume of foreign negotiations conducted during the Personal Rule, was his lack of diplomatic experience.[71] In spite of this he seems to have possessed a natural gift both for negotiation and for drafting instructions and despatches. Lloyd describes two of the characteristics which aided him in his personal contacts with the foreign ambassadors in England:

> "His reservedness not so close, but that he imparted as much as might invite others to open themselves, though so wary as not to discover so much as might give others a hank over him; his peculiar faculty was a vast gift of discerning others, himself all the while unseen, walking as in Gyges his ring." 72

In his dealings with the English ambassadors abroad he was to be strengthened by the good relations that he developed with many of them[73] and by the facility with which he drafted lucid expositions of a royal policy that was often contradictory, and made clear and balanced assessments of current international situations and trends.[74]

In 1632, however, his ability in foreign negotiations and in the exercise of the other duties of the Secretary's place had still to be proved. His selection should perhaps be seen as the result of multiple rather than individual patronage, and as marking an interim stage in the contest for power on the Privy Council. The King, Laud and those others who had supported his appointment each, no doubt, had expectations of the way in which he would fill the post, and it remained to be seen how far he could satisfy those expectations. Laud, in a congratulatory and prophetic note on his appointment wrote, "So now you have a second cure to attend as well as your son-in-law. The name of the parish is S. Troubles."[75] Not the least of Francis Windebank's problems in office was to be his relationship with

Sir John Coke, his co-secretary for most of the period until 1640. The selection of two men of widely different temperaments and opinions as his Principal Secretaries of State had certain advantages for Charles I, but their incompatibility and the division of duties between them reveal both the strengths and the weaknesses of the dual Secretaryship in this transitional period. The resulting friction, open or concealed, reflected both the evasive and contradictory nature of the King's own conduct of business, and also the deep divisions that existed within the upper levels of government during the Personal Rule.

Notes to Chapter I

1 P. R. O., SP 81/38/312, Roe to Elizabeth of Bohemia, 1/11 July 1632.

2 H. R. Trevor-Roper, The Gentry, 1540-1640, Econ. Hist. Rev. Supplement 1, (1953), pp. 29-30.

3 C. S. P. D., 1603-1610, p. 198, Docquet, 21 February 1605.

4 HMC 9; Salisbury (Cecil) VII: p. 419, Francis Gell (Gall) to Sir Robert Cecil, 6 October 1597. John Clyff was a Clerk of the Signet in Mary's reign. C. S. P. D., 1547-1580, p. 90, Articles of Agreement between Clerks of the Signet, 16 March 1557.

5 C. S. P. D., 1603-1610, p. 35, Grant to Francis Gall, 26 August 1603. There was still a Mr. Gall serving as a Clerk of the Signet in 1638. P. R. O., S P 16/409/29, Sir Francis Windebank's accounts, 1 May 1638 - 5 January 1639. Either Francis Gall had survived long enough to reap an ample reward for his long period of waiting for office, or, like the Windebanks, he had secured succession in office for his son.

6 W. Shaw, The Knights of England II (1906), p. 109; G. Goodman, The Court of King James I I (1839), p. 175.

7 Shaw, op. cit., p. 116; J. Nichols, Progresses of James I, I (1828), p. 210.

8 Shaw, op. cit., pp. 109, 116; Nichols, op. cit., p. 210; J. A. Venn, Al. Cantab., Pt. I, Vol. IV (1927), p. 452; Visitations of Essex, Part II, Harl. Soc. (1879), p. 620.

9 B. M., Harl. MS. 1,551, f. 87.

10 Nichols, op. cit., p. 210.

11 C. S. P. D., Addenda 1580-1625, p. 482, Francis Mills to Edward Anthony, 6 July 1606.

12 D. N. B., XI, p. 418.

13 C. S. P. D., 1603-1610, p. 550, Grant to Roger Caldert, 16 October 1609. He does not appear to have taken up his reversion.

14 P. R. O., SP 16/112/60, Windebank to Conway, 9 August 1628.

15 P. R. O., SP 14/65/91, James I to Salisbury, 31 August 1611. (Endorsement wrongly attributed to Sir Thomas Windebank in C. S. P. D., 1611-1618, p. 7.)

16 C. S. P. D., 1611-1618, p. 99. Grant, 10 December 1611.

17 Edward Chamberlayne, Angliae Notitia, II i (1692), pp. 6-7. For a description of the origins and work of the Signet Clerks see J. Otway-Ruthven, The King's Secretary and the Signet Office in the Fifteenth Century (1939), and F. M. G. Evans, The Principal Secretary of State (1923), Chapter IX.

18 P.R.O., SP 12/275/17 contains a list made by Sir Thomas Windebank of the letters, leases and other documents that passed the signet during his waiting month of June 1600.

19 P.R.O., SP 16/203/112, 113, 214/95, Francis Windebank's Signet Office Accounts, November 1631, March 1632.

20 See, for example, P.R.O., SP 12/109/142, Windebank to Thomas Packer, 19 July 1619; C.S.P.D., 1623-1625, p. 505, Windebank to Conway, 21 March 1625.

21 All three were Cecil nominees. Levinus Munck was one of Cecil's assistants from 1596-1612. Alan G.R. Smith, 'Secretariats of the Cecils, c. 1580-1612', E.H.R. 83 (1968), pp. 482, 495-6; Howard Vallence Jones, 'The Journal of Levinus Munck', E.H.R., 68 (1953), pp. 234-58. He was Clerk of the Signet until his death in 1623, when he was succeeded by John More. C.S.P.D., 1619-1623, p. 591.

22 Clar. S.P. I, p. 10, Calvert to the Earl of Bristol, 14 January 1623, endorsed by Francis Windebank, "My master's letter to the Earl of Bristol"; Ibid., p. 12, Cottington to Calvert, 27 April 1623, endorsed by Francis Windebank, "Sir Fran. Cottington to my Master". For Calvert's service under Salisbury see Smith, op. cit., pp. 482, 493-4.

23 P.R.O., SP 16/112/11, Conway to Windebank, 2 August 1628; SP 16/112/60, Windebank to Conway, 9 August 1628.

24 P.R.O., SP 16/113/5, Conway to Windebank, 16 August 1628.

25 P.R.O., SP 16/112/11, Conway to Windebank, 2 August 1628; C.S.P.D., 1623-5, p. 413, The Council to Sir William Uvedale, 20 December 1624?; Ibid., 1631-33, p. 5, Thomas Horne to Dorchester, 6 April 1631.

26 P.R.O., SP 16/214/95, 96, 97, Francis Windebank's accounts, March 1632, in Reade's handwriting. The date of Reade's appointment is not known, though it was probably in the early 1620's. In a letter to his cousin in December 1641, Reade wrote, "I wish the King would think upon a poor man ruined in his service after almost twenty years attendance at Court." P.R.O., SP 16/486/71, Reade to Thomas Windebank, 17/27 December 1641.

27 C.S.P.D., 1631-3, p. 277, (Sir Thomas Roe) to John Dyneley, 23 February 1632; G.E.C., Complete Peerage IV, p. 409.

28 Birch, Court and Times of Charles I, II p. 169.

29 Evans, op. cit., pp. 57, 68.

30 Thomas Wilson, The State of England, Anno dom. 1600. ed. F.J. Fisher, Camden Miscellany, XVI (1936), p. 42; J. Hurstfield, 'Political Corruption in Modern England', History 52 (1967), p. 27; Smith, op. cit., pp. 481-504; Thomas M. Coakley, 'Robert Cecil in

Power: Elizabethan Politics in Two Reigns', in Howard S. Reinmuth, Jr., Early Stuart Studies (1970), pp. 80-1. Three of Cecil's assistants, Ralph Winwood, Thomas Lake and George Calvert, became Secretaries of State in 1614, 1616 and 1619 respectively.

31 D. N. B., XXI, p. 705.

32 Ibid., XI, p. 418.

33 These were Naunton (1618), Calvert (1619), Conway (1623), Morton (February 1625), and Coke (September 1625). For Naunton see Chamberlain, Letters II, pp. 109-110; D. N. B., XIV, p. 127; Calvert, D. N. B., III, p. 722; Chamberlain, Letters, II, p. 216; Conway, D. N. B., IV, pp. 965-6; G. E. C., Complete Peerage III, p. 400; Chamberlain, Letters, II, pp. 471-4; Evans, op. cit., p. 79; Morton, D. N. B., XIII, p. 1045; Chamberlain, Letters, II, p. 600; Coke, D. N. B., III, pp. 997-8; Evans, op. cit., pp. 85-6.

34 S. R. Gardiner, History of England, VI (1893), p. 341.

35 C. S. P. D., 1628-9, p. 507, Charles I to Attorney-General Heath, 30 March 1629; Gardiner, op. cit., VI, pp. 371-2; G. E. Aylmer, The King's Servants (1961), pp. 88-9.

36 D. N. B., XX, p. 113.

37 John Hacket, Scrinia Reserata, II (1693), p. 82; C. V. Wedgwood, Thomas Wentworth, First Earl of Strafford, 1593-1641, A Revaluation, (1961), p. 68.

38 C. S. P. D., 1628-9, p. 391, Hay to Carlisle, 22 November 1628.

39 Ibid., Goring to Carlisle, 22 November 1628.

40 For an outline of Weston's policy see Gardiner, op. cit., VII, p. 105; F. C. Dietz, English Public Finance, II (1964), pp. 249-62.

41 The Place of Lord President of the Council had become vacant in 1631 on the death of Conway, but this did not carry with it membership of the smaller committees. The vacancy had not been filled by 1632.

42 C. S. P. Ven., 1629-32, p. 598, Gussoni and Soranzo to Doge and Senate, 2/12 March 1632; C. S. P. D., 1631-3, p. 277; Roe to John Dyneley, 23 February 1632.

43 C. S. P. Ven., 1629-32, p. 607, Gussoni to Doge and Senate, 30 March/9 April 1632.

44 Ibid., p. 510, Soranzo to Doge and Senate, 27 May/6 June 1631.

45 Bodl. L., Rawlinson MS. B 224, f. 40; P. R. O., SP 16/218/42, 45, Coke to Windebank, 12, 13 June 1632; C. S. P. D., 1631-3, p. 354, Warrant signed by Francis Windebank, 15 June 1632; Shaw, op. cit., II, p. 200.

46 P. R. O., SP 81/38/312, Roe to Elizabeth of Bohemia, 1/11 July 1632. Gardiner mistakenly describes Windebank as "Clerk of the Council, a man utterly unknown in the world of politics." op. cit., VII (1894), p. 200.

47 Laud, Works III, p. 215.

48 See, for example, William Prynne, Hidden Works of Darkness Brought to Public Light (1645), pp. 122-3; Rushworth, II, p. 117; David Lloyd, Memoirs (1668), p. 64; Kennett White, Complete History of England III (1719), p. 67; Wood, Fasti I, p. 290. For Laud's opponents, Windebank's appointment was yet another charge to be brought against him at his trial. Among later writers who depend on the testimony of Laud's diary are Evans, op. cit., p. 93, who says that Windebank "owed his promotion entirely to the recommendation of Laud", and H. R. Trevor-Roper, Archbishop Laud (1962), p. 130, "... Francis Windebank had merely succeeded his father in an office which, but for Laud, he would have continued to occupy."

49 Foster, Al. Oxon., pp. 885, 1659.

50 Trevor-Roper, op. cit., pp. 32-4; D. N. B., III, pp. 200-1, John Buckeridge.

51 Laud, Works, III, pp. 169, 176; V. C. H. Berks. III, pp. 248, 252, 254, 256.

52 Laud, Works, III, pp. 154, 167-9, 175-7. He preached on Christmas Day, fast days and Sundays in Hurst Church and made brief trips from Haines Hill to the Court at Windsor and Hampton Court.

53 Ibid., p. 211; P. Heylyn, Cyprianus Anglicus (1671), p. 188. J. C. F. Wimberley, History of the Parish of Hurst (1937), p. 58.

54 Laud, Works VII, p. 36, Laud to Edward Stanley, June 1630, requesting a place for John Windebank at Winchester. "But you know how much I am bound to my old friend Mr. Windebank. And if I do live to be able to do you any good hereafter, I owe that, under God, to the great love and care I found from him in the time of my great extremity."

55 Ibid., pp. 41-2, Laud to Dorchester, 29 September 1631.

56 Edward Hasted, History of Kent XII (1801), p. 24.

57 Laud, Works VII, p. 74, Laud to Roe, 22 April 1634. Trevor-Roper's comment on this indicates that he too accepted the situation in 1632 at its face value: "Who these 'more powerful friends' were, Laud would have been hard put to it to explain, for in fact Windebank was quite unknown except to himself." op. cit., p. 130.

58 See Appendix A.

59 L. C. C. Survey of London XVIII (1937), p. 5.

60 Laud, Works III, p. 244; VII, pp. 176-7, 201, 216-8, Laud to Strafford, 4, 26 October 1635, 2 January 1636.

61 A. F. Pollard, in his article on Windebank in D. N. B. XXI, p. 634, is alone in emphasising the part played by Weston and Cottington, and in making the distinction between their political patronage and Laud's friendship.

62 P. R. O., SP 16/159/48, Arundel to Windebank, 30 January 1629. One reason for Arundel's friendship was yet another act of charity by Windebank: "I thank you most heartily for the great care you have of my poor Lady Sandys, to whom I beseech you to continue your favour, which she and all her friends are bound to acknowledge to be in extraordinary measure."

63 Turner, Cabinet Council, pp. 35-6.

64 C. S. P. Ven., 1628-9, p. 432, Contarini to Doge and Senate, 2/12 December 1628; M. F. S. Hervey, The Life, Correspondence and Collections of Thomas Howard, Earl of Arundel (1921), pp. 262-3.

65 Laud had become Neile's chaplain in 1608, and it was on Neile's recommendation that Laud had first preached before the King and had later been made President of St. John's College in 1611. Laud, Works III, pp. 134-5; D. N. B., III, pp. 200-1; XIV, p. 171. Heylyn, op. cit., pp. 50-1, 59.

66 Laud, Works II, p. 177, Heylyn, op. cit., p. 59; D. N. B., XIV, p. 172. John Buckeridge, Laud's former tutor at St. John's, also had quarters there, and temporary hospitality was often extended by Neile to other congenial minds, so that the house became known as "Durham College".

67 P. R. O., SP 16/167/65, Neile to Windebank, 25 May 1630. This friendly letter, dealing with the unexpected cancellation of the proposed visit, John Windebank's place at Winchester, a lawsuit in which Francis Windebank's brother-in-law, Henry Reade, was engaged, and ending with greetings from Neile's wife to Mrs. Windebank, indicates the degree of familiarity between them. The correspondence was kept up until a few weeks before Neile's death in October 1640. D. N. B., XIV, p. 173.

68 Bodl. L., Rawlinson MS. B 224, ff. 41-4.

69 David Lloyd, Memoirs (1668), pp. 64-5.

70 Of the eight other Secretaries of State appointed between the death of Sir Robert Cecil and 1640 whose dates of birth are known, only two, Morton and Calvert, were younger than Windebank on appointment, and were both aged about forty. Winwood, Lake, Naunton, Carleton and Vane were all in their early fifties on taking up office, and Coke was exceptionally elderly at 62.

71 All the other Secretaries of State appointed between 1614 and 1640 had held some diplomatic posts, with the exception of Lake and Coke, neither of whom can have been regarded as encouraging precedents.

72 Lloyd, op. cit., p. 65.

73 See Chapter IV.

74 See, for example, some of his despatches to Aston and Hopton in Madrid, printed in Clar. S. P. I, pp. 74-7, 103-6, 226-9, 506-10, 752-5. The Earl of Hardwicke, editing the correspondence of Sir Dudley Carleton, compared Sir Francis Windebank favourably with Dorchester and Falkland, and judged him superior to both "for a perspicuity and correctness of style, and a judicious exact manner of stating facts and giving instructions." Letters from and to Sir Dudley Carleton (1775), p. xxxiv n.

75 Laud, Works VII, p. 44.

CHAPTER II

THE PROFITS OF OFFICE

When Windebank became Secretary of State in June 1632 he entered into an office that was reputed to be worth about £2,000 a year.[1] He was fortunate in that he does not seem to have been obliged to purchase the Secretaryship. During the period of Buckingham's ascendancy when traffic in offices was brisk, the price of the place seems to have been about £6,000, and sums ranging from £6,000 to £10,000 were again being paid between 1668 and 1674.[2] During the period of the Personal Rule there was a reduction in the number of sales of office, however, particularly in the upper levels of the central administration, which seems to have been partly due to the intervention of Charles I.[3] Windebank appears to have been the first of Charles I's Secretaries to be appointed without payment. Morton in 1625 and Carleton in 1628 had each purchased his place, and when Coke had succeeded to the Secretaryship left vacant by the death of Morton, he paid compensation to Morton's widow.[4] There is no trace of any payment by Windebank to Dorchester's widow, and the assumption that none was made is strengthened by the absence of any reference to compensation when Nicholas succeeded Sir Francis in November 1641. By this time he had been in exile in France for a year, and was anxious to raise money for himself and his family. It is unlikely that in his straitened circumstances he would not have attempted to claim the large capital sum for the Secretary's place if he himself had had to pay this in 1632, but there is no reference to the matter in his letters or Reade's.

The sources of the Secretaries' income were many and various. Some parts of it were fixed and others were variable; some were derived from the Crown and others from subordinate officials and from the King's subjects. One of the smaller elements in this income was the annual salary of £100, payable for life quarterly out of the Exchequer, in respect of the Secretary's position as a member of the royal household.[5] Although Sir Francis was not appointed until June 1632, in his case the fee of £100 a

year was to be paid from the death of Dorchester in the preceding February.[6] Collecting the fee was not always a simple matter, however, and although the Secretaries of State did not suffer as much in this respect as some other Crown officials, nevertheless payment of their salaries was not always prompt, particularly in times of financial crisis. In November 1635, for example, the salaries of both Secretaries were a quarter in arrears,[7] and at Michaelmas 1640, just before Sir Francis fled to France, a year's salary remained unpaid.[8]

Also in respect of their place in the royal household the Secretaries were entitled to a diet, or free board at Court, which was sufficient to provide both for themselves and their assistants. The senior Secretary was treated more generously than the junior, and in either or both cases the diet could be commuted into board wages. When we attempt to discover the value to Sir Francis of this part of his income, we find that there are a number of conflicting accounts of the size of these diets and of their financial equivalents. The most generous, and probably mistaken, assessment was made in the late seventeenth century. This suggested that at the end of James I's reign or early in that of Charles I, the senior Secretary had bestowed five of his twenty dishes on the junior, who was already receiving five dishes, and that the commutation rate of £100 p.a. per dish amounted to £1,500 for the senior and £1,000 p.a. for the junior Secretary.[9] Turning to an earlier account, we find that in 1607, in a list of offices and fees of James I's reign, the Principal Secretaries are credited with a fee of £100 apiece "and their table furnished with two mease of meat".[10] In the household reforms carried out in the interests of economy early in Charles I's reign there was a considerable reduction in the number of free tables at Court, and many were abolished altogether. A contemporary observer recounts that the Secretaries of State were among the few who escaped this drastic measure, but that their tables were reduced in number from two to one for each Secretary.[11] Mrs. Higham concludes that this process of reduction was continued in the 1630's, and that Windebank, as the junior Secretary, received no diet and no board

wages until 1640, after Coke had retired,[12] but this does not seem to have been the case. A more recent study gives the value of the ten-dish senior Secretary's diet as £1,095 p.a., and the three-dish junior Secretary's diet after 1629-30 as £390 p.a. When the diets were commuted, the Secretaries received £577 p.a. board wages each.[13] Coke was certainly drawing board wages at about this rate in 1628 when he received £192 18s. 2d. for four months before the deduction of fees,[14] and after 1640 Sir Francis was trying to secure the continued payment of his board wages to help towards his support in exile.[15] The 1629 Ordinances for the King's Household provide for a ten-dish diet for the senior Secretary and a four-dish diet for his junior colleague,[16] and this four-dish diet was probably what Sir Francis was receiving until 1640, except when he commuted it to board wages.

The significance of the senior Secretary's diet in practical financial terms should not be overestimated, however, and its importance seems chiefly to have been as a sign of status. Immediately before Coke retired in 1640 there were rumours that Vane was likely to succeed him. There was speculation in the Windebank family about the effect of this on Sir Francis, since Vane already took precedence over both Secretaries of State in virtue of his position as Treasurer of the Household, and was already provided with a ten-dish diet.[17] Robin Reade wrote to Thomas Windebank, "Methinks we should not fail of the diet and seniority in secretaryship",[18] and, a week later, "It is a business I do not much hearken after, because I think it is very indifferent to Secretary Windebank whether Coke stay in or no, for all we shall gain by it is at most but a diet, which for my part I regard not, neither do I believe that it will be threepence a year advantage to Mr. Secretary, but rather a greater charge, yet if the other Secretary go off, it must not be neglected, for credit's sake."[19] The numerous additional dishes at the senior Secretary's table were not, after all, likely to be consumed by Sir Francis, and were probably of more direct interest to the Secretary's assistants and the Signet Clerks than to the Secretary himself.[20]

A further allowance in kind made to officers of the Household was bouge of court, consisting of bread and ale, candles and firewood or coal,

the lights and fuel varying in quantity with the seasons, and the whole bouge usually being related to the officer's status.[21] The two Secretaries had bouges of identical size, which were only slightly smaller than the maximum bouges granted.[22] Sir Francis also had lodgings at Whitehall, which included a study for his secretary, Robin Reade.[23] It is difficult to set any financial value on these last two perquisites. Bouge was occasionally commuted, but at a low rate compared with the value of the goods in kind, and commutation was not allowed for lodgings at Court, so that no monetary equivalent can be given for them.[24]

The final allowance from the Crown was a payment of £700 p. a. during pleasure, payable quarterly out of the Exchequer, to each Secretary to cover the cost of Intelligence services. This was usually granted immediately upon appointment, and since the death of Salisbury, who had received the whole allowance of £1,400, it had been divided equally between the two Secretaries without regard to their seniority.[25] In accordance with this practice, Windebank had claimed half the Intelligence money upon appointment, but this had at once been queried by Portland, the Lord Treasurer, who thought that Coke "might move for the whole as having foreign employment."[26] The King appears to have agreed with this view, but there is nothing to show that Sir Francis was deprived of his share of the allowance. By the following year he was beginning to take an active part in foreign negotiations, so that the case for equal division would by then have been strong. He was certainly receiving half the Intelligence money by the end of his secretarial career, for this is yet another part of his income that was a year in arrears by Michaelmas 1640.[27] By August 1640 a new arrangement had been made by which the Intelligence allowance had ceased as a separate payment, and had been amalgamated with the payment for the posts.[28]

Thus for the first five years of Sir Francis's career as Secretary, the fixed annual income that he was due to receive from the Crown, assuming that he took his diet in the form of board wages, amounted to

£1,377 in cash in addition to the perquisites of bouge, worth perhaps another £100 p.a., and his offices at Whitehall. It should be noted, however, that about half this sum cannot properly be counted as salary, since out of it he had to finance his share of the Intelligence service. There is no means of knowing what were his disbursements on this score, and what residue he retained for himself.

In June 1637 the arrangements for the postal service, which had been causing a good deal of discontent, were reorganised, and the Secretaries of State became joint Comptrollers-General of the Posts.[29] Coke and Windebank were created postmasters "for their lives, if they so long continue secretaries", with a quarterly fee of £66 13s. 4d. each from the Exchequer.[30] The receipt of a half-year's fee of £125 was duly noted by Reade in 1638.[31] Thus a further £250 p.a. was added to Sir Francis's income from the Crown.

In addition to these various payments out of the Exchequer the Secretaries also received a proportion of the receipts at the Signet Office. Each Signet Clerk kept a record of the fees charged during his month of attendance and, after deducting expenses of £1 "for the Book and Chamber", divided the remainder between himself and the other three clerks, and equally between the two Secretaries.[32] Since there was considerable variation in the number of documents passing the signet each month, this part of the Secretaries' income was both uncertain and fluctuating. Some idea of the practical consequences of this for Sir Francis may be gained from the accounts kept for him by Robin Reade, which record some of the payments made to him by the Clerks of the Signet between 1636 and 1638. The lowest recorded fee for a single month was 7s. 4d. in November 1636, while the highest, in May 1638, was £10 16s. 0d. The average monthly receipt for six months in 1636-7 amounted to £3 3s. 3d., and for five months in 1638 to £7 3s. 9d.[33]

Another part of the Secretaries' income was derived from fees paid into the Chancery offices of the Hanaper and Pettybag for congés d'élire,

some kinds of letters patent and other writs issued under the great seal. In return for their part in the early stages of these proceedings the Secretaries and the Clerks of the Signet were paid a proportion of the fees.[34] The Secretaries' share for each of the law terms was delivered by the attendant Clerks of the Signet for January (Easter term), February (Trinity term) and July (Michaelmas term).[35] Since they usually made a combined payment of fees from the Signet Office and from the Hanaper and Pettybag the yield from the latter source cannot be isolated, but the total fees paid to Sir Francis for January and February 1637 and the Easter and Trinity terms amounted to £38 9s. 8d., and for January, February, July and the Easter, Trinity and Michaelmas terms in 1638 to £63 2s. 1¼d. Because of the incomplete nature of the figures it is not possible to calculate a significant annual average for Sir Francis's income from the Signet Office and the Hanaper and Pettybag, but it appears likely to have been under £150 p. a.[36]

A considerably more substantial contribution to the Secretaries' income was made by the fees paid directly to them for obtaining the royal signature in the case of private suits. The fee paid to Sir Francis for bills, licences, warrants and similar documents was usually £5, but wealthier suitors paid £10 or £15 and occasionally as much as £40, while fees paid by corporations and merchant companies were normally £10 or £20. Receipts of this kind recorded in Sir Francis's accounts for the seven months between 11 April and 9 November 1637 amount to £494, and for the eight months between 1 May 1638 and 5 January 1639 to £1,011, giving a monthly average for these two periods of £70 and £126 respectively.[37]

These, however, were only the official fees, and there are indications that eager suitors were frequently willing to comply with the ancient custom of supplementing them by much larger unofficial gratuities to the Secretaries of State in return for their help in securing a favourable response from the King.[38] Sir David Cunningham, Receiver-General for the Prince's revenue, in asking Reade to secure Sir Francis's good offices with the King in connexion with a reference, added the significant post-script, "For Mr. Secretary's favour herein £50, for your own £30, which I will

punctually pay upon passing the Privy Seal."[39] In December 1639, tardier but no less tangible evidence of gratitude was shown by Thomas Jay, a Middlesex J. P., who was seeking Sir Francis's help in securing the renewal of his appointment as registrar of seamen's contracts for hire and wages. He promised to pay Reade £100 in the event of success, and undertook to bring to Sir Francis an account of the first year's profits of this office, and to assign any proportion he pleased to any person he should nominate for the entire term of the office, "forasmuch as I have received much favour at the hands of Secretary Windebank in mediating to the king's Majesty upon my several petitions and requests, and have never been able to make any tender of my thankful respects to him for the same."[40] Another inducement of this kind was offered in land rather than in money. In February 1634 Sir William Killigrew undertook to give Sir Francis a hundred acres of whatever share of the Eight Hundred Fen in Lincolnshire was allotted to him, in return for the delivery of his petition and the procuring of a favourable reference.[41] The gift was probably made, for in 1640 an agent was corresponding with Reade about securing tenants for Sir Francis's ground in the Fens, but the outcome of the bargain with Killigrew was uncertain for a while. In 1637 he complained to Sir Francis, "I plainly see that you are cold for me and warm for Sir William Becher and... put you in mind that my hopes were built on the favour I expected from you."[42] Possibly Becher had made a better offer.

These suitors were among the few who were willing to commit themselves to paper, and their offers indicate something of the scale of these payments, but there must have been a much larger number of more discreet applicants whose gifts to Sir Francis and his assistant go unrecorded. It is, of course, impossible to estimate the contributions made to Sir Francis's income by payments of this kind, and although it was probably considerable it seems likely that he received less on this score than Sir John Coke. Coke certainly appears either to have received or to have preserved a great many more letters of request for assistance in furthering suits, and thanks for services rendered, than Sir Francis. As the

senior Secretary and the Secretary who remained with the Court and accompanied the King on his absences from London it is probable that he exercised more influence over this profitable form of patronage.[43]

If we now attempt to formulate an approximate estimate of Windebank's official annual income from the Secretaryship in the late 1630's, we may suggest that a partial total of about £3,000 was made up as follows: Salary, £100; Board Wages, £577; Intelligence, £700; Bouge (estimated value), £100; yield from Signet Office and Hanaper and Pettybag, c. £130; Fees, c. £1,200; Post rent (after June 1637), £250. This suggests that something approaching Aylmer's lower estimate of £4,800 p.a. gross income might be more appropriate in Sir Francis's case than the higher figure of £6,000, since it seems unlikely that gifts, gratuities and other unknowns would have amounted to as much as 50% of the total income of the junior Secretary.[44]

While it is undoubtedly true that one of the more tangible attractions of office-holding in the seventeenth century was the financial profit that accrued to the holder, it is perhaps worth reminding ourselves that office-holding was not necessarily synonymous with wealth. In the accumulation of the profits of office, much depended on the character of the office-holder and on the nature of the office. Neither the size of Sir Francis's estate nor the surviving evidence relating to his other financial interests suggests that he exploited his position unscrupulously. If the potential profits of office included chance for investment and for acquiring property, it does not appear that Sir Francis took greedy advantage of those opportunities. Lloyd, describing the loss of Windebank's property during the Civil War, refers to "his little state (the argument of his honesty and generosity)".[45]

Many offices, including the Secretaryship, carried a more or less guaranteed average income that was well known to contemporaries, and the extent to which this could be enlarged usually depended on the rapacity or business sense of the holder, and on the circumstances of the period. Not all offices were equally profitable at different times, and a Secretaryship of

State during the 1620's and 1630's appears to have been considerably less lucrative than it had been in the sixteenth century and than it was to be once more after the Restoration. It is perhaps significant that of the eight major office-holders listed by Aylmer as having died before 1642 leaving unexpectedly small estates, three (Conway, Dorchester and Naunton) were Secretaries of State.[46] A further glance at the Secretaries' income and the conditions on which they held office may show how this came about.

In the first place, many of the sources of the Secretaries' income had remained fixed over a long period, or had been reduced in size, and had thus signally failed to keep pace with inflation.[47] The salary of £100 p.a., first paid in the 1430's, remained unchanged two hundred years later.[48] The Secretaries' diet had been reduced in the 1620's in the interests of Household economy,[49] and commutation of the diet to Board wages at £544 p.a. in 1628 compared unfavourably with the £378 9s. 3d. p.a. that Sir Ralph Sadler seems to have contrived to draw in 1540-3.[50] The payment of £700 p.a. for Intelligence had first been instituted after Cecil's death in the early seventeenth century, and remained at the same level nearly thirty years later.[51] Although the usual fees charged at the Signet Office of 6s. 8d. for ordinary warrants and £3 for perpetuities, unchanged between 1540 and 1611, had increased to 10s. or £1, and £3 13s. 4d. or £4 6s. 8d. respectively by 1632, the increase was very much less than the increase in the price index over the same period.[52] Moreover, it appears that a smaller number of bills on which fees were charged were passing the signet in the 1630's than in the mid-sixteenth century, so that in spite of the higher fees, the total annual income of the Secretaries from the Signet Office and the Hanaper and Pettybag had dropped. In the late 1630's Sir Francis's income from this source was under £150 p.a., whereas Sir Ralph Sadler had received an average of £201 2s. 7d. p.a. from signet fees between 1540 and 1542.[53] Sir William Petre's receipts from the Signet Office and Hanaper and Pettybag reached a peak of £294 in 1549, and averaged £184 16s. p.a. over five of the years from 1548 to 1556.[54] The fees paid to Sir Francis for the forwarding of private suits, normally £5 or

£6 but occasionally as much as £20 or £40, were similar to those paid to Sir Thomas Wriothesley in the early 1540's.[55] Of the Secretaries' official fees and allowances, only the bouge, received in kind, had increased in value between the mid-sixteenth century and the 1630's.[56]

Another circumstance which resulted in greater prosperity for Secretaries of State in the sixteenth and early seventeenth centuries was the practice of holding other offices in conjunction with the Secretaryship, and of performing some of the duties of each office either by deputy or with the aid of a number of assistants. Thus the Secretaries drew more than one salary with its attendant fees, gratuities, and perquisites. Sir Ralph Sadler held two Chancery clerkships in addition to the Secretaryship in the early 1540's,[57] while Sir Robert Cecil, the most successful exponent of this practice, achieved a much more lucrative and influential combination of offices. Between 1600 and 1608 he was Secretary of State and Master of the Wards, and between 1608 and 1612 he continued to hold both these posts after his appointment as Lord Treasurer.[58] By the 1630's, however, this practice had almost entirely ceased, and the Secretaries' opportunities of enriching themselves from the profits of office had diminished accordingly.[59]

After the Restoration, the diminution in the real value of the Secretaries' income appears to have been recognised, for their fees and gratuities were increased by two very substantial additions. From November 1660 onwards a large annual grant of £1850 was paid to each Secretary as an extra "pension and allowance".[60] In addition to this the Intelligence money was supplemented by various irregular payments between 1660 and 1669, and by 1670 Arlington, the senior Secretary, was drawing £4,000 p.a. for Intelligence, although the junior Secretary was apparently receiving no Intelligence payments at all. By 1675 an extra £1,000 p.a. was added, and the Intelligence money was divided once more, £3,000 going to the senior Secretary and £2,000 to the junior.[61] Although inflation had continued, the pace had slowed considerably,[62] and these large increases in the Secretaries' income must have made the post financially more profitable than it had been in the time of Sir Francis.

The yield of the Secretaryship was, of course, only part of Sir Francis's annual income, and although there is no substantial body of surviving evidence to suggest the amount of the rest, there are indications of the nature of some of his other financial interests. Secretaries of State were often appointed to other offices which carried small annual fees, and which widened the potential scope of the patronage that they exercised. In Sir Francis's case there is a record of only one such office, that of High Steward of St. George's Chapel, Windsor, which carried an annuity of £13 6s. 8d., and to which he was appointed on 19 November 1634.[63]

Like many of the gentry and aristocracy of the period, Sir Francis invested capital in commercial undertakings. In 1636 he is reported as having contributed £300 to a venture to the West Indies, in company with the Earl of Arundel, the Spanish ambassador, Necolalde, and the London merchant, Peter Richaut. A twenty-fold return on the invested capital was expected, but the voyage seems to have ended unprofitably.[64] Like his father, he lent out money at interest, and after his flight to France he made efforts to recover some of these loans, including that to the Earl of Newcastle,[65] and £500 lent to the Earl of Abercorn.[66] These speculative activities do not seem to have been conducted on an extensive scale, and it appears unlikely that Sir Francis amassed anything more than a moderate fortune during his period of office. Although his accounts for September 1639 show that he had the large sum of £4,006 17s. 6d. in the Drury Lane house, this was clearly a mixture of personal and official cash. Stored in ten separate bags, it was gradually depleted by withdrawals of various sums such as £100 for timber, £100 to Lady Windebank, £600 to the Queen Mother "for the last payment of the post business", until the balance remaining in the chest on 15 October 1640 amounted to no more than £786 9s. 6d.[67]

In 1639 Windebank had been one of the group of office-holders and peers who had made substantial loans to the King during the Scottish crisis. It is significant that Sir Francis's contribution of £3,000 had not been furnished out of his own capital, but had in turn been borrowed; £2,000 from

Peter Richaut and £1,000 from Sir Paul Pindar. In December 1640, Robin Reade and Thomas Windebank were engaged in anxious correspondence over the delicate balance between the interest due to Richaut and Pindar and the interest due from the King.[68]

Any attempt to estimate the amount of Sir Francis's income from land must necessarily be no more than highly tentative in the absence of estate records, and we are forced to rely mainly on the information provided in the 1640's at the time of the sequestration of the property. The early information that the Windebanks had lands worth £100 a year in Hurst parish, Wiltshire, was soon followed by the news that there were further lands in Berkshire.[69] By 1648 the joint value of the Haines Hill and Clewer estates was set at £600 a year.[70] This was almost certainly an under-estimate, but probably not a gross one, since in 1660, when the grant of a new lease of Clewer was being considered, the lands there were said to be worth £200 a year.[71] Part of Sir Francis's property was leasehold, and the rents for this must be set off against the income from the land. During the period from April 1637 to January 1639 he was paying an annual total of £98 11s. 2d. in rents.[72]

The picture of an office-holder who was not making an excessive profit from his post is confirmed by a more detailed examination of Sir Francis's landed property.[73] The estate which he inherited from his father in 1607 was not increased during his period of office as Secretary, and in this respect his career provides a notable contrast to those of Cottington and Strafford.[74] In January 1641, after his flight to France, Sir Francis wrote to the Lord Chamberlain to defend himself against certain allegations concerning his relationship with Rome and the Catholics, including the charge that he had profited handsomely from his dealings with them. As he justly claimed,

> "... it is notorious to all the world that having now served his Majesty in the place of a Secretary above eight years, I have not added one foot of land to the inheritance left me by my father, which in land and lease was not above 500 pounds per annum, a poor and inconsiderable estate for a

Secretary, and such an one as most Secretaries have more than trebled in a short time; for my manner of living, it hath been much under the dignity of a Secretary, and if I had not been very frugal, I could not have subsisted... My father and I have served the Crown of England near 80 years together, in which time, if a greater estate had been raised, it might well have been justified, considering the great employments near the persons of Queen Elizabeth, King James and his Majesty that now is, we both have had..." 75

Gardiner paid him the somewhat reluctant tribute that "it was at least truth that he sought, and not pelf in this world or exemption from punishment in the other", [76] and the study which follows of his conduct in office during the Personal Rule reveals him as a hard-working supporter of the Crown, who rendered loyal service in return for moderate rewards.

Notes to Chapter II

1 In 1624 Sir Dudley Carleton, hoping to succeed Calvert as Secretary, was told that the place was worth £2,000 p.a., C.S.P.D., 1623-5, p. 231. Dudley Carleton to (Sir Dudley Carleton), 3 May 1624. Dr. John Manningham had valued the Secretaryship in 1602 at a little under £3,000 a year, Diary, 14 February 1602. Camden Society (1878), p. 18. It is not clear how these totals were arrived at, or whether they were estimates of gross or net income. G.E. Aylmer, The King's Servants (1961), pp. 205, 221, suggests that during the period 1618-28 the net value of the office was £2,000 p.a. and the gross income £4,800 - £6,000. The difference was accounted for by departmental expenses and the cost of assistants' salaries. See also Evans, op.cit., p. 211.

2 £6,000, described as three years' purchase, was the figure which Calvert suggested to Carleton in 1624, and at which he sold the office to Sir Albertus Morton nine months later. C.S.P.D., 1623-5, D. Carleton to (Sir Dudley Carleton), 3 May 1624; N.E. McClure (ed.), The Letters of John Chamberlain (1939) II, p. 600, Chamberlain to Carleton, 12 February 1625. For the later seventeenth century sales see Evans, op.cit., p. 216.

3 HMC 23: Cowper I: p. 403. Even Vane, who had been purchasing a series of offices since 1617, does not seem to have bought the Secretaryship in 1640. Sydney Letters II, p. 634. If sales of office are to be regarded as implying some degree of venality, it would seem that in this respect standards in the 1630's were higher than they had been under James I. cf. H.R. Trevor-Roper, The Gentry, 1540-1640. Econ. Hist. Rev. Supplement I (1953), p. 28. For another view of the significance of sales of office, in which the price is compared with a retirement pension or unemployment compensation, see John H. Barcroft, 'Carleton and Buckingham: The Quest for Office', in Howard S. Reinmuth, Jr. (ed.), Early Stuart Studies (1970), pp. 135-6.

4 Dorothea Coke, The Last Elizabethan (1937), p. 137.

5 Francis Peck, Desiderata Curiosa, I, Liber II. p. 7; HMC 53: Montagu: p. 57; Evans, op.cit., p. 211.

6 Calendar of Privy Seals, Signed Bills, etc., 8-11 Car. I. 48th Annual Report of the Deputy Keeper of the Public Records (1887), p. 458.

7 P.R.O., SP 16/301/9, Account of fees granted by King James and King Charles, with arrears due thereon.

8 P.R.O., SP 16/473/57, Windebank to Thomas Windebank, 13 December 1640; 473/58, Reade to Thomas Windebank, 14 December 1640.

9 B. M., Add. MS. 38,861, f. 130. Some account of ye Secretary of State's Allowances.

10 HMC 53: Montagu: p. 57.

11 HMC 16: 11th R. I: Skrine: p. 80, Amerigo Salvetti to the Grand Duke of Tuscany, 24 July 1626. For the reforms in the Household see G. E. Aylmer, 'Attempts at Administrative Reform, 1625-40'. E. H. R. LXXII (1957), pp. 246-58.

12 Evans, op. cit., pp. 219-20.

13 G. E. Aylmer, The King's Servants (1961), p. 205. Commutation to board wages was one of the principal ways of reducing the cost of the Household diets, which were the most expensive item in the Household finances.

14 HMC 23: Cowper I: p. 373.

15 P. R. O., SP 16/473/57, Sir Francis Windebank to Thomas Windebank, 3/13 December 1640; 476/91, Same to the same, 28 January/7 February 1641; HMC 58: Bath II: p. 76, Same to the same, 26 February/8 March 1641.

16 P. R. O., LS 13/30, Lord Steward's Miscellaneous Books, Establishment, 1 October 1629. The four-dish diet, which is probably identical with Aylmer's three-dish diet, provided, in addition to bread and two gallons of beer at each meal, one dish each of beef, veal and lamb and a tart at dinner, and boiled and roast mutton, rabbit and a tart at supper. On fish days, at both meals, there were dishes of ling, whiting and cod, again followed by a tart. The ten-dish diet, as well as supplying greater quantities of bread and beer and a gallon of Gascon wine, provided a wider variety of food, including steaks, cocks, capons, pigeons, snipe, carp, sole, pike and smelts.
But cf. B. L., Add. MS. 6,481, Household Book of Charles I, which gives a ten-dish diet to both Secretaries.

17 P. R. O., LS 13/30, Lord Steward's Miscellaneous Books.

18 P. R. O., SP 16/442/16, Robin Reade to Thomas Windebank, 16 January 1640.

19 P. R. O., SP 16/442/83, Same to the same, 23 January 1640.

20 P. R. O., SP 16/417/22, Edward Norgate to Robin Reade, 3 April 1639.

21 Collection of Ordinances and Regulations for the Royal Household, Society of Antiquaries (1795), p. 303.

22 P. R. O., LS 13/30, Lord Steward's Miscellaneous Books. Each bouge consisted of three loaves, three gallons of beer, four pieces of wood, four faggots, two torches, two links and a pound of wax lights a day. BL., Add, MS. 6,481. Household Book of Charles I ff. 2v, 7. This version omits the two links. From 1 April - 31 October the quantities of torches, wax lights and wood were halved.

23 P.R.O., SP 16/477/55, Robin Reade to Thomas Windebank, 26 February/8 March 1641; SP 16/479/40, Same to the same, 16/26 April 1641; C.S.P.D., 1631-3, p. 567. Edward Nicholas took these rooms over when he succeeded Windebank in 1641. SP 16/486/28, Sidney Bere to Sir John Pennington, 9 December 1641.

24 Aylmer quotes a valuation for the largest bouge of £39 13s. 3d. in 1536, and suggests that its value by 1630 must have trebled, op. cit., p. 170. This would suggest that the value of the Secretaries' bouge in the 1630's was c. £100 each.

25 C.S.P.D., 1619-23, p. 484, Warrant for payment to Sec. Conway, 27 January 1623; C.S.P.D., 1628-9, p. 409, Warrant for payment to Viscount Dorchester, 17 December 1628.

26 HMC 23: Cowper I: p. 463, Sir Robert Pye to Coke, 1 July 1632.

27 P.R.O., SP 16/473/57, Windebank to Thomas Windebank, 3/13 December 1640; SP 16/473/58, Reade to the same, 4/14 December 1640; C.S.P.D., 1639-40, p. 419, Warrant to the Exchequer to pay Sir Henry Vane £700 p.a. for Intelligence, 3 February 1640.

28 P.R.O., SP 16/473/58, Reade to Thomas Windebank, 4/14 December 1640.

29 See Chapter III.

30 C.S.P.D., 1637, p. 255, Docquet, June 1637.

31 P.R.O., SP 16/409/29, Reade's accounts for Sir Francis Windebank, 1 May 1638 - 5 January 1639.

32 The profits from warrants were divided in the proportion of one fifth to each Clerk of the Signet and one tenth to each Secretary. The profits of the larger fees for perpetuities were divided into three equal parts, each Secretary receiving one and the remainder being shared equally between the four Clerks of the Signet.

33 P.R.O., SP 16/371/60, Windebank's accounts, 11 April - 9 November 1637; SP 16/409/29, Windebank's accounts, May 1638 - 5 January 1639.

34 Evans, op. cit., pp. 155, 208, 328. The proportion of the fees that went to the Secretaries is not known. For the origins of signet warrants to the Chancellor see J. Otway-Ruthven, The King's Secretary and the Signet Office in the Fifteenth Century (1939), pp. 32, 34-7, 39-41, 46-7, 117.

35 There is no reference in these accounts or in those of the Signet Office to Hilary term. Since this was a short term its accounts may usually have been merged with those for Easter term. But see SP 16/214/96, Windebank's accounts for March 1632, where there is one reference to the fees for Hilary term.

36 P.R.O., SP 16/371/60, 409/29. The yield to Sir Francis of the Signet Office and the Hanaper and Pettybag for fifteen months and five terms during 1636-8 was £153 16s. 5¼d.

37 Ibid.

38 The giving and accepting of gratuities and similar practices in the late sixteenth and early seventeenth centuries are discussed by J.H. Hurstfield in 'Political Corruption in Modern England', History 52 (1967), pp. 16-34.

39 P.R.O., SP 16/377/16, Cunningham to Reade (1637?).

40 P.R.O., SP 16/435/40, 41, Certificates of Thomas Jay, 6 December 1639.

41 C.S.P.D., 1633-4, p. 468, Killigrew to Windebank, 21 February 1634.

42 C.S.P.D., 1637, p. 347, Killigrew to Windebank, 1 August 1637; Ibid., 1639-40, pp. 584-5, Little to Reade, 25 March 1640.

43 HMC 23: Cowper II, where over 160 letters of appeal or gratitude for the furtherance of private suits written between January 1634 and June 1639 are printed. See, for example, pp. 52, 54, 58-9, 94, 121, 130, 169, 186, 220.

44 It is perhaps also worth noting that A.J. Slavin's statement (Politics and Profit, A Study of Sir Ralph Sadler, 1507-1547 (1966), p. 185 n.) that "Evans, The Principal Secretary of State, p. 211, shows Windebank making £6,000 just before the Great Rebellion," is based on a misconception. On p. 211 she refers to a "monthly turnover of four or five hundred pounds" with reference to Secretary Conway's accounts for the single month of February 1628, and makes no suggestion that this should be interpreted as equivalent to £6,000 p.a. The references to Windebank are on the previous page and mention only the totals given in the C.S.P.D. of Windebank's accounts for April-November 1637 and May 1638-January 1639, which were £648 15s. 9d. and £1277 11s. 5¼d. respectively.

45 David Lloyd, Memoirs (1668), p. 67.

46 Aylmer, op. cit., p. 320. A fourth, the Earl of Stirling, a declared bankrupt, was Secretary of State for Scotland.

47 Some indication of the rate of inflation is provided by the price-index compiled by E.H. Phelps Brown and Sheila V. Hopkins, reprinted in E.M. Carus-Wilson, Essays in Economic History, II (1962), pp. 179-196. The index, based on basic foodstuffs, fuel and manufactures, is a better guide to the cost of living of the building craftsmen with whose wage-rates it is compared, than to the expenses of Secretaries of State. Nevertheless, the rise in the index from 158, 165 and 172 in 1540-42, when Sir Ralph Sadler was Secretary of State, to a minimum of 546 and a maximum of 707 in 1632-40, during Windebank's period of office, is unlikely to have been totally without effect on the standard of living of men like Sir Francis.

48 J. Otway-Ruthven, op. cit., pp. 84-5; B. L., Sloane MS. 1,520, f. 28; Francis Peck, Desiderata Curiosa, I, Liber II, p. 7; HMC 53: Montagu: p. 57; P. R. O., SP 16/301/9.

49 P. R. O., LS 13/30, Lord Steward's Miscellaneous Books; HMC 16: 11th R. I: Skrine: p. 80.

50 HMC 23: Cowper I: p. 373; A. J. Slavin, op. cit., p. 177.

51 P. R. O., SP 16/473/57, 58, Windebank and Reade to Thomas Windebank, 3/13 and 4/14 December 1640; C. S. P. D., 1619-23, p. 484; Evans, op. cit., p. 213.

52 B. L., Add. MS. 35,818, Sir Ralph Sadler's signet register, 1540-42; P. R. O., SP 15/40/8, 10, Signet Office accounts, May, June, 1611; SP 16/214/95, Francis Windebank's Signet Office accounts, March 1632. Price Index: 1540, 158; 1632, 580. Phelps-Brown and Hopkins, loc. cit.

53 Slavin, op. cit., p. 182.

54 F. J. Emmison, Tudor Secretary (1961), Appendix J, p. 322.

55 P. R. O., SP 16/371/60, 409/29, Sir Francis Windebank, Accounts.

56 P. R. O., LS 13/30; Ordinances and Regulations for the Government of the Royal Household; p. 303; Aylmer, op. cit., p. 70.

57 Slavin, op. cit., p. 186.

58 D. N. B., III, pp. 1309-1311; Alan G. R. Smith, 'The Secretariats of the Cecils, c. 1580-1612', E. H. R., 83 (1968), p. 483.

59 Sir Henry Vane the Elder contrived to hold two posts simultaneously for a short period. He was Secretary of State as well as Comptroller of the Household in 1640-42. Other pluralists in the upper levels of government in the 1630's included Wentworth from 1632-41 and Cottington from 1635-41.

60 C. S. P. D., 1660-1, p. 369, Grant to Sir Edward Nicholas and Sir William Morrice of £462 10s. 6d. quarterly, "in consideration of service", November 1660; Ibid., 1668-9, p. 71, Similar grant to Arlington and Trevor, (21 November) 1668; Ibid., p. 215, Warrant, February 1669; Cal. Treas. Books, II, pp. 622, 642; IV, p. 638.

61 Cal. Treas. Books II, pp. 397, 399, 439; IV, 683; V, Pt. I, 392, VI, 533, 718; B. L., Add. MS. 38,861, f. 130, "Some account of ye Secretary of State's Allowances", however, states that "Intelligence is equall to both, and they have 1800 li. p. Ann. each on this Acct."

62 The maximum and minimum index figures of the price of the composite unit in the two decades after the Restoration are: 1660-9, max. 769, min. 572; 1670-9, max. 691, min. 557. Phelps Brown and Hopkins, loc. cit., p. 195.

63 Sheelagh Bond (ed.), The Chapter Acts of the Dean and Canons of Windsor, 1430, 1523-1672, Vol. 13 (1966), p. 165. Two of his predecessors in this office had been Lord Burghley and Robert Devereux, Earl of Essex.

64 HMC 23: Cowper II: p. 165, Edward Reed to Sir John Coke, 19 August 1636. The cargo was unloaded at San Sebastian and sold without commission by order of the King's officers.

65 P.R.O., SP 16/473/57, Sir Francis Windebank to Thomas Windebank, 3/13 December 1640.

66 P.R.O., SP 16/476/48, Reade to Thomas Windebank, 15/25 January 1640.

67 P.R.O., SP 16/469/105, Sir Francis Windebank's accounts, September 1639-15 October 1640.

68 P.R.O., SP 16/473/59, Reade to Thomas Windebank, 4/14 December 1640. Royal repayment of the loan was, not surprisingly, delayed until after the Restoration.

69 P.R.O., SP 19/A 21/46, 24 October 1645; A 102/175, 30 January 1646.

70 P.R.O., SP 19/A 21/110, 16 September 1648.

71 C.S.P.D. 1660-1, p. 275, Reference on petition of John Windebank, 25 September 1660. Although the Windebank lands were being dealt with by two county committees, in consequence of their location in Berkshire and Wiltshire, they formed a compact estate and there was therefore less opportunity for successful under-valuation than if they had been widely scattered over several counties. cf. H.J. Habbakuk, 'Landowners and the Civil War', Econ. Hist. Rev., 2nd. ser., XVIII (1965), pp. 134-6.

72 P.R.O., SP 16/371/60, 409/29, Windebank's accounts, 11 April - 9 November 1637, 1 May 1638 - 5 January 1639. There were four rents, £23 p.a. for Clewer, and sums of £70, £2 15s. 4d., and £2 15s. 10d. for unspecified properties.

73 For a study of property-owning in the Windebank family over several generations in the sixteenth and seventeenth centuries, see Introduction Part II. Sir Francis's estate is examined on pp. 35-37.

74 For the acquisition of property by these two men see M. J. Havran, Caroline Courtier (1973), pp. 104-10; J. P. Cooper, 'The Fortune of Thomas Wentworth, Earl of Strafford', Econ. Hist. Rev., 2nd. ser., XI (1958), pp. 227-48; H. F. Kearney, Strafford in Ireland, 1633-41 (1959), pp. 171-84; C. V. Wedgwood, Thomas Wentworth, First Earl of Strafford, 1593-1641. A Revaluation (1961), pp. 27-30, 223-5, 232-3. For other studies of the relationship between office-holding and fortune in the seventeenth century see, for example, H. R. Trevor-Roper, The Gentry, 1540-1640, Econ. Hist. Rev. Supplement No. 1 (1953); L. Stone, 'The Fruits of Office' in Essays in the Economic and Social History of Tudor and Stuart England, ed. F. J. Fisher (1961), pp. 89-117; L. Stone, Family and Fortune (1973); A. F. Upton, Sir Arthur Ingram (1961); M. Prestwich, Cranfield: Politics and Profit under the Early Stuarts (1966).

75 Nalson I, pp. 652-3.

76 Gardiner, op. cit., VIII, pp. 133-4.

CHAPTER III

THE COUNCILS OF STATE

A substantial proportion of the time of the Secretaries of State was taken up by attendance at meetings of the Privy Council and a wide variety of committees, and in dealing with the administrative work involved in implementing many of the decisions taken there. For most of the year the Privy Council met two or three times a week,[1] and there were frequent meetings of each of the five main Committees of Council, which, for most of the 1630's, comprised the Committees for Foreign Affairs, Trade, Foreign Plantations, Ireland and Ordnance.[2] During the Scottish crisis, which occupied Windebank's last two years in office, two other committees of major importance were active, the Committee for Affairs of the North, set up in 1638, and the Council for War, reconstituted in 1639.[3]

Two high offices of state were put into commission during the Personal Rule. From Buckingham's death in 1628 until Northumberland's appointment in March 1638 the office of Lord High Admiral was exercised by a body of commissioners, which, from 1632 onwards, included Windebank, and even after Northumberland's appointment the commission was renewed for the completion of unfinished business.[4] On Portland's death in March 1635 the Treasury was put into commission for a year until Juxon became Lord Treasurer in March 1636, and again Windebank was a member of this five-man group.[5] From 1633 onwards he took part in the activities of the Ecclesiastical Commission, and in 1633, 1639 and 1640, when Charles I was away in Scotland or the north, Windebank's normal duties as a Privy Councillor and Secretary of State were multiplied in consequence of his membership of the commissions set up to continue the government in London during the King's absence.[6]

In addition to this he belonged to over thirty other committees and commissions between 1632 and 1640.[7] Some of these were of brief duration and limited scope, like the commission set up in 1636 to enforce the proclamation concerning the manufacture of gold and silver thread, or the

committee established in 1637 to investigate charges against pursuivants.[8] Others, like the commission to enquire about the erection of new houses and buildings in London, or the commission for the making of saltpetre and gunpowder, were repeatedly renewed and exercised more extensive authority.[9] From 1637 he and Coke became Comptrollers-General of the Posts, and this caused him to become more closely concerned with the vexed problems associated with communications. Sir Francis's membership of all these groups led him to participate in one way or another in a very wide range of business relating to most branches of government, domestic, foreign and colonial. Moreover, he was not only concerned with policy-making, the framing of regulations and proclamations, the issuing of instructions and warrants and the co-ordination of the activities of others. Through his membership of the Court of Star Chamber and in consequence of the wide and ill-defined powers of enquiry, arrest and seizure of papers possessed by the Secretaries of State, he was also engaged in the tasks of law-enforcement and the punishment of offenders.

Occupying a central position in this web of government and administration was the Privy Council, which during Windebank's period of office consisted of some thirty-one to thirty-eight members. Considerable changes took place in its composition during these eight years, so that by October 1640 seventeen of the Privy Councillors who had been members when Windebank was sworn in June 1632 had either died or, in the case of Coke, retired. During the same period thirteen new Councillors had been added to the Board, including Juxon, who had replaced Portland as Treasurer in 1636, Northumberland, who had been sworn in the same year, Leicester, Berkshire, Goring, Roe and Littleton, who had all been added in 1639, and Finch, who had replaced Coventry as Lord Keeper in 1640.[10] Of those who were no longer sitting in October 1640, Falkland, Naunton, Abbott, and Sir Julius Caesar had died by 1636, whereas Coventry, Neile, Suffolk, Exeter and Stirling had continued to sit until 1640. Vane, a member since 1630, had replaced Coke as Windebank's fellow Secretary of State in February 1640.[11]

In practice, the active members of the Privy Council constituted less than a third of the total number. Although the composition of this group varied slightly from year to year, in and after 1633 it invariably included the Archbishop of Canterbury, the Lord Privy Seal, Lord Keeper, Lord Treasurer, the Chancellor of the Exchequer, both Secretaries of State, the Comptroller and/or the Treasurer of the Household, and the Chancellor of the Duchy of Lancaster. Of these, the first four usually attended over seventy-five and even eighty per cent of the meetings, including a high proportion of the gatherings of three or four members who met before or after the main Council to consider petitions, to sign orders, or to perform some judicial function. From these meetings the Secretaries were generally absent.

The Secretaries attended most of the main meetings of the Council, however, and Windebank, as the Secretary who remained in London, had a higher record of attendance than Coke, who accompanied the King while the Court was away from Whitehall. Cottington's frequent presence is explicable both by virtue of his office as Chancellor of the Exchequer, and as an active and lively politician. The assiduity of one or other of the senior Household members may be attributed chiefly to their office, and in Vane's case probably also to ambition, but Newburgh's unflagging attendance is more difficult to explain. He belonged to none of the major Committees of the Council, the Chancellorship of the Duchy of Lancaster was not a post which necessarily involved a great deal of political participation, and there is no sign that he wielded much influence. He may simply have been one of those rare men who enjoyed attending meetings when he had the chance.

Although the Duchy of Lancaster was important in relation to Crown finance, legal jurisdiction and estate management, the Chancellor of the Duchy had not been a regular member of the Privy Council until Charles I's reign, although his office was, like that of the Secretaries, among the twelve listed by Coke in 1625 whose holders ideally formed the nucleus of the Council, since they "are by place and office so interested in the businesses of state as they are of the Council". [12]

As far as the rest of the Privy Councillors were concerned, Arundel, Pembroke and Dorset were fairly frequent attenders, as was Northumberland when his duties as Lord Admiral did not keep him away. Another group of members, which included Lennox, Hamilton, Holland and Lindsey, may be thought of primarily as courtiers and were usually in attendance when the King was present, often in the later 1630's on Sundays, whether at Whitehall, Greenwich, Hampton Court or elsewhere. At the other end of the scale there were about a dozen members who were present at less than five per cent of the meetings. In the later 1630's these included most of the Scots members (particularly in and after 1638), and Neile, Exeter, Danby and Suffolk. Wentworth and Leicester were necessarily absent for most of the time, though they attended Council meetings when in England.

The pattern of attendance shows some significant changes, a particularly noticeable alteration occurring early in Windebank's period of office. It was usual for the Privy Council to become relatively inactive during the summer, but in 1632 it met even less frequently than usual during the vacation, and attendance was sparse. Moreover, although the Lord Keeper, the Lord Privy Seal, Laud (then Bishop of London) and the two Secretaries were usually present, Newburgh was not often there and the King did not attend at all. Kellie, Wimbledon and Falkland, none of them particularly assiduous in later years, were, on the other hand, frequent attenders. In November, December and the early months of 1633 there was increased activity, and from September 1633, following Laud's appointment as Archbishop of Canterbury, the Council meetings began to approximate, in terms of frequency and composition, more closely to those of the later 1630's.

Individual years reveal idiosyncratic features according to the prevailing circumstances. In 1636, for example, when the plague raged in London for much of the summer, the Court dispersed to the country in May and remained away from London until February in the following year.[13] From July to December 1636 inclusive there were only twenty-three sessions of the Privy Council, so that the total numbers of meetings in the

last six months of the year was less than the total of those for January and February, and only four more than the number held in May. Many members of the Privy Council retired to their estates, and Windebank bewailed the stagnation of all business and the lack of communication between high officers of state that rendered them unusually ignorant of each other's activities and opinions. Apologising to Aston in January 1637 for his long silence, he blamed "these dangerous times of contagion, which hath brought a distraction upon all business, and scattered us into the country, remote from all correspondencies, now these five or six months."[14] This period of relative inactivity emphasises the extent to which the frequent meetings in London of the Privy Council and its committees served as a focus for the government of the Personal Rule.

Conversely, there were times of unusual activity. In 1639-40 the atmosphere of crisis that pervaded the country is reflected in the larger number of meetings, 182 in 1639, and a sudden spate of meetings in May and June 1640 after the dissolution of the Short Parliament. The total number of meetings for 1640 was smaller than usual, the result of a decline that became noticeable in and after August when the Scottish struggle reached its climax and the Council of Peers gathered in York, and of a sharp drop during November and December after the assembly of the Long Parliament. Heightened political interest was reflected in significantly higher attendance figures, however, seventeen of the members attending forty per cent or more meetings compared with only ten who achieved the same record in 1638 and nine in 1639.[15]

The majority of Privy Council meetings during the 1630's were held at Whitehall, although in most years about a third were held in Star Chamber. The concentration of these latter on Wednesdays and Fridays in the law terms, and the coincidence of many of the dates of Council meetings with sittings of the Court of Star Chamber confirms Turner's hypothesis (for which he suggests that there is no specific evidence) that on days when the court was sitting the assembled Privy Councillors took the opportunity of constituting themselves a Privy Council and of transacting normal

Council business.[16] In 1633, for example, when 107 Privy Council meetings were recorded in the registers, 72 were held at Whitehall, 31 in Star Chamber and four at Greenwich. Eleven of the meetings in Star Chamber coincide with the dates of surviving copies of Windebank's cause lists and his notes of proceedings and sentences.[17] A similar correlation can be observed in 1635, when the Council met 65 times at Whitehall, 27 times in Star Chamber and twice at Greenwich. Of the meetings in Star Chamber, eight coincide with the dates of all Windebank's surviving notes and cause lists for Easter and Michaelmas terms.[18] Except that the two Chief Justices were always present also when the Court of Star Chamber was in session, this largely confirms Turner's impression that "Council and Court of Star Chamber were but two aspects or phases of one and the same group of officials."[19]

Four of the six meetings at Greenwich in these two years were held on Sundays in July and August, and one, on 18 May 1635, on Whit Monday. Although the King attended none of these meetings in 1633, he was present at both the meetings at Greenwich in 1635,[20] and by 1638, when his attendance at Privy Council meetings had risen to twenty-eight per cent of the total, he attended all but one of the sixteen assemblies of the full Council on Sundays between 1 July and 7 October held at Greenwich, Theobalds, Oatlands and Hampton Court during the summer progress.[21] Since Windebank did not normally accompany the Court during its progresses, his infrequent absences from full meetings of the Council often coincided with these occasions, and in the summer of 1638 he attended only two of the meetings in August and none in September. Windebank's diplomatic business, in particular, suffered delays during the summer. He seems often to have taken the opportunity of discussing confidential despatches with Charles I after Privy Council meetings, and although he regularly forwarded despatches to the King during August and September and received brief replies, their separation, the lack of opportunity for discussion, and Sir Francis's relative isolation at Haines Hill resulted in a hiatus in much of his foreign correspondence. In October 1634 he explained his silence to Hopton "both by

reason of his Majesty's absence in the progress and mine own being some time in the country."[22]

For most of the year, however, the Secretaries derived much of their influence from their frequent attendance at Council meetings, and from their position as well-informed intermediaries between the King and the Lords of Council. Through them, the King's wishes were communicated to the Council and the Board's advice was transmitted to the King. They thus had numerous opportunities of representing their own views and of introducing their own emphasis and interpretation in the process. In the orders of 1628, which governed various aspects of procedure in Council meetings, there was specific provision for the exercise of this function:

> "And if any of the Principal Secretaries have anything to deliver from the King or of other intelligence, this is to be done by the Principal Secretary, standing at the upper end of the Board; and when he hath put the business in a way, then he is to go back and take his own place." 23

For most of his period of office there is little evidence to show how Windebank interpreted the task of reporting proceedings in Council to the King. In 1639, however, and again in 1640, when the King and some of the Council were in the north during the two Bishops' Wars, Sir Francis's normal interviews with the King were interrupted for many weeks, and his letters provide a good illustration of the detailed information which he provided, and of the ways in which he helped to influence the King's decisions.[24] His account of the chief items of interest to the King at the Council meetings on 29 and 30 March 1639, for example, included notification of action taken by the Council, requests for clarification of Charles's intentions, and for confirmation of orders already issued by the Board. More significantly, he outlined the Council's proposals for the revocation of certain monopolies, already agreed in principle by the King, giving his own advice on a controversial issue on which the Council had reached deadlock, and so swaying the King to resolve the matter as he wished.[25] He made careful distinctions between his personal advice and the formal advice of the Council, and Charles's laconic apostiles indicate that he was not generally inclined to dispute his Secretary's recommendations.

On occasion, Windebank fabricated messages from the King to Privy Councillors. In April 1639, in collusion with Laud, he told Coventry that the King required him to write personal letters supporting a demand for contributions from the gentry. His request "that your Majesty will please to avow me" was granted with a note "You have done well, and I shall".[26] A similar incident in August 1640, also approved without criticism by Charles, suggests that this practice was not infrequent, and that the King was prepared to allow his Secretary a certain licence, and to back his judgement.[27] Sir Francis's advice to the King was sometimes strongly worded, as when he warned Charles against going to Scotland after the Pacification of Berwick, ending his letter, "But I forget myself and the distance I stand at, and should hold with your Majesty .... most humbly craving your Majesty's pardon that my zeal to your person and service hath transported me beyond the duty of a servant."[28] On this occasion, however, as on others, the King heeded the warning and showed no resentment at his Secretary's importunity.

The duties of summoning the Councillors, acquainting them with the agenda once they had met, taking votes, arranging for the completion of unfinished business, and approving the draft orders of the Council drawn up by the attendant Clerk also belonged to the Lord President or one of the Secretaries.[29] Since there was no Lord President during Windebank's period of office, these tasks devolved upon the Secretaries, and fell wholly upon Sir Francis when Council meetings were held in London while Coke was absent with the Court, or during the King's journeys to the north. His assurance to the King in August 1640 that "I shall not fail to keep my Lords to their meetings, as well those of the Council, as of the Committee, nor to give your Majesty just account of all that shall pass",[30] suggests that he interpreted his rôle in this connexion as rather more than that of a convener, and that he was also assuming responsibility for ensuring that the business of government was not neglected in the King's absence.

As the last in order of precedence in the list of Privy Councillors, unless they were, like Dorchester, of higher social rank, the Secretaries

generally gave their opinion earliest in discussions and spoke first when a vote was taken. Although Sir Francis was a poor speaker in the Commons, he was recognised by contemporaries as being persuasive when addressing a smaller audience,[31] and was therefore capable on occasion of influencing the resolutions of the Board. Once a decision had been taken, moreover, he was frequently left to implement it, either by letter or by personal contact, and therefore had a further opportunity of introducing his own views.

A rough guide to the business considered by the Privy Council is provided by the indexes to the Privy Council registers, which give an indication of the subject-matter of the letters, warrants, orders and other documents issued by the Board, the petitions presented to it, and the names of those summoned to appear before the Lords. In 1632-3 the Council apparently had no dominant preoccupation, but devoted its time to the usual wide-ranging miscellany of public and private business.[32] By 1633-4 the subject of fen drainage was assuming prominence, and some time was devoted to the disputes between Vermuyden, Vernatti and others over the draining of Hatfield Chase.[33] The issue of the first writs of ship-money in October 1634 led to a great deal of Privy Council business, and from 1634-6 this occupied a substantial amount of the Privy Councillors' attention.[34] In 1636-7 their time was increasingly spent in attempts to secure the payment of arrears, and in receiving appeals against assessment,[35] while the final years of the Personal Rule witnessed their largely fruitless struggle to enforce collection of ship-money by the sheriffs.[36]

Ship-money was also responsible for a significant increase in the number of petitions presented to the Privy Council, and the growing numbers of these, reaching a peak in 1636-8, reflects particularly the dissatisfaction aroused by this unpopular tax, closely connected with more than one aspect of the foreign policy advocated by Windebank, and also the anger aroused by the operation of the soap monopoly.[37] In 1636-7 regulations and orders about the plague were numerous, and the Privy Council provided, among other things, for a proclamation containing orders observed in the last infection, the suppression of plays, bear-baiting and

other sports, the erection of pest-houses, the prevention of the landing of strangers in the southern counties, and the adjournment of their own meetings in London from May until Michaelmas 1636.[38] In the final phase of the Personal Rule, the development of the Scottish crisis turned the attention of the Board mainly to military matters, and their meetings dealt with a wide variety of business relating to musters, fortifications, coat-and-conduct-money and security. Here again, Sir Francis was closely concerned with both the framing and implementation of most of these measures.[39]

It is evident that the Privy Councillors of the Personal Rule were not a united body, and that there were numerous personal differences between them as well as disagreements over policy. Although there are frequent references in general works on the period to pro-Spanish and pro-French factions among the councillors, the divisions were far more numerous and complex than these labels imply. The nature of the surviving evidence relating to the Privy Council, particularly the Privy Council Registers themselves, makes it difficult to determine the opinions of individual councillors on any particular matter under discussion. Similarly, the groupings and re-groupings that evidently occurred cannot be traced in detail, although there are indications of the identity of some of the combinations on some of the more controversial issues. No attempt will be made, therefore, at a precise definition of Privy Council factions, if, indeed, these existed in any enduring form.[40] It is possible, however, to determine something of Windebank's relationship with some of the major figures on the Privy Council during the Personal Rule, and to indicate the similarities and differences between his and their views on broad areas of policy.

Windebank's relations with Laud underwent a radical change during his period of office. Laud's part in securing his appointment has been noted earlier,[41] and until 1634 the long-standing friendship between them survived unimpaired. In December 1632 Laud wrote to Vossius of more than thirty years' friendship with Windebank,[42] and his references to "the little Secretary" in his letters to Wentworth remained friendly and untroubled.[43]

The first sign of a rift came in May 1634, when Laud and Coventry were leading a determined campaign against Portland, backed apparently by Holland, Carlisle and Dorset, but opposed by Cottington and meeting with little response from the King.[44] Windebank was unwilling to associate himself with Laud in this struggle between his patrons, and it was at this point, a year earlier than the conflict over the soap monoply, that Laud first wrote to Wentworth of Windebank's defection. Referring to the conflict in London, he recorded sadly that "... I am in ill case by it. For your Spaniard [Cottington] and the gravity which he learnt there while he went to buy pigeons, hath tempted my old friend, the Secretary, from me, and he is become his man. So I have need to look to myself, when the relation is grown so near between them."[45] Zonca, the Venetian Secretary, believed Laud's attack on Portland to be motivated by hatred rather than desire for reform, and Windebank may well have reached a similar conclusion. Further differences developed in committee, and Cottington's light-hearted and lightning attacks probably appealed to Sir Francis far more than Laud's ponderous and self-righteous vendetta.

The comments that Windebank exchanged with Wentworth at this time suggest that he and the Lord Deputy retained a genuine affection for Laud, and they both took a more balanced view of the current political dog-fighting than the Archbishop. Replying to a tentative query from Windebank in mid-May: "I know not how my Lord of Canterbury hath abused the poor puisne Secretary to the Lord Deputy of Ireland ..."[46] Wentworth wrote in early June:

> "The plain truth is, I see it well enough, his Grace of Canterbury makes himself merry and exercises his wit on all sides ... For to confess a truth he is already, since he came to be his Grace of Canterbury, gotten forth of our reach. And so in good faith, since we can do him no hurt on this side, I for my part am turned to pray heartily for him, and beshrew them that do it contrary, which may perhaps make my peace. And then for you grave and wise councillors, being upon the place, tristitia vestra. Trust to yourselves, as the captain at sea said to his fellow, being ready to sink, and there left him."

Familiar as Sir Francis with Laud's temperament, however, Wentworth evidently realised that the dispute might be prolonged:

> "Now and after all this, if, like Oxenstiern, my Lord's Grace will not be answered thus betwixt you, your only way will be to keep the treaty at least on foot and so make gentle wars the whilst. I shall be willing to hold a fair correspondency (this word I learnt of Sir Edward Sandys in Parliament) between the two houses of Whitehall and Lambeth, and be right glad to hear from either of them." 47

Responding briefly in July, when preparations were being made for an Irish Parliament, and when the opposition group was pressing for a similar development in England, Sir Francis wrote:

> "His Grace of Canterbury continues still in the old way, as like the Lord Deputy as can be. He complains of want of wit and leisure, and yet hath abundantly enough of both to abuse the Chancellor of the Exchequer and this poor Secretary. But a Parliament will avenge our quarrel, especially if that there should beget one here, into which paradise some Sir Politick Would-bes here are contented to fool themselves." 48

In the following year, after Weston's death in March had robbed Laud of his prey, he turned his attention to "Lady Mora's waiting woman", and a further series of well-publicised clashes occurred between Laud and Cottington. Cottington's championing of the Society of Soapmakers of Westminster, and his attempts, in conjunction with Windebank, Arundel and Dorset, to prevent the King from overthrowing his agreement with this company, in favour of a new arrangement with the independent soapboilers in return for a doubled rent, brought him again into conflict with Laud.[49] The Archbishop had little support, as he revealed to Wentworth, being backed only by Manchester and by Coke, who "wished it well but I had little assistance from him."[50] The struggle, and the compromise solution, in which Laud lost his battle over the company but secured the increased rent, lasted for over a year in Privy Council and Star Chamber and left him still more bitterly convinced of Windebank's defection.[51] Writing to Wentworth in October 1635, he complained that "... in the public he joins with

Cottington. Insomuch that in the soap business, where I thought I had all the reason and justice, yea and service to the King too, on my side, I was deserted and the opposite assisted by him."[52] Not the least of Laud's sorrows was occasioned by the loss of Windebank as his only confidant in London:

> "And truly, my Lord, I begin to think I shall hardly live to see the end of this year. I have so many occasions of grief to see things so much out of the way, and see no help to utter anything, and take ease by vent, since I see Secretary Windebank grown into such a league with Lord Cottington." 53

By May 1636 Panzani was commenting on the shift of alliance among the King's ministers and, more interested in foreign than domestic issues, surmised that the continuation of Windebank's breach with Laud resulted from an attack by the Archbishop on the whole group of ministers favourable to Spain, as an extension of his rivalry with Cottington.[54] There is no sign of this in Laud's writings, however, and every indication that he had interpreted a difference of political opinion as a personal betrayal. Although he claimed to have avoided "open unkindness" to Sir Francis, he maintained an obvious reserve, and resisted attempts to continue their former friendship. Indeed, he was clearly surprised that Windebank seemed prepared to behave as usual towards him in private. Although Juxon tried to repair the damage, Laud would not be persuaded, and was still obsessively dwelling upon his injuries more than three years after his first complaint to Wentworth.[55] Apart from their differences over finance and monopolies, Laud steadily opposed the lenient policy towards Catholics adopted by Charles I and Windebank. Contemporary observers believed him to be the prime mover on the Privy Council in keeping persecution alive by proclamations and orders in Council, and he must have been conscious that Windebank, with the King's consent, was working steadily to undermine the effectiveness of these edicts.[56]

Apart from Laud's letters to Wentworth, Sir Francis's relationship with Cottington is tantalisingly ill-documented, although it is evident that

they were friends and close political allies throughout Windebank's period of office. If they exchanged letters, these do not appear to survive, and Cottington may have thought it wise to destroy any evidence of their co-operation after Sir Francis's flight to France. Over foreign affairs they were regularly in agreement and, apart from Portland in 1633-5, Cottington was the only minister with whom Windebank frequently discussed confidential details of foreign policy, especially in relation to the Habsburg states, where Cottington's experience of Spain was valuable.[57] Windebank's tendency to agree with Cottington more consistently than he appears to have done with any other member of the Privy Council and its committees is repeatedly evident from Laud's testimony, from the similarity of their verdicts in Star Chamber,[58] and from Wentworth's letters, from which it appears that they were regular and often successful allies against Laud. Referring to the Archbishop's attack on Windebank and Cottington in 1634, Wentworth wrote that

> "... if he can do it with Cottington and you, which are under his nose, Commissioners of the Admiralty and such-like, he may well and boldly draw it over a poor pair of Irish trousers, without trouble to himself or much felt by our grosser senses in this muddy climate. How we may come handsomely to be revenged, it were good you on that side would propound it at the committee. It will be proper enough, having so near a relation to Ireland, and for anything I hear, if you two prove true to your selves, you will be like enough to carry it against him by major part of voices." 59

In their attitude to the Catholics they were similarly in harmony, though Cottington appears to have been considerably better-affected towards the Jesuits than Sir Francis. Panzani and Con both testified to their alliance.[60] In the Scottish crisis they were united in favour of war, and Windebank's accounts to the King of their labours in London make it clear that once again they were frequently acting in partnership.[61]

The Earl of Arundel, an old friend and patron of Windebank's,[62] seems to have remained generally in accord with Portland until the latter's death in 1635, and with Cottington and Sir Francis thereafter. This agree-

ment extended to foreign policy until his return from his mission to the Emperor in December 1636, by which time he had become disenchanted with the policy of further negotiation with the Habsburgs.[63] His relations with Laud were less happy, and Laud complained to Wentworth of his union with Windebank and Cottington over the soap monopoly, alleging that Arundel had a financial interest in the outcome, and that he was "extreme jealous of me. He were best, I see, kept out of the way."[64] Although, according to Clarendon, Arundel was inclined to do just this as far as the whole Court was concerned, he was nevertheless a fairly frequent attender at Privy Council meetings, and a member of all its five main committees, so that he could scarcely be avoided.[65] Laud's suspicion of him is likely to have been increased by Arundel's differences with Wentworth over land speculation in Ireland, which by 1636 was transforming Arundel into one of the Lord Deputy's numerous enemies.[66]

In 1638 Arundel was in agreement with Windebank and Cottington once more over the need to uphold the King's authority by pressing for war against the Scots, in opposition to Northumberland and Vane. Regarded by Baillie as one of the Scots' "malicious enemies", he continued as Lord General fruitlessly to advise the decisive action for which Windebank and Cottington were vainly trying to find the resources. His letters to Windebank indicate his hostility to the Scottish Privy Councillors who undermined English morale by recounting tales of the Covenanters' strength.[67] Angry at Holland's appointment as General of the Horse, at the Queen's instance, he seems to have been further alienated by his own reduction in status in the Second Bishops' War to Lord General South of the Trent.[68] Born a Catholic, but forsaking that church in 1616, his religious views are variously represented by contemporary commentators, though it seems clear that here again he was of one mind with Windebank in disliking both Jesuits and extreme Puritans, and in deploring aggressive controversy.[69]

Among the rest of those who were frequently present at Privy Council meetings, there is little indication of Windebank's relations with Juxon, Coventry, Newburgh, Edmondes or Jermyn. With the Earl of Manchester,

Lord Privy Seal, he is likely to have been in agreement over the need to uphold the King's prerogative, and Manchester's judgement in favour of ship-money was no doubt welcome to him, though he would probably have preferred, like Portland, not to have revealed the proposed tax to the Privy Council so soon.[70] Although Manchester, like Coventry, disagreed with Windebank's wish to coerce the City into lending money to the King in 1639, Sir Francis no doubt approved of the line taken by Manchester when the Council interviewed the Lord Mayor and Aldermen in April 1640, before the opening of the Short Parliament, when the Lord Privy Seal cited earlier examples of generous loans by the City to the monarch in times of need.[71] In 1640, Manchester, like Windebank, was "wholly averse" to the summoning of Parliament and advised calling the peers, though Sir Francis is unlikely to have shared his optimism that they would agree to raise large sums of money for the King.[72] Clarendon suggests that Manchester was regularly used "as a check upon the Lord Coventry; and when the other perplexed their counsels and designs with inconvenient objections at law, his authority, who had trod the same path, was still called upon, and he did too frequently gratify their unjustifiable designs and pretences."[73]

With the Earl of Holland, Windebank was repeatedly at odds. They disagreed strongly over foreign policy, since Holland favoured alliance with France. As a founder-member and governor of the Providence Island company from 1629, he was actively involved with a group which favoured aggressive privateering against Spain. This, however, was less likely to bring him into collision with Windebank than is assumed by those who attach the "pro-Spanish" label too readily to Sir Francis, whose despatches to Hopton make it clear that he was in favour of maintaining English commercial interests against Spain in the New World, and undisturbed at the prospect of the consequent fighting there.[74]

In matters of religion, Windebank and ~~Hopton~~ Holland were poles apart. In 1640 Conway, warning Laud of Holland's enmity, wrote that

> "The Earl of Warwick is the temporal head of the Puritans and the Earl of Holland is their spiritual head, or rather the one is their visible and the other is their invisible head, peradventure not because he means to do either good or hurt, but because he thinks it is a gallantry to be the principal pillar upon which a whole cabal must rely." 75

Panzani saw Holland as a confirmed opponent of the Catholic religion, and a recent interpretation of the divisions within the Privy Council and Court during the Personal Rule depicts the Queen's party from 1629-36 as a group not of crypto-Catholics but of active Protestants, probably in alliance with confirmed opponents of the Court like Essex, Warwick and Bedford, and, through the Providence Island Company, with Saye and Sele, Brooke, Pym and Hampden. According to this thesis the Queen's party, consisting originally of Holland, Montagu and Jermyn, and later joined by Northumberland and Henry Percy, was assembled by Chateauneuf from among the opponents of Portland to advance the French cause and to overthrow the Lord Treasurer.[76] As the heirs to Portland's policy, Cottington and Windebank inherited the opposition of Holland, who also contrived to quarrel with Northumberland over the latter's appointment as Lord Admiral in 1638, and incur Arundel's displeasure over military command in the first Bishops' War.[77] Holland and Wentworth shared a steady mutual dislike, and, according to the Countess of Leicester, Coke hated Holland also.[78] Windebank was unlikely to have regarded with favour either his wish for peace and friendship with the Scots, or his opposition to the dismissal of the Short Parliament, in which he was joined by Northumberland as the only other Privy Councillor who voted against the dissolution.[79]

Northumberland disliked and distrusted Windebank, an attitude shared by his brother-in-law, Leicester.[80] Pembroke and Salisbury, the former regarded as a "Puritan" by Giustinian, were both favourable to the Scots and called to account by Windebank for receiving friendly approaches from the rebels in 1640.[81] Pembroke may well have been responsible for Windebank's failure to secure re-election for Oxford University in the Long Parliament, and certainly used his considerable political influence in the

opposite sense to that urged by Sir Francis in October 1640.[82]

Windebank's relationship with Coke, his fellow-Secretary for most of his period in office, was consistently lacking in warmth. The Early Stuart tendency to share the dual Secretaryship between a Protestant and a Catholic sympathiser, while convenient for the monarch, was unlikely to lead to harmonious relations between the two. Coke was older than most Secretaries of State, being sixty-nine at the time of Windebank's appointment, and had never been popular among his contemporaries. He had shown ability and industriousness in naval administration since 1618, but was tactless and ineffective in the Parliaments of the 1620's and lacked flair in his conduct of the Secretary's office.[83] Clarendon described him as

> "... a man rather unadorned with parts of vigour and quickness, and unendowed with any notable virtues, than notorious for any weakness or defect of understanding, than transported with any vicious inclinations, appetite to money only excepted. His cardinal perfection was industry, and his most eminent infirmity covetousness." 84

Temperamentally there was little affinity between Coke and Windebank, and the correspondence they exchanged was brief and confined strictly to business, so that even when wishing Sir Francis speedy recovery after an illness, Coke's tone was perfunctory.[85]

He repeatedly tried to exclude his younger colleague from business, particularly in foreign affairs and during the King's absence in the north in 1639. On the other hand, he was well aware that Sir Francis was entrusted by the King from 1633 onwards with the conduct of the most confidential diplomatic correspondence, from which he himself was excluded.[86] His confirmed Protestantism led him to use the Secretarial powers enthusiastically against the Catholics, while Windebank helped his victims to escape the consequences of his zeal.[87] Contemporaries played one Secretary off against the other when it suited their purposes, and Con aptly summed up Coke's attitude to Sir Francis: "... il quale odia il Vuindibanch per essere huomo da bene."[88]

Some of these enmities and incompatibilities among the members of the Privy Council were ~~evaded~~ mitigated by the transfer of a substantial quantity of specialised business to the five main committees of Council. In the 1630's there was a tendency to reduce these in size, to give them a more continuous existence, and to ensure that as they contracted they included most of the handful of dominant figures. By 1636 this process had resulted in a situation in which Juxon, Arundel, Coke and Windebank formed a common core of members on all the committees, Laud and Cottington each belonged to four, and Dorset to three.[89] It will be noted, however, that this arrangement perpetuated the Coke/Windebank rivalry, and left Laud confronted by Cottington and Windebank on three of the five.

The most influential of these committees was thought by contemporaries to be the Committee for Foreign Affairs. This was first permanently established by Charles I and had seven members in 1628-9. By 1634-5 the membership had increased to thirteen, and was cut back again in 1635 to six. In this reorganisation Coventry, Neile, Manchester, Dorset, Stirling, Cottington, Edmondes and Vane were dropped from the Committee, Laud, Portland, Arundel, Coke and Windebank were retained (Laud having joined only in March 1635) and the Earl of Holland was added. Except that Juxon replaced Portland in 1636, the membership then remained constant until October 1639, when Northumberland, Hamilton and Wentworth were added. Vane replaced Coke as Secretary of State in February 1640, and Cottington probably rejoined the Committee some time early in 1640.[90]

The date at which Sir Francis became a member of the Committee for Foreign Affairs is not known, since there are no lists in the Privy Council Registers between 1629 and 1634-5, when his name first appears. He may have become a member upon his appointment as Secretary, but this is by no means certain in view of his relatively slight participation in foreign correspondence during his first year in office. Membership of the Committee did not always include both Secretaries of State, and Coke, for example, was not a member in 1628-9.[91]

No substantial records of the business conducted by this committee

survive, if they ever existed, but there are some indications of its activities. Information about some of the negotiations of the Personal Rule was conveyed to the Committee by the reading aloud of Ambassadors' and Agents' despatches, or of other material sent by them. In January 1637, Roe sent letters to Laud and suggested that they be read to the Committee or to the King, while in September 1639 Laud assured him that his despatches were read to the first meeting of the Foreign Committee after the King's return from Scotland, "and your service in those parts highly approved, both by his Majesty and all the Lords, as good reason it should."[92] Windebank sent the same assurance to Arundel in 1636,[93] and Northumberland told Leicester in 1639 that his despatches had recently been read every week at the Foreign Committee.[94] This practice probably also helped to maintain the diplomats' morale, and to reassure them that the government at home had not forgotten them.

All these negotiations, however, were being conducted either by Coke or with his knowledge, and since Leicester's and Roe's missions concerned France, there was no reason to conceal them from the Earl of Holland. In the case of Windebank's more confidential negotiations with the Habsburgs, however, it is evident that the same process was not adopted. The careful instructions from Windebank to Aston, Hopton and Taylor to conduct their main negotiations through him alone, and to send only general news or the occasional good news to Coke, makes it clear that most of the despatches from Madrid and Vienna were not communicated to the Foreign Committee.[95] When Laud assured Aston in 1637 that "as for that which concerns your public service, I meet with that at the Committee ...",[96] it is likely that he was referring to the innocuous despatches containing information about English merchants, current developments at the Spanish Court, and events in the war that Aston sent to Coke, and not to the confidential despatches to Windebank that were shown only to Cottington and the King. Similar instructions about secrecy were sent by Windebank to Boswell and Gerbier when opening correspondence over licences to Dutch fishermen.[97] In the summer of 1636, when the Court was scattered because

of the plague, the King returned two despatches from Taylor and Boswell to Windebank via the Earl of Holland, and was careful to explain this unusual proceeding: "This, because I thought not unfit to be showen, you receave againe by Holland."[98] In 1635 the King had told Windebank that he had shown Holland some of Hopton's least important despatches, so as to allay his suspicions.[99] Although an important body, credited by contemporaries with considerable powers, the Committee for Foreign Affairs seems to have been deliberately kept in ignorance by the King of a substantial proportion of the negotiations conducted by Windebank.

On the major issue of English involvement in the European war, the majority opinion on the Committee was in favour of neutrality. Correr testified to the general wish for peace among the leading ministers,[100] and this seems to have been a matter for discussion only when the French Ambassadors were pressing for firm undertakings from England. In September 1635 Windebank recorded that the King had consulted the Committee on what answer to give to France, and whether to declare his neutrality. Sir Francis himself was unhesitating in disparaging the latter course, and openly distrustful of the French. English interests would not be harmed by the absence of such a declaration, but serious consequences might follow if English inaction was assumed.[101] Early in 1637 the question of alliance with France and a possible breach with Spain were again to the fore, and Wentworth wrote to urge Windebank to represent the interests of Ireland in the current discussions in the Foreign Committee. War with Spain, he wrote, would "give such a stop to all our purposes here" that most of the plans for the better settlement of Ireland would have to be abandoned. Moreover, forces from England would have to be diverted to his use: "The stopping the back door it is you on that side that must give the means and the directions, for how to do it with six hundred horse and two thousand foot we cannot imagine." Pleading that in their debate the Foreign Committee might "be pleased to take this Crown something into care and let us among the rest be thought of", he reminded Windebank that "it is not possible we should suffer but you in England must have your part of the pain also."[102]

Apart from these discussions, the Foreign Committee seems to have been less active during this period, for Windebank told Leicester that although they were supposed to meet every week, yet "Unless his Majesty call us upon some special occasion once in a month or six weeks, we never otherwise come together", and ascribed this inactivity to Coke.[103] Some discussion has been provoked by the attempt to identify Clarendon's "Committee of State (which was reproachfully after called the Juncto, and enviously then in the Court the Cabinet Council)" with the Committee for Foreign Affairs, since Clarendon's list of members (Laud, Strafford, Cottington, Northumberland, Juxon, Vane, Windebank and Hamilton) were all on this Committee in 1640.[104] It seems likely that Turner's conclusion is broadly correct, and that the term "junta" or "cabinet Council" was applied from 1600 onwards to the monarch's most confidential committee for the time being. In the early 1630's this was the Committee for Foreign Affairs, but in 1639-40 the title probably belonged more properly to the similarly constituted Committee for the Affairs of the North, which had by then become the most active of the small, powerful groups of Privy Councillors selected to advise the King.[105]

The date of Windebank's first inclusion in the Committee for Irish Affairs is uncertain, though it seems likely that in 1632 he had replaced Dorchester on the committee of twelve members which had been set up in March 1629.[106] In March 1634 the committee was reorganised to deal with Wentworth's proposals for the reform of government in Ireland, the membership, on Weston's advice, then being reduced to six of the most active Privy Councillors for the purpose of securing more rapid conduct of business. Windebank was one of these six, together with Laud, Portland, Arundel, Cottington and Coke,[107] and although Juxon replaced Portland in 1635, the committee's composition remained otherwise unaltered during Windebank's period in office.

The business of the Irish Committee from 1633 to 1640 was necessarily closely related to Wentworth's administration, already familiar from several detailed modern surveys.[108] The correspondence between

Wentworth and Windebank during this period, however, sheds further light on the relationship between the two men, and reveals the extent to which Windebank was using his membership of the Irish Committee and his influence with the King to further Wentworth's interests, particularly in the first three years of the latter's Deputyship.[109] In the winter of 1633-4, soon after Wentworth took up office, the case of Sir Gerard Lowther provides a good example of the connexion between Windebank and Wentworth in a matter directly concerning the power of the Lord Deputy in Ireland and his relationship with the administration in England.

Since 1630 the King had taken care to ensure that the Irish despatches in both directions were channelled through the Secretaries of State, and the senior Secretary generally took the lion's share of the business.[110] From the outset, Wentworth had urged that his Irish correspondence be handled by one of the Secretaries only, believing that affairs would thus be "more warily attended ... when only one is accountable and so cannot excuse himself upon the other", and the King had assigned the task to Coke.[111] Designed by Wentworth as one of a series of measures to safeguard his access to the King and to protect himself in a notoriously vulnerable appointment, it was also an arrangement that could work to the Lord Deputy's disadvantage if the Secretary did not genuinely have his interests at heart. Early in 1634 Wentworth began to suspect that Coke was deliberately hampering his efforts to secure the appointment of Sir Gerard Lowther as Chief Justice of the Common Pleas in Ireland, part of his campaign to secure control of the courts so as to enforce his own and the King's authority more effectively. Securing no satisfaction through his official intermediary, he sent Windebank the duplicate of a despatch that Coke had failed to present to the King, asking him to recommend Lowther's appointment. Sir Francis met at first with little success, reporting that although Charles seemed impressed by his arguments, "yet when it comes to the point, it sticks, and I dare not be too earnest." He confirmed Wentworth's suspicions of Coke by writing that "I cannot but pray you may not have been mistaken in your address and bemoaned yourself to one that pities you not,

seeing I know his maxims are that he will never be of counsel of giving more power to the Deputy there than must of necessity be yielded."[112]

In reply, Wentworth sent Sir Francis an impassioned plea for support from the government in England:

> "And if I were to breathe my last, it should be this: that a Deputy stay no longer here than you hold him capable of all absolute trust, and worthy of all countenance. Straiten him neither in means nor in the rights of his place. The place is a place of highest honour, wherein the sovereignty itself is embarked in some measure with him, and, if he be lessened in either, he grows either scandalous for want within his own doors, or condemned abroad, where he hath no means to draw any dependencies upon him. And surely it is impossible for a Deputy to serve alone."

Defending the Deputy's need to bestow patronage, he argued that without it "men will rather run from him than come anear him, abandon him as an after-gathering, two or three olives in the uppermost branches, not worth the fetching down." To balance this, the Deputy nevertheless remained accountable for his actions. Should he be accused of corruption, then he should be brought to trial:

> "Appoint justices, send for him presently over, give him his charge, make him answer it strictly at the peril of his head, and for my own part I shall desire no sparing. Let him be justified with confusion to the traducer, or condemned to his own deserved ruin, but let this be done in England. Let him not be vilified whilst his abode is here, lest in him men begin something to undervalue even Majesty itself." 113

Incapable of replying with similar eloquence, Windebank nevertheless responded effectively to the appeal, and on 14 March he was able to announce that "my importunity hath at last prevailed with his Majesty", and that Lowther's appointment had been duly approved. Although Sir Francis later disclaimed responsibility, "challenging nothing therein to myself but the ministerial part", there is little doubt that his advocacy had been decisive.[114]

He continued to intervene on the Lord Deputy's behalf whenever

possible. In Star Chamber he repeatedly used his influence to support Wentworth's interests,[115] and he welcomed the reorganisation of the Committee for Irish Affairs as an opportunity of securing more speedy implementation of Wentworth's wishes, promising that "the wheel being once agoing, the Lord Archbishop, Lord Cottington, and your little but most true servant will keep it in motion."[116] During the next two years he secured the King's consent to several of Wentworth's requests, sometimes against Coke's opposition,[117] and the Lord Deputy was evidently grateful for "the great furtherance you give me in the despatch of such business that comes to the Committee".[118] In April 1635 he wrote, "I am not more confident of any other friend than yourself, and therefore assure myself to be preserved by you as much as may be in the rights of this place."[119] Conscious that many of his difficulties were due to the "rigidness and stiffness in your Brother, to his opinion", rather than to the opposition of the King, and that Windebank was by contrast a persuasive advocate, he acknowledged with amusement that "You little men are of all other hardest to be denied."[120]

In the early years of Wentworth's Deputyship, his relationship with Sir Francis was friendly and warm, and in their correspondence they repeatedly broke away from official matters to exchange jokes and lighter comments in parenthesis. In spite of this, Windebank was not blind to Wentworth's failings, particularly to his knack of antagonising others, and in response to Wentworth's request for frank criticisms of his conduct, he left the Lord Deputy in no doubt that while still in England, "You made many ill faces with your pen .... and worse oftentimes with your speeches."[121] Wentworth seems to have taken no offence, and asked Windebank to comment freely on any of his policies that Sir Francis himself disliked or that others might misjudge.[122]

One of Sir Francis's last services to Wentworth before their relations deteriorated was to keep him informed of the various attempts to dislodge him from his share in the farm of the Irish customs. Asked by the King to investigate allegations that Wentworth and the other farmers were making excessive profits, he defended the existing arrangements against

proposals that the patent should be revoked and the farm granted to others whose security, he judged, was inadequate for so weighty a business.[123] Wentworth, justifying his own profits on the grounds that they derived from an overall improvement in trade from which the Crown was by far the greatest beneficiary, seems to have been confident that neither Sir Francis nor the King would forsake him.[124] The King's decision in July to reject the offer of a higher rent in favour of the continuation of the existing farm, together with a share of the increased profits, should have confirmed this confidence.

It was not long, however, before Windebank became aware that Wentworth's trust had been destroyed, and that he was thought to be in league with Mountnorris and others among the Lord Deputy's numerous enemies. Protesting his innocence and loyalty, Windebank blamed "the misfortune of my place, which too often casts me upon such rocks", and appealed to Wentworth to distinguish between those, like himself, "that hold the same principles really and of conscience with you, and those whose motion that way is violent and for other ends."[125] Wentworth's new attitude seems to have originated during his visit to England in 1636 and was probably not unaffected by Laud's bitter lamentations at Windebank's defection in the previous year over the soap monopoly, after which the Archbishop had lost no opportunity of representing Sir Francis as a traitor.[126]

By 1637 Wentworth was complaining angrily to the King about Windebank's success in securing a royal order under the privy signet for the payment to the Earl of St. Albans and Clanricarde of £1500 as part of a claim for arrears on the cost of maintaining a company of foot in Ireland in the King's service, outstanding since 1623.[127] More than two years earlier Windebank had sent the Lord Deputy a copy of the Earl's petition with a request for favourable treatment of a loyal servant of the Crown, after telling St. Albans that "he was out of the way" in appealing to the King, since other financial arrangements had now been established.[128] This had evoked no response from Wentworth, whose opposition to St. Albans, a Catholic and one

of the old English, was deeply rooted in the Earl's resistance to his attempt to extend Protestant plantations to Galway, and in what Wentworth could only regard as a sinister alliance between St. Albans, Arundel and Cottington.[129] Despite Wentworth's vistory over St. Albans in 1636, and the Earl's precarious financial position, the Lord Deputy was not disposed to be magnanimous, urging that the Exchequer should rather claim thousands from the Earl than pay hundreds to him. Recalling sharply the arrangement made in 1633 for all Irish affairs to pass through Coke's hands, he demanded once more that the King should refer matters of this kind to the administration in Ireland for advice before taking decisions, praising Coke's vigilance in guarding the Deputy's interests in this way, "for which I value him very much." By contrast, he asked that Windebank be called to account, and told "to observe your establishment and order, and not thus early to engage and gain your Majesty's assent before he hath first communicated the business with us."[130] This was a far cry from his earlier reliance on Sir Francis's persuasive powers, which were evidently unappreciated when used on behalf of others. Kearney's judgement that Wentworth's victory over Galway was pointless, and that "the best policy from the English point of view was not plantation but simply to bolster up the influence of Clanrickarde .... who was as English as Ormonde in his outlook",[131] suggests that Windebank's policy of rewarding loyalty was wiser than Wentworth's punitive campaign. Although Sir Francis and the Lord Deputy continued their correspondence for another three years, and were frequently in alliance in the King's interests, the old warmth had disappeared, and the connexion had become rather a matter of administrative necessity than of personal friendship.[132]

Of his work on the Committee for Ordnance, Windebank has left little trace. The Committee, consisting of Weston, Arundel, Pembroke, Dorset, Dorchester, Wimbledon and Coke, was set up in January 1630 to investigate the shortcomings in the Ordnance office that had been uncovered by the military and naval preparations in the 1620's, particularly notorious in connexion with the expedition to Cadiz in 1625 and to the Ile de Ré in 1627.[133]

By 1632-3 Dorchester had died and Cottington had replaced Pembroke, and when the commission was renewed in 1633 Windebank also became a member. The composition of this committee remained largely unchanged until 1640, except for Juxon's succession to Portland's place, and the loss of Wimbledon by 1639-40.[134]

Its main task was to report upon the administration of the Ordnance office and the supply of munitions, and to suggest reforms, and it had affinities with various other commissions on which Windebank served, particularly the commissions to supervise armaments in the Tower, to examine the accounts of Viscount Valentia (Master of the Ordnance in the Cadiz expedition), to make saltpetre and gunpowder and to sell the latter.[135] Although the Committee for Ordnance uncovered a number of irregularities in a department notoriously prone to inefficiency and peculation, and found much friction between the Ordnance officers, radical reform was difficult in the circumstances of the time. Windebank's experience during the two Bishops' Wars must have demonstrated that although some improvements had been achieved, there were still serious weaknesses in the machinery for assembling the weapons of war.[136]

It is probable that Windebank replaced Dorchester in 1632 on the Committee for Trade that had been set up with thirteen members at the beginning of the Personal Rule, the first to have been composed of Privy Councillors or to have had more than an ephemeral existence. In 1634, when Windebank first appeared on the lists in the Privy Council Registers, there were ten members, and from 1636 until 1640 the composition remained the same, Coventry, Manchester, Vane and Dorset being added to the familiar nucleus of Laud, Juxon, Arundel, Cottington, Coke and Windebank.[137] Andrews remarks upon the added weight given to this committee by the King's frequent presence, which enabled it to exercise more than an advisory function, and Windebank's notes of meetings in 1635 show that Charles I attended most of them.[138] Sir Francis's notes are too numerous to be investigated fully here, but may be used to provide an indication of the range of business with which he became familiar in

consequence of his membership of this committee.[139]

On 6 April 1635, for example, there appears to have been a full discussion on the proposals for the new Book of Rates designed to take advantage of the expanding trade that was one of the consequences of England's neutrality. Sir Abraham Dawes proposed a general increase in duties of five per cent, estimated to yield between £30,000 and £40,000. It was noted that English subjects in Spain were paying thirty per cent, and in France, fifteen per cent. Coventry proposed that the increase should be selective, the highest duties being imposed on commodities originating in those countries that took the highest duties from the English, but the King disagreed, presumably since this would be directed against Spain. The Committee appears to have decided upon a general increase, although Manchester still had reservations, in case it should lead to a decay of trade. Dawes was reassuring, since "the merchant will sell his commodity so much the dearer, and we are yet under the rate of other nations for the impositions, especially Spain." Finally, Dawes was "admonished to keep these propositions secret, till his Majesty communicates them to the whole Board." Another highly significant decision taken at this meeting was that the maritime counties should be "brought into the contribution for the shipping next year, which is to be made more equal."[140] In March 1636 Windebank noted the new arrangements for the exaction of an extra one and a half per cent on the one-third part of Spanish silver shipped from Dover to Flanders, a decision that was to cause him some trouble in the summer of that year.[141]

Much of the Committee's business concerned the operation of various monopolies. On 14 May 1636, for example, the Committee agreed to the establishment of a corporation for the planting of madder, which was to be allowed four years in which to develop the crop, before further consideration was given to a request that the import of foreign madder should be regulated to prevent competition. Despite considerable pressure from the promoters, the Committee was clearly concerned to protect the interests of the clothiers, and resisted attempts to restrict imports at an earlier

stage. At a subsequent meeting on 11 June 1636, the Committee approved the fiscal articles in the agreement, by which the corporation was to pay to the King rates varying from £4 a ton for the worst madder, this being an eighth of the price, up to £10 a ton for the best quality, while the King was to put equal impositions upon native and foreign madder. A final note probably reflects the presence of Laud and Juxon: "They are to pay the eight part to the King whether it be in a parish or out of it. If in a parish the tithe is to be paid to the church."[142] The incorporation of this group, "William Shipman and his assigns", as the Society of Planters of Madder of the City of Westminster is an example of one of the numerous evasions of the Statute of Monopolies of 1624, for Shipman had in the previous reign been granted the sole right of planting the crop.[143]

Other matters resolved at these two meetings included the issuing of proclamations for the planting of hemp, to provide sails for the King's ships, and for the restriction of malting to incorporated maltsters, and details of the yield to the King expected from cards and dice, and from the farm of tobacco, with which Goring was associated. Six months later the Committee was still discussing the regulating of maltsters, and making careful distinctions between them and "common brewers", while the business included two other topics familiar to Windebank in other contexts. These were prosecutions of those who had transported gold out of the country, with which he was concerned in Star Chamber, and the enhancing of the price of gunpowder and accounts kept by officers of the ordnance, which he also encountered on another of the Privy Council's standing committees.[144]

While service on the Committee for Trade involved Windebank in making frequent and detailed decisions affecting many aspects of commercial and industrial organisation, his membership of the Committee for Foreign Plantations, a body which appeared to possess much wider powers and far more exalted standing, led to very little in the way of practical results. He was already on the Committee for New England, set up to consider petitions of complaint against the government of the colony at Massachusetts Bay,[145] and in 1634 was appointed to the new standing committee of the Privy

Council for foreign plantations which probably replaced the earlier group, and which continued in existence until after Windebank's flight to France in 1640. Its membership from 1636 onwards was the same as that of the Committee for Trade, with the addition of Neile, Stirling and Edmondes.[146] Endowed with wide powers of making laws for the government of English colonies, setting up courts, appointing judges, listening to complaints, calling governors to account, and issuing or revoking charters and patents, it seems to have been unwilling or unable to exercise them and restricted its attention mainly to the hearing of grievances, especially to those dealing with conditions of trade and the seizure of estates.[147] Andrews' judgement that "the Laud commission played a comparatively inconspicuous part during the seven years of its existence and had gained a prominence .... out of all proportion to its importance",[148] suggests that in this case Windebank was associated with a body that attracted hostility without achieving results.

Windebank's participation in the proceedings of Star Chamber derived from his membership of the Privy Council, and he seems to have been frequently in attendance at the sessions of the Court. These were normally held in the mornings on Wednesdays and Fridays during term, on the first day of each vacation for the hearing of petitions, and on other days out of term if a case was lengthy or important. The average of thirteen persons who sat on the Bench in Star Chamber during Charles I's reign always included the Lord Keeper and the Chief Justices of the King's Bench and Common Pleas, together with varying numbers of Privy Councillors.[149] Evidence as to the nature of his participation in Star Chamber business, and of the conduct of cases during his period of office, is provided by the survival of many of the cause lists issued to Sir Francis between 1632 and 1640, which are often annotated with a record of the sentence passed. These papers are often also accompanied by his notes of the main points of the evidence and a list of the sentences proposed by each of the judges. He took particularly copious notes of proceedings at many of the more controversial hearings of the period: his notes on the case of Pell v. Bagg, for example, heard on six days between 23 October and 11 November 1635, ran to thirty-

two closely-written pages,[150] and in 1634 his twenty-five pages of notes on the conduct of the case against George Mynne, Clerk of the Hanaper, and Richard Dawes, for extortion, reflect his concern with the behaviour of office-holders in the central administration.[151]

The picture presented by Gardiner and others of this court as an instrument of Stuart despotism, the prominence accorded to the corporal punishments inflicted on Prynne, Burton and Bastwick, and the abolition of the Court by the Long Parliament in 1641 argue a widespread and deep-seated hostility to proceedings in Star Chamber during the Personal Rule. Phillips redressed the balance to some extent by showing that the Court's jurisdiction had not been extended since Elizabeth's reign, that examples of irregular proceedings were rare, and that severe punishments were "surprisingly few". His examination of pamphlet literature and other evidence led him to conclude that a major cause of the Court's unpopularity was the increase in ecclesiastical representation on the Bench, the particular influence of Laud, and emphasis on the punishment of offences against the Church and libels against the episcopacy.[152]

The surviving evidence of Windebank's participation in the business of the Court suggests that although inclined to support ecclesiastical authority, he was still more concerned to uphold secular power, and that he reserved his severer sentences for those attacking the Crown and the King's ministers. In February 1634 Prynne was brought to trial in Star Chamber for Histriomastix, an attack on stage-plays and dancing, the popular pastimes of the Queen and the Court. Unlike Laud, who dwelt as much on the injury to the Church as on that to the Queen, Windebank confined his condemnation of Prynne to his attack on the monarchy and the secular authorities, saying that he was "more worthy of a halter than a sentence in this court; he hath opened his mouth as wide as hell, against the King, Queen, magistrates and all the kingdom." Agreeing not only with Cottington's sentence of imprisonment, ear-cropping, pillorying, degradation, and the burning of the book, he proposed in addition a fine of £10,000, twice the figure suggested by Cottington. Although supported in this by Dorset, Suffolk, Arundel,

Hamilton, Laud and Juxon, the lower fine was eventually imposed.[153]

In April 1635, the proceedings against James and Alice Maxwell for scandalous words against the Lord Keeper, Coventry, evoked from Windebank the comments "A false charge upon a principal officer of justice", and "The accusation trenches upon the King and his royal government."[154] The case was one of several examples during the Personal Rule of an extraordinary method of procedure known as ore tenus, in which persons were brought speedily to trial after confessing their guilt in a preliminary examination. The method eliminated many of the time-consuming formalities of normal proceedings, and was used "when some dangerous attempts and wicked inventions do seem as it were to shake the very fabric of government."[155] Confession was an essential part of the procedure, but this could be manipulated to the advantage of the Crown, and Windebank's note "A confession without any pertinency: they justify still their petition", suggests that either this had occurred in the case of the Maxwells, or that the accused were obdurate in maintaining their slander. He agreed with the highest accumulation of sentences proposed by Cottington and the two Lord Chief Justices, including removal to Scotland and imprisonment there, a fine of £3,000 to the King and £2,000 damages to Coventry, and the whipping of Alice Maxwell, adding to this, "the woman to be whipped here and in Kent."[156]

He was similarly concerned to uphold the authority of Wentworth as Lord President of the Council of the North and as Lord Deputy of Ireland. At the end of November 1633 he took part in the proceedings against Sir David Foulis, Sir Thomas Leighton, Sheriff of Yorkshire, and others, ostensibly for failing to pay the fines for non-distraint of knighthood and libelling Wentworth, the collector of the fines, by accusing him of misappropriation, but in practice for disputing the authority of the President and Council of the North. Congratulating Wentworth in December 1633 on the outcome of the case, he extolled "the honour of that day and the right which was done his Majesty's service and your person in that remarkable and exemplary piece of justice." He also revealed that the King, fearing undue delay after a busy Michaelmas term, had instructed the Lord Keeper to assign a day in the

vacation for the hearing, "and that the Lords should take it into their nearest consideration as a cause whereupon himself had a special eye."[157] Laud had similarly rejoiced in Sir David's downfall, referring happily to "All fowls a moulting time, especially of sick feathers". With the monarch and the Court so resolutely against him, the sentence upon Foulis of a £5,000 fine to the King, £3,000 damages to Wentworth and removal from all his offices, followed by imprisonment in the Fleet for seven years when he refused to comply with the Court's orders, is scarcely surprising.[158] Thanking Sir Francis for the care and trouble he had taken, Wentworth wrote: "You see with what a company of beagles I am still hunted, who will needs make a cry, albeit the scent be as cold as ice ... The time is of excessive liberty, and there remains no expedient left but thus to whip them into their right wits again."[159]

Sentencing procedure in Star Chamber during the 1630's took a regular form. Cottington was the first to propose sentence, followed by the two Lord Chief Justices, then by Windebank and Coke and the other Privy Councillors in ascending order of precedence, ending with Laud and the Lord Keeper.[160] Windebank usually agreed with Cottington,[161] or with any additional penalties proposed by Finch and Bramston. He frequently suggested an increase in fines, and seldom gave a more lenient verdict. On the other hand, he was generally not as severe as Laud.[162]

When Prynne appeared before Star Chamber again in 1637, together with Burton and Bastwick, Windebank noted laconically "Burton incorrigible", and agreed with the maximum sentences imposed by Cottington and Finch, including the second cropping of Prynne's ears and the branding of the letters S. L. on his cheeks.[163]

Another notorious case in the same year, that of Pell v. Bagg, revealed a deep division between the judges, in which Windebank appears to have inclined towards Cottington rather than Laud. Pell had accused Bagg of retaining the £2,500 entrusted to him in 1634, intended as an inducement to secure Portland's approval of Pell's claim for £6,000 from the Exchequer.

Bagg's defence rested largely on the allegation that Portland had taken the money, and that he himself had therefore received no benefit from it. According to his own notes, Windebank gave no sentence, in company with Dorset, and Pembroke, who had not been present at all the hearings, also declined to pronounce judgement. Cottington, Juxon, Carlisle, Arundel, Lennox, Manchester and Neile agreed in acquitting Bagg, while Finch, Bramston, Coke, Vane, Newburgh, Holland, Lindsey, Laud and Coventry voted that Bagg should be heavily fined and imprisoned.[164] This conflicts with Gardiner's account, based upon Rushworth, that Windebank and Dorset supported Cottington, that the Court was evenly divided, and that "judgement was only given for Pell by the casting vote of the Lord Keeper". Windebank is quoted as describing Pell's intention as plaintiff to be "most maliciously to defame the Lord Treasurer, and under colour of clearing him, to wound his honour through the sides of his kinsmen, his friends, his two secretaries; and, rather than this should fail, to bring into public agitation and question his Majesty's affairs and debts."[165]

This report certainly agrees with Windebank's practice of upholding the authority of the King's ministers, and in this case he was presumably also concerned to vindicate the memory of one of his patrons. On the other hand, it brought into open conflict once more with another of his patrons, Laud, who condemned "that bottomless bag" in scathing terms. While claiming also to be protecting Portland's honour, and to be doing the duty he owed to the dead, Laud argued that the appearance of corruption in a great man's employees was "as much as if they were really guilty."[166] The King reversed the majority decision of the Court by respiting the fine of £3,000 on Bagg, who was neither imprisoned nor deprived of office, a decision possibly influenced by Bagg's dependence on Buckingham in the 1620's and his earlier services to the Crown.[167] Indeed, Charles caused Coventry some anxiety by attempting to do more than this. In August, during the vacation, he sent a warrant to cancel both the decree and the whole proceedings in Star Chamber in Pell v. Bagg. Recalling a similar incident earlier in the reign, which had been successfully contested, Coventry tried to prevent the move

and protect Pell's interest, pointing out that while "the King's pardon may discharge the King's fine .... if the records be defaced, both the fine to the King and the interest of the party do all fall away and perish." For the Lord Keeper this was a matter of principle:

> "And in truth I have, ever since I served his Majesty at the Seal, constantly avoided all cancellation of Star Chamber records, as matter of high consequence in vacation time, or to do it in term but either upon motion in open court, or if it be fit to be done with more privacy in the Inner Star Chamber in the presence of the Lords." 168

The defence of Bagg by Windebank, Cottington and their supporters had clearly fallen far short of what the King was prepared to do on his behalf.

Sir Francis's disagreement with Laud over this case was not repeated, however, in another notable series of hearings in Star Chamber, this time involving John Williams, Bishop of Lincoln, Bacon's successor as Lord Keeper, and an old enemy of Laud's. Williams, originally charged with betraying Privy Council secrets, was accused in 1635 of tampering with witnesses and subornation of perjury, on which charges he was brought before the Court in June 1637, fined £10,000 and suspended from office.[169] As one of the Commissioners for Ecclesiastical Causes, Windebank took further part in Williams's downfall by participating in the sentence of suspension passed in that tribunal.[170] In 1633 Windebank had evidently regarded the Bishop as a hypocrite, deriding Williams's efforts to enlist Laud's aid in persuading the King to drop the original charges against him, "... with the greatest profession of entireness to his Grace, and expressions of humility and submission that can come from a Northwater Crocodile, and that the language of Canaan can represent, which are understood and credited accordingly."[171] In February 1639 Williams had again been fined in Star Chamber for slandering Laud while in prison,[172] and when appealing to the King in the following year for release and a writ of summons to the Long Parliament, he clearly regarded Windebank and Laud as implacable opponents: "My Lord's Grace and Secretary Windebank have good reason to wish me out of the Parliament, and out of the world too,

if they conceive I have no other business there than to complain against them ...."[173]

In less well-publicised cases in Star Chamber, Windebank was to be found, like many of the Bench, imposing punishments for breaches of regulations that he had helped to frame as a Privy Councillor, or in which he had an interest as a member of one or other of the major committees and commissions. Fraudulent commercial practices or infringements of regulations established by proclamation formed the subject of many cases in Star Chamber, and in these instances Windebank's sentences and comments inclined less towards severity than in the proceedings examined so far. Thus in 1633, in the case of Richard Coxe, found guilty of transporting forty tons of fuller's earth from Rochester to Rotterdam, Windebank proposed a fine of £1,200 to the King, £200 more than Cottington had suggested, but £800 less than Laud's figure of £2,000, which was ultimately imposed.[174] In a similar case against John Wray, merchant of London, in 1637, he agreed with the majority verdict of £2,000 fine, imprisonment, standing in the pillory, and binding over, but also agreed that sentence should be respited "till it be seen what service he will do." This was another ore tenus proceeding and Wray, having confessed, had also offered to give the authorities the benefit of his experience by showing how this illegal transportation could be prevented without charge to the King.[175]

Windebank took a considerably more serious view, however, of the case of Charles Francks, Isaac Romere and others, for unlawful transportation of gold contrary to the proclamation of 25 May 1627. His notes include comments suggesting that he shared the fear of many of his contemporaries of a national dearth of coin, a fear that was particularly acute in and after 1636, when the French enhancement of gold coinage had accelerated the outward flow of bullion. Similarly, he seems to have shared another common contemporary dislike for the frivolity of many of the luxury import trades:

"Severe and exemplary punishment. Capital as in other countries. Strangers: among other diseases and sicknesses they bring this consumption upon the state. They corrupt us in our religion, government and trade. They transport our treasure and return nothing for it but glass and bugles, gingers and trifles, as the merchants of Europe use the Indians and barbarous nations. The searchers to be quickened." 176

Several cases involved breaches of regulations whose enforcement particularly concerned him as a member of commissions set up to enquire into certain notorious abuses. His membership of the commission to enquire into buildings raised in London since March 1605 gave him an interest in yet another case where ore tenus procedure was adopted. The confession of the defendant, John More, one of the Signet Clerks, that he had built seven dwelling houses, seventeen coach houses and thirteen stables upon inadequate foundations may have inclined him to support the majority verdict proposed by Lord Chief Justice Heath of £1,000 fine and £1,000 more if the buildings were not demolished by Easter, instead of supporting Cottington's proposal for a penalty of £2,000.[177] On the other hand, as a member of the Saltpetre and Gunpowder Commission, he secured the imposition of a fine of £5,000, more than double the penalties previously suggested, on the principal offender in the case of Attorney-General v. Thomas Hilliard and others for "several misdemeanours and oppressions .... by colour of a bond for digging of saltpetre."[178]

Frequent attendance at these and other proceedings in the Court of Star Chamber took up a good deal of the time of those Privy Councillors like Windebank, who were among the most conscientious of those entitled to sit on the Bench. In June 1638 he excused his failure to deal with Gerbier's recent despatches on the grounds that they were "mostly in cipher, and I have not yet had time by reason of my attendance at the Star Chamber to decipher them."[179]

In 1635-6 Windebank had been involved in a further commitment by his membership of the Treasury Commission, where the divisions between the ministers of the Personal Rule had become even more apparent. When

Portland died in March 1635 the office of Lord Treasurer was not immediately filled. Although there were rumours that Coventry might be appointed while Laud replaced him as Lord Keeper, or that Cottington would become Treasurer, or that the post was being saved for Wentworth, no immediate appointment was contemplated and the post was not filled for a year.[180] Instead, a Treasury Commission of five members was established, consisting of Laud, Manchester, Cottington, Coke and Windebank. Sir William Becher was appointed Clerk to the Commission, which was to meet on Tuesday, Thursday and Saturday afternoons.

Immediate order was given at the first meeting of the Commission on 16 March that Sir Robert Pye, Auditor of Receipt, should make no further payments on orders signed by Portland and Cottington, nor any payments out of the Exchequer on patents or assignments, and this was followed five days later by a general stay of payments from all other sources.[181] This was likely to provoke protest, and the mutual suspicion among the Commissioners that was evident from the outset is revealed by the resolution taken at the first meeting "That no petition be received by any Commissioner alone, but that it be communicated to the whole Commission."[182]

Laud, deeply distrustful of Portland's aims and methods, and determined to apply the policy of "Thorough" to the vital business of finance, then embarked on an attempt to discover the current state of the King's revenue and commitments. Windebank's notes of the meetings of the Commissioners record the progress of this enquiry. On 17 March, Cottington reported upon the revenues and issues for 1634. Receipts came to £608,256. 17s. 4d., and issues to £554,898. 9s. 2d., leaving an apparent surplus of £53,358. 8s. 2d.[183] The problem of anticipations upon the revenue must have been familiar to them all, however, and at the next meeting Pye and Wardour reported that the current figure for anticipations was £272,792. 4s. 9d.[184] Enquiry was to be made into the King's debts, and details of these were gradually collected. On 6 April, for example, it was reported that £83,473 lent to the King on special

tallies had not yet been repaid. Many of these loans dated back to 1628 and 1629; Cottington had lent £2,000 and Goring £15,000 in 1629, while Sir James Bagg's loans in 1630 and 1631 amounted to £16,500.[185] By 1636 it had been discovered that the King's debts came to over a million pounds, though many of these did not need early repayment.[186]

At an early stage the Commissioners had required various officials to certify the state of their receipts and payments, and letters to this effect had been sent to such persons as the Receivers and Auditors of the Duchies of Lancaster and Cornwall, the Treasurer and Victualler of the Navy, the Clerk of the Great Wardrobe and the Clerks of the Pipe and Hanaper.[187] As the replies came in, confusion was revealed, and in June Laud wrote despairingly to Wentworth that "the accounts are so many, so long delayed, so confounded, so broken, so all naught, that I have every day less hope than other to do any great good."[188] Reproving Sir William Russell for delay, Laud was told that Russell was still waiting for his last five years' accounts to be cleared by the auditors.[189] A further depressing picture was presented in October by the list of fees and other monies payable at the Exchequer, due at Michaelmas and totalling £34,150.[190]

In their meetings between March and July 1635, the Commissioners dealt with a wide variety of business. In relation to revenue they considered offers for an increase in rent for the tin farm, Goring's proposals for the tobacco farm, the duty on sea-coal, the increase in impositions and the lease of the Forest of Dean.[191] Items of expenditure that attracted the Commissioners' particular attention were the cost of pensions paid by the Crown, and the numerous arrears due to English Ambassadors and Agents abroad, amounting to £40,000.[192]

A task assigned to Windebank in particular was the correspondence relating to the redemption of Charles's jewels, pawned in the Netherlands in the 1620's. This proved a lengthy and complicated affair, in which Sir Francis became involved with Boswell, the English Agent in the Hague; Philip Burlamachi and his brother-in-law, Calandrini, who had been used for many years to provide loans to the Crown on the basis of foreign

exchange operations, particularly at Amsterdam; and Nathaniel Geraerd, sent to Holland to inspect the jewels and report on their condition.[193]

The matter dragged on for more than two years, largely due to arguments over the size of claims by Burlamachi and Calandrini for factorage, expenses and interest. Earlier delays in payment had already resulted in Burlamachi's bankruptcy in 1633, and Calandrini was now demanding cash, not assignments on the revenue, for the redemption of the jewels.[194] The King agreed that the money should be raised by the sale of pearls at Amsterdam, a transaction that gave rise to further claims, in which Boswell was trying to secure a percentage for himself in return for negotiating a higher price for the pearls.[195]

In all this, Windebank and Cottington were pressing for a reasonable though not full settlement of Burlamachi's claims, in recompense for his long service to the Crown, while Coke and Pye were hotly contesting every point and alleging dishonesty and malpractice by all concerned. In 1636, after Juxon's appointment as Treasurer, Pye became alarmed lest his inexperience should result in the settlement of Burlamachi's claims, writing to Coke, "if you do not by some means by my Lord of Canterbury or yourself give him [Juxon] caution, you know one will slyly bring it about with your fellow Secretary's help, and the Lord Treasurer's Secretary, who doth not understand and is very forward."[196] Coke immediately enlisted Laud's aid, writing that "If this account be shuffled up and discharge gotten from the King it may prove of as bad consequence to his service as the posting away of the Spanish money is like to be", a reference to another of Windebank's activities.[197] The King signed a privy seal for a payment of £12,000 to Burlamachi, but Juxon resisted a further claim for £13,000 which "was pressed hard upon me until it was found I would not give way."[198] Coke drafted an acid reply to Juxon, together with a milder version, in which he hit out at Windebank and Cottington as well as Burlamachi:

> "I marvel not that your Lordship findeth difficulty in passing Mr. Burlamachi's accounts. For though we laboured in nothing more all the time of the commission yet we could never bring it to any perfect state. Whosoever

> will induce a King to any other than legal accounts doth not only open a way to deceit, which every one is guilty of that declineth a just account, but brings confusion into the government of the revenue of the Crown, the consequence whereof is worse than any particular loss." 199

Ashton's judgement that Burlamachi deserved better treatment, that Coke's "admirable precepts were hardly applicable to the game in hand", and his assessment of Burlamachi as "the greatest financial figure of the period", suggest that Windebank and Cottington may once again not have been as unprincipled as their contemporary opponents suggested.[200]

Similar accusations to Coke's had been made by Laud while the Treasury Commission was still in being. Clashes with Cottington and Windebank over the soap monopoly and the King's extension of the park at Oatlands had increased the Archbishop's bitterness, and by the summer the divisions among the Treasury Commissioners were more widely known.[201] Laud alleged that "Lord Cottington and many more are all of opinion that it is no way fit to discourage the King at once by clear understanding and as clear a representation of all things."[202] Meetings of the Commissioners became less frequent, and in October Windebank was sufficiently concerned to bring the matter to the King's notice:

> "I do further most humbly beseech your Majesty to give me leave to represent unto you the state of your Treasury, which is now exceeding low, and yet we are clamoured upon, for monies due to Ambassadors and Agents abroad, and many other most necessary payments, having not one penny to give satisfaction, nor any of us, at our meetings (which are too seldom, but twice these three months) entering into consideration where to raise monies, which is the chief work of a Treasurer. We are to meet but once the week, whereas the business requires a daily and constant attendance. If your Majesty continue it in this way, your service will infinitely suffer, and it cannot be so ill managed in any one hand as it is now by thus many ...." 203

The King's reply, "Haste the Balance, and then you shall know more of my mind", did not suggest an immediate solution, and the Commission remained deadlocked and largely inactive. It was not until December that the balance, ordered late in July, was produced. It showed that the

ordinary revenue over the previous five years had averaged £618,379, expenditure £636,536, and that the average annual deficit was £18,157.[204] This relatively reassuring picture was spoiled by the calculation of extraordinary receipts and payments, however, which revealed an accumulated deficit since 1625 of over £250,000. A note of "Expected Improvements" at the end of the 1635 balance listed Dean Forest, Gunpowder, the Society of Soapmakers and the New Impositions as probable sources of increased revenue, and the last of these indeed proved lucrative to the Crown.[205]

The appointment of Juxon as Lord Treasurer in March 1636 was a victory for Laud, who had thus prevented the expected elevation of Cottington and put an end to the struggles of the Treasury Commission.[206] Howell's comment to Wentworth that

> "... 'tis news indeed, it being now twice time out of mind since the white robe and the white staff marched together; we begin to live here in the Church Triumphant; and there wants but one more to keep the King's Conscience (which is more proper for a churchman than his coin) to make up a triumvirate"

recognised the introduction of a further disturbing element into the central administration of the Personal Rule. Whether Juxon agreed with the prediction that "He will find the office the easier, because it was smoothed and made to his hand by the Commissioners" is perhaps more doubtful.[207]

Windebank served also on another commission for executing a high office of state. In November 1632 he was put on to the Admiralty Commission, a group of seven, whose other members were Weston, Lindsey, Dorset, Cottington, Vane and Coke.[208] Renewed in 1635 and 1636, this commission continued in existence until Northumberland's appointment as Lord High Admiral in 1638, being then renewed for unfinished business.[209] It is noticeable that there is less sign of friction among these commissioners. Laud was absent, and Windebank shared Coke's interest in creating a stronger navy.

Sir Francis had close connexions in several ways with the origins and

use of the ship-money fleet, and held strong views on the King's claims to maritime sovereignty. Many aspects of his foreign negotiations depended for success on the existence of a powerful fleet, and although Coke was kept in ignorance of this aspect of Sir Francis's work, his long experience and ability in naval administration led him to arrive at the same conclusions. The declaration made by Coke to the Privy Council on 8 June 1634, in preparation for the imposition of ship-money, rehearsed many of the arguments used by Windebank in his despatches.[210]

He was also likely to have been familiar with, and to have endorsed, the arguments set out in Sir John Borough's small book, The Sovereignty of the British Seas, written in 1633 or 1634. This emphasised the "inestimable riches and commodities of the British seas", and wrote of the competition with the Dutch and their increase of shipping, trade and power abroad, so that "next to the English they are now become the most redoubted nation at sea of any other whatsoever."[211] Borough's conclusion provided a justification for ship-money:

> "And therefore the Sovereignty of our seas being the most precious jewel of his Majesty's crown and (next under God) the principal means of our wealth and safety, all true English hearts and hands are bound by all possible means and diligence to preserve and maintain the same, even with the uttermost hazard of their lives, their goods and fortunes." 212

By 1636, Selden's Mare Clausum, written in the previous reign and printed late in 1635, provided a more elaborate statement of English claims in reply to Grotius, and the King ordered that a copy be set aside for the use of the Privy Council.[213]

It was relatively easy to make grand theoretical claims, but more difficult to establish them in practice, and Windebank must have regretted the failure to raise a steady income from ship-money, of whose benefits Garrard had been very conscious, calling it a "notable revenue, if it be paid every year, far better than Tonnage and Poundage, and yet that is paid too."[214] Much of his work on the Admiralty Commission and much of his correspondence with Lindsey, Monson, Pennington and Northumberland

kept him informed of the state of the fleet and its activities. In spite of Coke's greater experience, the naval commanders found Sir Francis a more useful contact. In July 1635 Lindsey, cruising in the Channel, wrote that Coke had been silent since he first came aboard, "but only the other day he dipped his pen in vinegar", putting the worst construction on all that Lindsey had reported, which caused him to write to Windebank and the rest of the Commissioners instead.[215] Coke's determination to exclude Sir Francis is evident from Windebank's comment to Northumberland in 1636: "My elder brother, Secretary Coke, not leaving me so much as a younger brother's portion in matter of business, wherein I can serve you, so I can only offer myself to your Lordship's commandments in anything wherein you may judge me useful."[216]

That Windebank would have been inclined to use the fleet more decisively than the King was prepared to do is clear from the tone of his comments to Aston and Hopton, his negotiations with Boswell and Gerbier over the licences to Dutch fishermen, and his attitude to the Dutch attacks on English ships in the Channel in 1639.[217] It was difficult to reconcile firm naval action with neutrality, but Windebank was prepared to attempt the task. In September 1635, in reply to the King's request for advice from the Foreign Committee, Windebank had advised against declaring neutrality for fear of provoking a Franco-Dutch attack on Dunkirk or Flanders, and had then asked what was to be done with the fleet if the King did declare himself neutral, "that must lie still and do nothing".[218]

Early in the following year he prepared a paper from the Admiralty Commission, advising the King on the use of the ship-money fleet "in wafting and securing foreign merchants passing through his Majesty's seas", and in enforcing the King's licences to fishermen. His comments on this to Aston show that for him these were two of the practical expressions of the claim to sovereignty:

> "His Majesty resolved to settle them both, notwithstanding any opposition, and by this means will preserve his dominion at sea, keep his fleet in action, which are the walls and safety of his kingdoms, and raise a considerable improvement to his revenue." 219

Northumberland was also anxious for action, and it was part of the misfortune of the Secretary's place that in 1637 Windebank incurred the Earl's contempt by explaining Charles I's reasons for the failure to use force against the Dutch.[220] Sir Robert Cecil would not have been surprised at the hostility shown by Northumberland to Sir Francis, which he would have regarded as a natural consequence of the antipathy that tended to develop between the holders of their respective offices: "Furthermore, this is manifest, that all Men of War do malign them [Secretaries of State], except they will be at their Desires."[221]

A survey of Windebank's activities on the Privy Council and its committees, Star Chamber and the commissions of the Personal Rule suggests that, ideally, the three main characteristics needed by the high officers of state of this period were versatility, stamina and compatibility. In practice, most of them appear to have possessed the second of these characteristics, and the sheer quantity of work undertaken by the small group of Privy Councillors who formed the central nucleus of Charles I's government is impressive. Frequent attendance at meetings of the Privy Council and Star Chamber and at those of the committees that appear to have functioned most smoothly, among which may be instanced the Admiralty Commission and the Committee for Trade, occupied many of the waking hours of these office-holders. They had a working week of seven days, and the Privy Council meetings on Sundays, often attended by the King, were an important part of the regular cycle of business. The registers reveal that a significant increase in attendance and in the number of Privy Council meetings took place in 1633, and that this trend was accelerated during much of the crisis period of the Scottish troubles. In 1640, however, the meetings of Parliament and of the Great Council of Peers had an inhibiting effect upon conciliar government, so that in the spring and autumn of that year the main theatre of activity was transferred to York or to the two Houses at Westminster.

The Privy Council may in several ways be used as a means of measuring the level of both individual and collective political participation

among its members. Frequency of meetings and records of attendance are both revealing in this respect, and the nature of the business conducted by the Privy Council in any one year reflects fairly clearly the current preoccupations of the central administration. Government by Council and committee, rather than by Parliament, resulted in a substantial amount of paper-work that came within the province of the Secretaries of State. Compared with their colleagues on the committees, they bore an extra burden, therefore, since upon them devolved much of the labour of drafting the more important reports, proclamations and despatches that arose from the numerous meetings of the bodies on which they served. In this respect Windebank was a good deal more conscientious and effective than Coke, who appears to have had no compunction in neglecting his correspondence. Qualitative as well as quantitative features should be considered, however. In this respect the nature of much of the business connected with Privy Council meetings from 1636 onwards reflects the growing ineffectiveness of the government of the Personal Rule. Resistance to ship-money is evident in 1636-8, while the difficulties experienced by the government in handling the Scottish crisis in 1638-40 are made abundantly clear.

Versatility was a characteristic that was also possessed in some measure by most of the leading Privy Councillors. The range of business covered by the Council and its main committees was wide, and service on numerous more ephemeral committees and commissions further added to the variety of their experience. Foreign, colonial and domestic affairs all came within a Privy Councillor's province, and the lack of specialisation that was a particular characteristic of the Secretary's office meant that Windebank was directly concerned with most aspects of government. Members of the central administration partly determined the scope of their own work by their personal abilities and inclinations and by the policies that they framed, but they were often also the victims of circumstances. That is particularly evident during the Personal Rule as the relatively uneventful early period was succeeded by the emergency created by the prevalence of plague in 1636 and by the need to counter armed rebellion

which came to dominate the final years.

While there were no outstanding statesmen among the ministers of the Personal Rule, the chief office-holders seem generally to have been reasonably competent, though they were occasionally out of their depth, as in the case of Laud's brief incursion into financial administration. Charges of inefficiency and corruption were part of the language of politics, and the self-righteous accusations of Laud, and to a lesser extent of Wentworth, against those who did not share their views or care for their methods, are not always confirmed by more dispassionate investigation. This seems particularly true of Windebank, whose actions and motives do not appear to have been as sinister as Laud believed. Indeed, the judgement of several later observers tends to endorse the policies advocated by Sir Francis rather than the more extreme actions of the apostles of Thorough. Royal intervention also had its effects on the public image presented by the King's Secretary. Charles I took an active part in government, and Windebank was often compelled by the duty of his place to represent opinions that were not his own, and to appear to vacillate while his convictions remained unchanged.

Diversity of opinion was amply represented among the Privy Councillors of the Personal Rule, and the strength of their beliefs and personalities often led to division and strife. Compatibility was not a notable characteristic of their relationships, and the political fragmentation that resulted meant that the government of the Personal Rule was subjected to continuous strains from within, as well as to criticism and hostility from outside. Charles I's loyalty to his servants, or his unconcern at their struggles, or his wish to use their differences to mask his own designs, led him to retain his leading ministers in the same offices for much of the later part of the Personal Rule. Changes at the top were rare after 1629 and rarer still after 1636, and by then the more significant polarisations of allegiance had already taken place.

It seems probable that some of these deep and continuing rifts were exacerbated by the development of the committee system of the Privy Council in the 1630's, which led to the more continuous existence of these

bodies, combined with the concentration of membership in the hands of a small central core of six or seven Privy Councillors. Differences of temperament and method, which could be largely ignored while Laud's activities were centred mainly on Oxford and the church, while Cottington was absent in Madrid or busy in the Exchequer, and while Windebank was labouring patiently in the Signet Office, led to recurrent strife at closer quarters. Windebank, no doubt accustomed to hearing Laud's strictures on others, did not necessarily always associate himself with Laud's views. The experience of meeting the same small group in committee several times a week, and witnessing Laud's unwearying attacks on Portland and Cottington, with whom Windebank was already on amiable terms, evidently further inclined him to their side rather than to the Archbishop's. Capable, as Laud was not, of separating personal friendship from political differences, he was evidently both willing and anxious to maintain friendly relations in private. To Laud, this was incomprehensible. Insisting upon viewing the whole struggle in over-simplified terms as a conflict between probity and corruption, he translated Windebank's preference for Cottington's lighter touch and accommodating methods into perfidy and venality, and saw him as lost to the powers of political evil. It is paradoxical that a development in administrative technique, that may well have been designed to exclude Privy Councillors of more obviously unsympathetic political opinions, should have deepened a split of another kind. Government continued to function, but by 1639-40 the consequences of these divisions were becoming apparent.

Windebank's own allegiance among his colleagues was primarily to Cottington, with whom he shared many similarities of belief and temperament, and with whom he forged a harmonious and effective working alliance on the committees. His chief allegiance was, however, to the King and to his own perception of government. Although he has left few explicit pronouncements on this, it is evident from his actions in Star Chamber, committee and Council, that he preferred firm government, and the enforcement of royal and ministerial authority. He distrusted sweeping

reforms, however, and advocated only what he thought was practicable. As the King's Secretary, he naturally expected, in both domestic and foreign affairs, to exercise considerable influence upon the policy of his master.

Notes to Chapter III

1 See Appendix D for a register of the meetings of the Privy Council during Windebank's period of office. The work of the Privy Council is surveyed in E.R. Turner, The Privy Council of England in the Seventeenth and Eighteenth Centuries, 1603-1784, 2 vols. (1927).

2 For the membership of the major Committees of Council during the Personal Rule, see Appendix C. Their composition and organisation is discussed in Turner, op. cit., and he also examines the work of the Committee for Foreign Affairs in The Cabinet Council of England in the Seventeenth and Eighteenth Centuries, 1622-1784, I (1930), Chapter II. See also E.I. Carlyle, 'Committees of Council under the Earlier Stuarts', E.H.R. XXI (1906), pp. 673-85, and E.R. Turner, 'The Origin of the Cabinet Council', E.H.R., XXXVIII (1923), pp. 171-205.

3 For Windebank's work in connexion with these two bodies see Chapter IX.

4 C.S.P.D., 1631-3, p. 440, 1637-8, p. 445; ~~HMC:~~ 48th Annual Report of the Deputy Keeper of the Public Records, Appendix III: Calendar of Privy Seals, Signed Bills, etc., 8-11 Car. I, 485/317, 532/19, 559/722.

5 P.R.O., PC 2/44, p. 3; SP 16/285/7.

6 For his work in this connexion in 1639-40, see Chapter IX.

7 For a list of committees and commissions of which Windebank was a member, see Appendix B.

8 Rymer, Foedera, XIX, pp. 735-8, Commission to enforce proclamation concerning the manufacture of gold and silver thread; P.R.O., SP 16/350/75, and see Chapter VIII, pp. 398-9. For comments on some of the commissions of the 1630's, see G.E. Aylmer, 'Attempts at Administrative Reform, 1625-40', E.H.R., LXXII (1957), pp. 231-3.

9 ~~HMC:~~ 48th Annual Report of the Deputy Keeper of the Public Records, Appendix III: 500/770, 503/56; Rymer, Foedera, XX, pp. 10-12; C.S.P.D., 1633-4, p. 286; Ibid., 1637, p. 202.

10 P.R.O., PC 2/42, p. 7, PC 2/53, p. 5, give lists of names of the Privy Councillors in 1632-3 and in October 1640 respectively. See Appendix D for lists of the members of the Privy Council, 1632-40. The total numbers of the Council given by Turner, Privy Council I, p. 79, do not always correspond with the reality revealed by the records of attendance.

11 Dates of death are taken from relevant entries in D.N.B., and G.E.C., Complete Peerage.

12 Turner, Privy Council I, p. 77; Aylmer, King's Servants, pp. 21, 33-4; for Newburgh, see G.E.C., Complete Peerage I, p. 431; T.B. Lennard, An Account of the Families of Lennard and Barrett (1908), pp. 364, 372-4, 377, 379-86, where the author apologises

on p. 364 for presenting such "meagre details of his career."

13 C. S. P. Ven., 1636-9, pp. 135, 137, 148, Correr to Doge and Senate, 20/30 January, 27 January/6 February, 10/20 February 1637.

14 Clar. S. P. I, p. 715, Windebank to Aston, 15/25 January 1637.

15 See Appendix D.

16 Turner, Privy Council I, p. 91.

17 P. R. O., PC 2/42, pp. 363-596, record the meetings from January to April 1633, and PC 2/43, pp. 1-416, those from May to December. For Windebank's cause lists and notes of Star Chamber meetings in May, June, July, October and November 1633, see P. R. O., SP 16/242/24, 25, 34, 35; 248/5, 6, 7, 16, 17, 48; 250/24, 25, 58, 59; 251/42.

18 P. R. O., PC 2/44, pp. 313-661 and PC 2/45, pp. 9-314, Privy Council meetings 1635; SP 16/286/103; 299/68, 69, 75-7; 300/19, 20, 53, 62; 301/13, 27, Windebank's cause lists and notes of Star Chamber proceedings, April, October, November 1635.

19 Turner, Privy Council I, pp. 91-2. See, for example, P. R. O., SP 16/321/64, 344/103 iv, for the presence of Lord Bramston on 20 May 1636 and 25 January 1637.

20 P. R. O., PC 2/43, pp. 143, 178, 191; PC 2/44, p. 571, 2/45, p. 21.

21 Ibid., PC 2/49, pp. 313-487, July-October 1638.

22 B. L., Add. MS. 32,093, f. 62, Windebank to Hopton, 16/26 October 1634.

23 Clar. S. P. I, p. 35, Orders to be observed in Assemblies of Council, 20 February 1628.

24 Windebank's letters to Charles I, 1639-40, often apostiled by the King, are in Bodl. L., Clar. MSS. 16-19, and many of them are printed in Clar. S. P. II.

25 Clar. S. P. II, pp. 32-5, Windebank to Charles I, 31 March 1639, and see also Chapter IX, pp. 441-2.

26 Ibid., pp. 39-40, Windebank to Charles I, 24 April 1639, apostiled by the King.

27 Ibid., p. 93, Same to the same, 28 August 1640.

28 Ibid., pp. 56-7, Same to the same, June 1639 .

29 Ibid., pp. 34-6, Orders to be observed in Assemblies of Council, 20 February 1628.

30 Ibid., p. 91, Windebank to Charles I, 24 August 1640. No successor had been appointed as Lord President on Conway's death in 1631.

31 Sheffield City Library, Strafford MSS., vol. 5, f.91, Wentworth to Windebank, 5 June 1634.

32 P.R.O., PC 2/42, Index, 1632-3.

33 P.R.O., PC 2/43, see, for example, pp. 105, 119, 209, 457, 635. For Vermuyden, see Gardiner, op. cit., VIII, pp. 292-9; L.E. Harris, Vermuyden and the Fens (1953).

34 P.R.O., PC 2/44, 45. In 1634-5 business connected with shipmoney occupies nearly five pages of the index, by 1635-6 over six pages are devoted to it, and it had become the dominant topic.

35 P.R.O., PC 2/47, see, for example, pp. 156-7, Petition from the University of Cambridge against assessment, 14 February 1637; pp. 317-8, Order for the late sheriffs of certain counties to collect and pay in their arrears, 19 April 1637, with lists of amounts owing, ranging from £290 in Cambridge and Huntingdon to £1458. 2s. 3d. in Somerset.

36 P.R.O., PC 2/50, 51, Indexes of Subjects.

37 From 1632-6, lists of petitions regularly occupy about three pages in the indexes, in 1636-7 the list takes up five pages, by 1637-8 six and a half pages contain a list of some three hundred and thirty petitions. P.R.O., PC 2/43-8, 1632-8, Indexes. For examples of their nature see PC 2/47, pp. 177, 239, 353 for petitions from individuals, and pp. 130, 148, 241 for petitions from corporate towns.

38 P.R.O., PC 2/46, pp. 99, 144, 187, 212; PC 2/47, pp. 211, 483.

39 P.R.O., PC 2/50, January-October 1639. Index of subjects, pp. 775-7, Military affairs, 778-80, Musters, 797-8, Scotland; PC 2/51, November 1639-March 1640, Index of Subjects, pp. 827-31, Military affairs, 832-3, Musters. For Sir Francis's activities in this connexion, see Chapter IX.

40 For an analysis of the membership of various factions on the Privy Council, 1618-21, see R.E. Schreiber, 'The Political Career of Sir Robert Naunton, 1563-1635' (Unpublished Ph.D. thesis, University of London, 1967). He identified six groups, and his examination of signatures on Privy Council letters and orders indicated that no one faction was handling business in isolation from the others.

41 See Chapter I, pp. 56-58.

42 Laud, Works, VI, p. 303, Laud to Vossius, 26 December 1632.

43 Ibid., pp. 354, 359, Laud to Wentworth, 11 March 1633, 11 March 1634.

44 C.S.P. Ven., 1632-6, pp. 220-6, Zonca to Doge and Senate, 2/12, 9/19, 16/26 May 1634.

45 Laud, Works VI, pp. 372-3, Laud to Wentworth, 14 May 1634.

46 Knowler, op. cit., I, p. 256, Windebank to Wentworth, 14 May 1634.

47 Sheffield City Library, Strafford MSS. vol. 5, f. 89, Wentworth to Windebank, 5 June 1634.

48 Ibid., 14/115, Windebank to Wentworth, 1 July 1634.

49 For the soap monopoly see W. H. Price, English Patents of Monopoly (1906), pp. 36, 122-3; E. Lipson, Economic History of England III (1948), pp. 362-5; Gardiner, op. cit., VIII, pp. 71-6.

50 Laud, Works, VII, pp. 158-9, Laud to Wentworth, 3 August 1635.

51 See, for example, C. S. P. D., 1634-5, pp. 144-5, Proclamation concerning the well-ordering the trade of making and selling of soap, 13 July 1634; pp. 218-9, Petition of the Society of Soap-makers of Westminster, 29 September 1634, Order of the King in Council, 29 September 1634; p. 302, Order of the King in Council, 24 November 1634.

52 Laud, Works VII, pp. 176-7, Laud to Wentworth, 4 October 1635; III, p. 224, Laud's Diary, 12 July 1635, "... my old friend, Sir Francis Windebank, forsook me, and joined with the Lord Cottington."

53 Ibid., VII, p. 201, Laud to Wentworth, 26 October 1635. See also Ibid., pp. 217-8, Same to the same, 2 January 1636, where he told Wentworth, "I discovered Secretary Windebank a long time before I expressed it to you, for I did not think it fit to speak it to any man, much less to write it ...." It is not clear whether Laud is referring to his recent correspondence or to his earlier letter of 14 May 1634.

54 PRO 31/9/17B, Panzani to Barberini, 11/21 May 1636, "Oltre le sudette ragioni della mutatione del Windibanch, ci aggiungerò un' sospetto di' alcuni, ciò è che il Cantuariense habbia fatto cattive officii contro tutti questi Ministri Spagnuolizanti, come adherenti al Cotintone suo emolo."

55 Laud, Works, VII, pp. 198, 205, 210-11, 215, 224, 232, 278, 366, 397, Laud to Wentworth, 21 October, 30 November 1634, 14 January 1635, 22 August 1636, 1 November, 19 December 1637.

56 See Chapter VII, pp. 399-401.

57 See Chapter IV, p. 166.

58 See below, pp. 121-3.

59 Sheffield City Library, Strafford MSS., vol. 5, f. 89, Wentworth to Windebank, 5 June 1634.

60 PRO 31/9/17B, Panzani to Barberini, 13/23 May, 24 June/4 July 1635, 11/21 May 1636; B. L., Add. MS. 15,390, ff. 251-251v, Con to Barberini, 21 April/1 May 1637.

61 See Chapter IX.

62 See Chapter I, p. 58. For a selection of friendly letters from Arundel to Windebank see Mary F. S. Hervey, The Life, Correspondence and Collections of Thomas Howard, Earl of Arundel (1921), pp. 341-3, 377-8.

63 See Chapter V, p. 217.

64 Laud, Works VII, pp. 158-9, 175, Laud to Wentworth, 31 July, 3 August, 4 October 1635.

65 See Appendices C and D. Clarendon, Rebellion, ed. Macray, I, 118, "He resorted sometimes to the Court, because there only was a greater man than himself, and went thither the seldomer, because there was a greater man than himself."

66 Knowler, op. cit., II, pp. 29-30, Wentworth to Arundel, 26 August 1636; Wedgwood, Revaluation, pp. 170, 214.

67 Knowler, op. cit., II, p. 186, Northumberland to Wentworth, 23 July 1638; Robert Baillie, Letters and Journals, ed. D. Laing, I, p. 204; P. R. O., SP 16/420/132, Arundel to Windebank, 10 May 1639.

68 Clarendon, Rebellion, ed. Macray, II, 25, 81; Hervey, op. cit., p. 411.

69 Clarendon, Rebellion, ed. Macray, I, 119; Lloyd, op. cit., p. 284; Edward Walker, Historical Discourses (1705), pp. 223, 351. He also offered to represent England at the Papal court, which suggests that he agreed with Windebank's policy of closer relations with Rome.

70 Clar. S. P. I, pp. 94-5, Windebank to Portland, June 1634.

71 Ibid., II, p. 55, Windebank to Charles I, 11 June 1639; C. S. P. D., 1640, pp. 31-2, Rossingham's Newsletter, 14 April 1640.

72 Hardwicke State Papers II, p. 170.

73 Clarendon, Rebellion, ed. Macray, I, 117.

74 See Chapter VII, p. 337, and Clar. S. P. II, pp. 88-9, Windebank to Hopton, 24 July/3 August 1640, where Windebank supported the activities of the expedition led by the Earl of Warwick, Holland's brother, to the West Indies.

75 C. S. P. D., 1640, p. 278, Conway to Laud, 8 June 1640.

76 PRO 31/9/17B, Panzani to Barberini, 26 April 1636; R. M. Smuts, 'The Puritan Followers of Henrietta Maria in the 1630's', E. H. R., 93 (1978), pp. 26-45.

77 Knowler, op. cit., II, pp. 154, 156, Northumberland to Wentworth, 21 March, Conway to Wentworth, 3 April 1638; Hervey, op. cit., p. 411.

78 Clarendon, Rebellion, ed. Macray, II, 101; HMC 77: De L'Isle and Dudley VI: p. 158, Countess of Leicester to Leicester, 8/18 January 1639.

79 Clarendon, Rebellion, ed. Macray, II, 45; Gardiner, op. cit., IX, p. 117.

80 For Windebank's relationship with Northumberland see pp. 131-3. and for his attitude to Leicester see Chapter IV, pp. 156-8.

81 C. S. P. Ven., 1636-9, p. 571, Giustinian to Doge and Senate, 30 August/9 September 1639; and see Chapter IX, p. 451.

82 See Chapter X, pp. 493-4.

83 For Coke, see Dorothea Coke, The Last Elizabethan (1937); D. N. B., IV, pp. 700-2; Evans, op. cit., pp. 85-7, 91-100.

84 Clarendon, Rebellion, ed. Macray, I, 141-2.

85 Sheffield City Library, Strafford MSS. 18/127, Coke to Windebank, 17 September 1638. For examples of their correspondence see HMC 23: Cowper II: pp. 10-11, 49, 50, 87-8; C. S. P. D., 1633-4, pp. 61, 71; 1635, pp. 310, 318, 357.

86 For the division of duties between Coke and Windebank in foreign affairs, see Chapter IV, and for Coke's failure to keep the Court in London well-informed in 1639, see Chapter IX, p. 436.

87 See Chapter VIII.

88 B. L., Add. MS. 15,392, Con to Barberini, 31 May/10 June 1639.

89 See Appendix C, p. 585.

90 For the membership of this committee, 1629-40, see Appendix C. Lists of members are given in P. R. O., PC 2/39, p. 11; PC 2/44, pp. 1, 3; PC 2/47, p. 1; PC 2/49, p. 1; PC 2/51, p. 1. The significance of the cancellations and interpolations in these lists is not always clear. See also Laud, Works III, p. 223; Sydney Letters II, pp. 613-4, Northumberland to Leicester, 17 October 1639; P. R. O., SP 94/41/291, Hopton to Cottington, 12/22 March 1640.

91 P. R. O., PC 2/39, p. 11; PC 2/44, pp. 1, 3.

92 C. S. P. D., 1636-7, p. 378, Roe to Laud, 21 January 1637, enclosing letters from Sweden.

93 Clar. S. P. I, p. 578, Windebank to Arundel, n. d., 1636.

94 Sydney Letters II, p. 620, Northumberland to Leicester, 5/15 December 1639.

95 For these instructions, the division of diplomatic duties between the two Secretaries and a general discussion of Windebank's foreign correspondence, see Chapters IV, V and VI.

96 P.R.O., SP 94/39/145, Laud to Aston, 14/24 June 1637.

97 See Chapter VI, p. 269.

98 Clar. S.P. I, pp. 617-8, Windebank to Charles I, apostiled, 14 August 1636.

99 Bodl. L., Clar. MS. 7, f.35, Charles I to Windebank, 6 August 1635, and see Chapter IV, p. 166.

100 C.S.P. Ven., 1632-6, p. 565, Correr to Doge and Senate, 13/23 May 1636.

101 P.R.O., SP 16/298/63, Windebank's notes, 29 September 1635. He emphasised the threat to England from French ambitions and naval strength, and from their secret agreements with the Dutch. If the King declared his neutrality he expected a Franco-Dutch attack on Flanders. For other statements of these views, see Chapter VI.

102 Sheffield City Library, Strafford MSS. vol. 9, f.211, Wentworth to Windebank, 6 March 1637.

103 C.S.P.D., Addenda, 1625-49, p. 550, Windebank to Leicester, [January] 1637.

104 Clarendon, Rebellion, ed. Macray, II, 99.

105 E.R. Turner, 'The Origin of the Cabinet Council', E.H.R., 38 (1923), pp. 171-205.

106 P.R.O., PC 2/39, p. 11. Those listed were Weston, Pembroke, Dorset, Salisbury, Dorchester, Viscounts Grandison and Wilmot, Laud, Coke, May and Cottington. Falkland and Sir Thomas Jermyn were later added. See Appendix C. For brief accounts of the composition of the Irish Committee see Turner, Privy Council II, pp. 220, 224, 227-8; Carlyle, loc. cit., pp. 678-9.

107 C.S.P.D., 1633-4, p. 488, Windebank to Charles I, 5 March 1634; Laud, Works, VII, p. 66, Laud to Wentworth, 12 April 1634.

108 See, for example, H.F. Kearney, Strafford in Ireland, 1633-41 (1959); C.V Wedgwood, Thomas Wentworth, First Earl of Strafford, 1593-1641. A Revaluation (1961); Aidan Clarke, The Old English in Ireland, 1625-42 (1966).

109 Some of the correspondence between Wentworth and Windebank is printed in Knowler, op. cit., I and II, but there is a good deal more in the Wentworth Woodhouse MSS. deposited in Sheffield City Library. Original letters from Windebank to Wentworth, 1633-9, are in vols. 13-19 of the Strafford MSS., while copies of their correspondence, 1633-40, are in Wentworth's letter books, particularly in Strafford MSS., vols. 5, 9 and 11.

110 HMC 23: Cowper I: pp. 408, 434, Dorchester to Coke, 9 July 1630, Downing to Coke, 6 July 1631; Evans, op. cit., pp. 308-10.

111 Knowler, op. cit., I, pp. 65-7, Propositions concerning the Government of Ireland, 17 February 1633.

112 Sheffield City Library, Strafford MSS. 13/172, Windebank to Wentworth, 17 January 1634.

113 Ibid., vol. 5, ff. 59-60, Wentworth to Windebank, 6 March 1634. For the circumstances leading to the vacancy in the Common Pleas, see Wedgwood, op. cit., pp. 142-3. Despite Wentworth's magnificent prose, it is characteristic that he had not only sold Lowther his place, but had taken another £1,000 from the Earl of Cork to secure Lowther's appointment on behalf of the 'new English" in Ireland.

114 Sheffield City Library, Strafford MSS. 13/226, 14/32, Windebank to Wentworth, 14 March, 16 April 1634; Knowler, op. cit., I, p. 210, Same to the same, 10 March 1634.

115 See pp. 120-1.

116 Knowler, op. cit., I, p. 215, Windebank to Wentworth, 13 March 1634.

117 See, for example, Strafford MSS., vol. 5, ff. 90, 118, 145, Wentworth to Windebank, 5 June, 24 August, 20 December 1634, for Windebank's success in the case of Sir Roger Jones.

118 Ibid., vol. 5, f. 88, Wentworth to Windebank, 5 June 1634.

119 Ibid., vol. 9, f. 18, Same to the same, 21 April 1635.

120 Ibid., vol. 5, f. 91, Same to the same, 5 June 1634.

121 Knowler, op. cit., I, p. 161, Windebank to Wentworth, 20 November 1633.

122 Sheffield City Library, Strafford MSS., vol. 5, f. 62, Wentworth to Windebank, 22 March 1634.

123 Ibid., vol. 9, f. 329, Windebank to Wentworth, 28 January 1636.

124 Ibid., ff. 143-4, Wentworth to Windebank, 3 March 1636.

125 Ibid., 16/72, Windebank to Wentworth, 10 October 1636.

126 See pp. 99-100 for Laud's denunciations of Windebank and Cottington. See, for example, Laud, Works, VII, pp. 201, 217-8, 251.

127 Knowler, op. cit., II, p. 83, Wentworth to Charles I, 26 June 1637.

128 Sheffield City Library, Strafford MSS., 14/325, 326, Windebank to Wentworth, 13 March 1635, enclosing petition of Earl of St. Albans.

129 Kearney, op. cit., pp. 89-100; Gardiner, op. cit., VIII, pp. 183-4; Wedgwood, Revaluation, pp. 172-3.

130 Knowler, op. cit., II, pp. 83-4, Wentworth to Charles I, 26 June 1637.

131 Kearney, op. cit., pp. 98-9. See also Clarke, op. cit., pp. 103-8, 193-4, 203-4, 212-

132 See Knowler, op. cit., II, pp. 268-9, 285-90, 322, for examples of Windebank's correspondence with Wentworth in 1639.

133 C. S. P. D., 1629-31, p. 158, Charles I to Attorney-General.

134 See Appendices B and C for lists of members, dates of renewal and other references to the Committee's continued existence.

135 See Appendix B.

136 For the work of this commission see G. E. Aylmer, 'Attempts at Administrative Reform, 1625-40', E. H. R., 72 (1957), pp. 240-6. For Windebank's activities in mobilising supplies for the Bishops' Wars, see Chapter IX.

137 PC 2/39, p. 10, March 1629; PC 2/40, p. 7, 1630-31. For this and other Committees of Trade, see Charles M. Andrews, British Committees, Commissions and Councils of Trade and Plantations, 1622-75 (1908). See Appendix C for the membership of this committee, 1628-40.

138 Andrews, op. cit., p. 14; P. R. O., SP 16/283/13, Windebank's notes of meetings of the Committee for Trade, 1635.

139 For Windebank's notes see, for example, C. S. P. D., 1634-5, pp. 513, 520-1; Ibid., 1635-6, pp. 291-2.

140 P. R. O., SP 16/283/13, Windebank's notes, Committee for Trade, 6 April 1635. For the new Book of Rates, see Dietz, op. cit., pp. 269, 335.

141 P. R. O., SP 16/315/141, Windebank's notes, 12 March 1636, and see Chapter VI, pp. 252-3.

142 P. R. O., SP 16/321/19, Windebank's notes, 14 May, 11 June 1636.

143 Lipson, op. cit., III, p. 362.

144 P. R. O., SP 16/345/38, Windebank's notes, 30 January 1637.

145 See Appendix B.

146 See Appendix C.

147 See, for example, C. S. P. Colonial, 1574-1660, pp. 281, 291-3, 299.

148 Andrews, op. cit., p. 17.

149 For an account of the Court under the Early Stuarts, see H. E. I. Phillips, 'The Court of Star Chamber, 1603-41', unpublished M. A. thesis (University of London, 1939), and 'The Last Years of the Court of Star Chamber, 1630-41', Trans. R. H. S., 4th Series, XXI (1939), pp. 103-31.

150 P.R.O., SP 16/300/34, 53, 62; 301/13, 27, 56, 57, Windebank's notes of the proceedings in Pell v. Bagg, 23, 28, 30 October, 4, 6, 11 November 1635.

151 Ibid., 269/66, 270/39, 40, 41, Windebank's notes of the proceedings in Attorney-General v. Mynne and Dawson, 11, 13, 18, 20, 27 June 1634.

152 Phillips, loc. cit., pp. 180-92.

153 S.R. Gardiner (ed.), Documents relating to the Proceedings against William Prynne, Camden Soc., new series, XVIII (1877), pp. 16-27. Windebank's sentence is on pp. 21-2. See also Gardiner, History of England VII, pp. 327-33; Laud, Works, VI, p. 234.

154 P.R.O., SP 16/286/103, Windebank's notes of proceedings against James and Alice Maxwell, 17 April 1635.

155 Phillips, loc. cit., p. 31, quoting B.L., Harl. MS. 6,448.

156 P.R.O., SP 16/286/103, Windebank's notes, 17 April 1635.

157 Sheffield City Library, Strafford MSS., 13/143, Windebank to Wentworth, 17 December 1633.

158 P.R.O., SP 16/251/42, 51, Windebank's notes of proceedings against Sir David Foulis and others, 29, 30 November 1633; Wedgwood, Revaluation, pp. 107-10.

159 Sheffield City Library, Strafford MSS., vol. 5, f. 52, Wentworth to Windebank, 28 January 1634.

160 Except that Cottington opened and the Lord Keeper spoke last, verdicts were given in the reverse order of the lists of names of Privy Councillors in Appendix D.

161 For occasions on which he agreed with Cottington, see, for example, P.R.O., SP 16/300/20, Cornwallis v. Wilkinson and Holdenby, 21 October 1635; 321/64, Attorney-General v. Foley, 20 May 1636.

162 For examples of Laud's severity see, for example, Ibid., 259/71, Attorney-General v. Apsley, 31 January 1634; 344/103, Attorney-General v. Francks, Romere et al., 27 January 1637.

163 Ibid., 361/77, Windebank's notes of sentences in Attorney-General v. Bastwick, Burton and Prynne, 14 June 1637. Neither Juxon nor Laud pronounced sentence in this case, though their opinions were evident.

164 Ibid., 301/56, Windebank's notes, 11 November 1635.

165 Gardiner, op. cit., VIII, pp. 89-90, quoting Rushworth, II, p. 303. Neither this nor the other speeches of the judges appear in Windebank's notes, as suggested by Gardiner.

166 Laud, Works, VI., pp. 29-33.

167 P.R.O., SP 16/362/103, List of fines imposed in Star Chamber, Michaelmas 1631-Trinity 1637. Bagg was Vice-Admiral of South Cornwall and Devon, and Governor of the fort at Plymouth.

168 HMC 23: Cowper II: p. 163, Coventry to Coke, 8 August 1637.

169 P.R.O., SP 361/96-102, Windebank's notes, 16 June 1637, and other papers relating to the case; Ibid., 362/34, Windebank's notes, 23 June; 363/108, 109, Laud's speech at sentence of Williams, 11 July 1637. cf. Rushworth II, p. 438, for a different version of the speech. For a eulogistic biography of Williams see John Hacket, Scrinia Reserata (1693).

170 P.R.O., SP 16/464/43, 44, Sentence of suspension in High Commission and circular letter from the Commissioners, 24 July 1637.

171 Sheffield City Library, Strafford MSS., 13/143, Windebank to Wentworth, 17 December 1633.

172 Gardiner, op. cit., VIII, p. 390; Rushworth II, p. 803.

173 Hacket, op. cit., pp. 137-8.

174 P.R.O., SP 16/248/7, Windebank's notes of Attorney-General v. Richard Coxe, 16 October 1633.

175 Ibid., 344/103 IV, Windebank's notes of Attorney-General v. John Wray, 25 January 1637.

176 Ibid., 344/103 I, V, Windebank's notes of Attorney-General v. Charles Francks et.al., 25, 27 January 1637. See B.E. Supple, Commercial Crisis and Change in England, 1600-42, Chapter 8, for a discussion of the export of bullion and other aspects of monetary policy.

177 P.R.O., SP 16/259/36, Windebank's notes of Attorney-General v. John More, 24 January 1634.

178 Ibid., 260/21, Windebank's notes of Attorney-General v. Thomas Hilliard, et.al., 5 February 1634.

179 P.R.O., SP 77/28/298, Windebank to Gerbier, 1/11 June 1638.

180 PRO 31/3/68, f.46, Senecterre to Bouhillier, 25 March/4 April 1625; HMC 45: Buccleuch III: pp. 369-70, Dixon to Montagu, 19 March 1635; C.S.P. Ven., 1632-6, p. 355, Correr to Doge and Senate, 20/30 March 1635; Knowler, op. cit., I, pp. 389, 413, Garrard to Wentworth, 17 March, 14 April 1635.

181 P.R.O., SP 16/285/7, Windebank's notes of Treasury Commission business, 16, 21 March 1635; T 56/1, f.1, Treasury Commission order, 16 March 1635.

182 P.R.O., SP 16/285/7, Windebank's notes, 16 March 1635.

183 Ibid., 17 March 1635.

184 Ibid., 21 March 1635.

185 Ibid., 286/43, Monies lent to his Majesty by special tallies not yet repaid, 6 April 1635.

186 Dietz, op. cit., p. 274; Gardiner, op. cit., VIII, p. 82..

187 P.R.O., T 56/1, ff.4-4v, 23, 31 March 1635.

188 Laud, Works VII, p. 145, Laud to Wentworth, 21 June 1635.

189 P.R.O., SP 16/285/7, Windebank's notes, 9 May 1635.

190 Ibid., 300/70, Account of arrears, fees, etc., payable at the Exchequer, October 1635.

191 Ibid., 285/7, Windebank's notes, March-May 1635; C.S.P.D., 1635, pp. 250, 253, 262, Windebank's notes, 4, 8 July, Brooke to Windebank, 5 July 1635.

192 P.R.O., SP 16/287/43, Payments from the Exchequer, April 1635; 285/7, Windebank's notes.

193 For the activities of Burlamachi and Calandrini, see A. V. Judges, 'Philip Burlamachi: a Financier of the Thirty Years' War', Economica VI (1926), pp. 285-300; and Robert Ashton, 'The Disbursing Official under the Early Stuarts: the cases of Sir William Russell and Philip Burlamachi', Bulletin Inst. Hist. Res., XXX, 82 (1957), pp. 162-74.

194 Correspondence between Windebank, Boswell, Burlamachi, Calandrini and Job Harbie, and other papers relating to the redemption of the jewels are in P.R.O., SP 84/149-152. See also SP 16/285/91-4, 301/36; T 56/1, ff.44, 63, 70, 78.

195 P.R.O., SP 16/290/66, Boswell to Windebank, 11/21 June 1635.

196 HMC 23: Cowper II: p. 126, Pye to Coke, 17 July 1636.

197 Ibid., p. 127, Coke to Laud, 19 July 1636. For the episode concerning Windebank and the Spanish silver, see Chapter VI, pp. 256-8.

198 HMC 23: Cowper II: p. 129, Juxon to Coke, 30 July 1636.

199 Ibid., p. 131, Coke to Juxon, 3, 4, August 1636.

200 Ashton, op. cit., p. 173.

201 Knowler, op. cit., I, pp. 441, 449, Wentworth to Cottington, 13 July, Cottington to Wentworth, 4 August 1635; Laud, Works VII, pp. 143-5, 158-62, 176-7, Laud to Wentworth, 12 June, 31 July, 3 August, 4 October 1635; III, p. 224; Heylyn, Cyprianus Anglicus, p. 285; C.S.P. Ven., 1632-6, p. 436, Correr to Doge and Senate, 6/16 August 1635; Gardiner, op. cit., VIII, pp. 69-77, 87-8.

202 Laud, Works VII, pp. 144-5, Laud to Wentworth, 12 June 1635.

203 Clar. S. P. I, p. 354, Windebank to Charles I, 28 October 1635, apostiled by the King.

204 P. R. O., T 56/1, f. 52v, Order, 29 July 1635; T 56/2, a Balance of His Majesty's Receipts and Payments, by a medium of five years ... 18 December 1635.

205 Ibid; SP 16/285/89, Extraordinary Receipts, 1625-35, Gardiner, op. cit., VIII, pp. 81-2, X, Appendix I.

206 P. R. O., SP 16/291/30, Roe to Queen of Bohemia, 23 June 1635; C. S. P. D., 1635, pp. 413-4, Wotton to Cottington, 4 October 1635; Laud, Works VII, pp. 172, 174, Laud to Wentworth, 4 October 1635.

207 Knowler, op. cit., I, pp. 522-3, Howell to Wentworth, 15 March 1636.

208 Rymer, Foedera XIX, pp. 394-6; C. S. P. D., 1631-3, p. 440.

209 P. R. O., SP 16/325/46, Certificate of Thomas Egar, 3 June 1636; C. S. P. D., 1637-8, p. 445, Renewal of Commission, 21 May 1638, and see Appendix B.

210 P. R. O., SP 16/269/51, Coke's report, 8 June 1634.

211 Sir John Borough, The Sovereignty of the British Seas (1651), pp. 108-115, 116-50.

212 Ibid., pp. 164-5.

213 John Selden, Mare Clausum seu de Dominio Maris, 2 vols. (1635); Knowler, op. cit., I, p. 491, Garrard to Wentworth, December 1635; Gardiner, op. cit., VIII, p. 134. For a discussion of the English claims see T. W. Fulton, The Sovereignty of the Sea (1911), especially Chapters VI - IX; G. Edmundson, Anglo-Dutch Rivalry during the first half of the Seventeenth Century (1911).

214 Knowler, op. cit., I, p. 463, Garrard to Wentworth, 1 September 1635. For a discussion of ship-money, see M. D. Gordon, 'The Collection of Ship-money in the Reign of Charles I', Trans. R. H. S., 3rd ser., IV (1910), pp. 141-62; S. Dowell, History of Taxation and Taxes in England I (1888), Chapter IV.

215 C. S. P. D., 1635, pp. 259-60, Lindsey to Windebank, 7 July 1635. Much of Windebank's correspondence with the naval commanders is in the Calendars of State Papers, Domestic. For the ship-money fleets see G. E. Manwaring, The Life and Works of Sir Henry Mainwaring (1920), Chapters VIII and IX.

216 HMC 4: 3rd. R., Appendix: p. 72, Windebank to Northumberland, 12 June 1636.

217 See Chapter VI for Windebank's comments on the use of the fleet. See R. Davis, The Rise of the English Shipping Industry in the Seventeenth and Eighteenth Centuries (1962), pp. 11, 15, for the increase in English merchant shipping in this period.

218 P. R. O., SP 16/298/63, Windebank's notes, 29 September 1635.

219 Ibid., 313/24, Report on use of fleet, 5 February 1636.

220 Ibid., 363/41, 365/51, 53, Windebank to Northumberland and Fogg, 6 July, 10 August 1637, and see Chapter VI.

221 Harleian Miscellany II, p. 265, Robert Cecil, Earl of Salisbury, The State and Dignity of a Secretary of State's Place, with the Care and Peril Thereof.

CHAPTER IV

WINDEBANK AND THE ENGLISH AMBASSADORS ABROAD

The supervision of the diplomatic service formed a substantial part of the work of the two Secretaries of State, and Windebank's period of office during the Personal Rule coincided with a period of considerable activity in English diplomacy. As a non-combatant and an active commercial nation, England remained in diplomatic contact with most of the European courts. Charles I's addiction to simultaneous bilateral negotiations resulted in a great deal of correspondence and the maintenance of a large diplomatic establishment. There were usually resident English agents or ambassadors or both in France, Spain, the Empire, the German States, Flanders, the United Netherlands, Denmark, Hamburg, Sweden, Poland, Russia, Switzerland, Savoy, Venice, the Barbary States and Turkey. In addition to these there were a number of extraordinary embassies such as the Earl of Arundel's embassy to Vienna in 1636 and the Earl of Leicester's to France from 1636 to 1641, and a host of brief minor missions like those of John Taylor to Madrid in 1634 or Thomas Windebank to Paris in 1639.[1]

In the 1630's the Northern and Southern departments had not yet been created, and the division of duties between the two Secretaries was still in the fluid state in which it had existed since the death of Sir Robert Cecil.[2] On Dorchester's death Coke, in spite of his unsuitability for the task, had taken over virtually the whole of the diplomatic duties of the joint office, from which he had been largely excluded in Dorchester's time. Perhaps in consequence of his own lack of ambassadorial experience, Windebank seems to have taken little share in diplomatic correspondence until 1634. In his first two years as Secretary he received occasional letters from agents,[3] but the bulk of the despatches were sent to Coke, while the more confidential communications from Hopton in Madrid and Anstruther at Vienna went to Weston or Cottington.[4]

In 1633 Windebank was introduced to diplomacy through the negotiations with the Spanish Ambassador in England and thereafter was

entrusted by the King with the more confidential work until, by 1636, the anomalous position had been reached whereby the senior Secretary was nominally in control of the foreign employment and was still receiving by far the larger number of despatches, while the junior Secretary held the position of greater trust and influence and was employed selectively by the King on most of the more secret negotiations.[5] Much of Windebank's work was concerned at first with Spain and the Empire and later with Flanders. This accorded with the frequent Early Stuart practice of employing a Catholic-sympathising Secretary in dealing with the Catholic powers, who were likely to be reassured by having a friendly intermediary with whom to communicate.[6] Moreover, by the late 1630's dealings with the Habsburg and Habsburg-dominated areas were largely unified in Sir Francis's hands. Coke dealt with most aspects of diplomatic relations with Holland and the Protestant German States, and also took the major share of correspondence with France and, in the early 1630's, with Flanders. Simultaneously Windebank was given particular assignments which led him to develop his own independent correspondence with many of the diplomats supervised by Coke. In 1640, when Vane succeeded Coke, the foundation was laid for the post-Restoration creation of the Northern and Southern departments. Vane was to handle relations with France, Holland, Germany, the Baltic countries and Turkey, while Windebank supervised the Spanish correspondence together with that of Flanders, the Italian states and Switzerland.[7] So that neither Secretary should be ignorant of developments in any of these countries, ambassadors were instructed to send duplicate despatches or relations of general occurrences to both Secretaries, while confidential assignments continued to be handled only by the Secretary entrusted with the task.[8]

A more detailed examination of the division of duties between the two Secretaries illustrates the extent to which Windebank dominated the handling of the confidential foreign business, and his relationship with the ambassadors in his charge. His first major incursion into diplomacy came in 1633 when he, together with Weston and Cottington, was appointed to

conduct secret negotiations with the Spanish Ambassador, Necolalde, and when, early in the following year, the King decided to reveal the details of these negotiations to Hopton, it was natural that Windebank should undertake the task. It was Windebank alone to whom Hopton was commanded to write confidentially in future:

> "... by particular commandment from his Majesty ... this particular business concerning Spain he only communicates to my Lord Treasurer, Lord Cottington and myself, and therefore you must be careful to preserve it in this secrecy and to address your answers and despatches hereupon only to myself." 9

In replying, Hopton welcomed the arrangement and congratulated him warmly on "that honourable place your Honour so justly holds in his Majesty's service."[10] Henceforward Hopton sent a dual series of despatches to London. Detailed accounts of the negotiations concerning the Palatinate, the maritime treaty and the East Indies settlement were sent to Windebank, together with advice, warnings and impressions intended to aid the King in forming policy.[11] To Coke he wrote less frequently and more briefly of the Spanish court, the progress of the war and occasionally of matters affecting English merchants. The despatches were little more than a means of maintaining formal contact with the senior Secretary, and no picture of the Spanish negotiations could have been derived from them.[12] When Hopton returned to Madrid in 1638 he continued this practice, and though his despatches to Coke were more frequent they conveyed as little as before of the main business of his embassy.[13]

Aston adopted a similar arrangement in 1635-8 and set the tone of his correspondence with Coke in one of his early letters: "I shall omit no occasion to acquaint your Honour with the occurrences of this place, which are not so many, nor of importance, to trouble your Honour often."[14] When, in March 1636, Coke made an attempt to discover something of Aston's more significant negotiations, he was coldly assured that all the relevant information had already been transmitted to the King.[15]

Taylor, the English agent at Vienna, wrote assiduously to Windebank

but was less punctilious in his dealings with Coke so that Windebank had to reprimand him for having written nothing to Coke in the first four months of his mission.[16] "You must not forget to write more frequently to Mr. Secretary Coke, and especially if you have any thing good, you may communicate it to him; otherwise you are to keep your distance, and the most secret you are still to impart to myself only."[17] In October 1635 Coke, ill-informed about the nature of Taylor's mission, ordered him to return to England, but the instruction was overruled by Windebank and Taylor remained in Vienna until 1639, continuing to direct his despatches almost solely to the junior Secretary.[18] Information about the brief embassy of the Earl of Arundel to the Empire in 1636 was more evenly shared between the two Secretaries, since the subject of his mission had been fully debated in the Committee for Foreign Affairs before his departure, and the active period of his negotiations coincided with the King's summer progress. Arundel usually sent duplicate copies of his major despatches, one to Coke at court and the other to Windebank in London.[19] It was to Windebank that he wrote friendly personal notes, however, and from whom he received regular news, although the royal commands were transmitted by Coke.[20]

Windebank's personal relationship with these four men was good, and the tone of their despatches is often warmer than that demanded by their official connexion. His association with Portland and Cottington probably aided him initially in establishing friendly relations with the ambassadors in Madrid, for Aston was Portland's son-in-law and Hopton had been in Cottington's service. The Earl of Arundel was an old friend and patron of his own. These ties were strengthened by Windebank's habit of sending his elder sons to travel with diplomatic missions and to stay in the English embassies abroad. Messages about his sons' health and progress can often be found in official despatches or in accompanying personal notes.[21] Despite this personal friendship, Windebank did not shrink from carrying out another function of the Secretaries of State in their relations with ambassadors abroad, that of reprimanding them when necessary and of

conveying the King's displeasure.[22] On the other hand, he was generous in his praise of some of their despatches, and a mutual professional respect rapidly developed, particularly between Windebank, Hopton and Aston.[23] In general, the ambassadors under Windebank's care could be confident that he would protect their interests in England and represent their actions fairly to the King, and for this they were duly grateful.[24]

The same cannot be said for Coke, who did not scruple to show his enmity if he felt so disposed, so that some ambassadors, deprived of their natural protector, were thankful on occasion for Windebank's favour. Both Feilding and Leicester suffered in this way. Windebank's correspondence with Feilding during his mission to Venice and Savoy, 1634-8, was mainly concerned with keeping Feilding informed of English negotiations with Spain and the Empire, France and Holland.[25] Feilding, sympathetic with Spain, was the more dependent on Windebank for information and good offices in view of Coke's hostility which was manifested first by neglect,[26] and then by an effort to reduce Feilding's status on his return to Venice in 1639.[27]

The Earl of Leicester, ambassador extraordinary in Paris from 1636 to 1641, was also aware of the dangers of Coke's enmity. Ambitious and obsessed with his own reputation, he feared that Coke might prejudice his chances of preferment, particularly in view of his conflict with Scudamore, which had already resulted in royal rebukes and Laud's hostility.[28] In the early months of Leicester's embassy he had exchanged only brief polite notes with Windebank and there was little instinctive sympathy between them in spite of their mutual protestations of goodwill.[29] Meanwhile, Leicester's wife and kinsmen in England were canvassing assiduously on his behalf, and in 1637 Henry Percy sounded out Windebank on the Leicester-Scudamore issue. On being assured by Windebank that he was "an indifferent man"[30] he pursued the matter further, and announced to Leicester that he had secured Windebank's support.[31] The tone of the subsequent correspondence between Leicester and Windebank suggests that Percy had been over-optimistic. Cordiality on both sides was distinctly tentative[32] and lapsed easily into coolness.[33] Their official dealings were concerned not with the

French negotiations, which were handled by Coke, but with one or two minor assignments of interest to the King. In September 1637, for example, Leicester was instructed by Windebank to explore confidentially with Richelieu the possibility of the return of the Queen Mother, Marie de' Medici, to France, a delicate and unprofitable subject about which both men were justifiably pessimistic.[34] Another scheme was the projected marriage between Prince Rupert and the daughter of the Duc de Rohan.[35] When Thomas Windebank went to Paris in 1639 on his first diplomatic mission in connexion with the imprisonment of the Prince Elector, Leicester undertook to smooth his path and wrote a series of kind letters to Sir Francis about Thomas's abilities and conduct.[36] Although Windebank was grateful for this, there is nothing to suggest that he fulfilled Percy's hopes by adding his voice to those of Strafford and Northumberland in urging Leicester's appointment as Secretary in place of Coke, and it is unlikely that he would have welcomed him as a colleague.[37] When Windebank himself fell in 1640 and came to live in Paris, Leicester, alarmed at rumours in the Commons of a connexion between them, was careful to repudiate any special relationship:

> "... of all the men in the world I have the least obligation and least affection to the little ex-secretarius that is come hither. I never held any other correspondence with him heretofore than that which his office and my employment required; and since his being here he hath had no more from me than such civility as is due to a person of his quality... He comes often to my chapel ... and whosoever did know what hath passed between us and what we think of one another would not believe that there could be much confidence or intelligence between us." 38

Meanwhile, he had lost no time in trying to get himself appointed in Windebank's place.[39]

Sir Francis's judgement of the English diplomats appears to have been generally sound, although it sometimes took time to translate his recommendations into action. He distrusted Augier, whom he advised the King to recall as early as 1636.[40] Leicester, however, praised Augier as

"a diligent man" and successfully pressed for his retention in Paris, using him in his feud against Scudamore.[41] By 1640, after Scudamore's return to England, Leicester discovered that Augier was supplying information to the French, became concerned to dissociate himself from Augier's activities, and sought his removal.[42] Northumberland reported that Windebank was still of the same mind[43] but that the Queen's support was likely to save Augier who, nevertheless, was recalled later that year.[44]

Sir Francis's relations with the English agents in the Netherlands were more cordial, though he knew little of them personally. With Boswell in the United Provinces he maintained intermittent contact from 1635 onwards, conducting the lengthy negotiations over the redemption of Charles I's jewels, pawned in the Netherlands in the 1620's, a matter with which he was also concerned in 1635-6 as one of the Commissioners of the Treasury. Here he is found in opposition to Coke, protecting the interests of Burlamachi and Calandrini against the attempt to deprive them of a substantial part of their costs.[45] Windebank's other principal subject of negotiation with Boswell was over the plan to issue licences to Dutch fishermen, and here he became involved in a complicated three-cornered correspondence which also included Gerbier, the English agent in Flanders.[46]

Gerbier was a prolific correspondent of Windebank's from 1637 onwards.[47] For the first five years of Windebank's period of office, Gerbier conducted his regular correspondence with Coke[48] and, not surprisingly, it was Coke rather than Windebank who received the confidential despatches in 1632-3 relating to the abortive scheme for a secret treaty between England, Flanders and Brabant to take advantage of the growing disaffection among the Flemish subjects of the King of Spain.[49] Windebank received only occasional letters, containing general news,[50] and it was not until 1637, when Gerbier became involved in the negotiations concerning licences for Dutch fishermen, that he began to write weekly or more frequently to Sir Francis.[51] By 1638 negotiations relating to the

Palatinate were beginning to centre on Flanders rather than Spain, and Windebank handled the highly confidential correspondence and the bulky reports which arose from Gerbier's negotiations with Princess Pfalzburg.[52] So impressed was he by Gerbier's initiative and industry in this connexion that he warmly supported Gerbier's successful request for a knighthood in reward for his long services.[53]

A more regular duty of the Secretaries of State in securing rewards for ambassadors and agents was to secure payment by the Lord Treasurer of their ordinary allowances and to examine claims for extraordinary expenses, recommending payment of these in part or in full. Ordinary and extraordinary allowances varied according to the status of the diplomat and the country to which he was accredited; for example in Windebank's time Scudamore and Leicester, ambassadors to France, and Aston in Spain received the highest rate of pay at £6 a day for diet and £500 p.a. for extraordinaries. Arthur Hopton, resident agent in Spain, Boswell at The Hague and Feilding in Venice each received 40/- a day for diet and £400 p.a. for extraordinaries, while at the lower end of the scale Augier and de Vic, agents in Paris, and Rowlandson and Hales, agents in Venice and Turin, were paid 20/- a day and had no fixed allowance for extraordinaries, although they occasionally submitted claims for travel and intelligence.[54] Additional expenses for the cost of travelling to and from their posts were claimed, and for these the King's special command for payment was necessary, the Secretaries acting as intermediaries.[55] Expenditure by extraordinary ambassadors was generally on a much more lavish scale.[56]

Ideally, payment for diet should have been made at about the middle of the quarter in which it was due, while extraordinary allowances were paid in arrears at the end of each quarter for the preceding quarter, but this ideal does not seem to have been achieved in the early seventeenth century after the death of Salisbury, in spite of the efforts of Naunton to regularise payments to ambassadors in the early 1620's.[57] By the 1630's ambassadors' and agents' salaries and allowances were far in arrears, the problem becoming particularly pressing in 1635 during the administration of the

Treasury Commission when sums ranging from over £300 to over £6,000 were owed to individual diplomats.[58] As a Secretary of State and a Treasury Commissioner Sir Francis was well aware of the urgency of the situation, and in October 1635 he wrote to the King, "I do further most humbly beseech your Majesty to give me leave to represent unto you the state of your Treasury, which is now exceeding low, and yet we are clamoured upon for monies due to Ambassadors and Agents abroad and many other most necessary payments, having not one penny to give satisfaction .."[59] Windebank wished to do whatever was possible, and attempts were made to pay something off the arrears by instalments,[60] but these efforts often remained no more than paper exercises as Hopton's experience showed.

Having unsuccessfully petitioned the King in December 1634 for payment of four years' salary and expenses,[61] he wrote in January 1635 asking Windebank to intercede with the Lord Treasurer, reinforcing this by a similar request to Cottington and a direct approach to Weston.[62] At the end of February and again in mid-June he repeated his pleas[63] which appeared to be partially successful, since he sent grateful acknowledgement to Windebank "for the favour is done me, by your Honour's means, of supplying me with £1000."[64] On 21 December he reminded both Windebank and Coke that he had not yet received the money,[65] but it was not until 1636, more than a year after his original request, that he finally realised that it would not be forthcoming.[66] He made a last plea for supplies shortly before he left Madrid, but without success.[67] Hopton's attitude was remarkably magnanimous, considering that Windebank had only once managed to procure him any part of his allowance, two years earlier at the outset of their correspondence.[68] In 1638 when Hopton returned to Madrid as ambassador there was even a proposal to reduce the ordinary allowance there from £6 to the Elizabethan level of £4 a day. By then the Spanish negotiations were stagnating and money was again very scarce.[69] Hopton pleaded his case cogently, however, and succeeded in retaining his allowance, though he seems to have had as much difficulty as before in getting it paid.[70]

Hopton's experience was not untypical. Despite the Spanish sympathies of Windebank, Weston and Cottington, the English diplomats in Spain received no preferential financial treatment, indeed they fared rather worse than their colleagues elsewhere. Aston began his requests for payment of his allowances, pension, transportation and some contribution towards the £2,000 spent on his coach and furnishing his house, soon after he arrived in Madrid in November 1635.[71] Upon hearing from Windebank the discouraging news that "His Majesty hath put the Lord Treasurer's staff into the hands of the Bishop of London, so now I am disabled to do your Lordship further service in your money business, for which I am heartily sorry..."[72], Aston first addressed himself through Windebank to the King, and then, hearing rumours that the King intended to stop his pension, renewed his appeals to Cottington and to Windebank, "both as one that hath professed himself my noble friend, and as his Majesty's Secretary, whose office hath particular obligation to take care of his Majesty's ministers abroad..."[73] In October 1636 he said he was likely to be more than £2,000 in debt before the end of the year, above the arrears due to him.[74] Windebank's exertions on Aston's behalf met with little success,[75] and the pension and allowances not only remained unpaid while Aston was in Spain but were still unpaid at Aston's death in 1639, after which his son was left to continue the fruitless struggle.[76] Aston came of a wealthy family, and however much the style of his life as ambassador damaged his fortune[77] Windebank probably felt that he could stand the expense better than less well-endowed agents like Taylor. Although unimpressed by Taylor's abilities as a diplomat, Windebank was careful to ensure relatively swift payment of his allowances and to reassure him that his needs would be met.[78] Thus of the £368 claimed for his mission to Spain, 1634-5, Taylor had received £200 by May 1635, and by January 1639 only £66 was unpaid of the £3,566 claimed during his stay at Vienna, September 1635-March 1639.[79]

The Secretaries of State had financial obligations to the King as well as to the ambassadors in their charge, however, and Windebank and Coke were not slow to curtail or to refuse claims if they thought them excessive.

Thus Anthony Hales, enquiring from Windebank the fate of £300 allotted to him in Feilding's extraordinaries, was told that the King had allowed Feilding's full bill of £2,400, "notwithstanding which, like his Majesty's good husbands, they [the Secretaries] did cut off £300, but not from any particular item."[80] Windebank achieved a greater saving on a more unreasonable claim in 1640. The Earl of Leicester, having been lavishly lodged for over three years in the Hotel des Ambassadeurs in the Rue de Tournon at the French King's expense, was finally ejected in 1639 and proceeded to establish himself in even greater splendour near the Louvre.[81] His petition for an addition to his allowance to meet his new expenses was unsympathetically received at a time when Windebank and the King's other ministers in London were at their wits' end to raise money for action against the Scots.[82] Even Northumberland, who usually furthered his brother-in-law's pretensions, warned him not to persist with claims for money.[83] The petition was referred by the King to Windebank, but neither this nor Leicester's other claims for his unpaid allowances met with success at a time when "No money is paid to anybody out of the Exchequer but for the preparations of war."[84]

In general, therefore, Windebank appears to have been discriminating in his handling of ambassadors' and agents' claims for money. It might be argued that his treatment of men like Aston was unduly harsh, so that a conscientious and loyal diplomat ended his career discouraged and disillusioned. This feeling was not, of course, peculiar to the English ambassadors of the Personal Rule, although some of them had better reasons for their despair than their predecessors and successors. As a race, diplomats were more likely to suffer a loss than make a profit from their posts, and were prone to the conviction, often well-founded, that the government at home had forgotten their existence.[85] At a time when money was short, however, Windebank's methods had the practical and humane merit of securing preferential treatment for those diplomats whose fortunes were least able to bear the strain of lengthy credit arrangements.

If money was scarce during the Personal Rule, so also was news

from home. The English ambassadors, well-trained and conscientious, maintained regular weekly or fortnightly contact with the Secretaries of State. Living abroad for many years at a time, and seldom or never returning to England during the period of their embassies, they were aggrieved not to receive a similar stream of correspondence in return.

Coke was notoriously taciturn and complaints of his silence are numerous, both from those under his particular care like Leicester[86] and Boswell,[87] and from those who, like Aston, sent him only routine information but who presumed "that no man writes a letter but expects an answer".[88] Even when Coke did write, his despatches sometimes gave greater offence or caused greater perplexity than his silence, as when Aston was enraged by the order to deliver a letter from the Prince Elector without being informed of its contents, and when Arundel received Leicester's instructions instead of his own.[89]

Windebank was more efficient, and the quality of his despatches is high. Even his earliest letters to Hopton were explicit and informative,[90] and growing familiarity with the King's most confidential negotiations gave him wider acquaintance with European diplomacy and an increased authority. The experienced diplomats in his charge were not slow to recognise his ability or to record their appreciation.[91] In September 1637 Aston wrote to Cottington:

> "Mr. Secretary Windebank's despatch hath given me a truer understanding of the past and present estate of business than I before have had, and hath much enabled me how to govern myself in whatsoever can happen. Mr. Secretary Coke's despatch I am not able clearly to understand, and have chose rather to show my weakness and doubts than to run into greater error." 92

Nevertheless, most of them deplored the infrequency of Windebank's despatches. Arundel, the most illustrious and intolerant of Charles I's ambassadors extraordinary, was the only one who succeeded in extracting weekly letters from Sir Francis.[93] Taylor was reproachful, complaining that the Austrians had fuller and more prompt information from Necolalde,

the Spanish Ambassador in London, than he received himself.[94] Some of his remonstrances were unjustified, since many of Windebank's despatches were intercepted by the Dutch between Antwerp and Cologne and never reached their destination.[95] Hopton, one of the ablest of Charles I's diplomats, was the least disturbed. He continued stoically to negotiate, sending his own lucid despatches into what sometimes must have seemed a void, and during his second embassy was rewarded by more frequent replies from Sir Francis.[96] Aston seems to have been the most adversely affected, and protested at first with dignity and later in desperation, comparing his present mission unfavourably with his last.[97] He complained of the failure to forward documents relevant to his mission[98] and of his ignorance of the parallel negotiations in Vienna in 1636.[99] It was upon the Spaniards that he depended for news, hearing of Arundel's negotiations from Olivares[100] and of the attempted detention of the asentistas' money in 1636 from Secretary Roças.[101] At last, dispirited by ill-health and isolation and confused by garbled accounts from alien sources, he retreated into his shell and became largely inactive.[102] Windebank does not seem to have been primarily responsible for this unhappy situation, as a note from the King reveals: "Watt: The darkness of their intentions could not suffer my resolutions to be clear, so that it was impossible to send you a right light to walk by. That that is (though uncertain yet) Secretary Windebank will send you....."[103] It is likely that many of the more significant failures to instruct and inform ambassadors resulted from the King's orders rather than from Windebank's inefficiency.

This was not the view of Northumberland, who ascribed the neglect suffered by Leicester to lack of ability in the Secretaries.[104] Vane may have been advised to adopt a different technique after April 1640, for he drafted a weekly or fortnightly newsletter with occasional additional paragraphs to individuals. Despatches to Leicester were written first, sometimes in Vane's own hand, and Sidney Bere then drafted similar letters to those lower in the diplomatic hierarchy.[105] The system had the merit of providing regular news, but the quality of the despatches declined

considerably from the standard set by Windebank.

The Secretaries in the 1630's presumably felt that they were too busy to send general news which the ambassadors could secure for themselves.[106] Failure to provide information about parallel negotiations elsewhere was more serious; but most general instructions required ambassadors to keep each other informed about their work.[107] During the Personal Rule, however, there were many additional secret instructions, to which this requirement did not apply.[108] Most serious in their effects on the ambassadors' morale and on the reputation of the English diplomatic service abroad were deliberate decisions to withhold information, as in the case of the protestation of the Prince Elector against the election of the King of the Romans, which had immediate repercussions on the missions of several English diplomats. Thus Aston, asked repeatedly by Olivares whether Charles I had approved the protest, refused to comment, "how plain and pregnant soever the circumstances may be", and asked Windebank for directions "whereby your Honour will help to set me in my posture again who in the mean time remain a silenced Ambassador, having no order to own nor disavow anything."[109] He complained bitterly to Arundel that he knew nothing of the matter but what he heard from Spain,[110] and had to wait until mid-June before receiving an unconvincing assurance from Windebank that he should not have expected any information, "it being no act of the State here, but merely of the Prince himself."[111] Taylor, equally ill-informed but more incautious, was taken to task by Windebank for indiscretion and defended himself in tones of outraged common sense:

> "As for the Manifest, I never spoke of it either one way or other, since I could not deliver it, the Emperor being dead when I received it. And to have said that it was done without the King's knowledge, what could have been more ridiculous? Did not Radolt receive it in England? Was it not published in divers languages? Did not Secretary Coke send me an order to have given it? So that both I and they knew it was with his Majesty's leave and approbation, and I had been senseless to have said any other." 112

Once again, the King rather than Windebank was responsible, and although

Charles I was temperamentally inclined to secretive and devious negotiations, many later English monarchs and Foreign Secretaries took similar decisions and imposed similar handicaps upon their ambassadors abroad.[113]

Charles I's determination to keep Coke in ignorance of the details of much of Windebank's work meant that careful precautions were taken to maintain confidentiality when despatches addressed to Windebank were forwarded to the King while the court was out of London. On one occasion, when an unsealed despatch from Hopton to Windebank was enclosed by error in a cover to Coke, the senior Secretary was careful to assure Windebank that he was forwarding it unread.[114] The same precautions were unnecessary in the case of the more general news reported to Coke and his assistant Weckherlin by the English ambassadors abroad, and when these were received by the King in Coke's absence, he frequently showed them to Windebank before they were sent on.[115]

The Foreign Committee, in spite of its influence, must also have been kept corporately in ignorance of the details of the more confidential correspondence conducted by Windebank: there would have been little point in excluding Coke so carefully from a substantial part of the foreign business only to have it regularly revealed to him at meetings of the Foreign Committee. Similarly, the Earl of Holland, also a member of the Foreign Committee and an advocate of the French alliance, appears to have been largely uninformed about the Spanish negotiations.[116] On the other hand, Weston and Cottington were told a great deal.[117] Weston was the leading member of the Foreign Committee until his death in 1635, but Cottington's position is uncertain and he was probably not on the Committee for most of Windebank's period of office.[118] By contrast, Windebank knew a good deal about the French negotiations, and Leicester's despatches from France were read out weekly at the Foreign Committee's meetings.[119]

The practice of the King in keeping so much of the foreign business secret from Coke increased the ill-feeling between the two Secretaries,

already firmly founded on incompatibility of temperament and opinion. Jealous of Windebank's greater influence with the King, Coke retaliated by making no effort to ensure that the diplomats under his charge sent general despatches to his colleague. Sir Francis was left to make his own claims in this respect, and in 1636 he remonstrated with Boswell for restricting his infrequent despatches to the limited subject-matter of the royal jewels:

> "Whence this strange reservedness proceeds I understand not, being not guilty to myself of having demerited in any kind of you... Neither am I ambitious of any man's correspondence. But I conceive yourself might have some helps from me, and in consequence of that his Majesty better served, if there were a nearer intelligence between you and me. And besides I must deal freely with you, there is not any of his Majesty's ministers in foreign parts (and some of their faces I never saw) but holds fairer correspondence with me than you, and from most of them I have weekly advices." 120

The aggrieved tone is revealing, and in spite of Windebank's protestation that "I have my burden in business already much beyond my weak abilities", it seems clear that he was casting envious eyes at the size of Coke's post-bag. Leicester's reply to a similar reproach in 1638 suggests, whether genuinely or not, that he had not realised the extent of the rift between the two Secretaries:

> "I cannot brag of more obligation to the liberality in any kind of your colleague than such as he distributes to the vulgar, wherein many think his largesse is not so eminent as his parsimony, but I thought you had been brothers in gavelkind, and had divided equally..." 121

Thus, although the concept of all matters as "common" to the two Secretaries may have existed in theory, [122] a closer examination of the division of duties in foreign affairs between Coke and Windebank shows that in practice their work was clearly defined and that the two sets of negotiations seldom or never overlapped. The principles on which the division was made are clear: once the King was assured of his capabilities Windebank dealt with two kinds of business. Firstly there were all the confidential matters which involved politically sensitive issues likely to arouse not only straightforward opposition but also a strong emotional

reaction from those, both inside and outside the Privy Council, who believed that the King should follow a decisively Protestant foreign policy. Protracted negotiation rather than war with Spain and the Empire, support for Flanders rather than Holland in the struggle in the Netherlands, attempts to secure Spanish subsidies to maintain an English fleet: all these were unpopular policies which contained explosive domestic potentialities. Shaped partly by the financial limitations of the Personal Rule, partly by an appreciation of the economic advantages of neutrality, and partly by a clearer perception of the changing balance of forces in Europe than that possessed by those still rooted in the Elizabethan past, the policy, except in terms of material gain, was unlikely to achieve any dramatic or early success. It needed to be handled by a minister possessing patience, flexibility, toleration, some degree of sophistication and some powers of dissimulation: Windebank possessed these characteristics whereas Coke lacked most of them.

The second kind of assignments given to Windebank were the limited tasks of personal interest to the King which contained some element of delicacy, such as the redemption of the Crown jewels and the location of the Queen Mother's residence. The first of these involved dealings with Burlamachi and Calandrini, too easily dismissed by some contemporaries as shady financiers. Windebank was realistic enough to recognise their value to the King, and was therefore a better intermediary than Coke.[123] The second assignment required tact, which was Windebank's forte rather than Coke's. Coke could safely be left to handle routine correspondence containing general news, complaints by English merchants, relations with Protestant states, and treaty negotiations with France and Holland which were less emotive than those with the House of Austria. Much the same arguments applied when Vane took over in 1640, and the new division of duties was an administratively neat arrangement which masked the same practical realities as before.

An examination of the diplomatic correspondence conducted by Windebank and Coke dispels the charges of "singular ineffectiveness" levelled

by Mrs. Higham, apparently made on the assumption that the foreign business was genuinely treated as common to the two Secretaries.[124] Records were not "frequently divided between the two offices", but were carefully segregated, a necessary arrangement if the requirements of secrecy involved in most of Windebank's work were to be observed.[125] Some time was wasted in transmitting documents from Windebank to the King and back, but this was a consequence of the seasonal mobility of the court, not of the division of foreign business between the Secretaries.[126] Since there was no lack of definite division, keeping in touch with both Secretaries did not involve a "large increase of work" for ambassadors and agents. It was common practice to transmit confidential information in cipher and general news in clear, and the nature of the division between Windebank and Coke meant that diplomats in Madrid or Vienna or Brussels directed their confidential despatches to Windebank in a mixture of cipher and clear, referring him for general news to their despatches in clear to Coke, transmitted unsealed in Windebank's packet. There is little duplication of subject-matter in the despatches to the two Secretaries.[127]

More serious criticisms than these can be made of the conduct of foreign business in the 1630's. At the level of administrative efficiency, the failure to keep ambassadors adequately informed and the failure to pay them regularly were discouraging and disillusioning features of diplomatic employment. Politically, perhaps the most significant domestic disadvantage of the division was the atmosphere of secrecy and suspicion which it helped to foster, and the perpetuation and encouragement of rival camps within the central administration. It also helped to create an illusion, prevalent among later writers as well as contemporaries, that both the King and Windebank were more deeply committed to Spain and more gullible than they really were. A further disadvantage was the latitude which the arrangement gave to the King to conduct treaty negotiations with states on opposite sides of the European struggle simultaneously, and here the adverse effects were most clearly seen abroad. Although he was not the only head of state to follow this practice, by 1639 Charles I had earned an unenviable

reputation for duplicity. Windebank's reputation has suffered in proportion, since he was sometimes compelled to use his position as interpreter of the King's commands to suppress information and explain away inconsistencies in the royal policy.

With all its weakness and contradictions, however, the foreign policy of the 1630's had some redeeming features. A reassessment of some of Windebank's assignments may help to reveal more clearly the attitudes and assumptions of those most closely involved, and to show that beneath the apparent preoccupation with the Palatinate neither the King nor his servants had lost sight of more vital English interests.

Notes to Chapter IV

1 See Appendix E for a list of the members of the English diplomatic service during this period.

2 Evans, op. cit., pp. 90-8, 298-305.

3 See, for example, P.R.O., SP 78/94/202, Augier to Windebank, 15/25 October 1633; SP 84/146/101, Boswell to Windebank, February 1633; 147/113, Same to the same, 24 September/4 October 1633; SP 88/8/184, Gordon to Windebank, 1/11 December 1633.

4 P.R.O., SP 94/36, 37; SP 80/8. Some other agents, including Boswell in the Netherlands, also wrote regularly to both Coke and Weston.

5 The P.R.O. Lists and Indexes are not always accurate in identifying senders and recipients of foreign despatches. The handwriting of the despatch or the endorsement provides a more reliable guide.

6 For a similar situation in James I's reign see R.E. Schreiber, 'The Political Career of Sir Robert Naunton, 1563-1635' (Univ. of London Ph.D. thesis 1967), Ch. III.

7 P.R.O., SP 16/444/51, 52, 53, Vane, Windebank and Weckherlin to Roe, 7/17 February 1640; Sydney Letters II, p. 634, Northumberland to Leicester, 6/16 February 1640; Evans, op. cit., p. 102.

8 Bodl. L., Clar. MS. 18, f. 56, Windebank to Hopton, 7/17 February 1640, "... so that your Lordship is still within my verge and walk."

9 Bodl. L., Clar. MS. 5, f. 173, Windebank to Hopton, 16/26 February 1634.

10 B.L., Egerton MS. 1,820, f. 36, Hopton to Windebank, 27 March/6 April 1634.

11 Hopton's despatches to Windebank, 1634-6, are in Bodl. L., Clar. MSS. 5-8; B.L., Egerton MS. 1,820; and Clar. S.P.I. See Clar. S.P.I, pp. 80-5, 173-7, 245-9 for examples of the subject matter of this correspondence, and of Hopton's lucid and informative style.

12 Hopton's despatches to Coke, 1634-6, are in P.R.O., SP 94/37; Bodl. L., Clar. MS. 5; B.L., Egerton MS. 1,820; and Clar. S.P. I, pp. 98-100, 107-8, 282-4.

13 Hopton's correspondence with Coke, 1638-40, and some letters to Windebank are in P.R.O., SP 94/40-41, and the bulk of his despatches to Windebank in Bodl. L., Clar. MSS. 14-19.

14 Clar. S.P. I, p. 407, Aston to Coke, 30 December 1635/9 January 1636.

15 Ibid., pp. 522-4, Same to the same, 27 April/7 May 1636.

16 Clar. S.P. I, p. 401, Windebank to Taylor, 2/12 January 1636.

17 Ibid., p. 431, Same to the same, 16/26 January 1636. Three of Taylor's despatches in 1635 directed to the Secretary of State were probably intended for Coke, but were slow in arriving. P.R.O., SP 80/9/52, 56, 64.

18 Bodl. L., Clar. MS. 7, ff.251v-252, Taylor to Windebank, 1/11 December 1635; Clar. S.P. I, p. 401, Windebank to Taylor, 2/12 January 1636. Taylor's despatches to Windebank are in Clar. MSS. 7-16, and many of those written between 1635 and 1637 are printed in Clar. S.P. I. Se also P.R.O., SP 80/9/52, 56, 64, 97, 103, 171; SP 80/10/88.

19 P.R.O., SP 80/9/189-91, 192-5, 215-22, Arundel to Coke, 20/30 June, 22 June/ 2 July, 10/20 August 1636; Clar. S.P. I, pp. 572-4, 575-8, 611-15, Arundel to Windebank, same dates. "I send you just what I send to Mr. Secretary Coke because I make account he will be absent in the progress, but directed to your Honour in London." Ibid., p. 615.

20 Bodl. L., Clar. MS. 9, ff.181-2; 10, f.32, Arundel to Windebank, 20/30 July, 15/25 August 1636; P.R.O., SP 80/9/205-6, 222-4, Arundel to Coke, 20/30 July, 16/26 August 1636.

21 Clar. S.P. I, p. 439, Hopton to Windebank, 22 January/1 February 1636; Ibid., p. 514, Arundel to Windebank, 16/26 April 1636; Ibid., p. 555, Aston to Windebank, 7/17 June 1636; Ibid., p. 630, Taylor to Windebank, 30 August/9 September 1636.

22 Ibid., p. 674, Aston to Windebank, 19/29 October 1636; Bodl. L., Clar. MS. 14, ff.20, 22, 36, Windebank to Taylor, 30 March/9 April 1638, in which he delivers some very brisk remarks about Taylor's indiscretions.

23 See, for example, Clar. S.P. I, p. 318, Windebank to the King, 27 August 1635, praising Hopton's despatches of 8/18 and 11/21 April, B.L., Egerton MS. 1,820, ff.98, 103-5; Bodl. L., Clar. MS. 9, ff.21v-22v, Windebank to Aston, 11/21 April 1636.

24 Bodl. L., Clar. MS. 8, f.239, Taylor to Windebank, 9/19 March 1636; Clar. S.P. I, pp. 730-1, Aston to Windebank, 8/18 March 1637.

25 HMC 5: 6th R. Appendix: pp. 277-85.

26 HMC 68: Denbigh V: p. 46, Weckherlin to Feilding, 15/25 February 1637.

27 Ibid., p. 66, John Reeve to Feilding, 18/28 January 1639, announcing that he had secured new credentials "which your Lordship will receive by this post from Mr. Secretary Windebank, without the knowledge of Mr. Secretary Coke; whom my Lord Marquis [Hamilton]

did so reproach before the King (as I am informed) as I know not how Mr. Secretary will digest it."

28 Bodl. L., Clar. MS. 9, ff. 96-7, Windebank to the King, forwarding complaints by Scudamore and De Vic against Leicester, 1 June 1636. HMC 77: De L'Isle and Dudley VI: p. 74, Countess of Leicester to Leicester, 28 December 1636/7 January 1637; Ibid., p. 77, Same to the same, 4/14 January 1637, "Temple ... would fain have reconciliation between you and the old man [Coke], believing it to be possible that his ill will may be some way prejudicial to you." Sydney Letters II, pp. 503-4, Coke to Leicester, 24 June/4 July 1637; Ibid., pp. 506-7, Henry Percy to Leicester, 21/31 July 1637.

29 Ibid., pp. 458-9, Leicester to Windebank, 14/24 January 1636.

30 Ibid., p. 507, Henry Percy to Leicester, 21/31 July 1637.

31 Ibid., p. 509, Same to the same, 3/13 August 1637. "I see very plainly many things you have desired have miscarried for want of being well managed, and by persons that will have the patience to understand, and press, with art and assiduousness... therefore I have thought it very necessary to gain you a person might supply the defects I find in others. I am confident I have done it without engaging you in anything but a general civility, which if, upon my undertakings for his truth, you will pursue to more particularity, I believe you will do very wisely. Windebank is the man..."

32 Ibid., p. 511, Leicester to Windebank, 11/21 August 1637; p. 515, Windebank to Leicester, 8/18 September 1637. Leicester was sceptical of Windebank's goodwill and urged Percy to put it to the test. Ibid., p. 516.

33 Ibid., pp. 543, 563, Leicester to Windebank, 30 March/9 April, 13/23 July 1638; pp. 543-4, Windebank to Leicester, 12/22 April 1638. Thomas and Francis Windebank reported that Scudamore had visited them at their lodging in Paris, and invited them often to his house, but that they received "no such high honour from the Earl of Leicester nor from his son." P.R.O., SP 16/357/90 and 91, Thomas and Francis Windebank to Windebank, 26 May/5 June 1637.

34 Sydney Letters II, p. 517, Windebank to Leicester, 22 September/2 October 1637, "His Majesty, since the finishing of this despatch, commands me to give your Lordship order, not to communicate this business to Mr. Secretary Coke, nor to give him the least touch of it in any of your letters."
See also Ibid., pp. 517-20, 521-6, 527-30.

35 Clar. S.P. II, p. 13, Windebank to the King, 17 September 1638, apostiled, "It is a business that requires no great haste, yet is very nice..."
Sydney Letters II, pp. 546-54, 559-63.

36 P. R. O., SP 78/108/191-2, 203-4, 217, 223, Leicester to Windebank, 6/16, 13/23, 20/30 December 1639, 27 December 1639/6 January 1640. Thomas Windebank's despatches from Paris were directed to his father, see P. R. O., SP 78/108, 109.

37 Sydney Letters II, p. 623, Northumberland to Leicester, 12/22 December 1639; Ibid., pp. 629, 631, Same to the same, 9/19, 16/26 January 1640.

38 HMC 7: 8th R. Appendix II: p. 57, Leicester to (Lord Mandeville?), 5/15 February 1641.

39 Sydney Letters II, pp. 664-5, Northumberland to Leicester, 10/20 December 1640.

40 Bodl. L., Clar. MS. 10, f. 65, Windebank to the King, 2 September 1636. "... if Augier stay there, the chief stirrer of these differences, as I have been informed, will be continued, to the great discouragement and disadvantage of the Lord Scudamore, who will be utterly disabled to do your Majesty service."

41 Sydney Letters II, p. 385, Leicester to Coke, 3/13 June 1636; HMC 77: De L'Isle and Dudley VI: p. 92, The Countess of Leicester, 9/19 March 1637, assured her husband that Augier "is very affectionate to you."

42 Sydney Letters II, pp. 649-52, Leicester to Vane, 25 April/5 May 1640. "For the truth is I cannot govern him, nor trust him, neither can I undertake for him, because he runs about to these ministers without my knowledge, and by that means it is thought that I know of his business, when I do not." "... of me only, the King will require an account, therefore I must look to myself, for if the King has another Ambassador here, he might bear part, but now all the blame will fall on me."

43 HMC 77: De L'Isle and Dudley VI: p. 225, Northumberland to Leicester, 23 January/2 February 1640. "If this should be attempted Windebank would be as active an instrument in it as he dares to be in anything." Augier had further incurred Windebank's dislike by stealing a march on Thomas Windebank in his mission to France in 1639-40.
Ibid., p. 636, Same to the same, 13/23 February 1640.

44 Ibid., pp. 264, 297.

45 P. R. O., SP 16/290/66, Boswell to Windebank, 11/21 June 1635; SP 84/151/1, 151/76, Windebank to Boswell, 1/11 January, 14/24 April 1636. Further despatches from Boswell to Windebank on this subject include SP 84/151/36, 122, 176, 189, 222, 255, 295, February - August, 1636. For the activities of Burlamachi and Calandrini see A. V. Judges, 'Philip Burlamachi: a Financier of the Thirty Years' War', Economica VI (1926), pp. 285-300; Robert Ashton, 'The Disbursing Official under the Early Stuarts: the cases of Sir William Russell and Philip Burlamachi', Bulletin Inst. Hist. Res. XXX, 82, pp. 162-74.

46 P. R. O., SP 84/152/9, Windebank to Boswell, 13/23 January 1637. "You are by his Majesty's special commandment to carry with great secrecy and dexterity, and to give account to myself only of your proceedings from time to time herein." 152/68, Boswell to Windebank, 28 February/10 March 1637; 152/108, Windebank to Boswell, 27 March/6 April 1637; 152/148, Boswell to Gerbier, 24 April/4 May 1637. For fuller details see Chapter VI.

47 See P. R. O., SP 77/27-30 for Gerbier's despatches, 1637-40.

48 P. R. O., SP 77/22/6.

49 P. R. O., SP 77/22/89, Charles I to Gerbier, 21/31 August 1632. "The business is so great that even to manage it I am forced to trust some, yet since secrecy is especially necessary to it, I have thought fit only to trust Secretary Coke with it." See also SP 77/22/142, 162, Coke to Gerbier, 24 September/14 October, 6/16 October 1632; Hardwicke State Papers II (1778), pp. 54-93.

50 P. R. O., SP 77/24/419, 486, Gerbier to Windebank, 17/27 October, 5/15 December 1634.

51 P. R. O., SP 77/27-30.

52 See, for example, P. R. O., SP 77/28/191, 241, Gerbier to Windebank, 14/24 April, 28 April/8 May, 1638, and ff. 219-36, containing a lengthy account of Gerbier's negotiations. For fuller details see Chapter V.

53 Clar. S. P. II, p. 14, 18 September 1638, Windebank to the King, "... and besides, it will be of great advantage to him in his own particular, for the better bestowing of his children. All the interest I have in him is that of your Majesty's service, having to my remembrance scarce ever seen his face till now. And I confess I have found him so honest, real and careful in all your Majesty's affairs, that I am humbly of opinion your Majesty cannot confer such an honour upon any servant in these respects more deserving." Gerbier was knighted in October 1638 at Hampton Court, and not, as in D. N. B. VII, p. 1106, in 1628. W. A. Shaw, The Knights of England II (1906), p. 206.

54 P. R. O., SP 16/287/43, Exchequer receipts and payments, April 1635; SP 16/301/30, Estimate of moneys in arrears to the King's agents abroad, 6 November 1635; SP 78/92/96, Augier's account for letters and intelligences, September 1632; SP 84/146/3, Note on Boswell's entertainment and allowance, 23 December 1632/2 January 1633; Clar. S. P. I, p. 94, Hopton to Cottington, 12/22 May 1634; Sydney Letters II, p. 390, Leicester to Coke, 9/19 July 1636, and SP 78/102/302.

55 See, for example, SP 84/145/59, Boswell's claim for £140 for transportation to The Hague, 10/20 October 1632; SP 94/37/302, Aston's claim for £869 9s. 0d. for transportation to Madrid, 1635; SP 104/170/73, Roe's claim for £598 7s. 6d. for transportation and extraordinaries, December 1639-June 1640.

56 For example, Anstruther's journey to the Empire and Princes of Germany cost £5,926 in 1635, P.R.O., SP 16/287/43, Exchequer receipts and payments, and Jerome Weston's extraordinary embassy to France, Venice and Savoy in 1632-3 was said to have cost £12,000. C.S.P. Ven., 1632-6, p.367, Gussoni's Relation of England, 3/13 April 1635. Although Ballarino, Venetian Secretary in Germany, reported on Arundel's arrival in Linz that "The Emperor ... has given orders for him to be freely defrayed with all his suite which is not usual with ambassadors." Ibid., 1636-9, p. 10, this did not prevent the King from making payments to Arundel of £11,177 between April and August 1636, and Coke warned that "there are great sums expended since that time whereof there are bills already come over £2,852 15s. 4d. and new bills are coming." HMC 23: Cowper II: p. 79 (misdated 1635).

57 R.E. Schreiber, 'The Political Career of Sir Robert Naunton, 1563-1635' (Univ. of London Ph.D. thesis 1967), pp. 96-100.

58 P.R.O., SP 16/301/30, Estimate of money in arrears and payable to Agents, 6 November 1635, records the following arrears: £3,514 to Hopton, £1,915 to Rowlandson; £943 to Hales; £596 10s. to de Vic; £398 to Augier. Earlier in the same year £6,700 had been owing to Feilding. SP 16/285/7, Windebank's notes, Treasury Commission, 11 April 1635.

59 Bodl. L., Clar. MS. 7, f.186, Windebank to the King, 28 October 1635.

60 Feilding, for example, was allotted £1,600 in ready money and £1,200 more out of Sir Anthony Roper's fine upon assignment. SP 16/285/7, Windebank's notes, Treasury Commission, 14 April 1635.

61 SP 94/37/142, Hopton's petition for allowances, 7/17 December 1634.

62 Clar. S.P. I, pp. 217-19, Hopton to Windebank, Cottington and Weston, 1/11 January 1635.

63 Ibid., pp. 240-1, Hopton to Windebank, Cottington and Weston, 15/25 February 1635; pp. 282, 285, Same to Windebank and Cottington, 3/13 June 1635.

64 Bodl. L., Clar MS. 7, f.8, Hopton to Windebank, 17/27 June 1635, "... if my allowances were paid me in money and not remitted by bill of exchange, I could advantage myself 20 per cent which were better gained by me than by the merchant."

65 Ibid., f. 295; P. R. O., SP 94/37/287.

66 Clar. S. P. I, p. 349, Hopton to Windebank, 22 January/1 February 1636. "By letters from some friends of mine I understand the care was taken the last summer in assigning me £900 and that it was not paid because there was no provision in the Exchequer for it. Howsoever, your Honour's favour to me was no whit the less, nor am I less thankful than if it had taken effect, as your desire was."

67 Ibid., p. 473, Same to the same, 24 February/5 March 1636. "Howsoever, I remain with this consolation that, having the favour of your Honour's assistance, I shall find in due time as good despatch as the business will bear; with which I must be contented, howsoever I pinch for it for the present."

68 Bodl. L., Clar. MS. 5, f. 168v, Windebank to Hopton, 16/26 February 1634, announcing the payment of £1000 in bills of exchange.

69 P. R. O., SP 94/40/16-17, Hopton to ---?, 29 January/8 February 1638; Ibid., ff. 367-8, Considerations concerning the entertainment for the Embassage in the Court of Spain. Bodl. L., Clar. MS. 114, f. 115, Windebank's notes of money to be expected from various sources, 18 July 1638, contains the laconic note "In the Exchequer: nothing."

70 HMC 23: Cowper II: p. 180, Docket, 5 April 1638; P. R. O., SP 94/40/262, Hopton to Cottington, 6/16 October 1638.

71 P. R. O., SP 94/37/302-3, Aston's petition for allowances, 1635; Clar. S. P. I, pp. 366, 381-2, 410, 468.

72 Bodl. L., Clar. MS. 9, f. 25, Windebank to Aston, 11/21 April 1636.

73 Bodl. L., Clar. MS. 9, ff. 54-54v, Aston to Windebank, 7/17 June 1636. See also Clar. S. P. I, p. 521, Same to the same, 27 April/7 May 1636.

74 B. L., Add. MS. 36,450, ff. 91-4, Same to the same, 19/29 October 1636.

75 Clar. S. P. I, pp. 622, 668, 722, 752, 776; Bodl. L., Clar. MS. 11, ff. 46, 148v, Windebank to Aston, 15/25 January, 29 April/9 May 1637; P. R. O., SP 94/40/166, Aston to Secretary of State, 25 July/4 August 1638. Aston appealed for employment at court on his return, or a renewal of his pension, "that I may be at least in the same estate that I was before I begun my journey, hoping I may modestly pretend if not a reward, that I have not deserved a punishment."

76 C. S. P. D., 1638-9, p. 60; 1639-40, pp. 252-3; Aylmer, op. cit., p. 163.

77 G. E. C., Complete Peerage I, p. 285; D. N. B. I, p. 685; Gillow, Bibliographical Dictionary of the English Catholics I (1885), p. 79. The family fortune, variously reckoned as producing an income of £10,000 to £18,000 a year from land, seems to have been seriously impaired by Aston's diplomatic career.

78 Clar. S. P. I, pp. 342, 370-1, 377, 551, 620, Taylor to Windebank, October-December 1635, 6/16 June, 16/26 August 1636, stressing his frugality and poor estate, his unwillingness to worry his wife, and the high cost of travel. Ibid., pp. 431, 449, 479, 662, Windebank to Taylor, January-September 1636, informing him of various payments and assuring him of support.

79 P. R. O., SP 94/37/181, Taylor's accounts, 18/28 May 1635; SP 16/289/72, Moneys paid to John Taylor, 29 May/8 June 1635; SP 80/10/103, 109, 119, Taylor's accounts, September 1635-March 1639. Taylor nevertheless complained that the last £1000 granted him had cost £60 in fees, gratuities and interest "for want of due payment of his bills of exchange." Ibid., f. 119v.

80 HMC 68: Denbigh V: pp. 52-3, Hales to Feilding, 1/11 December 1637.

81 Sydney Letters II, pp. 379-80, Leicester to Coke, 17/27 May 1636; P. R. O., SP 78/108/69-70, Leicester's petition for addition to allowance, 20/30 August 1639. The house in the Rue de Tournon was intended only for the temporary accommodation of ambassadors, and after 1625 it was usual to lodge them only until their first official audience. E. R. Adair, The Exterritoriality of Ambassadors in the Sixteenth and Seventeenth Centuries (1929), p. 269.

82 Sydney Letters II, p. 636, Leicester to Windebank, 13/23 September 1639.

83 Ibid., Northumberland to Leicester, 13/23 February 1640. "We that have the honour to be a little acquainted with the King's affairs know the want of moneys to be so great that we cannot encourage your Lordship to try the helping your fortune at this time, by a petition of that nature as you intend, when no servant of the King's of what condition soever can get either pension or wages paid."

84 HMC 77: De L'Isle and Dudley VI: Hawkins to Leicester, 6/16 February 1640. Eventually Leicester secured £600 of his allowance, which still left him £2,200 in arrears and without provision for his new commitments. Ibid., pp. 236, 239.

85 G. Mattingly, Renaissance Diplomacy (1955), Chs. 23 and 24; D. B. Horn, British Diplomatic Service, 1689-1789 (1961), Chs. III and X; Adair, op. cit., p. 270.

86 Sydney Letters II, p. 389, Leicester to Coke, 9/19 July 1636. "Though my letters be little worth, yet I am glad that some of them are come to your hands, for this is the thirteenth that I have written unto your Honour since my coming into France, and I never heard what became of them till your letter of 30 June made me know that you had received three of them."

87 P. R. O., SP 84/152/13v; 154/25v, 32, Boswell to Coke, 17/27 January 1637, 25 May/4 June, 31 May/10 June 1638, asking for instructions and information.

88 Clar. S. P. I, p. 669, Aston to Coke, 15/25 October 1636. See also Ibid., pp. 522, 558, 569, 604-5.

89 Bodl. L., Clar. MS. 10, ff. 76, 146, Aston to Windebank, 3/13 September, 19/29 October 1636; Clar. S. P. I, pp. 638, 669, Aston to Coke, 3/13 September, 15/25 October 1636. P. R. O., SP 80/10/5-5v, Arundel to Coke, 19/29 October 1636, "In the meantime, I being left without a compass, and wholly to myself, I steer my course according as my best discretion will direct me..."

90 Bodl. L., Clar. MS. 5, ff. 167-173, 221-229, Windebank to Hopton, 16/26 February, 11/21 July 1634; B. L., Add. MS. 32,093, ff. 63-6, Same to the same, 16/26 October 1634.

91 B. L., Add. MS. 36,450, f. 187, Aston to Windebank, 24 March/3 April 1638; P. R. O., SP 94/41/45, Hopton to Windebank, 26 January/1 February 1639.

92 Clar. S. P. II, p. 2, Aston to Cottington, 24 August/3 September 1637.

93 Bodl. L., Clar. MS. 9. f. 181, Arundel to Windebank, 20/30 July 1636, "I know not how to give you thanks for your continual favour to me and mine, both in weekly writing, which is a great comfort to me, and in assisting all my affairs at home."

94 Bodl. L., Clar. MS. 8, f. 262, Taylor to Windebank, 23 March/2 April 1636; Clar. S. P. I, pp. 491, 505-6, 519.

95 Ibid., pp. 769, 771.

96 Bodl. L., Clar. MSS. 14-19, July 1638 - September 1640. See, for example, Clar. MS. 15, ff. 66-8, 17, ff. 48-51, Windebank to Hopton, 27 December 1638/6 January 1639; 1/11 August 1639.

97 B. L., Add. MS. 36,450, f. 127, Aston to Arundel, 15/25 April 1637, "... in my former employment here there was no occasion that ... could have reflection upon his Majesty in relation to this crown but I had still as early advertisement as they here, and was still prepared with directions how to govern myself thereupon, It is a style at present observed with all other ministers that reside in this court, and I conceive it for his Majesty's service and honour that it should likewise be observed with me."

98 Ibid., ff. 23-4, Aston to Windebank, 24 February/5 March 1636; Clar. MS. 9, f. 51, Same to the same, 7/17 June 1636.

99 Clar. MS. 10, f. 177, Same to the same, 2/12 November 1636. It was not until mid-November that he received a letter from Arundel about the embassy that began in April 1636, and not until April 1637 that he had a full account of it from Windebank. Clar. S. P. I, pp. 706, 747.

100 Bodl. L., Clar. MS. 9, f. 54; 10, f. 138, Aston to Windebank, 27 April/7 May, 15/25 October 1636.

101 Ibid., f. 175, Same to the same, 2/12 November 1636.

102 Clar. S. P. I, p. 759, Same to the same, 5/15 May 1637. "Your Honour will easily conceive how much I am to seek here what to do with myself upon the many reports that daily come... I have of late as much retired myself as is possible, and so am the less able to advertise the passages here..."

103 P. R. O., SP 94/39/147, Charles I to Aston, 15/25 June 1637.

104 Sydney Letters II, p. 620, Northumberland to Leicester, 5/15 December 1639.

105 P. R. O., SP 104/170, Vane's Letter Book, ff. 83-115, but see especially ff. 86-8, 89-90, 95-6, where the procedure is made clear. It is perhaps worth remembering that by 1640 events in England were considerably more startling and worthy of report than those of the 1630's.

106 Most diplomats arranged to receive regular newsletters from their politically conscious friends or relations, as Leicester did from Northumberland.

107 See, for example, P. R. O., SP 94/37/190, Instructions for Lord Aston, 9 June 1635.

108 Bodl. L., Clar. MS. 7, ff. 80-83, Secret Instructions for Aston, 15 August 1635; P. R. O., SP 94/37/312, Private Instructions for [Boswell?], [1635]; Clar. MS. 16, ff. 35-7, Instructions for Hopton, 26 March 1639.

109 Clar. MS. 11, f. 119, Aston to Windebank, 22 March/1 April 1637; Ibid., f. 128, Same to the same, 15/25 April 1637.

110 B. L., Add. MS. 36,450, f. 127, Aston to Arundel, 15/25 April 1637.

111 Bodl. L., Clar. MS. 11, f. 150, Windebank to Aston, 29 April/9 May 1637; Clar. S. P. I, p. 775, Aston to Windebank, 21 June/1 July 1637.

112 Bodl. L., Clar. MS. 14, f. 63, Taylor to Windebank, 2/12 May 1638.

113 Horn, op. cit., pp. 186-9 gives several examples. He quotes Sir Charles Webster's view that it was not until Palmerston's time that Foreign Secretaries realised the need to keep ambassadors fully informed of developments at other courts. C.K. Webster, The Foreign Policy of Palmerston I, p. 71. M. Lane, 'The Diplomatic Service under William III', Trans. R.H.S. X (1927), pp. 89-90, emphasises the tight control kept by William III and Blathwayt over foreign negotiations, so that even the Secretaries of State were ignorant of policy decisions and of treaties.

114 P.R.O., SP 16/295/36, Coke to Windebank, 5 August 1635.

115 See, for example, HMC 23: Cowper II: p. 26, Windebank to Coke, 25 July 1633; Ibid., p. 86, Same to the same, 4 August 1635; Clar. S.P. I, p. 302, Charles I to Windebank 9 August 1635, "I send you here enclosed such letters as Witherings gave me that were directed to Weckherlin, those that came from France and Brussels to him I gave him back unopened that he might not be too much startled by missing all his letters, these I think are only news, but because I had not patience to read them all I send them to you to examine; they are only from Germany and Holland." This episode scarcely bears the sinister interpretation placed on it by Mrs. Higham, op. cit. p. 96, "It was a sorry state of affairs when a government official was liable to such espionage at the hands of another official, and when the King himself was a party to the trick."

116 Bodl. L., Clar. MS. 7, f. 35, Charles I to Windebank, 6 August 1635. "I have thought it necessary to tell you that Holland, seeing me read some of Hopton's letters, I judged it fit to give him some of the smallest importance of them to send back to you, to keep jealousies out of his head..."

117 Hopton and Aston frequently referred Weston and Cottington to the detailed despatches sent in cipher to Windebank. See, for example, Clar. S.P. I, pp. 87, 161, 218, 219, 240, 241; II, p. 2; P.R.O., SP 94/37/63, Hopton to Weston, 7/17 July 1634.

118 His name is erased from the 1634 and 1638 lists of members, and he was not a member in 1639. P.R.O., PC 2/44/1, 3; 49/1; 51/1. It seems likely that he did not rejoin the Committee until early in 1640, P.R.O., SP 94/41/291, Hopton to Cottington, 12/22 March 1640, congratulating him on his membership.

119 Sydney Letters II, p. 620, Northumberland to Leicester, 5/15 December 1639.

120 P.R.O., SP 84/151/1, Windebank to Boswell, 1/11 January 1636.

121 Sydney Letters II, p. 568, Leicester to Windebank, 31 August/ 10 September 1638.

122 Evans, op. cit., p. 104.

123 Windebank's views are endorsed by A. V. Judges, op. cit., and Robert Ashton, op. cit.

124 Evans, op. cit. p. 104.

125 Mrs. Higham quotes some of these requirements on pp. 94-5, but some of her comments on pp. 104-5 are not consistent with her apparent acceptance that they were operative.

126 In any case, there was little immediate urgency in the negotiations of the 1630's, and the loss of a few days mattered little when despatches to Spain took anything between four weeks and three months to arrive.

127 The only exception is the case of Arundel's despatches, see above, p. 155.

CHAPTER V

SIR FRANCIS WINDEBANK AND THE FOREIGN POLICY OF THE PERSONAL RULE: THE PALATINATE

When Windebank took office in 1632, Charles I and his leading ministers were already embarked upon the policy of peace and non-intervention in Europe which had followed the dissolution of Parliament in 1629 and the treaties of Susa and Madrid. Although there were divisions of opinion within the Privy Council, the most influential members of the government including Weston, Laud, Cottington, Wentworth and the Earl of Arundel remained convinced throughout the 1630's that England should avoid involvement in the European war, and Windebank was in sympathy with this view.[1] Indeed, it seems likely that this attitude was not restricted to a small group at the centre but formed part of a general decline in enthusiasm for war.[2]

To the King, non-involvement did not mean inaction, however, and the considerable amount of manpower, money and time devoted to foreign affairs during the Personal Rule is an indication of the wish to settle the problem of the Palatinate by negotiation, and of the determination to protect more vital English interests and to reap the material rewards of neutrality.[3] During the period of Windebank's Secretaryship there are several indications of the importance attached to foreign affairs. A substantial diplomatic force was maintained, thirty-nine men having undertaken some fifty missions.[4] In a period of financial stringency the King was prepared to spend relatively large sums on this establishment. In 1631-5, for example, when the total Crown revenue averaged about £618,000 per annum,[5] the average annual expenditure on salaries and allowances to ambassadors and agents was £20,000.[6] This rose in 1636-7 to £48,601, when it amounted to nearly eight per cent of the Crown's total expenditure, falling again in 1637-8 to £36,138.[7] If ambassadors and agents had actually received the whole of the allowances to which they were entitled, the proportion of the King's annual expenditure devoted to diplomacy would have been considerably higher.

Although the Committee for Foreign Affairs was not entrusted with all the secrets of the King's foreign policy, it was nevertheless the most powerful of the Standing Committees of the Privy Council, and it is significant that it was this committee that was popularly known as the Junta, or Cabinet Council, and that the influence of its members extended far beyond routine decisions relating to foreign affairs.[8] The amount of time and attention devoted to foreign policy by the King was considerable. He regularly read and commented upon despatches sent to both Secretaries of State by ambassadors and agents abroad, and supervised the framing of diplomatic instructions. From 1633 until 1639, when events in Scotland became the most pressing problem of state, Windebank's letters to the King were almost wholly concerned with foreign affairs.[9] Moreover, since Charles I was wary of conferring extensive powers on his representatives abroad, a good deal of negotiation was conducted by Windebank in London under the King's supervision.[10]

The policy which monopolised so much time has received little praise from historians. Gardiner was outspoken in his contempt for Charles's conduct of foreign affairs:

> "His knowledge of foreign nations was most elementary, with their aims and struggles he had no sympathy whatever. James had made many mistakes, but at least he had a European policy. Charles had no European policy at all. The one thing for which he cared was the re-establishment of his sister in the Palatinate. His object was merely dynastic. How it would affect Germany, even how it would affect England, were questions which he never thought of proposing to himself." 11

Seeley similarly emphasised the dynastic and personal nature of the policy and castigated the King for pursuing "his confused system, in which the ends and the means are almost equally unjustifiable and inexplicable."[12] Although no major survey of Early Stuart foreign policy has been undertaken in the present century, many later writers followed Gardiner in condemning Charles I for a policy that was ineffective and inconsistent. The 1630's in particular are generally relegated either to the limbo of silence or

are covered in a few dismissive phrases, and for nearly a century the vocabulary of failure has usually been used to describe the diplomacy of the Personal Rule.[13] Although still critical, C. V. Wedgwood assigned greater domestic significance to Charles I's foreign policy by ascribing to it considerable responsibility for provoking the outbreak of the Civil War.[14] Recently a more objective and less censorious attitude has become evident, particularly among writers primarily concerned with the economic and strategic aspects of the events of the 1630's in Europe.[15]

It is easy to criticise the policy and difficult to avoid the conclusion that much of the criticism is justified. It is perhaps worth remembering, however, that once the decision had been taken to rule without Parliament very few alternatives were open to the King in foreign affairs. The policy of the 1630's was, and had to be, one of retreat from commitment, since the limited financial resources of the Crown were already largely pre-empted for the day to day expenses of government.[16] This did at least save the government of the Personal Rule from incurring the odium that resulted from the disastrous military exploits of the 1620's. The need to abstain from war might have led to an isolationist policy, but the King did not adopt this course; instead he felt at liberty to indulge in elaborate and many-sided diplomacy. Monarch of a Protestant state, yet untroubled by anti-Catholic bigotry; King of England and married to a French princess, yet free from anti-Habsburg prejudice, he was not conditioned to join one league rather than another. To the disgust of many contemporaries and later historians alike, he conducted negotiations with the Habsburgs and with their opponents and committed himself finally to neither side. Resolutely neutral, repeatedly proclaiming his desire to assist in securing a general peace in Europe, he urged the need to reinstate his nephew in the Palatinate as an essential part of that peace.

Gardiner's allegation, repeated by Seeley, that the Palatinate was the chief object of Charles I's foreign policy[17] is apparently supported by the prominence accorded to it in diplomatic instructions and correspondence. In spite of all the "busy diplomacy" that resulted, however,[18] and in spite of

the King's conviction that honour and justice required that the penalties imposed upon Elector Frederick should not be perpetuated throughout the lifetime of his son, Windebank's correspondence reveals that the restoration of the Palatinate was for Charles I a matter for discussion rather than for direct action. The material resources and diplomatic commitments that he was prepared to devote to his nephew's cause remained largely undefined but were clearly very limited. His efforts to secure the maximum advantage for the Prince Elector at the minimum cost to himself, while England in the meantime reaped considerable material benefits from neutrality, did not increase his popularity with the combatant European states. It may well be argued, however, that the King was justified in refusing to hazard his own position at home and incur unwelcome obligations abroad in an attempt to achieve an objective that was not of primary importance to England.

Superficially, it appears that the pattern of English negotiations was largely determined by the interests of the Palatinate, and this resulted in alternate swings towards a Habsburg or an anti-Habsburg alliance. Below the surface, however, lay a consistent concern for the fate of Flanders and the development of English trade that called for limited co-operation with Spain coupled with perpetual neutrality. Five partially overlapping phases in English foreign policy between 1632 and 1640 may be identified. When Windebank took office in 1632 the first phase was coming to an end. The King's Swedish negotiations, which had begun in 1631, were about to founder through English inability to provide substantial military support for Gustavus Adolphus, and through Swedish disinclination to conduct an altruistic crusade for the recapture of the Palatinate. The death of both Gustavus Adolphus and the Elector Palatine in November 1632 dealt another blow to this policy, which had already been abandoned by August 1634 when the decisive Habsburg victory at Nördlingen ended Swedish ascendancy in the war in Germany.[19] Meanwhile, the English interest in Flanders was represented by secret negotiations through Gerbier and Coke to assist an abortive scheme for the liberation of Flanders from Spain, with the aim of

securing reunion between the North and South Netherlands.[20]

In the second phase, which lasted from 1633 until 1636, the King and Windebank were chiefly engaged in negotiations with the Habsburgs.[21] Desultory and inconclusive discussions about the Palatinate gave way early in 1634 to detailed Anglo-Spanish negotiation for the provision of a fleet designed to counter the growing naval strength of Holland and France, and to raise the blockade of the Flemish coast. These discussions resulted in a set of draft treaty articles, and a fresh incentive was provided by the discovery in 1634 of Franco-Dutch plans to invade Flanders. The Habsburg victory at Nördlingen had a two-fold outcome: the progressively spreading reconciliation between the Emperor and the German Princes begun by the Elector of Saxony's signature of the Peace of Prague in 1635; and the conclusion of a French alliance with Sweden followed by France's declaration of war on Spain. The Franco-Dutch invasion of Flanders in May confirmed English suspicions, while the failure of that attack and the invasion of France by the Cardinal Infante in 1636 together encouraged England to aid Spain by ensuring a continued flow of men and money through the Channel to Flanders. For Charles I, the chief significance of the Peace of Prague lay in the Emperor's confirmation of the Duke of Bavaria in possession of Palatine territory and the Electoral vote. The failure to secure a reversal of this decision by negotiations in Germany in 1636 led to a revulsion of policy in favour of France.

Since 1634 French diplomats in London had been angling for an English alliance, countered by Charles I's demands for the restitution of Lorraine.[21a] The most active phase of the French negotiations occupied only a few months of 1637, during which a draft Anglo-French treaty was framed and referred to the conference at Hamburg. Similar negotiations with the United Provinces for a joint attack on Spain remained inconclusive, because mutual distrust and the rivalry over maritime sovereignty continued to govern Anglo-Dutch relations. French sincerity had been suspect from the outset, and Charles I's inclination towards Spain rapidly reasserted itself in direct discussions with Oñate, the Spanish Ambassador in London, though

these foundered once again on the rock of English neutrality.

There was then a period of stagnation in 1638-9, during which the Anglo-French treaty hung fire at Hamburg and Spanish ministers were out of favour in London, although Hopton made some progress with Olivares in Madrid. Growing disorder in Scotland provided fresh cause for avoidance of continental commitments by England, though Charles I encouraged Princess Phalzburg's negotiations in Brussels, which revived the proposal for the return of Lorraine as well as the Palatinate. On the continent, the Habsburgs suffered reversals as Bernhard of Saxe-Weimar's army, subsidised by France, captured Rheinfelden early in 1638 and Breisach and other fortresses by the end of the year. The Cardinal Infante, however, held his position in Flanders.

The last year of Windebank's Secretaryship witnessed a tentative rapprochement with Spain, following the decisive defeat of Oquendo's armada in the Downs in October 1639. The early months of 1640 saw rival marriage proposals for an English princess, firstly from the House of Orange, and secondly for a Spanish marriage, initiated by England. By the summer of 1640, however, domestic problems loomed larger than any other consideration, and although abortive discussions with the Spanish Ambassadors in London centred on a further strengthening of the fleet, the failure to secure a Spanish subsidy had more significance for Charles I's domestic predicament than for his foreign policy.

Perhaps the clearest statement of Charles I's position in relation to the Palatinate was made by Windebank to Aston in 1636:

> "They need not doubt of his Majesty's reality herein, seeing that he labours for nothing but the public; and, setting aside the bond of consanguinity, which seldom sways when reason of state or private interest intervene, the Palatinate itself is as remote from his interests as it is from his dominions. Besides, the wars and distractions of his neighbours are a security and advantage to his estates and subjects; and, by this means, trade is secure only here, and his subjects have at this day the commerce of all Christendom, to their infinite enriching." 22

Paradoxically intended to be used as a reassurance to Spain of the King's good faith, it sets out rather the reasons for his perpetual unwillingness to commit himself too precisely. Aston had no hesitation in using this argument in his attempts to dissuade Olivares from expecting too much from England in the way of a secret treaty,[23] and repeated to Arundel his conviction that any treaty between England and the House of Austria could only succeed "where mutual interests are equally considerable": this did not apply to the Palatinate.[24] There was no doubt in the minds of informed observers like the Venetian Ambassador that the cause of the Prince Elector was far from paramount:

> "... they do not attach so much importance to the interests of the Palatines that it is likely they will purchase them at the price of a league which will directly compel the crown to involve itself in the war, to the manifest disarrangement of domestic affairs, to the successful control of which his Majesty's thoughts are entirely directed. It is therefore improbable that he will abandon them merely for this affair ..." 25

Nor did he believe that protestations in England of a desire for a general European peace should be taken at their face value.[26] Indeed, in a frank moment, Windebank revealed to Aston the reality behind his frequent official assurances that the King desired nothing more than the peace of Christendom, prefaced by the restitution of the Prince Elector:

> "Concerning the negotiation by the Nuncio there for a suspension of arms, I wish it may not succeed (which I speak as a servant of the crown of England, and knowing how much it must be to his Majesty's advantage that the rupture between France and the House of Austria continue) ..." 27

For most of his period of office Sir Francis was the channel through which negotiations with the Habsburg powers were conducted. The despatches exchanged between Windebank and the English Ambassadors in his charge throw a good deal of light upon English relations with Spain and the Empire in the 1630's, and provide many examples of the mood in which they were conducted. The information and advice given to the King provides some measure of his awareness of the contemporary European situation,

and the extent to which Charles used or ignored this advice when shaping his policy demonstrates the similarities and differences between the King's attitude and that of his ministers and representatives abroad. Moreover, Windebank's correspondence with the ambassadors in Spain reveals that his own feeling for that country was a good deal more sceptical and realistic than is suggested by those who adopt the easy course of labelling him as a member of the "Spanish faction".

Sir Francis's opening despatch to Hopton in February 1634 was designed to inform him of the recent secret negotiations with Necolalde, the Spanish Ambassador in London,[28] and contained a brief recapitulation of the negotiations relating to the Palatinate since 1630.[29] The simultaneous dealings with Spain and the Empire on one hand, and with Sweden, France and Holland on the other, condemned so contemptuously by Gardiner,[30] were represented as being justified by the changing European situation. English coolness towards the Habsburgs resulted from excessive demands by the Emperor, while the opening of negotiations with Sweden in 1631 was consequent upon the capture of the Lower Palatinate by Gustavus Adolphus.[31] Nevertheless, some continuing contact with the Emperor was desirable, since only he could legally confirm the Prince Elector in possession and declare him free of the ban imposed on his father. Since the future loyalty of the Prince Elector was one of the arguments for his reinstatement, Charles I gave an assurance that if his nephew secured his inheritance through another agency, he would acknowledge "as much obligation to the Emperor as if he had received possession immediately from his hand."[32]

Windebank was justifiably sceptical as to whether these somewhat specious arguments had been favourably represented to Madrid by Necolalde, and Hopton's first task was to urge "how little reason there is to bar a dispossessed Prince to negotiate for his own, wheresoever he finds it."[33] This phrase is the key to one aspect of the Janus-like character of the discussions over the Palatinate in the 1630's, and it indicates the reservations that were always implicit in English negotiations with the Habsburgs: no matter how much Necolalde might protest that his masters

would resent the acceptance by the Prince Elector of any part of his lands from their enemies, Charles I felt bound to negotiate for possession "from those that can give it."[34] English commitment to the House of Austria was never to be as deep as Madrid or Vienna could have wished, or as their opponents sometimes affected to believe.[35] Similarly, Charles would not commit himself wholly to the anti-Habsburg powers, since they could not grant legal reinstatement or the return of the Electoral vote.

Spanish suspicion and Necolalde's ill-humour had resulted in a period of coolness in 1632-3, but recently Necolalde had made fresh overtures for a closer association between the Emperor, Spain, England and the Prince Elector,[36] and Charles I had indicated his willingness to treat once more "so as the conditions might be as he pretended."[37] It is clear from Windebank's despatch that the Palatinate was at this stage no more than a bargaining counter in the discussions: the real impetus to action on both sides was common concern over a fresh change in the fortunes of war in an area that was considerably more vital to England. The Spaniards found themselves increasingly hard-pressed in Flanders, and alarm was mounting among Charles I and his advisers at "the growing greatness of the States" and the ambitious policy of the French king that was giving good cause for both England and Spain to "consider him as a dangerous neighbour".[38]

The main business of the highly confidential negotiations between Necolalde and Weston, Cottington and Windebank was the provision of an English fleet to secure the coast of Flanders, and it was explicitly recognised on both sides that while action on this was urgent, the matter of the Palatinate was likely to be considerably more protracted.[39] Charles was nevertheless asked to state his demands on behalf of the Prince Elector, but was not to be pressed too strictly - it was enough at present "to keep him from the other leagues".[40] Four requirements were listed by Windebank: a public declaration by the Emperor that the Prince Elector was not included in the ban pronounced against his father; speedy investiture of the Prince with part of his lands, particularly the Lower Palatinate, in return for the customary declarations of fealty; effective prosecution of some means to

restore the Prince Elector to the rest of his estates; and the formulation of some treaty providing for the restoration of the Electoral vote to the Prince and his heirs.[41]

Hopton's reply to this briefing was not encouraging. Although he would have welcomed a solution of the problem of the Palatinate by means of Spanish intervention, he was not hopeful that this could be achieved. He did not shrink from saying so, so that neither the King, nor Windebank, nor any other of Charles I's leading ministers to whom the Spanish correspondence was shown could have had any false hopes. He made his opinion clear at once:

> "I could never find reason to affirm that their hearts are right towards us in the matter of the Palatinate. In other matters which properly concern the two Crowns, I cannot discern but their correspondence is very firm. And now, if I be not deceived, you will find they will rather procure to give the King of England satisfaction by a capitulation for money than in that business..." 42

He stressed that Spanish good offices in the matter of the Palatinate were directly related to Spanish need of English assistance in Flanders and Germany, and to their confidence in Charles I's good intentions.[43] To Cottington he urged a course of action that was almost exactly the opposite of the one adopted by the King; acceptance of a gradual restitution of the Palatinate by stages, in return for concessions to the House of Austria, and some acceleration in the pace of negotiations in order to forestall possibly unwelcome developments in Germany.[44] If his nephew's cause had genuinely been the first priority of Charles I's foreign policy it might have been better if more heed had been taken of this advice, in view of the events of 1635-6, when the Peace of Prague and the Emperor's reply to Arundel strengthened the Duke of Bavaria's hold on the Palatinate.

Since Hopton himself had no powers to negotiate on the subject in Madrid, he could do no more than keep the topic alive in informal conversations with Olivares, and these gave little cause for optimism. Windebank was advised that the Spaniards would not intercede directly with

the Emperor on behalf of the Prince Elector, and that although they were willing to second an application made by England, they would do nothing to offend either the Emperor or the Duke of Bavaria. It was not difficult to infer from this that Spanish representations at Vienna were likely to be at best little more than a formality. The Lower Palatinate would undoubtedly be used as a bargaining counter with England, "but I cannot say at what price".[45]

The King's response to this news was to instruct Hopton to inform Olivares unofficially of recent French and Dutch overtures, "the fairest, and most direct and considerable that hath been yet made", for a joint alliance with England and the Protestant Princes of Germany to recover the Palatinate by force, while at the same time assuring him that these overtures should be accepted only if no satisfactory agreement was made with Spain.[46] The Spaniards never reacted favourably to news of English dealings with France: instead of improving their offers to outbid their rivals they took it as further evidence of English perfidy and withdrew to a more remote diplomatic distance. It is not clear whether the King realised this, but Hopton did not fail to point it out. However fair the offers from France, Charles was indeed unlikely to accept them if they involved war, and he had every incentive to maintain good relations with Spain, however intransigent their attitude over the Palatinate, since he was still pressing for the conclusion of the secret maritime treaty, a matter of greater English concern in view of recent French and Dutch activity in the Channel.[47]

An attempt by the Prince Elector to force Charles's hand by threatening, if assistance was not forthcoming from his uncle, to throw himself upon French protection and go in person to the Palatinate, brought an instant counter-threat of repudiation from Charles, backed strongly by the Foreign Committee.[48] Youthful impatience could not be allowed to upset the network of projected treaties that involved tangible material and strategic benefits to England.

Windebank's next despatch contained a series of brisk and

unflattering comments by the King on the current Spanish proposals, and a clear recognition that the Spaniards intended to "entertain him with hopes only to gain time and to work their own ends":

> "... and their overtures now are no other than such as have been often made, and are at this time less considerable than ever, for certainly they mistake their reckoning very much, if they think they hold any thing in the Lower Palatinate, or can dispose of any one village there, seeing it is all divided between the Administrator and the French." 49

Nevertheless, Hopton was instructed to discover more precisely what conditions Spain expected from Charles in return for the restitution. Since the Prince Elector was soon to come of age, and would then formally demand investiture of his title and territories from the Emperor, there was no point in hazarding the chance of achieving a peaceful and legal settlement.[50] Despite Windebank's suspicions of Necolalde's duplicity, Charles at this time still seems to have believed his assertions that the Emperor and the King of Spain were shortly to invite England to participate in "a very strait league" recently concluded between them.[51] This leisurely tempo was maintained throughout the first half of 1635, and beyond the formal application to the Emperor, no immediate action was envisaged. Throughout the spring, Hopton's despatches were concerned almost entirely with the maritime treaty, the affairs of English merchants and Spanish military preparations.[52]

The declaration of war by France on Spain in May 1635 provoked a revival of English diplomatic activity in which the Palatinate played at first a small and then an increasingly prominent part, so that from June 1635 until the end of 1636 the affairs of the Prince Elector figure largely in the instructions drawn up for ambassadors sent to the Habsburg powers and to France. Initially, the Palatinate was a relatively minor feature of a much wider concern about the impact of the war on English interests. Aston was to be sent to Spain and Scudamore to France to discover what they could of the opposing forces and plans of the combatants, and the probable effects of the war on English merchants.[53] As far as the Palatinate was concerned,

Charles I hoped eventually to derive some advantage from one side or the other according to the fortunes of war. Aston was to exploit any Spanish anxiety or military reverse,[54] and Scudamore's task was to find out what plans, if any, had been made for the Palatinate in French agreements with the Protestant German princes, with the Swedes, the Catholic League, or even with the Emperor himself.[55]

Neither of these assignments was particularly urgent, but within less than a month a more pressing reason for action had presented itself, for news had reached England of the Peace of Prague between the Emperor and the Elector of Saxony, by which the Electoral vote of the Palatinate was settled upon the Duke of Bavaria, together with a substantial part of the Palatine territory, both of these being vested in the Bavarian house to the permanent exclusion of the Prince Elector.[56] No advance warning of this had been sent from Spain, although Hopton had reported rumours that the Electorate was to be conferred upon Bavaria, and dark hints had been dropped by Olivares.[57] Neither Hopton nor Windebank had any hesitation in attributing to Spain a good deal of responsibility for the terms of the treaty, and Hopton made it clear to Olivares that "it had undeceived us, and had set the King of England at liberty, having now no pretensions in the world".[58] Windebank agreed with this view:

> "I am clearly of your opinion ... that it was done with their knowledge and, in likelihood, consent; nay, for myself, I verily believe the consultations themselves were hammered and resolved on in Spain; so we are likely to have very good intercessors of them." 59

The Conde Duque then aired a proposal that the King of Hungary should confer on the Prince Palatine and his heirs, as a loan, the Electoral vote of Bohemia, to be held by his house as long as the Empire continued in the House of Austria; and that the Prince should be supplied with an estate out of territory conquered by the Spaniards.[60] Windebank's comments on this proposition were scathing:

"... and for the estate to stand to their courtesy, to gather up the gleanings of their conquests, are such rhodomontades as none but Spaniards would offer to persons of less quality than those of the blood royal. Besides, this offer of a chimerical Electoral dignity, with an imaginary estate, and likewise the former speculation of Limbourg, are evident demonstrations that their only end is to feed us with fancies and to amuse us, to gain time; and that they are so far engaged to Bavaria that they intend nothing less than any real restitution of the Prince Palatine to his own hereditary dignities and territories, or any medium or accommodation worth the consideration." 61

His advice to the King, later relayed to Hopton, was that the suggestion should not be rejected out of hand.[62] Any opportunity that offered itself should be explored as the prelude to a further advance when circumstances became more propitious:

"This motion, if it be real, is not altogether to be despised ... for this clearly implies a taking off of the Imperial ban, otherwise the Prince Palatine cannot be capable of the Electoral voice of the Crown of Bohemia: and this is one good step, which, if it were gained, would facilitate the way to the estate itself, without being beholden to the Spaniards for the leavings of their conquests. For, besides the hope of the Prince Palatine were rectus in curia of returning to his own estate, I have heard it is a maxim in Germany, that an Elector cannot long want an estate." 63

With this view Hopton concurred, and he repeatedly recorded his hopes that Spain would offer, and Charles I would accept, some interim settlement.[64] As long as Spain had hopes of successfully pursuing the war against the Dutch, Olivares was bound to make every effort to recover and retain control of the Lower Palatinate.

Windebank warmly commended to the King Hopton's assessment of the situation immediately following upon the Peace of Prague.[65] He stressed the Spaniards' "great desire to be doing with the French in Italy", restrained for the moment by their apprehension lest the English should take such offence at the terms of the settlement in Germany as to embark on hostilities.[66] Since Spain was unlikely to take on England and the Italian campaign at once, the Italian ministers in Madrid, particularly the Venetian

Ambassador, were working to transfer the war from Italy to England by exaggerating the affront done to Charles I, while the Papal Nuncio was labouring diligently to reconcile the differences between France and Spain.[67] To Windebank and the King, acutely sensible of the increasing power of France, this advice provided a strong inducement to remain at least outwardly amiable towards the Habsburg powers. Hopton allowed himself to take a relatively optimistic view for the moment, suggesting that the situation also provided an incentive for Spain to make some more positive effort to win over Charles I. He urged the acceptance of such compromise offers relating to the Palatinate "as might satisfy the King of England in point of honour and the Prince Palatine in point of interest". Military action, in his opinion, was likely to cost dear and achieve little.[68] Hopton's final word before Aston took over marks a return to his former pessimism. While still believing that the Spaniards would always hold something in reserve with which to win back Charles I if they saw him in danger of being lost to their opponents, he emphasised once again their preference for securing their ends by other means. Spain and the Emperor would make every effort to prevent Charles I from intervening effectively on behalf of the Prince Elector, in an attempt to force him to abandon his nephew's cause. The Palatinate was seen in Spain not as a means of securing closer association with England, but as an obstacle to the conclusion of an Anglo-Spanish treaty founded on interests common to the two states:

> "... they here are confident that the common interests of the two Crowns would bring them to the straitness they desire if the impediment of the Prince Palatine's business were removed, either by accommodation or by loss of all hope." 69

Only if Spain and the Empire were bereft of all other aid would they contemplate the former course: Hopton believed that the latter was far more probable.

In England, meanwhile, the additional instructions already drawn up for Aston and Scudamore to take cognizance of the Peace of Prague were sufficiently mild in tone to need no revision in the light of Hopton's advice.

Spain was reproached for the ill offices done by Necolalde in obstructing Charles I's correspondence with the Emperor on the subject of the Palatinate,[70] while France was blamed for having abandoned the cause of the German Princes and reminded of the strategic value of the Palatinate to France in the present war.[71] Surprise and reproach was also the keynote of the messages to be delivered by John Taylor to the Emperor.[72] The secret instructions drawn up for Aston by Windebank in August 1635 reveal the lack of substance upon which this new round of negotiations with Spain were based. Aston had nothing to offer but the most general assurances of friendship and unspecific promises of aid. Precise reference was made to past rather than future benefits, particularly to the value of the services rendered by the English fleet.[73] Charles I's verbal instructions seem to have contained nothing more solid in the way of offers, but required Aston to press Spain for a definite commitment, and to discover what he could "of the bottom of their resolutions".[74]

Aston recorded his cordial reception in Spain in October 1635, but reserved judgement on Spanish intentions. Individual Councillors of State and other officials were grateful for the actions of the fleet in the summer[75] but Olivares was more inscrutable, and in December Aston was still uncertain "whether their counsels keep them still at the same distance ... or whether the necessity of their affairs will draw them to more reality ..."[76] The formal request for Spanish support for the Prince Elector's petition to the Emperor contained a proviso that was to render most of the negotiation with Spain abortive from the start: the Imperial ban was to be removed before the terms of a treaty were discussed.[77] After an exchange of notes designed to clarify the wording of this request,[78] the King of Spain returned a reply that was almost equally hedged about with reservations.[79] Disappointed, Aston urged more speedy and decisive action by the King in the framing of a treaty in England so as to convince Olivares of English good faith.[80]

Although personally eager for an alliance with Spain, Aston was neither naïf nor inexperienced, and while awaiting further developments he

used various stratagems to test the sincerity of Spanish professions of friendship.[81] Despite his enquiries he could discover nothing to justify his lingering scepticism, and by April 1636 he was forced to conclude that "if their hearts be not according to their language there is a conspiracy of dissimulation amongst them beyond belief".[82] Two months later, however, came the first reports of overt ill-humour on the part of Olivares,[83] who lost no opportunity in November of making political capital out of Arundel's mission to Vienna. Discovering that Aston had no news of his proceedings either from England or from Austria, Olivares used the despatches from the elder Oñate to undermine the English ambassador's confidence. For many months Aston was reduced to making loyal but uninformed public assertions of support for Arundel, and private appeals to Windebank for reassurance that no radical alteration in policy had taken place.[84]

From the beginning, Aston had made no secret of his conviction that in relation to the Palatinate the King could not hope to achieve speedy results, and could not expect to get something for nothing.[85] He warned Windebank that Spanish goodwill towards the Palatinate depended heavily upon the prospect of concluding treaty arrangements with England, and if this failed, "his Majesty shall lose time in expecting anything to his further satisfaction in that business from hence".[86] Like Hopton, he stressed that Charles I needed to offer an advantageous alliance so that "they may have ground boldly to tell the Duke of Bavaria they will not lose so great a benefit to the House of Austria to comply with all his pretensions."[87] Habsburg sensitivity to the power of Bavaria was particularly acute in 1636 in view of the impending election of the King of the Romans. Until this was safely past there was no prospect of Spain's undoing the hard labour of the elder Oñate, who had been ordered to secure the Bavarian vote on any reasonable condition.[88] This point had been stressed by Hopton as early as January 1636, and makes the timing of Arundel's mission to Vienna all the more inopportune.[89]

Aston could see no alternative but that Charles I should be content to accept a partial satisfaction of his demands on behalf of the Prince Elector,

in return for concessions to Spain. He advised the King in March 1636, before Arundel left England, that the most that could be hoped for was the removal of the ban and the cession of that part of the Prince Elector's estate then in Imperial or Spanish possession. If Charles insisted on pressing for the whole restitution "without going less", the Spaniards would break with England rather than Bavaria, though "their desire is to hold both and to oblige both as much as they can".[90] The advice was repeated in December, when Aston urged upon the King the same course that had already been advocated by Windebank and Hopton.[91] Despite all evidence to the contrary, both Hopton and Aston retained the forlorn and mistaken hope that Charles might eventually adopt this advice.[92]

Not unreasonably, Aston felt that lack of information about Charles I's wishes and intentions provided a major obstacle to a continuation of active negotiations. From the outset he had felt that his inability to be specific had inhibited the Conde Duque from dealing more openly with him, and had led on more than one occasion to missed opportunities.[93] Windebank's regrets that he had not, nevertheless, taken the chance of discovering more about Spanish intentions were the more real in that he himself had been unable to extract any significant statements from Oñate, the Spanish Ambassador in London: "... I wish you had by way of discourse put him to it, seeing this is the very knot of the business, and such a discovery had brought the treaty to a speedy issue: which is the point his Majesty hath all this while laboured to gain."[94]

Although Aston was perhaps unduly cautious in his wish not to exceed his instructions and not to run the risk of entangling Charles I in any unwelcome commitments, he can hardly be blamed for this.[95] In the same letter in which Windebank had exhorted him to interpret his commission more freely, Aston was also taken to task for an apparently incautious reference to the nature of the league in prospect between England and the Habsburgs.[96] Windebank's admonition was scarcely calculated to encourage an adventurous approach.[97] Aston took the reprimand badly, and thought it unreasonable in view of the established techniques of negotiation in Madrid,

with which Windebank was perfectly familiar:

> "... I beseech your Honour be pleased to know, that whatsoever I shall have order to represent, that you would have notice taken of, must either be represented by paper, or dieth in the place; as likewise whatsoever I shall have to negotiate, if I intend to hear further of it; and therefore I most humbly desire your Honour to free me from falling into this error, by pleasing to give me your particular order for what you will not have me represent by papers." 98

This was not the first episode of its kind,[99] and the excessive sensitivity displayed by the King and Windebank to any communication with the Spaniards that was not oral and couched in the most general terms was one of the circumstances that eventually caused Aston, as it must long since have caused Olivares, to wonder whether there was any reality behind the embassy at all, and any point in continuing it.[100] In September 1637 he confessed to Cottington his uncertainty about the whole enterprise:

> "I never have clearly understood what his Majesty for the present would be contented to accept of for satisfaction from Spain, nor what content to return them; and so am not able to give any judgment of the business, nor to make a home discovery of the Conde's heart, for generals are answered with generals ..." 101

In the spring he had been taken aback by news of the Prince Elector's protest against the election of the King of the Romans, and asked for directions and earlier warning of similar developments.[102] His opinion, once the protest had been made, was that the door had now been closed to further negotiation with the Emperor and that Charles, having backed his nephew, could only "run constantly on in the severe way", since he would otherwise lose what little credit remained to him in Spain.[103] Nevertheless, if the "severe way" were to result in war then Aston saw little hope of any satisfactory accommodation,[104] and he remained convinced that violence would achieve little more than the dubious satisfaction of revenge.[105]

In May he wrote personally to the King to appeal for direction,[106] and when Windebank finally broke the silence imposed on him by Charles, it was to reveal that while Aston had been chafing uselessly in Madrid the King

had taken matters into his own hands and had been negotiating through Windebank with the Spanish Ambassador in London.[107] Discussions had come to a sudden end when it was revealed that the Spanish price for the restitution of the Lower Palatinate was nothing less than an English declaration of war on Holland.[108]

Aston thereupon asked for his recall,[109] and between October 1637 and his departure in February 1638 he made little effort to bridge the widening gap between himself and Olivares. His reports to Windebank record his determination to remain aloof from the Spanish Court until some clear instructions arrived from England or fresh overtures came from the Conde Duque.[110] By December 1637 he had almost ceased to write of the Palatinate, and his despatches were concerned almost solely with the affairs of English merchants.[111] For his part, Olivares was reported as feeling that there was little to be done in Spain since the scene of discussions with England had shifted to Flanders.[112] The extreme "deadness and coldness" of Spain towards England was ascribed to Charles I's approaches to France, which abundantly confirmed Spanish distrust of English sincerity.[113] If ever the business was reopened, Aston urged that "there may be made unto them offers of their profit".[114] It is perhaps significant that Aston's inactivity was taken so calmly in England. No reprimand came from Windebank or the King, neither did they send him fresh instructions.[115]

When letters of revocation were sent to Aston in February 1638 his successor had already been chosen,[116] and in spite of his eagerness to return to England Hopton's appointment to Madrid was something of an unpleasant surprise. Aston had clearly not expected to be superseded at all,[117] and apart from the personal injury he saw it as a diplomatic error in that it gave the Spaniards too easy a reassurance of Charles I's continuing friendship despite their uncooperative attitude.[118]

Although the arrival of a younger and healthier ambassador might have been expected to result in a revival of active discussions about the Palatinate, Hopton's despatches to Windebank show that for the best part of

a year after his appointment very little more occurred than in the closing months of Aston's stay. Most of his letters contain general news of the war and accounts of English merchants' business,[119] and he attributed much of the inaction over the Palatinate to the stubbornness of Olivares.[120] Windebank reported similar inactivity in England.[121]

Hopton passed the winter of 1638-9 as a spectator of negotiations over a proposal that Spain should retain part of the Palatinate while the war continued, to secure the route through Germany, but should allow the Prince Elector to live there and hold one or two cities on condition that he did not embark on any hostilities. Spain would provide an income of 100,000 or 200,000 crowns a year, and an electorate might follow in due course.[122] Hopton felt that this would be a good bargain financially[123] but was sceptical as to the chances of success, particularly since the negotiations were being conducted by Semple, a Scottish Jesuit, described as "vain and ambitious", and Lord Buchan, who seems to have provided himself with forged credentials as evidence of his powers to treat. Predictably, the scheme had collapsed in ruins by the spring.[124]

Late in 1638 a move towards rapprochement came from Charles I, who ordered that Hopton should be informed of Princess Phalzburg's propositions, and should make an offer to treat with Spain on this basis, provided that Cárdenas, the current Spanish Ambassador in London, was recalled.[125] Almost simultaneously, Olivares indicated his willingness to negotiate secretly with Hopton: "It shall not engage anybody, it shall not oblige you to give off any other treaty, and it shall not be known to any body living but to us two and our two masters."[126] Hopton remained convinced that although any settlement of the business of the Palatinate must begin in Spain, neither Spain nor Austria was to be trusted.[127] Windebank also regarded the move as a further Spanish artifice, writing that "If the Conde Duque intends to be helpful ... it will be a masterpiece", and that if the conference were to produce good results "... it must be a mere miracle".[128] Hopton, however, was always willing to explore any avenue, if only to expose the hollowness of the Spanish offers,[129] and in March 1639 Windebank

secured the King's consent and drew up instructions empowering Hopton to conduct unofficial conversations with Olivares on the basis of Princess Phalzburg's propositions. He was instructed to act "merely as a private man, and not as an Ambassador or public minister"; he was to make it quite clear to the Conde Duque that nothing said or written should commit Charles I, and that the conversations were "only discourse, nothing positive or concluding". Moreover, he was to stress that the propositions of the Princess Phalzburg "are her own, and in no way binding."[130]

By June the private conversations had begun, and Olivares summarised the complex position regarding the Palatinate which in itself helps to account for the difficulty of arriving at a satisfactory agreement:

> "... the business consists of three branches; of the Emperor's part, of ours, and of the Duke of Bavaria's. Concerning Bavaria we have no powers to treat, and the Emperor's part is two-fold, either that which is mixed with Bavaria, or that which is simply his own. With the former I shall not meddle, and in the latter it may be presumed we shall be able to do something." 131

Once again, the argument in favour of negotiating a partial settlement was strong. Olivares further enquired whether Hopton had any orders to set down in writing the points of a treaty, and, on being told that this was thought unnecessary, since these were only private talks, urged that he and Hopton should arrive at a specific set of draft proposals:

> "... for talking of this business is our daily work, and there hardly passeth a meeting between us but we speak of these matters, giving mutual assurances of the good intentions of our masters; but that which I desire is that we should come to some agreement and leave the confirmation thereof to our masters." 132

The perpetual dilemma soon presented itself once more. Olivares undertook that if England would make a treaty with Spain, as the first step, then Spain would give satisfaction over the Palatinate - but the treaty must come first.[133] Hopton later compared Spanish behaviour over the Palatinate with their dealings in Italy: "But when they shall come to restoring, they will

then do as they have ever done ... never denying things, but impossibilitate it by conditions."[134] Very much the same could have been said of Charles I in relation to the making of treaties.

Hopton's instructions allowed him some latitude, but made it clear that he was to keep to the text of the King's reply to Princess Phalzburg, which stipulated that Spain and the Empire should restore those parts of the Palatinate in their possession before the English would discuss a treaty. Hopton was to secure from Olivares a clear indication of what Spain would require, and was to persuade the Spaniards to mediate with the Emperor, assignments very reminiscent of those contained in Aston's instructions some four years earlier. Windebank still remained sceptical, however, "... if they will be hearty in it there may be life in the business, otherwise I shall suspect that all these offers of conferences and treaties are but mere artifices."[135] Neither party trusted the other and each repeatedly tried to force some advantage without giving any ground.[136]

Upon receiving Hopton's account of the first stages of the secret conference, Windebank had reminded the King of the relative merits of the three alternative sets of negotiation then open to him: at Cologne with the French and Dutch, in Brussels through Gerbier and the Princess Phalzburg, and in Madrid through Hopton. He himself favoured the Spanish discussions as the least unpromising option:

> "I am therefore most humbly of opinion this business can be negotiated nowhere so well as in Spain by your own minister, privately and with as little noise as may be, and that powers may be enlarged to him for this purpose, he having hitherto no powers but to confer." 137

Charles, as usual, preferred to continue simultaneous negotiations with France and Spain until one or the other, or both, had made it abundantly obvious that their demands were still unacceptable.[138]

Discussions lapsed during the summer,[139] and by October Olivares had reverted to his usual wariness.[140] News of the Dutch defeat of the Spanish fleet in the Channel in October brought an end to the secret talks,

and provided further cause for Spanish resentment.[141] Although Hopton was treated with consideration, he found it increasingly difficult to gain access to Olivares to transact the mercantile business of his office.[142] It was clear by now that Spain would be satisfied with nothing less than an English breach with Holland.[143] Desultory and evasive conversations were held on the possibility of a marriage between Princess Mary and a prince of Spain, as a prelude to the establishment of better relations, but these carried little conviction.[144] Hopton was instructed to gain time by entertaining the Spaniards with fair words,[145] while in England considerably more lively, though equally abortive, discussions were taking place as a variation on the theme of the maritime treaty.[146] By September 1640 the Palatinate as a subject of negotiation had given way to Charles's own more pressing problems. Scottish affairs were absorbing much of the King's attention and Windebank's time, and it was clear that active discussions with the House of Austria were unlikely to be resumed until the more acute domestic problems were settled.[147]

The state of affairs revealed by this diplomatic correspondence abundantly accounts for the inability to achieve any results on behalf of the Prince Elector in the negotiations conducted in Spain. The very limited powers granted to the English representatives in Madrid prevented them from carrying on any significant negotiation either under the King's control exercised through Windebank, or on their own initiative. From 1632-6 Hopton had no powers to negotiate over the Palatinate; from 1635-8 Aston was ordered to conduct purely exploratory talks on the subject; in 1639-40 Hopton was permitted to hold personal and unofficial discussions with Olivares on terms which included a proviso that was incompatible with Spanish demands. Both Hopton and Aston were kept on a tight rein, and were instantly reprimanded if they showed any sign of involving the King in unwelcome commitments, however generally these might be expressed. Indeed, they were dissuaded from committing themselves to paper to an extent that rendered almost any negotiation impossible according to the conventions then practised in Madrid.

Neither Hopton nor Aston was given any clear idea of the terms that Charles I would have been willing to accept on behalf of the Prince Elector, or of the undertakings that he would have been willing to enter into in return. The King appeared unwilling to offer anything more than general expressions of friendship, accompanied by a recital of the benefits accruing to Spain from the English fleet in the Channel. Since these benefits operated almost equally to the advantage of England, and were not regulated by a formal maritime treaty, the Spaniards might be forgiven for feeling that the balance of sacrifice was an unequal one. The failure of the English fleet to intervene effectively on behalf of the Spaniards in their ignominious encounter with the Dutch in 1639 went far towards obliterating any sense of gratitude that the Spaniards might hitherto have felt for English naval protection.

The English representatives in Madrid were hopelessly handicapped in their dealings with Olivares by their ignorance not only of developments relating to the Palatinate in other parts of the continent, but also of events in England. Repeatedly they received their first news of circumstances that affected their mission from the Spaniards themselves, and in spite of their protests and appeals Windebank had no choice but to obey the King's directions and leave them uninformed. Charles seems to have preferred to keep his discussions relating to the Palatinate in separate compartments, releasing information grudgingly and at a late date.

The tone of Windebank's comments to the King and to Hopton on the subject of the Spaniards shows that although he believed that negotiations with Madrid were the least unpromising of the various courses open to England in relation to the Palatinate, he was far from credulous about Spanish aims and intentions. It is significant that he made no effort in his correspondence with the King to urge him to yield to Spanish demands, which he regarded as excessive. Nor did he use his privileged position with the King to represent favourably the Spanish point of view. The advice sent to Windebank from Madrid enabled him not only to reach realistic conclusions about Spanish attitudes, but also helped to shape his opinions on

the Empire, so that his diplomatic correspondence with John Taylor in Vienna reveals him as a good deal more ~~repressive~~ restraining and sceptical than that ebullient optimist could have wished.

When Windebank was first introduced to the diplomatic duties of his office in 1633, England had no permanent representative at the Imperial court. The chief contact between Charles I and the only person in Europe who possessed the authority to reinstate his nephew as a Prince of the Empire was the tenuous link provided by Necolalde, the Spanish Agent in London. Windebank described how he had undertaken

> "... the negotiation of that business between the Emperor and his Majesty, and disadvised the employing of any there: yet, his Majesty having thereupon written to the Emperor concerning that business, and delivered the letter to Necolalde ... he never had answer of that letter to this day." 148

By 1635 it had become clear that his proffered assistance in forwarding communications between London and Vienna was worthless, and that the offer had been made so as to retard still further the lethargic pace of negotiations. That Charles I could tolerate this situation for so long argues not only a misplaced trust in Necolalde, but also a certain indifference to the active prosecution of his nephew's cause.[149]

In December 1634 Olivares had commented upon the lack of an English representative in Vienna, remarking that it was strange that England had "not so much as a lacquey with the Emperor, with whom there will want no instrument from the Duke of Bavaria, a Prince so politic and ambitious, to calumniate the Prince Elector."[150] Still no appointment was made, however, until the news of the Peace of Prague galvanised Charles into a flurry of belated activity. Even then, the man selected to shut the stable door was an unimpressive choice if Charles seriously intended to try to save something from an unpromising situation. John Taylor, a Catholic educated in Spain, was of humble fortune and connexions, and had so far been employed only on minor diplomatic missions.[151] Although well-informed about conditions in Spain and the Empire, he was not of the calibre

to inspire respect either at home or abroad. In a French translation of an intercepted letter from Necolalde to the elder Oñate, Taylor was described as:

> "Jean Teyller, Catholique, qui fut la avec Anstruther, et qui est bien instruict de ces affaires, et qu'ils ont eu finalement en Espagne. Ce n'est pas un homme de grande capacité, quoy que de bons desirs, et la meilleur c'est d'avoir tel occupation pour avoir du pain. Je luy dis, que cela me semblait bien, ..." 152

From the outset both the King and Windebank disliked his manner of negotiating.

His instructions required him to remind the Emperor of previous Imperial undertakings relating to the Palatinate, to express concern at the terms of the Treaty of Prague and to discover whether these represented the Emperor's settled intention.[153] Secret instructions contained similar general assurances of Charles's wish for closer relations with the House of Austria to those given to Aston, and similar reminders of the value to Flanders of the actions of the English fleet.[154] In addition, Taylor was to foster suspicions of the ambitions and loyalty of the Duke of Bavaria, to represent the attraction of securing the adherence of the Prince Palatine, backed by Charles I, and to give notice of the intention of the Prince to apply for restitution on attaining his majority. The usual unspecific and provisional offer of alliance was to be made, dependent upon the removal of the ban and "probable grounds given of restitution of our nephew to his dignity and territories upon the death of the Duke of Bavaria."[155]

The King told Windebank to instruct Taylor not to adopt too placatory a tone:

> "... only one thing I would have you advertise him of, that is not to speak too much in a <u>precario</u> style, for as I would not have him threaten, so I would not have the Emperor think he came to beg what is just, but to demand it as a friend that would esteem of his friendship and not care for his frown." 156

This command was in practice sometimes ignored,[157] and sometimes

interpreted as calling for boasting.[158] Taylor was not backward in making demands, and gradually seems to have convinced himself that these would be met. His despatches to Windebank record the stages of his illusory progress. Thus at the end of December 1635 he reported that the Austrians would willingly agree to give up that part of the Lower Palatinate held by Spain, but that he had further demanded the return of Heidelberg and the rest of the Lower Palatinate held by the Duke of Bavaria in addition to the removal of the ban.[159] In January 1636 he held out good hopes of an immediate removal of the ban and restoration of the whole of the Lower Palatinate, with the prospect of negotiations for the Upper Palatinate and the Electorate.[160] In February he assured Windebank that Charles I's demand for the sequestration of that part of the Lower Palatinate beyond the Rhine was too modest, and that more could be secured.[161] In March he repeated his conviction that the King's demands fell short of what the Emperor had decided to yield.[162] Soon after this, a match for the Prince Palatine with the Emperor's daughter was envisaged,[163] and Taylor's guarantees of success became at once less specific and more positive.[164] According to Taylor, the Imperial court abounded with influential well-wishers,[165] and his despatches to Windebank show that he fell into the trap that always lies in wait for the optimistic diplomat anxious to succeed in his mission: he believed too credulously in the encouraging signs given by those with whom he was negotiating.

He seems not to have doubted that the Emperor wished to gain the support of Charles I against a multitude of other enemies, and urged the King to assist the rapprochement by drawing the King of Denmark into a closer relationship with the Habsburgs.[166] By this means, and by the loyal allegiance of the Prince Elector, he hoped to balance the influence of the Duke of Bavaria, of whose power and ambition he was at first very conscious.[167] Like Hopton and Aston, he emphasised the reluctance of the House of Austria to offend Bavaria, particularly during the critical period before the election of the King of the Romans,[168] and Windebank too was fully conscious of the impediment that this presented to the hope of regaining

the Electorate:

> "That Bavaria, to settle the Electorate in his House, will yield to make the King of Hungary King of the Romans is very probable, and it is one of the worst accidents that I find in the business. If you can direct a way how to prevent it, you shall do a brave service." 169

Windebank later suggested that Taylor might work upon the Duke of Bavaria so as to prevent his concurring in the election of the King of the Romans.[170] Increasingly, however, Taylor persuaded himself that Bavarian influence could be discounted in view of a growing Imperial conviction of the worthlessness of the Duke's support.[171] By March 1636 he was assuring Windebank unequivocally that the Emperor was ready to forsake Bavaria for England, provided that Charles I fulfilled their hopes.[172] Neither Windebank nor the King was likely to have accepted this assurance uncritically. In addition to more realistic reports from the English diplomats in Spain, they had been aware for nearly a year of the terms of the Franco-Bavarian treaty of 1631, and must therefore have understood the strength of the incentive that impelled the Emperor to provide inducements to retain Bavarian support.[173]

In regard to the price to be paid by the King of England for the restitution of the Palatinate, Taylor was a good deal less wary than his instructions allowed, and Windebank's replies to his despatches contain a series of reprimands for his incaution. Thus in January 1636 Windebank objected to Taylor's readiness at his first audience to assure the Emperor of Charles I's willingness to enter into an alliance:

> "... you must take heed of engaging his Majesty too positively in a promise of a league, which his Majesty will never give hopes of, but upon assurance of restitution of his nephew: and in this too you must be exceeding wary, leaving still a latitude and reservation for his Majesty's final resolution." 174

Further offence was taken by the King and Windebank to Taylor's constant references to the removal of the Imperial ban as a matter of grace rather than of justice.[175] It was felt to be impolitic to adopt too humble and

grateful a tone, lest excessive demands be made in return.

Not that Taylor had ever suggested that the price for the Palatinate would be low; like Hopton and Aston, he had warned Windebank that the House of Austria would expect compensation, and indeed had said that they would demand more than the Palatinate was worth. For Taylor, however, the Palatinate was the least part of the business in hand, even though it formed the chief topic of day-to-day discussion. His vision embraced a wider sense of his own mission and a more exalted rôle for Charles I, whom he saw as the saviour of Europe against the sinister expansion of the French, and as the bringer of peace to a war-torn world.[176] Windebank lost no opportunity of bringing Taylor abruptly down to earth whenever his undertakings on the King's behalf were in danger of becoming too generous, particularly when there seemed to be any suggestion of English military action:

> "For the land forces mentioned in that letter [Taylor to Windebank, 2/12 March 1636] if they expect any from his Majesty they are deceived, and you have done ill if you have given them hope of any ... if they expect he shall break his treaties with any of his neighbours or enter into a war for their sakes, they will find themselves deceived." 177

Taylor's later despatches were more reassuring on this point, although he appears by then to have been telling Windebank what the government at home wished to hear, and what Taylor himself would have liked to believe.[178] Windebank, however, remained sceptical, and had already commented on the discrepancies between Taylor's despatches and those received from Spain.[179]

At an early stage in the discussions, the Imperial ministers had repeatedly drawn attention to the limited nature of Taylor's powers and to his inability to conclude an agreement on behalf of his master.[180] By March 1636 they were making this point more forcefully, refusing to publish the Imperial terms until a plenipotentiary was sent.[181] The King's decision to respond by sending the Earl of Arundel as Ambassador Extraordinary was a measure of his willingness to redress his earlier diplomatic

neglect of the Emperor, and may also indicate a more credulous response than Windebank's to Taylor's view of the situation.[182]

A comparison between the demands relating to the Palatinate that were sent to Taylor in December 1635 to accompany the Prince Elector's formal demand for restitution on attaining his majority[183] and those embodied in Arundel's instructions three months later[184] reveals the hardening that seems to have taken place in the King's attitude. In December, although a general demand was to be made for the Upper and Lower Palatinate with the Electoral rights and dignities of both, it was recognised that there was little likelihood of obtaining the Upper Palatinate, and Taylor was therefore instructed not to insist on this. He was to press strongly for the Lower Palatinate either to be delivered to Charles I or to be sequestered to some neutral prince until a satisfactory agreement was reached, though even in this case it was recognised that the Duke of Bavaria was unlikely to relinquish his part of the Lower Palatinate beyond the Rhine. There was some hope, however, that the King of Spain, the King of Hungary and the Cardinal Infante would support the demand as a means of weakening the connexion between Bavaria and France. The part of the Lower Palatinate to the west of the Rhine interested Spain because of its strategic position on the Spanish Road, but was difficult to hold because of its nearness to France. It was hoped, therefore, that France and Spain might each be willing to agree to the sequestration of this part of the territory in order to exclude the other.[185] The language in which the instructions are couched is cautious and tentative, and Taylor was encouraged to explore possible lines of development rather than to insist upon firm promises.

Taylor's encouraging despatches and his repeated insistence upon the promise of a full restitution of the Palatinate,[186] if not wholly believed in England, seem to have effected a perceptible alteration in the tone of the King's demands by April. Arundel was instructed not to yield to any propositions for restitution after the death of the Duke of Bavaria until he was sure of a promise of restitution <u>in integra</u>, upon which he must insist. The demand for restitution, moreover, must be enlarged to include all the

lands enjoyed by the Prince Elector's father and grandfather, including the Queen's dower lands, and the Prince Elector must not only be put in possession of these, but also maintained in possession. The question of the return of the Upper Palatinate was not to be left for further discussion, but only the time and means of restitution were to be negotiated. The consent not only of the Emperor and the King of Hungary but also of the Electors was to be gained to any projected agreement. If it became clear that there was "any neglect or dalliance, and that they treat only to winnow time", Arundel was to leave at once, and negotiations were to be opened instead with the Protestant Electors and the Swedes. For his part, Charles was not prepared to increase his offers in any way, or to indicate more precisely their nature.[187]

If Arundel's instructions may perhaps be taken as a measure of the extent to which Taylor's optimism had communicated itself to the King, whose attitude to the Emperor was less ~~disillusioned~~ free from illusions than his view of Spain, probably because he was less well-informed, there are indications that this euphoria was not shared by others, including several members of the Foreign Committee. Arundel himself was conscious of the difficulty of his task and of the widespread opposition to his embassy.[188] Windebank recorded the dislike of the Prince Elector for this method of settling his fortunes, and the adverse influence likely to be exercised both on him and on Arundel by the Queen of Bohemia, who opposed any negotiations of this kind with the House of Austria.[189] She had urged Laud to persuade her brother not to accept the dishonourable expedient of a partial restitution of the Palatinate, to which Laud replied that they would be lucky to secure as much as that.[190] Windebank's own announcement to Taylor of the Earl Marshal's impending arrival contained more than a hint of scepticism and foreboding,[191] while his comment to Aston showed that he expected the negotiations to result in little more than a salutary disillusionment:

> "So now, according to your Lordship's desire, we shall meet in a treaty and put them to it, and whatsoever the success be, we shall at least be unbeguiled: which if it come to nothing else will be a great service." 192

However optimistic Taylor's reports may have been, they hardly justified the demands contained in Arundel's instructions, but still less did they warrant the tone adopted by the Earl once he began his negotiations. Although his rank was sufficiently exalted to make him an acceptable ambassador at the Imperial court, his temperament made him perhaps a less suitable choice,[193] and his despatches to Windebank reveal his open impatience at the delays inseparable from negotiations with the House of Austria. Indeed, his embassy scarcely entailed negotiation, for he delivered what amounted to an ultimatum at the outset, and refused to move from the position he had taken up. Annoyed at being forced to waste the best part of a month before meeting the Emperor,[194] he asked for an instant reply to his demands at his second audience.[195] Informed that he must negotiate with commissioners, he refused to waste time reading their commission, which was then found by Taylor to include an objectionable reference to an alleged offer by England of an offensive, defensive alliance.[196] Protesting at this, Arundel complained at a twenty-four hour delay in receiving a reply.[197] He demanded a firm assurance of plenary restitution as a first step, and refused to discuss means, methods or conditions unless this was given, complaining that the commissioners were "endeavouring to put all promiscuously in the way of a treaty".[198] He declined to negotiate by papers, which he saw as conducive to delay, although he was eventually forced to conform to this practice.[199] Even the erratic performance of the posts, a familiar hazard to diplomats of the period, caused him to chafe incessantly, and he consistently underestimated the time taken for despatches to travel to England and back.[200] He was already asking for recall and using the past tense in describing his embassy to Windebank before he had received the reply from the Emperor which he had been sent to obtain.[201]

He does seem eventually to have become aware of the more obvious disadvantages of proceeding in this manner, admitting to Windebank that "I find when I press they go less on their side and expect more on ours". Imperial expectations were progressively enlarged to include the provision

of a land army by England and a more extensive use of the fleet in the Channel.[202] Finding that he absented himself from the Imperial court while awaiting a reply from Charles I, and that he continued totally inflexible on his return, it was not surprising that he reported, by September, that he was now "idle, without employment",[203] and that he had little to do, the ministers "finding me here too stiff and rigid, for which I shall receive little thanks from the King my master at my return".[204]

Much of Arundel's impatience doubtless stemmed from the conviction that the result of his embassy was a foregone conclusion, and when the Emperor's answer was at last forthcoming in September it amply fulfilled Windebank's prediction that "we shall at least be unbeguiled".[205] The Electoral dignity and the Upper Palatinate were confirmed in the possession of the Duke of Bavaria, and no treaty for transfer would be entered into while the line of William survived.[206] This, as Arundel commented, was "as much as to say never", since six males of the house were then living, and the Duchess of Bavaria was with child.[207] The Lower Palatinate, divided between Bavaria and Spain, might be restored to the Prince Elector, but compensation would be necessary.[208] As Arundel had already discovered from the elder Oñate,[209] and as Hopton and Aston had frequently advised, this was likely to take the form of a substantial payment to Bavaria, and a demand for action by England against Holland and possibly France in support of Spain. When all this had been done, the Emperor would take off the ban.[210]

Arundel's comment that it was unfortunate that this answer had not been given in reply to his first paper some three months before, or better still to Taylor, thus rendering his own embassy unnecessary, was accompanied by a refusal to make any reciprocal offers on behalf of Charles I.[211] Although he made his displeasure evident, he nevertheless thought it prudent "not to break off abruptly here",[212] a resolution that seems to have been shared by the Imperial court, so that his eventual departure in November took place amid protestations of goodwill and fair but unrealised promises.[213] The timing of the embassy, sandwiched

inopportunely between the Peace of Prague and the election of the King of the Romans, made it improbable that any alteration would be secured in those aspects of the settlement relating to Bavaria.[214] It was hardly realistic to require from the Emperor an undertaking to remove from the House of Bavaria the bait offered for an Electoral vote before that vote had been cast.

Four months earlier, Arundel had reported that nothing could be expected from the Emperor "but what the extremity of their affairs shall compel them unto".[215] At that time he had urged Windebank to represent to the King the benefits of a partial settlement of the affairs of the Palatinate.[216] By September he had concluded that Imperial and Spanish demands were likely to continue exorbitant, and that discussions would be protracted. His advice by then was that the business of the Palatinate should either be laid before the general peace conference due to begin soon at Cologne, or that English diplomacy should aim at keeping France and the House of Austria from reaching agreement. Although this would have to be done secretly and with great discretion, he thought that the second course would be more advantageous to England.[217] Yet another member of the Foreign Committee had reached the conclusion that English interests did not justify any considerable sacrifice on behalf of the Palatinate, and that to foment the war was for the moment more profitable than to further the movement for peace.

The Emperor's reply to Arundel brought active negotiations with the Habsburgs over the Palatinate to a temporary halt. As Windebank explained to Aston, "... the entire restitution then being not practicable, the very foundation of the treaty is destroyed."[218] The reversal of policy was also remarked by Hopton:

> "I hold this last month to have wrought a greater change in our purposes than some whole years past, it being but since that time that we conceive our eyes have been opened, and the resolutions of the House of Austria not to depart with the Palatinate upon reasonable terms, to have been discovered." 219

Salvetti reported the general anger at the English Court, and Arundel's own metamorphosis into a powerful opponent of the Habsburgs.[220]

Meanwhile, John Taylor remained at the Imperial court to discover what he could of any further resolutions on the part of the Emperor and the German Electors, and to keep the topic of the Palatinate open.[221] After the death of Ferdinand II in February 1637 and the accession of the King of Hungary as Ferdinand III, Charles I effectively ended official diplomatic relations with the Emperor by failing to reply to the new Emperor's letters and by refusing to send Taylor fresh credentials.[222] For the next two years Taylor repeatedly but unsuccessfully pestered Windebank for credentials and authority to negotiate, becoming increasingly reproachful as time went on, and pointing out the damage done thereby to the Prince Elector's cause.[223] His despatches to Windebank reveal that his activities were not dissimilar from those currently being adopted by Aston and Hopton in Madrid.[224] Windebank had already reprimanded Taylor for indiscretion, and briskly dismissed his appeal for credentials: "For powers which you so earnestly desire, his Majesty will enable you with such as shall be fit in his own best time, and in the mean time you must quiet yourself and submit to his wisdom."[225]

From November 1636 until his recall in 1639 the King and Windebank used Taylor primarily as a source of news. He was by then a good deal less optimistic, and advised that there was no prospect of securing complete restitution of the Prince Elector.[226] He had little faith in the Cologne conference, and thought in any case that it was useless to trust to a general peace treaty.[227] He urged Charles to abandon his policy of simultaneous negotiations with France and the Habsburgs; the King should make up his mind to side with one party or the other if he wished to be treated seriously by either.[228] His final assessment of the Spaniards was similar to that of Windebank, Hopton and Aston: that they were not averse to reaching an agreement with England, but that they set too high a price on their friendship. Their influence at Vienna was used to hinder rather than to forward a settlement, he thought, but "if Spain be brought to an agreement, all the

differences between us and the King of Hungary would be ended in three days."[229]

Some continuing Anglo-Imperial contact outside Germany was thought desirable both by Taylor and by the Imperial court, though they differed as to the method to be employed. Taylor advised that some well-disposed private person be sent to London, "but with good power and good matter and well instructed".[230] The Imperialists preferred a meeting of English, Austrian and Bavarian Ambassadors at Brussels,[231] and although these discussions were never commenced, rumours about them circulated widely.[232] Windebank commended to the King Taylor's action in temporising at length over this matter, thereby helping to ensure a continuation of the war in Europe:

> "And the amusing them with a treaty at Brussels who had so long amused your Majesty, and by that means, the keeping them from making a peace with France, was no ill service, though most unfit to be avowed by your Majesty, considering your treaty at Hamburgh. But he was the fitter for it, having no powers, and so to be justly disavowed at pleasure." 233

He also praised Taylor's exposure of the falsity of Spanish claims to have given the Cardinal Infante full powers to conclude a treaty with England at Brussels.[234]

Despite these services, however, Taylor continued irrepressible, and Windebank sent a series of reprimands for his indiscretion in presenting papers, in giving Ferdinand III the title of Emperor, and in revealing the contents of some of Windebank's own despatches.[235] Taylor defended himself vigorously, protesting his loyalty to the King,[236] but further indiscretions brought a final letter of recall from Windebank in January 1639.[237] Taylor was sent to the Tower in September,[238] and the interests of the Prince Elector were once again unrepresented at Vienna.

One of the final phases of Anglo-Habsburg negotiations over the Palatinate was conducted in great secrecy by Windebank in 1638-9 through Gerbier, the English Agent in Brussels, with the Princess Phalzburg,

sister of the exiled Duke of Lorraine, whose own territory had been overrun by France. In December 1637 the Princess had offered herself as an intermediary between Charles I and the House of Austria to revive the scheme for the restitution of the Palatinate, "tant de fois commencée, rompue, différée et changée depuis beaucoup d'années",[239] and this was to be linked with similar demands for the return of Lorraine. The proposal was designed to overcome Charles I's unwillingness to commit himself, by allowing him to retire behind a second line of diplomatic defence in addition to that provided by his own representatives abroad. Since no overt connexion between the Princess and the King of England was to appear, the Princess would be able to write freely, and might elicit in return a frank response from the King. By providing a secret channel of correspondence between Charles I and the Emperor, she hoped to overcome the reluctance of both monarchs to take the initiative in healing the breach of 1636, as well as to facilitate discussions with Spain and the Duke of Bavaria.[240]

Like others before her, she recognised that the Duke of Bavaria would prove a major obstacle:

> "... une partie intéressée de la possession d'un si grand bien, et si haute dignité, pour lequel il est difficile de luy pouvoir proposer recompence agréable pour s'en vouloir despouiller ..." 241

Indeed, she admitted from the outset that the matter of the Palatinate was probably not susceptible to settlement by negotiation. It soon became evident that the recovery of the Palatinate, or even of Lorraine, was not in fact her immediate objective. The Princess was trying to draw Charles I away from the projected French alliance, and more urgently to prevent English assistance to France in the coming campaigning season, a matter of almost equal concern to the Cardinal Infante as ruler of Flanders, and to the Duke of Lorraine, who had been appointed Captain-General of the Spanish forces between the Rhine and the Moselle.[242]

Charles I was not unwilling that the Princess should reopen negotiations, provided that he remained totally uncommitted, and Windebank

therefore instructed Gerbier to encourage the Princess, to promise that her proceedings should not be revealed to the French, and to undertake that if she made substantial headway the King might eventually appear openly in the matter through one of his ministers abroad.[243] Five months of circuitous negotiation ensued, of which Gerbier rendered careful account to Windebank,[244] but by May 1638 it was evident that little progress had been made. Sir Francis was not surprised: "I perceive the good Princess cannot do what she desires, and it were strange if she could, considering the people she hath to treat with, who have fed us with riddles so many years ...."[245]

By July, however, she forwarded through Gerbier a set of proposals for a league between Charles I, the King of Spain and the Emperor, against France, for the restitution of Lorraine, the Palatinate and territories in Italy. This alliance was to be directed also against the Duke of Bavaria if he refused to give up his holding in the Upper Palatinate. The creation of two more Electors was envisaged, the first to compensate the Duke of Bavaria for the loss of the Palatine Electorate, and the second to maintain the uneven number of Electors. The Princess's other aims appeared in the last two articles, by which the members of the league were to undertake to detach France's supporters from their allegiance, and not to treat separately with the French on any pretext. While refusing to approve the last article, Windebank and the King evolved a cautious reply to this document, in which Charles I promised to enter into a league with the House of Austria against France for the restitution of Lorraine and places in Italy, provided that the Emperor and Spain first restored those parts of the Palatinate that they held.[246] The familiar impasse had thus been reached once more, by another route, and Gerbier concluded that "it seems in effect the business will continue to be like the seeking of the Philosopher Stone, when earthen ingredients fail or an alembic breaks, when those who set up the business think themselves nearest to the point."[247] In the spring of 1639, when the King was in the north, Windebank suggested that Princess Phalzburg and the Cardinal Infante be told that their proposals must be shelved until affairs in Scotland were settled.[248]

It is difficult to reconcile the picture presented by these negotiations with the view that Charles I's foreign policy was dictated primarily by a dynastic concern for the reinstatement of his nephew. To make inadequate offers in return for excessive demands, and to insist firmly upon conditions which prevailing circumstances suggest are unlikely to be met, often after confirming this impression by patient exploratory enquiry, are not features of a diplomacy that is genuinely designed to achieve its stated objective. They may well, however, be features of a diplomacy designed to demonstrate persistence in a cause that is desirable in theory but unattainable in practice, at least for the time being.

The Prince Elector was unfortunate in that while the war in Europe continued it was to no one's interests to restore him to his hereditary territories. In the Empire there was a legacy of resentment against the Palatinate that in itself is sufficient to account for its exclusion from the settlements made with other Protestant states.[249] Whereas Charles I saw his nephew's reinstatement in terms of laudable concepts such as justice, equity and the peace of Christendom, Spain and France were primarily and more urgently interested in the Palatinate's strategic potential, the Emperor in its crucial Electoral voice, and the Duke of Bavaria in the extension of territorial and political power that its acquisition conferred. In the English diplomacy of the period the restoration of the Prince Elector is repeatedly associated with the idea of general peace in Europe, whereas it is clear that England was not, in fact, at all anxious for an early cessation of war. This attitude was not untypical of the period, for many of the combatants themselves constantly talked of peace while actively engaged in fighting.[250] There was always the hope that they might achieve a decisive victory, which would enable them to negotiate a settlement from strength. Charles I noted that it was "now usual to treat on all sides and make war at once",[251] and doubtless regarded this practice as a justification for his own far-flung negotiations.

The leisurely conduct of diplomacy in the 1630's was due partly to the slowness of communications, but also to the stately pace of Spanish

official action and deliberate procrastination by the Empire, Spain and France. Charles I, too, had his own brand of delaying tactics. To conduct a complicated series of negotiations in distant European capitals by means of diplomats who were rigidly confined within very limited powers, and who were given no precise notion of what the King would offer in return for what he was demanding, was to ensure that the ultimate decisions remained well within the King's control, and that the intervening debate would be lengthy and inconclusive. When these negotiations were conducted in great secrecy, and supervised independently in England by two Secretaries of State of opposing views between whom no love was lost, further layers of mystification and confusion were superimposed.

To pitch one's demands high and to refuse to modify them was to ensure firstly that they would not be met, but secondly that an unwelcome price would not have to be paid for them. Since exploratory talks had revealed that the cession of even part of the Lower Palatinate by Spain was likely to involve England in a breach with Holland and possibly also with France, there was no loss to be suffered and possibly some eventual advantage to be gained by demanding a great deal more. There was then no risk of a series of mutual concessions resulting in the adoption by each side of a moderate position, in which it would be unreasonable to decline the proffered bargain, but painful (and in Charles I's case politically disastrous) to pay the required price. In practical terms, the King seems to have placed a very low value upon his nephew's restoration. On the other hand, the method ensured that the question was kept on the table, that the plight of the Palatine family was not relegated to convenient oblivion, and that the way was left open for an ultimate settlement. It is perhaps not without significance that the disposition of Palatinate territory in 1648 was very similar to that partial settlement so frequently urged by Windebank and the English Ambassadors abroad, and so frequently refused by Charles I.[252]

It seems clear, therefore, that as far as the Palatinate was concerned Windebank had only a limited impact upon the framing of policy.

His own preference for an interim arrangement, involving the removal of the ban and the restoration of all or part of the Lower Palatinate to be followed at a later date by a more generous settlement, was acceptable neither to the King nor to Spain, upon any terms regarded as reasonable by Sir Francis. He does, however, seem to have played a considerable part in ensuring that active diplomatic contact was maintained with Spain for most of his period of office. Discussions with the Spanish Agent in England were reopened soon after Windebank became Secretary, and his appointment facilitated closer relations with the Habsburgs than had been possible during Dorchester's Secretaryship. Moreover, in spite of Charles I's taste for promiscuous treaty-drafting, Windebank seems to have been successful in convincing the King that Spain occupied a key rôle in deciding the ultimate fate of the Palatinate. The clearest exposition of his views is contained in a letter written in July 1639: "But whensoever your Majesty shall think fit to enter into treaty, I am humbly of opinion, it cannot be for your service to have it at Brussels, but in Spain, upon whose motions and orders all others either at Brussels or Vienna must depend, that being the source; and therefore all others are but by-ways, and of little consideration in this great negotiation." The King's laconic apostile, "Ye say right", reflects not only acceptance of this argument, but also his own recurrent inclination towards friendly dealings with Spain.[253]

Notes to Chapter V

1 Laud, Works VII, p. 301, Laud to Wentworth, 5 December 1636; Knowler II, pp. 59-60, 64, Wentworth to Charles I, 31 March, 19 April 1637; Ibid., pp. 60-4, Considerations upon ... whether his Majesty should declare a war against the House of Austria ...; Hugh F. Kearney, The Eleven Years' Tyranny of Charles I (1962), p. 6.

2 Gardiner, op. cit., VI, pp. 373-5. "Those who in 1621 were eager to avert a domestic danger by engaging in a foreign war were ready in 1628 to allow the Continental nations to shift for themselves."

3 J. P. Kenyon, The Stuart Constitution 1603-1688 (1966), pp. 2, 86-7; Kearney, op. cit., pp. 6-7.

4 See Appendix E, English Ambassadors and Agents Abroad.

5 G. Aylmer, 'Attempts at administrative reform, 1625-40', E. H. R., 72 (1957), p. 247.

6 P. R. O., T56/2, f. 4, A Balance of his Majesty's Receipts and Payments, 18 December 1635.

7 P. R. O., T35/1, ff. 2v-3, A book of the ready money paid into the receipt and of the payments of the ready money paid out of the receipt ... 1636 and 1637. In 1636-7, a particularly active year, and one in which Juxon cleared some of the arrears, payments to ambassadors and agents exceeded the expenditure from this source on the Navy. These figures for the 1630's may be compared with an average annual expenditure on salaries and allowances to English ministers abroad of £32,687 under James II and £32,063 by William III. D. B. Horn, British Diplomatic Service 1689-1789 (1961), p. 81.

8 Clarendon, Rebellion, ed. Macray, II, 99; Turner, Cabinet Council I, p. 38; 'The Origin of the Cabinet Council', E. H. R., 38 (1923), pp. 171-205.

9 See, for example, Bodl. L., Clar. MSS. 5, f. 105; 7, ff. 107-9; 10, ff. 64-5; Windebank to the King, 17 May 1633, 27 August 1635, 2 September 1636; Clar. S. P. II, pp. 1-2, 14, Same to the same, 15 August 1637, 18 September 1638; Clar. MSS. 16, ff. 41-3; 17, ff. 34-6, Same to the same, 31 March, 9 July 1639.

10 See Chapter VII.

11 Gardiner, op. cit., VII, p. 169. See also Ibid., pp. 205-6, 217, 352-3, 391, "... no word of condemnation is too strong for the manner in which Charles treated the whole subject of his relations with the Continent. It had all the weakness of a purely selfish policy without any of the apparent and momentary strength which a selfish policy receives from vigour of conception and boldness of action."

12 J.R. Seeley, The Growth of British Policy I (1895), p. 394, Ch. IV pp. 330-56.

13 G.M. Trevelyan, England under the Stuarts (1926), pp. 162-3; G. Davies, The Early Stuarts (1937), pp. 64-5; C. Hill, The Century of Revolution (1961), pp. 59-60; J.R. Jones, Britain and Europe in the Seventeenth Century (1966), pp. 22-4; J.R. Jones, 'English Attitudes to Europe in the Seventeenth Century' in J.S. Bromley and E.H. Kossman (eds.), Britain and the Netherlands in Europe and Asia (1968), pp. 37-41; J.P. Cooper, New Cambridge Modern History IV (1970), p. 351. But see G. Edmundson, Anglo-Dutch Rivalry during the first half of the Seventeenth Century (1911), pp. 105-31, for a different view.

14 C.V. Wedgwood, 'The Causes of the Civil War: a New Analysis', History Today V (1955), pp. 670-6. "What turned a peaceful revolution into a shooting war was the European situation, the strategic position of the British Isles and the King's foreign policy." p. 673. See also Kenyon, op. cit., pp. 2, 86-9.

15 Kearney, op. cit., pp. 6-10; Geoffrey Parker, The Army of Flanders and the Spanish Road, 1567-1659 (1972), pp. 77-9; Harland Taylor, 'Trade, Neutrality and the "English Road" 1630-1648', Econ. Hist. Rev., 2nd. ser. XXV (1972), pp. 236-60; J.S. Kepler, 'Fiscal Aspects of the English Carrying Trade during the Thirty Years' War', Ibid., pp. 261-83. G.M.D. Howat, Stuart and Cromwellian Foreign Policy (1973), Chapters 4 and 5, offers a brief, general and more sympathetic assessment of the policy as a whole.

16 For brief surveys of the Crown's finances during the Personal Rule see F.C. Dietz, English Public Finance 1485-1641, II (1964), Chapters XI and XII; R. Ashton, The Crown and the Money Market 1603-1640 (1960), pp. 173-84.

17 Gardiner, op. cit., VII, p. 169; Seeley, op. cit., I, pp. 390, 394, 399.

18 Gardiner, op. cit., VII, p. 217.

19 See Appendix 9 for an indication of the relationship between events in Europe and English foreign policy in the 1630's.

20 P. Geyl, The Netherlands in the Seventeenth Century I (1962), pp. 94-107; A. Waddington, La République des Provinces Unies, la France, et les Pays-Bas Espagnols de 1630 à 1650 (1895), pp. 173-5.

21 For Windebank's participation in these and other negotiations see Chapters V, VI and VII.

21a See Chapter VIII, p. 328

22 Bodl. L., Clar. MS. 9, f. 23v, Windebank to Aston, 11/21 April 1636.

23 Bodl. L., Clar. MS. 11, f. 102, Aston to Windebank, 23 November/ 3 December 1636, "... my opinion was that his Majesty would never balance that treaty with his satisfaction in the Palatinate, to which his Majesty had only engagements of honour and blood, but it had no relation to the proper and essential interest of the Crown of England."

24 B. L., Add. MS. 36,450, f. 103v, Aston to Arundel [1636] "... that treaty I conceive must grow upon other foundations, the Palatinate having no relation to the proper and essential interest of the Crown of England."

25 C. S. P. Ven., 1632-6, p. 565, Correr to Doge and Senate, 13/23 May 1636.

26 Ibid., p. 499, Same to the same, 25 December 1635/4 January 1636, "Whenever one touches on the question of a general peace with the ministers here they express their concurrence and every disposition in its favour, but in reality they have no desire that way and they do not wish to see it concluded. The disputes of its neighbours are all to the advantage of this crown." Ibid., 1636-39, p. 245, Same to the same, 12/22 July 1637.

27 Clar. S. P. II, p. 3, Windebank to Aston, 29 December 1637/ 8 January 1638. See also below, p. 217 for Arundel's preference in 1636 that the war in Europe should continue.

28 See Chapter VII.

29 Bodl. L., Clar. MS. 5, ff. 169-173, Windebank to Hopton, 16/26 February 1634.

30 Gardiner, op. cit., VII, pp. 169-219, Chapter LXX, Futile Diplomacy.

31 Bodl. L., Clar. MS. 5, f. 169v, Windebank to Hopton, 16/26 February 1634. "For neither the King of Spain, nor the Duke of Bavaria, have now any part of the Lower Palatinate in their possession, it being wholly taken from them by the Swedes, and the forces of those united Princes, with whom the treaty hath since of necessity been for gaining the possession to the young Prince."

32 Ibid., f. 170. See also Ibid., f. 110, Minutes by Windebank of a conference with Necolalde concerning the Palatinate, 25 May 1633.

33 Ibid., f. 170

34 Ibid., f. 169v.

35 See, for example, C. S. P. Ven., 1632-6, pp. 394-5, 407, Correr to Doge and Senate, 27 May/6 June, 17/27 June 1635, reporting on Necolalde's activities, and on a conversation with Senecterre, the French Ambassador in London.

36 See below, Chapter VII, for Windebank's dealings with Necolalde.

37 Bodl. L., Clar. MS. 5, f. 171.

38 Ibid., ff. 171-2, Windebank to Hopton, 16/26 February 1634.

39 Ibid., f. 173, "for that they conceived the business of the Palatinate and of that Prince would require the greatest negotiation." For a discussion of the maritime treaty see Chapter VII.

40 Ibid., f. 173. English neutrality was always a regretted but acceptable second-best for Spain.

41 Clar. S. P. I, pp. 79-80, Windebank's reply, 31 January 1634, to Necolalde's paper of 13 November 1633.

42 Ibid., pp. 83-4, Hopton to Windebank, 28 March/7 April 1634.

43 Ibid., p. 160, Same to the same, 30 October/9 November 1634, "... it is of no small consideration that upon the failing of every negotiation the business hath still appeared in worse estate ..." He repeatedly made these points, urging the government at home to take advantage of temporary Spanish afflictions, "for their resolutions are much governed according to accidents, and if there shall come tomorrow a good news, they will forget they thought to-day they had use of us." Ibid., p. 302, Hopton to Cottington, 18/28 July 1635.

44 Ibid., pp. 161-2, Same to the same, 30 October/9November 1634. "... he [Charles I] must be contented to compass his ends by such means, and by such degrees as they pretend they are able; for, if he resolve to have all done together, it will hardly be compassed: and the thing I apprehend most in that business is the effect of time, which, if it did not much good, (which we have not found yet) doth always much harm, for things naturally cannot stand at one stay."

45 Bodl. L., Clar. MS. 6, ff. 94v-97v, Hopton to Windebank, 27 November/7 December 1634. His own view was that the price was likely to be high: "For my part, I never had business with a Spaniard but he pressed for his ends till we fell out." Clar. S. P. I, p. 276, Hopton to Cottington, 15/25 February 1635.

46 B. L., Add. MS. 32,093, ff. 64-64v, Windebank to Hopton, 16/26 October 1634.

47 Ibid., f. 64; Clar. S. P. I, pp. 105-6, Windebank to Hopton, 11/21 July 1634.

48 B. L., Add. MS. 32,093, f. 66, Windebank to Hopton, 17/27 October 1634, describing the discussion in the Foreign Committee, "who unanimously agree that this his going up is not counselable, but very dangerous at this time, and contrary to all reason of State; and we have delivered our opinions positively to his Majesty to this purpose, whereupon his Majesty is resolved not to hearken to that proposition, but to reserve himself entire for the other secret treaties now on foot."

49 Clar. S.P. I, p. 227, Windebank to Hopton, 24 January/3 February 1635. "... they had it once in their hands and power to oblige his Majesty by the restitution and then rather suffered their enemies the Swedes to wrest it violently from them, than to render it quietly to his Majesty".

50 Ibid., p. 228. The Prince Elector's eighteenth birthday was in January 1636. Ibid., p. 182, Aston's Paper to the King of Spain, 6 December 1635.

51 Ibid., p. 228, Windebank to Hopton, 24 January/3 February 1635, "... which he is confident the Emperor and the King of Spain would not do, but that they intend to give his Majesty satisfaction in the business of the Palatinate." Hopton confirmed the rumour of a forthcoming alliance, Clar. MS. 6, ff. 133-133v, Hopton to Windebank, 21/31 December 1634.

52 Bodl. L., Clar. MS. 6, ff. 223-4, 250-255v, 285-6, 292-3, 304-6, Hopton to Windebank, 15/25 February, 28 March/7 April, 18/28 April, 24 April/4 May, 21/31 May 1635. Hopton, reporting to Windebank in January 1635 an informal conversation about the Palatinate with Schomberg, the Imperial Ambassador in Madrid, sent his despatch by the sea route, "chiefly because I cannot conceive the advice requires any haste". Clar. S.P. I, p. 225, Hopton to Windebank, 12/22 January 1635.

53 P.R.O., SP 94/37/189-90, Instructions for Lord Aston, 9 June 1635; B.L., Add. MS. 11,044, ff. 58-9, Instructions for Scudamore, 9 June 1635.

54 P.R.O., SP 94/37/189v, He was told to discover "whether the necessities of their affairs will not draw them at length to more respect and reality. Of which it may be feared nothing can give assurance but the effects or failings of their great designs, which you must observe and certify".

55 B.L., Add. MS. 11,044, f. 58v, Scudamore's Instructions, 9 June 1635.

56 Ibid., ff. 70-73, Copy of Treaty of Peace with the Emperor and Elector of Saxony made at Prague (French translation).

57 Bodl. L., Clar. MS. 7, ff. 9, 10-10v, 23-23v, Hopton to Windebank, 31 June (sic), 9/19 July 1635. Hopton had also reported a proposal from the Council of State that the Prince Palatine should renounce all his rights in Germany and should be compensated by Spain with an equal amount of territory in and around Limburg. This would have had the happy effect of removing once and for all the heretical Palatine thorn from the Imperial flesh.

58 Ibid., ff. 52-52v, 54, Hopton to Windebank, 1/11 August 1635.

59 Ibid., f. 113, Windebank to Hopton, 3/13 September 1635. This opinion seems to be confirmed by Taylor's account of the events leading up to the Peace of Prague, Clar. S. P. I, pp. 373-4, Taylor to Windebank, 5/15 December 1635.

60 Bodl. L., Clar. MS. 7, ff. 52v-53, Hopton to Windebank, 1/11 August 1635. The proposal originated, according to Olivares, from Feilding, the English Ambassador in Venice, and according to Windebank from the Conde de la Roça, the Spanish Ambassador there. Ibid., ff. 52v, 113.

61 Ibid., ff. 113-113v, Windebank to Hopton, 3/13 September 1635. "It is all of a piece with the former of the treaty with Saxony, at which he so much wondered when it had been contrived by himself..."

62 Ibid., f. 113v.

63 Ibid., ff. 107v-108, Windebank to Charles I, 27 August 1635.

64 See, for example, P. R. O., SP 94/39/156, Hopton to Aston, 14/24 June 1637, advocating the acceptance of that part of the Palatinate then in the possession of Spain; Ibid., 40/337v, Hopton to Cottington, 8/18 December 1638. "The house is unfortunate, and therefore we were better make sure of somewhat than lose all, which I doubt we shall do if we depend upon France and the Swedes, who doubtless will stand so much upon keeping what they have gotten as they will teach the House of Austria to do so too."

65 Clar. S. P. I, p. 318, Windebank to the King, 27 August 1635. "To my poor understanding they contain excellent matter and of great moment, and represent clearly the true state of your Majesty's affairs, both with the King of Spain and the Emperor, and what, in probability, your Majesty can now expect from them concerning the Prince Palatine: and, therefore, I most humbly beseech your Majesty to weigh them sadly, and to take them into your deepest consideration."

66 Bodl. L., Clar. MS. 7, f. 54, Hopton to Windebank, 1/11 August 1635.

67 Ibid., f. 54v. "That the Pope and all the Italian Princes would be glad to see the war removed from Italy to England, it is certain, and so would they be to see the King of England unsettled... and therefore that they will all procure to engage the King of England against Spain, and to make the peace with France, it is certain: and it is as certain that France may have what peace it will, if the King of England shall break."

68 Ibid., ff. 55-55v.

69 Clar. S. P. I, p. 329, Same to the same, 19/29 September 1635.

70 P. R. O., SP 94/37/210, Additional Instructions for Aston, 21 July 1635.

71 Ibid., ff. 208v-209, Draft Additional Instructions for Scudamore, 21 July 1635. "For the Palatinate being indeed an outwork to all his countries, and the door through which all his enemies seek passage, without recourse thereof he can neither be assured within his own dominions, nor make powerful diversion to keep his enemies beyond the Rhine."

72 P.R.O., SP 80/9/34-6, Draft Instructions for Taylor, 30 July 1635. Clar. S.P. I, pp. 310-13, Secret Instructions for Taylor, 15 August 1635.

73 Clar. S.P. I, pp. 306-9, Secret Instructions for Aston, 15 August 1635.

74 B.L., Add. MS. 36,450, ff. 7-7v, Aston to Charles I, [January] 1636.

75 Clar. S.P. I, pp. 334, 364-5, 380, Aston to Windebank, 10/20 October, 18/28 November, 11/21 December 1635.

76 Ibid., p. 383, Aston to Coke, 11/21 December 1635.

77 Ibid., pp. 382-3, Aston's paper to the King of Spain, 6 December 1635.

78 Ibid., pp. 411-12, Olivares to Aston, 9/19 December 1635; pp. 412-3, Aston to Olivares, 11/21 December 1635; p. 414, Olivares to Aston, 17/27 December 1635; p. 415, Aston to Olivares, 17/27 December 1635.

79 Ibid., pp. 416-7, King of Spain's answer to Aston's paper, 10 January 1636. Aston consoled himself that he was, in effect, beginning again with the Spaniards where Cottington had left off in 1630, so deeply had they taken offence at Hamilton's expedition to Germany and the Prince Palatine's action with the Swedes. Ibid., p. 484, Aston to Windebank, 9/19 March 1636.

80 Bodl. L., Clar. MS. 8, f. 10v, Aston to Windebank, 2/12 January 1636.

81 Clar. S.P. I, pp. 431, 475, Aston to Windebank, 16/26 January, 1/11 March 1636.

82 Bodl. L., Clar. MS. 9, f. 11, Same to the same, 30 March/9 April 1636.

83 Ibid., ff. 51-4, Same to the same, 7/17 June 1636. This was apparently occasioned by a "malicious" despatch from Necolalde concerning Charles I's claims to sovereignty in the Channel and Leicester's mission to France.

84 See, for example, Clar. S.P. I, pp. 686, 694, Aston to Windebank, 2/12 November, 5/15 November 1636; Ibid., p. 696, Aston to Olivares, 3/13 November 1636. For Aston's lack of information about the embassy to Vienna see above p. 164.

85 B. L., Add. MS. 36,450, ff. 7v-8, Aston to Charles I, [January] 1636. "... they will drive their bargain with you and look for satisfaction in point of their interests, according to that proportion which your Majesty shall receive in yours from them ..."; "... I fear it will be necessary to expect it as a work of time; in some proportion trusting them and proceeding by receiving from them and obliging them". Clar. S. P. I, p. 466, Aston to Windebank, 24 February/5 March 1636; Bodl. L., Clar. MS. 10, f. 76, Same to the same, 13 September 1636, "... whatsoever can be expected from them here must be won not only by a fair and obliging way, but also in a manner must be bought from them."

86 Ibid., f. 177v, Same to the same, 2/12 November 1636.

87 Ibid., f. 105v, Same to the same, 14/24 September 1636. B. L., Add. MS. 36,450, f. 7v, Aston to Charles I, [January] 1636. The Duke of Bavaria was "greater in his power than in their own reasons of state they could wish him; and in respect of the present condition of their affairs, being fearful by distasting him to raise new troubles in Germany ..."

88 Clar. S. P. I, pp. 622, 666, Same to the same, 20/30 August, 15/25 October 1636. In spite of Habsburg apprehensions Bavarian support was won, and Ferdinand, King of Hungary and Bohemia, was duly elected in December. B. L. Add. MS. 36,448, ff. 77-78v, Aston Papers, Account of the election of the King of the Romans, 12/22 December 1636.

89 Clar. S. P. I, p. 419, Hopton to Cottington, 2/12 January 1636. "... concerning the Duke of Bavaria, they are as jealous and as unsatisfied as we can wish, and absolute enemies to the advancement of his House; yet, that they dare not openly displease him; which I take to be because they have present use of him, for the election of the King of the Romans ..."

90 Clar. S. P. I, p. 484, Aston to Windebank, 9/19 March 1636.

91 Bodl. L., Clar. MS. 11, f. 103, Same to the same, 23 November/3 December 1636, "... to accept of what is to be had at present and get more as we can."

92 P. R. O., SP94/39/156, Hopton to [Aston], 24 June/4 July 1637, writing of a possible offer by Spain to Charles I of that part of the Lower Palatinate in their possession, "... though it be much less than sufficient I am confident it would draw resolutions and offers from him enough to do the business of the House of Austria." B. L., Add. MS. 36,450, ff. 148v-149, Aston to Charles I, 24 August/3 September 1637, "... it being hopeful were there but one step settled towards accommodation that all jealousies would wither of themselves".

93 Clar. S.P. I, p. 466, Aston to Windebank, 24 February/5 March 1636; referring to Olivares' notes of December 1635, "... it seemed then unto me that if my instructions had enabled me to express myself more particularly, he might have been invited to have answered in plainer language." Bodl. L., Clar. MS. 10, f.105, Same to the same, 14/24 September 1636.

94 Bodl. L., Clar. MS. 11, f.45, Windebank to Aston, 15/25 January 1637. For Windebank's dealings with Oñate, see Chapter VII, pp. 317-8, 332-4.

95 See Clar. S.P. I, pp. 379, 539-40, 567, Aston to Windebank, 1/11 December 1636, 19/29 May, 15/25 June 1635 for some of Aston's protestations on this matter.

96 Bodl. L., Clar. MS. 11, ff.45v-46, Windebank to Aston, 15/25 January 1637. This seems to have been based on some confusion over the translation of the phrase "qualquier liga que fuere rasonable" used by Aston in his paper of 6 December 1635.

97 Ibid., f.46, "I wish the offer had been more limited, seeing it is safer still to keep within compass than to venture never so little beyond it."

98 Ibid., f.92, Aston to Windebank, 8/18 March 1637.

99 See, for example, Clar. S.P. I, pp. 553, 557, 674.

100 Aston had already made two requests for a review of his original instructions and for fresh commands, which he never received. Ibid., pp. 687, 694, Aston to Windebank, 2/12, 5/15 November 1636.

101 Clar. S.P. II, p. 2, Aston to Cottington, 24 August/3 September 1637.

102 Bodl. L., Clar. MS. 11, ff.119, 128, Aston to Windebank, 22 March/1 April, 15/25 April 1637.

103 Ibid., f.129, Aston to Windebank, 15/25 April 1637.

104 Ibid., ff.141v-142, Same to the same, 19/29 April 1637. "... since I believe it will be found that they will do much more here in point of his Majesty's satisfaction to prevent a breach than to buy a peace..."

105 Clar. S.P. II, p. 3, Aston to Cottington, 24 August/3 September 1637. "I can easily discover much to be done to their prejudice, but little really for our good... they may be bought with advantageous conditions to give us some satisfaction, but they will be very low before they will be beaten into it."

106 B.L., Add. MS. 36,450, f.133, Aston to Charles I, 29 April/9 May 1637. "I have been made so great a stranger to your Majesty's resolutions in relation to this Crown that I am altogether in darkness and know not to what to direct my diligences." See also Clar. S.P. I, pp. 758, 759, Aston to Cottington, 29 April/9 May 1637, Aston to Windebank, 5/15 May 1637.

107 See Chapter VII, pp. 332-4.

108 Bodl. L., Clar. MS. 12, f. 20, Windebank to Aston, 24 June/4 July 1637.

109 Clar. S. P. I, p. 790, Aston to Windebank, 30 June/10 July 1637.

110 B. L., Add. MS. 36,450, ff. 160, 164, Aston to Windebank, 7/17 October, 1/11 November 1637; Ibid., f. 177, Same to the same, 7/17 January 1638, "I have thought it likewise fit to grow as cold as he [Olivares] to try whether it again might warm him."

111 See, for example, Ibid., ff. 168v-169, Same to the same, 29 November/9 December 1637.

112 Ibid., f. 172, Same to the same, 18/28 December 1637.

113 Ibid., f. 172v, Aston to Windebank, 18/28 December 1637.

114 Ibid., ff. 177v-178, Same to the same, 7/17 January 1638.

115 Ibid., f. 177v. Aston reported that he had done nothing more than remind the Spaniards of their omissions, presuming that if the King wished him to do more, he would send him commands.

116 P. R. O., SP94/40/18,20. Coke to Aston, letter of recall, 8/18 February 1638, acknowledged by Aston; Ibid., f. 40, Aston to Coke, 20/30 March 1638. Ibid., f. 16, Hopton to [Windebank or Coke], 8 February 1638, outlining various preparations for his employment in Spain.

117 Ibid., f. 73, Aston to Windebank, 12/22 May 1638. Aston had apparently expected to be allowed to return to England to receive treatment for the attacks of the stone from which he had suffered for some time, and then to return to Madrid, if no other employment had been found for him. In the meanwhile he hoped that his secretary, Richard Fanshawe, would conduct affairs in Spain. This had not been made clear in his requests for recall.

118 Ibid., f. 40, Aston to Coke, 20/30 March 1638. "... I having of late endeavoured to despair them as much as I could therein." B. L., Add. MS. 36,450, ff. 188-188v, Aston to Windebank, 24 March/3 April 1638. "... and I fear it will not be in Sir Arthur Hopton's power to make them believe otherwise."

119 P. R. O., SP 94/40/248, 333, Hopton to Windebank, 27 September/7 October, 8/18 December 1638; SP 94/41/62, 68, Same to the same, 13/23 March, 19/29 March 1639.

120 Bodl. L., Clar. MS. 14, ff. 117-18, Same to the same, 19/29 July 1638. Clar. MS. 15, f. 40v, Same to the same, 19/29 November 1638, describes Olivares as close, wilful and hard-hearted.

121 P. R. O., SP94/40/189, Windebank to Hopton, 8/18 August 1638.

122 Bodl. L., Clar. MS. 15, ff. 26-27, Hopton to Windebank, 7/17 November 1638.

123 Ibid., f. 32v, Same to the same, 10/20 November 1638. The whole Palatinate, he reckoned, was unlikely to yield 100,000 crowns over the Prince Elector's entire lifetime.

124 Ibid., f. 27, Hopton to Windebank, 7/17 November 1638; Clar. MS. 16, f. 21, Windebank to Hopton, 15/25 March 1639, repudiating Buchan's claim to have powers to treat over the Palatinate, "I am most sure not from me."

125 Bodl. L., Clar. MS. 15, ff. 66-68, Windebank to Hopton, 27 December 1638/6 January 1639. For Princess Phalzburg's propositions see ~~below~~ pp. 219-21.

126 Ibid., ff. 119-120, Hopton to Windebank, 19/29 January 1639.

127 Clar. MS. 16, f. 64v, Hopton to Windebank, 6/16 April 1639. "... they are both slaves to the Duke of Bavaria and he is not to be contented with less than the utter ruin of the Prince Elector his house."

128 Ibid., f. 78v, Windebank to Hopton, 19/29 April 1639.

129 Ibid., f. 64, Hopton to Windebank, 6/16 April 1639. "I am daily more jealous of the proposition made to me by the Conde Duque, yet I am of opinion that there is no other way to unmask them than by treating with them, which your Honour may remember happened in the business of the maritime treaty."

130 Ibid., ff. 35-37, Instructions to Hopton, 26 March/5 April 1639.

131 Bodl. L., Clar. MS. 17, f. 7v, Hopton to Windebank, 15/25 June 1639.

132 Ibid., f. 9, Same to the same, 15/25 June 1639. Olivares explained the tactical benefits of this procedure: "... for this disadvantage I should have in a bare conference, or in an agreement ad referendum, that all the world would know that I could not firm a paper but my master must be made acquainted with it, because I am in the same house with him; but you being absent it must be presumed that he knows not what you did and so you might with your credit recede, but I could not with mine ..."

133 Ibid., ff. 9-9v.

134 P.R.O., SP 94/41/321, Hopton to Windebank, 6/16 May 1640.

135 Bodl. L., Clar. MS. 17, f. 50, Windebank to Hopton, 1/11 August 1639.

136 Bodl. L., Clar. MS. 16, ff. 86-7, Hopton to Cottington, 19/29 April 1639. "There is a strange fatality in the business of the Palatinate for there never wants some impediment therein. If things go well with the house of Austria they will do little, if at any time they seem to be in danger, we presently think them lost, and refuse what at another time we would be glad of."

137 Clar. MS. 17, f.35v, Windebank to Charles I, 9 July 1639.

138 Ibid., apostile by Charles I. "Of the two [Madrid and Brussels] Madrid is the best; yet Cologne must not be left before I see more clearly why."

139 P.R.O., SP 94/41/132, 136, 148, 170-1, 181, Hopton to Windebank, 27 June/7 July, 3/13 July, 3/13 August, 3/13, 7/17 September 1639.

140 Bodl. L., Clar. MS. 17, f.125, Hopton to Windebank, 5/15 October 1639.

141 Ibid., f.178v, Same to the same, 20/30 November 1639.

142 P.R.O., SP 94/41/239, Same to the same, 15/25 December 1639. "... they have said nothing to me nor I to them ... I am very jealous that there remains in their hearts some bitter root of the passion they conceived for their great loss, which they will not discover but in a fit time. Towards myself they are very civil ..." See also Ibid., ff.280-1, Same to the same, 29 February/10 March 1640.

143 Bodl. L., Clar. MS. 18, f.57, Same to the same, 8/18 February 1640.

144 Ibid., ff.53v-54, Windebank to Hopton, 7/17 February 1640; Ibid., ff.83-4, 86, 98-9, 199-200, 229, Hopton to Windebank, 12/22 March, 14/24 March, 2/12 April, 29 May/8 June, 18/28 July 1640.

145 Ibid., ff.96-7, Windebank to Hopton, 27 March/6 April 1640.

146 See Chapter VII, pp. 340-2.

147 Bodl. L., Clar. MS. 19, ff.11, 12, 39, Windebank to Hopton, 5/15 September, 24 September/4 October 1640. "... the purpose of sending to the Emperor is now at a stand."

148 Bodl. L., Clar. MS. 5, ff.171, 173, 222v, Windebank to Hopton, 16/26 February, 11/21 July 1634.

149 Clar. MS. 6, ff.201v-202, Same to the same, 24 January/3 February 1635. See also P.R.O., SP 80/9/34, Instructions for John Taylor, 30 July 1635, and Clar. S.P. I, p. 310, Secret Instructions for Taylor, 15 August 1635, in which Taylor was told to report this to the Emperor.

150 Clar. S.P. I, p. 176, Hopton to Windebank, 27 November/7 December 1634. Hopton had urged that no time should be lost, "... if affairs in Germany shall settle, those of the Palatinate will have more difficulty."

151 D.N.B., XIX, p. 438.

152 P. R. O., SP94/37/228, Necolalde to Oñate, Spanish Ambassador in Germany, 31 July/10 August 1635, French translation of an intercepted letter. See also Clar. S. P. I, pp. 116, 226, Hopton to Windebank, 28 July/7 August 1634, 24 April/4 May 1635, commenting favourably on Taylor's experience of Spanish affairs; PRO 31/9/17B, Panzani to Barberini, 19/29 August 1635. P. R. O., SP 80/9/101, In "Considerations on the hope by Taylor of restitution of the Palatinate", 20 March 1636, Roe lost no opportunity of quoting Necolalde's letter and asked, "what hope is there of the efforts or negotiation of such a person?" "... he is not much to be regarded and may be easily corrupted ..." "... he is not sufficient alone to negotiate, no nor with a good grace to deceive."

153 P. R. O., SP 80/9/34-36, Instructions for Taylor, 30 July 1635.

154 Clar. S. P. I, pp. 310-13, Secret Instructions for Taylor, 15 August 1635.

155 Ibid., p. 312.

156 Ibid., p. 306, Charles I to Windebank, 15 August 1635.

157 C. S. P. D., 1635-6, p. 179, Windebank to Charles I, 23 January 1636, apostiled by the King.

158 See, for example, Clar. S. P. I, pp. 375, 376, Taylor to Windebank, 5/15, 19/29 December 1635; Bodl. L., Clar. MS. 8, ff. 160v-161, Taylor to Windebank, 3/13 March 1636. "... for I could assure him [Secretary Walderode] that the King my master would not be put off with this; and that all they could do for us, nay that the entire Palatinate with Electorate was not to be put in balance with the good which the Empire and whole Christendom was to receive from his Majesty."

159 Clar. S. P. I, p. 376, Taylor to Windebank, 19/29 December 1635.

160 Ibid., p. 395, Same to the same, 23 December/2 January 1636.

161 Bodl. L., Clar. MS. 8, f. 143, Same to the same, 3/13 February 1635.

162 Ibid., ff. 159, 163-163v, Same to the same, 22 February/3 March 1636. Taylor reported an astrologer's prediction that the Duke of Bavaria would die in August, and scoffed at the likelihood of his begetting an heir.

163 Clar. S. P. I, p. 488, Same to the same, 17/27 March 1636.

164 Ibid., p. 489.

165 Bodl. L., Clar. MS. 8, f. 164, Same to the same, 22 February/3 March 1636. "Those that have chiefly here advanced this business are the King of Hungary, the Queen of Hungary, the Empress, the Conde de Oñate, Colonel Leslie, Trautsmandorff, the Count of

Sleeke, Curtius, the Bishop, Stralendorff, Father Lamerman, Father Quiroga the Queen of Hungary's Confessor." He went on to enlarge upon their kind assurances and their influence with the Emperor, ff. 164v-169.

166 Clar. S. P. I, pp. 374, 376, 457, 479, 481, Taylor to Windebank, 5/15, 19/29 December 1635, 22 February/3 March, 9/19 March 1636.

167 Ibid., p. 375, Same to the same, 5/15 December 1635.

168 Bodl. L., Clar. MS. 8, ff. 7-7v, Same to the same, 16/26 December 1635.

169 Clar. S. P. I, p. 430, Windebank to Taylor, 16/26 January 1636.

170 Ibid., p. 449, Same to the same, 26 January/5 February 1636.

171 Ibid., p. 426, Taylor to Windebank, 16/26 January 1636.

172 Bodl. L., Clar. MS. 8, ff. 162v-163, Same to the same, 22 February/3 March 1636. "I laugh at the Duke of Bavaria and scorn all he can do for them; and I know that they are resolved to leave the Duke of Bavaria for the King of England if his Majesty will come bravely up unto them."

173 P. R. O., SP 78/97/204, De Vic to Secretary of State, 23 April/3 May 1635, with terms of treaty of 20/30 May 1631 between France and Bavaria.

174 Clar. S. P. I, pp. 429-30, Windebank to Taylor, 16/26 January 1636. See also Bodl. L , Clar. MS. 8, f. 59, Same to the same, 2/12 January 1636. For Taylor's offers of a league see Clar. MS. 7, ff. 249v-250, Taylor to Windebank, 26 November/6 December 1635.

175 Clar. S. P. I, pp. 429, 448, 478, Windebank to Taylor, 16/26 January, 5/15 February, 4/14 March 1636. "It is not enough to do a business, but to do it dexterously and well; and the honour and majesty of Princes are things of high consideration and must be preserved entire and not exposed ... you must have especial care of this, and take heed you stoop not too low."

176 Ibid., pp. 377, 480, Taylor to Windebank, 19/29 December 1635, 9/19 March 1636.

177 Ibid., p. 503, Windebank to Taylor, 31 March/10 April 1636. Taylor, as usual, hotly denied that he had given any such impression. Clar. MS. 9, f. 59, Taylor to Windebank, 4/14 May 1636.

178 Ibid., ff. 59, 80, Taylor to Windebank, 4/14, 14/24 May 1636.

179 Clar. S. P. I, p. 478, Windebank to Taylor, 4/14 March 1636, commenting on Bavaria's reported readiness to give up the Lower Palatinate, "... very good news, if it be well grounded, and I wish you be not abused, for Mr. Hopton writes very coldly of the business of the Palatinate, and doubts it will come on very slowly and with little satisfaction."

180 Ibid., pp. 387, 405, 425, 427, Taylor to Windebank, 16/26 December 1635, 30 December 1635/9 January 1636, 6/16, 13/23, January 1636; see also Ibid., p. 410, Aston to Windebank, 2/12 January 1636.

181 Ibid., pp. 451-3, 480, 488, 491, Taylor to Windebank, 22 February/3 March, 9/19, 17/27 March, 23 March/2 April 1636. Taylor had been regarded in England as no more than a herald. Laud, Works, VII, p. 253, Laud to the Queen of Bohemia, [April]1636.

182 Clar. S.P. I, p. 502, Windebank to Taylor, 31 March/10 April 1636, announcing Arundel's appointment. P.R.O., SP 80/9/105-16, Instructions for Earl of Arundel and abstract, 1 April 1636. For a brief account of Arundel's embassy see Gardiner, op.cit., VIII, pp. 158-61, 163; a longer narrative is contained in Mary F.S. Hervey, The Life, Correspondence and Collections of Thomas Howard, Earl of Arundel (1921), Chapters XXVI - XXVIII. A contemporary account dealing more fully with his travels than with his negotiations is William Crowne's A True Relation of all the Remarkable Places and Passages observed in the Travels of the Earl of Arundel and Surrey ... 1636 (1637).

183 Clar. S.P. I, pp. 403-4; Bodl. L., Clar. MS. 8, ff.9-10, Instructions for Taylor, 30 December 1635.

184 P.R.O., SP 80/9/105-16, Instructions for Arundel and abstract, 1 April 1636.

185 Bodl. L., Clar. MS. 8, ff.9-10, Instructions for Taylor, 30 December 1635.

186 Clar. S.P. I, p. 453, Taylor to Windebank, 22 February/3 March 1636. "I never went less than all, nor ever will; nay more than all, for all is not worth what the King must do for them ..." Bodl. L., Clar. MS. 8, ff.240v, 239 (bound in wrong order), Same to the same, 9/19 March 1636. "I am sorry that my Lord Aston, in his proposition, did not demand all, but therein he follows his instructions: but I now raise my voice and tell them that we must have all, and more than all; for all is not enough for what we must do for them."

187 P.R.O., SP 80/9/105-16, Instructions for Arundel and abstract, 1 April 1636.

188 Knowler, op.cit., II, p. 3, Arundel to Wentworth, 7 April 1636.

189 P.R.O., SP 80/9/285, Notes by Windebank on the Earl Marshal's embassy, n.d. [1636], but clearly written before Arundel set out.

190 Laud, Works VII, p. 254, Laud to the Queen of Bohemia, [April] 1636.

191 Clar S. P. I, pp. 502-3, Windebank to Taylor, 31 March/10 April 1636. "... upon those frequent and oft reiterated assurances which you have given his Majesty of a full and entire satisfaction, his Majesty hath made choice of this great person, the greatest of his subjects, to labour in this employment... If their demands there be not too high and exorbitant, I hope things will go well; which yet we have cause to fear, by some advices we have out of Spain..."

192 Bodl. L. Clar. MS. 9, f. 23v, Windebank to Aston, 11/21 April 1636.

193 For the Earl of Arundel's character see Clarendon, Rebellion I, 118-19.

194 Clar. S. P. I, pp. 536, 538, 571, Arundel to Windebank, May 1636, 13/23 June 1636.

195 Ibid., pp. 572, 576, Same to the same, 20/30 June, 22 June/2 July 1636.

196 Clar. S. P. I, pp. 573, 577, Arundel to Windebank, 20/30 June, 22 June/2 July 1636; p. 580, Taylor to Windebank, 23 June/3 July 1636. It was rumoured throughout Europe, according to the Queen of Bohemia, that Arundel had been sent merely to ratify this alliance. C. S. P. D., 1636-7, p. 61, Queen of Bohemia to Roe, 14/24 July 1636.

197 Ibid., p. 578, Arundel to Windebank, 22 June/2 July 1636.

198 Ibid., pp. 573, 577.

199 Bodl. L., Clar. MS. 10, ff. 32, 53, Arundel to Windebank, 15/25 August, 30 August/9 September 1636; Clar. S. P. I, p. 626, Same to the same, 23 August/2 September 1636; P. R. O., SP 80/9/240, Same to the same, 4/14 September 1636.

200 See, for example, Bodl. L., Clar. MS. 10, f. 22v, Arundel to Windebank, 10/20 August 1636, complaining that nearly seven weeks had passed since Sadler had left for England, and that he had not yet returned with a reply. P. R. O., SP 80/9/199, Arundel to Coke, 9/19 July 1636.

201 Bodl. L., Clar. MS. 10, f. 80, Arundel to Windebank, 4/14 September 1636, "... my discourse and preparations rather tend towards an inclining homewards than otherwise, by reason of the winter's approach..."

202 Clar. S. P. I, p. 629, Same to the same, 29 August/8 September 1636.

203 Bodl. L., Clar. MS. 10, f. 54, Same to the same, 30 August/9 September 1636.

204 P. R. O., SP 80/9/271, Same to the same, 13/23 September 1636.

205 See above, p. 214.

206 P.R.O., SP 80/9/240v, Same to the same, 4/14 September 1636.

207 Ibid., f. 244v. These were the Duke of Bavaria himself, his two brothers and three nephews. Bodl. L., Clar. MS. 10, f. 157, Arundel to Windebank, 25 October/4 November 1636.

208 P.R.O., SP 80/9/240v, Same to the same, 4/14 September 1636.

209 Clar. S.P. I, p. 612, Same to the same, 10/20 August 1636.

210 P.R.O., SP 80/9/240v, Same to the same, 4/14 September 1636.

211 Ibid., ff. 240v-241.

212 Ibid., f. 242v; B.L., Add. MS. 27,962G, ff. 349v-350, Salvetti to Grand Duke of Tuscany, 23 October/2 November 1636.

213 Bodl. L., Clar. MS. 10, f. 157, Arundel to Windebank, 25 October/4 November 1636; P.R.O., SP 80/10/11, Arundel to Coke, 25 October/4 November 1636, "For whereas I remained in a manner neglected without so much as receiving any visit or civil respect from any of them, now there passeth not a day when they express not some evident argument of their desire to give me contentment." Three weeks later Arundel decided to leave. Ibid., f. 190, Same to the same, 13/23 November 1636.

214 C.S.P. Ven., 1636-9, p. 16, Correr to Doge and Senate, 23 June/3 July 1636.

215 Clar. S.P. I, p. 578, Arundel to Windebank, 22 June/2 July 1636.

216 Bodl. L., Clar. MS. 9, f. 160, Arundel to Windebank, 29 June/9 July 1636. "I do guess by appearances that if we get anything it must be by degrees, and not by leaps, and that a promise after Bavaria will not be had, but a going on in part, and leaving the rest to treaty. This, I doubt, will prove the best. It needs no answer now, but I beseech you to put the King in mind of it when time shall be."

217 P.R.O., SP 80/9/244, Arundel to Windebank, 4/14 September 1636. "... all possible care must be taken that this business of the Prince Elector may either accompany the general peace at the treaty of Cologne, or otherwise to keep France and these asunder. Which latter I hold most expedient for his Majesty's affairs ... But the counsels taken for effecting these ends are to be kept most secret as well at home as from the knowledge of any abroad..." P.R.O., SP 80/10/55-58v, contains a summary of Arundel's negotiations, written by Sir John Borough, the Earl's secretary, which reiterates many of the points made in the despatches to Windebank and Coke.

218 Bodl. L., Clar. MS. 11, f. 47v, Windebank to Aston, 15/25 January 1637.

219 P.R.O., SP 94/39/22-22v, Hopton to Aston, 20/30 January 1637.

220 B. L., Add. MS. 27,962 H, f. 1v, Salvetti to Grand Duke of Tuscany, 17/27 February 1637. "Il Signor Conte di Arundel e' hoggi uno de' più grandi et più potenti nemici, che habbiano tenuto per avanti per loro grandissime amico."

221 Clar. S. P. I, pp. 701-2, Remembrances left by the Earl Marshal with Mr. Taylor at his departure from Ratisbon, 1636.

222 Ibid., pp. 769, 771, 773, Taylor to Windebank, 10/20, 17/27 June 1637.

223 Ibid., p. 792, Same to the same, 5/15 July 1637. Bodl. L. Clar. MS. 12, ff. 159-159v, 164v, 170v; Clar. MS. 13, f. 146v; Clar. MS. 14, 55v, referring to himself as "Johannes sine nomine"; Ibid., ff. 104v, 124v, 139-139v, Same to the same, 6/16, 20/30 September, 27 September/7 October 1637; 27 February/9 March, 25 April/5 May, 19/29 June, 28 July/7 August, 11/21 August 1638. "His Majesty keeps at such a distance with them here that unless he come nearer, nothing will be done." Clar. MS. 14, f. 107, Same to the same, 27 June/7 July 1638.

224 Ibid., ff. 62v, 119, Same to the same, 2/12 May, 11/21 July 1638. Ibid., f. 55, Taylor's Relation, 1636-9, describes how he "went not to Court either in Vienna or Prague, but sometimes visited the Ministers, to keep them in as good blood as I could."

225 Ibid., f. 20, Windebank to Taylor, 30 March/9 April 1638.

226 Bodl. L., Clar. MS. 12, ff. 99v-100, Taylor to Windebank, 26 July/5 August 1637, "... which really and in effect you will obtain from none, notwithstanding all their promises in black and white." Ibid., ff. 162, 192-3, Same to the same, 13/23 September, 11/21 October 1637.

227 Clar. S. P. I, pp. 770, 792; Clar. MS. 14, ff. 126-126v, Taylor to Windebank, 10/20 June, 5/15 July 1637, 28 July/7 August 1638.

228 Clar. S. P. I, p. 787; Clar. MS. 15, f. 63v, Taylor to Windebank, 28 June/8 July 1637, 12/22 December 1638.

229 Bodl. L., Clar. MS. 16, ff. 62-62v, John Taylor's Relation, 1639.

230 Clar. S. P. I, p. 771, Taylor to Windebank, 17/27 June 1637; Clar. MS. 13, ff. 48-9, Taylor to Emperor Ferdinand III, 21 December 1637. Colonel Leslie, he thought, might be a suitable candidate. Two years later the Emperor was reported as still considering the proposal. Clar. MS. 16, f. 56, Taylor's Relation, 1639.

231 Clar. S. P. I, pp. 771-2, Taylor to Windebank, 17/27 June 1637; Clar. MS. 16, ff. 52v-55, 58-9, Taylor's Relation, 1639.

232 See, for example, P.R.O., SP 94/39/262, Gerbier to Aston, 18/28 November 1637; B.L., Add. MS. 36,450, ff.177, 179v, Aston to Windebank, 7/17 January, 31 January/10 February 1638; Clar. S.P. II, pp. 33, 43, 48, Windebank to Charles I, 31 March, 18, 31 May 1639; Sydney Letters II, pp. 579-80, 593-4, Leicester to Coke, 14/24 December 1638, 8/18 February 1639; Ibid., pp. 600-601, Leicester to Windebank, 7/17 May 1639; C.S.P. Ven., 1636-9, pp. 461, 494, 502, 517, 523, 561.

233 Bodl. L., Clar. MS. 16, f.141v, Windebank to Charles I, 31 May 1639.

234 Ibid., ff.141v-142. See also Ibid., f.79, Windebank to Hopton, 19/29 April 1639.

235 Bodl. L., Clar. MS. 14, ff.20, 22, 36, Windebank to Taylor, 30 March/9 April (two letters), 6/16 April 1638. For the papers delivered by Taylor see Clar. MS. 13, ff.148-9, MS. 14, f.18, Taylor's Memorials to the Emperor, 11, 24 March 1638.

236 Bodl. L., Clar. MS. 14, ff.62-64v, Taylor to Windebank, 2/12 May 1638.

237 Bodl. L., Clar. MS. 15, f.88, Windebank to Taylor, 11/21 January 1639. Windebank's comment to Hopton on Taylor's arrival in England contains a characteristic note of compassion, "John Taylor is revoked from Vienna and arrived here. He hath been too busy in delivering papers there in His Majesty's name for which he had no warrant, which Sir Thomas Roe allegeth to be in prejudice of our Treaty with France; and then your Lordship may judge in what condition the poor creature is likely to be." Windebank to Hopton, 19/29 April 1639. Clar. MS. 16, f.80v.

238 Bodl. L., Clar. MS. 17, f.118, Windebank to Hopton, 29 September/9 October 1639; Sydney Letters II, pp. 573-4, Coke to Leicester, 26 October/5 November 1638; P.R.O., SP 78/107/68-70, Leicester to Coke, 8/18 February 1639; B.L., Add. MS. 27,962 H, f.349v, Salvetti to Grand Duke of Tuscany, 13/23 September 1639; C.S.P. Ven., 1636-9, p. 576, Giustinian to Doge and Senate, 20/30 September 1639.

239 P.R.O., SP 77/28/231-231v, Relation of Gerbier's negotiations with Princess Phalzburg, 1637-8.

240 Ibid., ff.219-219v, Account of audience between Gerbier and Princess Phalzburg, 21 November/1 December 1637.

241 Ibid., ff. 221-221v, 21 November/1 December 1637.

242 Ibid., f.231, Gerbier's Relation; ff.15, 147, Gerbier to Aston, 10/20 January, Gerbier to Windebank, 17/27 March 1638. For English negotiations with France, see Chapter VII.

243 P. R. O., SP 77/28/48, 63, Windebank to Gerbier, 2/12, 9/19 February 1638.

244 Ibid., ff. 223-30, Register of letters between Gerbier and the Princess Phalzburg, and other papers, December 1637-April 1638, received by Windebank 25 April/5 May 1638. See also Ibid., f. 202, Windebank to Gerbier, 20/30 April 1638.

245 Ibid., f. 266, Same to the same, 18/28 May 1638. He later reminded Gerbier of "what lyons and foxes and such like dangerous cattle you are to treat ..." Ibid., f. 472, Same to the same, 10/20 August 1638.

246 Clar. S. P. II, pp. 16-17, Princess Phalzburg's propositions, 13/23 July 1638, and Charles I's reply, 6/16 October 1638; Ibid., pp. 14-16, Windebank to Charles I, 18, 22 September 1638.

247 P. R. O., SP 77/28/549, Gerbier to Windebank, 27 October/6 November 1638.

248 Clar. S. P. II, p. 33, Windebank to Charles I, 31 March 1639.

249 Claus-Peter Clasen, The Palatinate in European History 1555-1618 (1966), discusses the implications of the adoption by the Electors Palatine of the Calvinist faith, and the origins and significance of their aggressive policy in the late sixteenth and early seventeenth centuries.

250 G. Pagès, The Thirty Years War, 1618-1648 (1970), p. 188, "Another characteristic of the war was that the governments involved never stopped talking of peace. They talked about it before war was even declared and went on talking about it afterwards."

251 B. L., Add. MS. 11,044, f. 58v, Instructions for Scudamore, 9 June 1635.

252 The Peace of Westphalia provided for the return of the Lower Palatinate to Charles Louis, and the restoration of the Electoral vote. Maximilian of Bavaria was given a new Electoral vote and retained the Upper Palatinate. Pagès, op. cit., pp. 235-6.

253 Clar. S. P. II, p. 59, Windebank to Charles I, 6 July 1639.

CHAPTER VI

WINDEBANK AND THE FOREIGN POLICY OF THE PERSONAL RULE: THE INTERESTS OF ENGLAND

There is, however, another side to the foreign policy of the Personal Rule. If we examine those issues that were characterised by action rather than by words, there are indications that the fundamental interests of British foreign policy were not as far out of sight as Gardiner implies, and that in these cases dynastic considerations played little or no part in decision-making. Some of these issues included the protection and encouragement of British overseas trading interests; maintenance of naval strength, particularly in the Channel and the North Sea; and the protection of the King's rights over fishing. It was also a perennial matter of concern to England to ensure that the opposite Channel coast was not held by a powerful and potentially hostile nation, particular sensitivity being displayed over the Flanders area. Furthermore, it was generally felt desirable that no one European state should become excessively powerful, and that English interests required a shifting balance of alliances to counteract this tendency when it appeared.

Windebank's correspondence provides evidence that all these questions were well to the fore in the minds of the King and his closest advisers in the 1630's. Moreover it is significant that in dealing with them different methods were used from those adopted in the negotiations over the Palatinate. The advice of English diplomats was more readily taken. Where treaty negotiations were undertaken, the King was not reluctant to define his offers, and when, as in the case of the maritime treaty with Spain, no agreement was reached, then independent English action followed. In cases of real urgency, such as the countering of the Franco-Dutch attack on Flanders in 1634-5, there was no stubborn insistence on unacceptable conditions. In two successive summers the English fleet intervened to relieve the Flanders coast, and although Charles I hoped to be repaid by Spanish good offices on behalf of the Palatinate, it is noticeable that he did

not put the interests of his nephew before the fate of Flanders by insisting that Spain should perform these good offices first.

These aspects of English policy were based on a view of Europe that was not strongly coloured by anti-Habsburg feeling. The reports of English diplomats and the advice of many of his leading ministers enabled the King to achieve a more accurate grasp of the shifting balance of power in Europe than that possessed by those who had no access to the information that Windebank was relaying to the King. Those who, like Windebank, preferred to deal with Spain rather than with France appear to have had a better appreciation of some of the long-term trends in European development, and were less easily misled by temporary success and failure, than those whose attitudes were shaped by fears for the survival of Protestantism and apprehension of Habsburg domination of Europe.

One of the clearest expositions of the contemporary European situation as seen by those who favoured an active Protestant policy is contained in a paper on the Palatinate written in March 1636 by Roe, an experienced diplomat and an ardent supporter of the interests of the Palatine house.[1] The recent successes of the Austrian Habsburgs in reaching a measure of agreement within the Empire, and the continuing exclusion of the Prince Palatine from this settlement, he saw as the prelude to a threat to England more serious than the threat from Spain under Charles V. He foresaw the extinction of the Dutch and the possible conjunction of Hispano-Flemish armies "to advance the conquest of Europe". More imminent still was the prospect of a naval union between Spain and the Hanseatic and Imperial ports that would monopolise the carrying trade through the Channel and eventually, after the conquest of Holland, blockade the English coast.[2] Although there was good reason for Protestants to regard with apprehension the ground regained by the Catholics in Germany, the rest of Roe's nightmares bore little relation to reality by the late 1630's and subsequent events did not fulfil his predictions.

By contrast, Windebank and those who shared his views were well

aware that the balance of forces in Europe had shifted. To them, the Hispano-Imperial menace in strategic terms no longer existed and the counter-Reformation was not a serious danger to England. Instead they noted the increasing power of France and the maritime strength of the United Netherlands, which were to prove more real threats to English interests for much of the rest of the century.

Spanish naval weakness, particularly on the northern Spanish seaboard and in the Channel, was repeatedly emphasised. This was illustrated by the use of English vessels to transport money and men to Flanders,[3] and in 1635 by a tentative suggestion from Spain that English ships might be used to reinforce the squadron of Galicia.[4] Requests were made by Spain for English ships to convey the Conde de Humanes to England and the Duchess of Archot from Flanders.[5] Spanish lack of confidence in the safety of their own fleets can be measured by the number of applications to travel in the English ship sent to bring Oñate to England in 1636.[6] As Windebank pointed out to the King, "great as they make themselves, they dare not, or are not able, to appear in these seas in these times of hostility but under your Majesty's protection."[7] By 1638, despite Spanish efforts to remedy the situation,[8] the story was still the same,[9] and by 1640 the position had been further exacerbated by the defeat of the Spanish armada in the Channel[10] and the subsequent reluctance of the Conde Duque to be beholden to England for naval assistance.[11] The strain of the war with France on Spanish military resources was also recorded,[12] as were Spain's chronic financial difficulties,[13] and although Hopton had concluded by 1639 that Spain would always just manage to hold out, he thought it would be by a narrow margin.[14] Suggesting that Charles I's decisions over the making of treaties needed to take account of the changed European situation, Hopton was explicit that power had moved elsewhere:

> "... to judge of these matters according to what hath passed in other times, is to deceive one's self wholly; for neither is this kingdom what it hath been, being incomparably weaker, nor France what it hath been, being as much stronger." 15

The rising power and ambition of France was regarded by Windebank and many of his diplomatic correspondents with apprehension and distrust. To Windebank, French actions and words alike revealed their hostile intentions:

> "What aims and ambitions the French King hath, is not only seen by his late actions, but also by a Manifesto which he hath lately published, the copy whereof I send you herewith, and by it you will also perceive what estimation he makes of the two Kings his neighbours, and what obligation he hath put upon them not only to hold a mutual friendship between themselves, but to consider him as a dangerous neighbour." 16

He repeatedly commented on the strategic and other advantages acquired by the French, and the danger that they represented to Spain.[17] Hopton, too, wrote of French preparedness for war[18] and of the growing Spanish realisation of French power.[19] From Vienna, Taylor sent lists of French victories, commenting that France alone of the European powers was not inclined for peace.[20] He was chiefly conscious of French eagerness for territorial acquisitions, believing that if they captured any part of the Palatinate they would treat the Prince Elector worse than the Swedes served his father.[21]

Nearer to home, Windebank and the King were equally conscious of the dangers of Dutch naval activity in the Channel, and resented the affronts to English sovereignty occasioned by the continual dog-fighting between the Dutch and Dunkirkers which were occasionally pursued even into English and Irish harbours.[22] English ships trading to Dunkirk and elsewhere were repeatedly seized by the Dutch in the Channel,[23] and Boswell's despatches to Windebank record some of the interminable and usually fruitless attempts to secure redress for the victims in the Dutch courts.[24] In 1635 Windebank believed that some measure to control the Dutch was long overdue,[25] and by 1639 he was relaying to the King complaints from London merchants "of the great interruption of trade given by the Hollanders' fleet lying in your Majesty's seas" which subjected them to "daily insolencies".[26]

An increase of power in either of these nations would have given

some cause for anxiety; simultaneous development when France and Holland were allies merited more watchful attention still,[27] and the notion that English foreign policy should aim at securing a balance of forces in Europe repeatedly recurs. The Venetian Ambassador, commenting in 1635 on opposition at the English court to proposals for a treaty with France, regretfully observed that an appeal was being made to this argument:

> "... the more speculative spirits go about spreading the idea that the excessive power of either of the two crowns ought to be equally suspect to England, that the principles of good government teach them to endeavour to keep the forces of their neighbours as nearly balanced as possible, and not to give encouragement to the more powerful ... as they agree with the most authoritative opinions of the ministers, they cannot fail to have a most mischievous effect." 28

In 1636 Aston urged acceptance of Olivares's offer to conclude the maritime treaty on the grounds that this would help to counteract the increasing power of France and Holland.[29] In 1637, Arundel informed Aston of the King's negotiations with France, hoping that thereby Spain would become more amenable and would cease to undervalue English power so that "our nation shall hold that ancient and just attribute, the balance."[30] English awareness of the need to maintain a balance was not confined to dealings with the greater states. In 1636 Windebank advised the King to adopt Colonel Leslie's suggestion of creating a party among the Italian states to balance the influence of Bavaria,[31] and drew up instructions for Morton at Turin offering English naval assistance in return for the support of the Duke of Savoy.[32]

Windebank's attention was chiefly directed, however, at the situation in the Channel. Technically, the French and the Dutch were also allies of England, by virtue of the Anglo-French Treaty of Susa and the longer-standing treaty of 1625 with the United Provinces, which envisaged Spain as the major enemy.[33] In practice, by the 1630's, these treaties provided a convenient smoke-screen behind which Charles I could retire when Spanish demands over the Palatinate became excessive, or when Dutch suspicions of

the nature of Anglo-Spanish negotiations were aroused. On these occasions Windebank was called upon to draft unctuous remarks about the King's loyalty to his allies and his inability to break the solemn engagements into which he had entered. In reality, the currently successful Franco-Dutch conjunction was regarded with suspicion and alarm, and in the early 1630's perennial English anxiety over the control of Flanders had been reawakened. This is most clearly reflected in Windebank's correspondence with Hopton, which reveals that the principal reason for the decision to build the ship-money fleet that was originally to have been partly financed by Spain was to free the Flanders coast from the blockade currently being mounted by the Dutch, and to open the Flemish ports to succour from Spain:

> "In the mean time, their affairs in Flanders growing every day into more desperate estate, and his Majesty considering in his princely wisdom, how much it concerns him, in his own interest, to carry a jealous and a watchful eye over the growing greatness of the States, by whose insolencies he is every day much awakened, hath been pleased to direct the Lord Treasurer to call the Lord Cottington and myself unto him, and to confer with Necolalde upon some course to be held for giving assistance to the King of Spain; such as may stop the current of the Hollanders conquests, and peradventure draw them to a peace, yet not plunge his Majesty into a sudden, dangerous and untimely war with those people. To do this, it is of both sides thought fit that his Majesty should put a strong and powerful fleet to sea, that may open the ports, prohibit all kind of depredation in these seas, and secure even the coasts of Flanders." 34

By this means it was hoped to ensure that the opposite coastline remained in tripartite ownership. Policing the Channel to prevent depredations by both Dutch and Dunkirkers was a secondary interest, but this was to be published as the fleet's main <u>raison d'être</u>, so as to avoid giving such open offence to the Dutch as might lead to a war which the King could not support:

> "And this to be done upon pretence of suppressing and punishing the great liberty which hath of late been taken, both by the States and those of Dunkirk, to commit hostilities one upon the other, even within his Majesty's safest harbours, both in England and Ireland." 35

A further reason for arming was that England might then speak from a position of greater strength, and carry greater weight as a mediator and peacemaker. Windebank made it quite clear that not friendship for Spain but "his Majesty's own reason of state ... doth chiefly move him to this course..."[36]

By July 1634 Windebank was writing of the Dutch fleet of twenty sail that was still besieging the Flanders coast.[37] He described to Hopton the discovery of a secret Franco-Dutch plan to capture Dunkirk and Gravelines for the French, revealed by the chance interception of despatches from the Prince of Orange, and providing fresh evidence that English fears were not illusory:

> "Necolalde sent us copies of letters intercepted in Flanders, and written from the Prince of Orange and Arssens, in Holland, to the States Ambassadors in France, and likewise copies of propositions made by the Cardinal Richelieu to the States, together with the Prince of Orange's answer to them to join some forces of the French King with those of the States, for the surprising of Dunkirk and Gravelines, and putting them into the hands of the French King; and this to be carried with such secrecy as the King of England must by no means know it, lest he should hinder it ... his Majesty is very sensible of these strait confederacies and practices between the French and the Hollanders..." 38

In February 1635 a treaty was concluded between France and the States-General for a joint attack on Flanders and the division of the spoils between them. Correr reported the anxious discussions that were taking place in the Privy Council over the prospect of a French attack on Dunkirk,[39] and the arguments produced by those who shared Windebank's views that France should be regarded as a more dangerous enemy than Spain:

> "These say that dangers from the Spaniards are very remote and at present in particular rather imaginary than of any apparent substance. That from the French, on the other hand, is now most patent and very near, and with their arms in their hands they give just cause for fearing, if not immediate acts, yet because of the possible consequences of their successes, especially as regards the ports of Flanders, of which there is no doubt the English could not tolerate with patience to see them masters." 40

In the event, although Flanders was invaded early in May and successes were secured by France and Holland in the first month of warfare, Flemish retaliation was thereafter so vigorous that the invaders were expelled.[41]

Meanwhile, in March 1635 Boswell had reported that the French and Dutch had agreed to resist any attempt to relieve the blockade of the Flemish coast,[42] and in April came news that the French were sending a fleet into the Channel.[43] By May it had become clear that the maritime treaty would not be concluded, and that the English action to raise the blockade of Flanders would have to be taken without Spanish aid. On 27 May the Earl of Lindsey escorted a convoy of war supplies to Dunkirk, and then prepared to sail westwards down the Channel to intercept an Allied fleet reported to be lying in Portland Roads.[44] Delayed by contrary winds off the Isle of Wight he found that, hearing of his approach, part of the fleet had been ordered to disperse, and the rest had been diverted to the Spanish coast.[45] Lindsey then patrolled the western end of the Channel and the French coast until it was time to revictual, but met with little shipping. Criticised by Coke for inaction, he defended the deterrent rôle of the fleet, which seems to have been equally effective at the eastern end of the Channel in the following months.[46]

Once the blockade of the Flemish coast was broken and the French attack by land repulsed, Windebank's main connexion with the continuing English policy of aiding the Spaniards to retain control of Flanders related to the shipment of men and money from Spain in English ships.[47] The traffic in silver began to operate on a significant scale in 1632, and although the origins of the arrangement are somewhat obscure, the general picture is clear. English ships carrying to Flanders silver entrusted to them by the asentistas in Spain were to call en route at Dover, where two-thirds of the silver was to be landed and sent to the Mint for coinage. Seignorage was paid by the agents of the asentistas in England, and with the coined silver they then bought from English merchants bills of exchange redeemable in Flanders. The remaining third of the silver continued its journey to

Dunkirk, paying no customs duty before April 1636, when a levy of $1\frac{1}{2}$ per cent was imposed. Convoy protection was provided by the English fleet for ships carrying silver from Dover to Dunkirk; while English, Flemish and other foreign merchants were given preferential treatment by the customs farmers in the commodity traffic that accompanied the freighting of silver.[48]

Windebank's correspondence reveals something of the diplomatic side of this traffic, and illustrates once again that English foreign policy during the Personal Rule was at its most effective when it encouraged flexible, often informal, arrangements that fulfilled a strategic purpose common to both parties, that was at the same time mutually profitable. In this case, vital war supplies for Flanders were carried in armed English merchantmen by the Channel route that became more important to Spain in the 1630's with the blocking of the overland corridors to the Netherlands. For England, the traffic provided fiscal gains to the Crown in the shape of profits at the Mint, and, more significantly, from customs duties on the expanding commodity trade in re-exports from Dover that accompanied the freighting of silver. The newly-minted silver increased the supply of coins in circulation in England, while the East India Company found it easier to acquire the Spanish reals so necessary to its trade. Most important of all, the arrangement helped to foster the profitable participation of English ships in the carrying trade between northern and southern Europe that resulted in the dominant position achieved by England by 1638.[49] The clause dealing with silver in Aston's instructions urged him to try "to get freedom for our merchants to import the commodities both of France and Holland, whereby as they shall be furnished with commodities ... so their enemies shall be deprived of that trade which enableth them to make war."[50]

Arrangements for the transport of silver to Flanders were made individually by the asentistas with the Dunkirk fleet, the masters of English merchant vessels, and the masters of the King's ships calling at the Groyne to convey some notable person to or from England or Flanders. Aston reported that the Spanish ministers valued more highly the safe passage provided for "those persons of quality which have gone from hence to

Flanders, than in the safe conveyance of their monies, which the State hath nothing to do withal."[51] The asentistas had mixed feelings about sending silver in the King's ships. It was safer there than with the merchants if French or Dutch fleets were particularly active in the Channel or off the Spanish coast, but it was subject to deduction of tax at Dover, and a further one per cent deduction if the King's ship transported the money from the Downs to Dunkirk. The main practical concerns of Hopton, Aston and the Secretaries of State were to keep a watchful eye on the activities of English merchants, to persuade the asentistas to send a higher proportion of their silver in English ships, and to provide a climate of confidence in which this traffic could flourish.

Supervision of the English merchants was intentionally tolerant. The need was to strike a balance of control so that the merchants' illicit practice of taking silver direct to Dunkirk without calling at Dover did not get out of hand, and yet was sufficiently condoned so as to encourage the development of the carrying trade in other commodities. Coke as well as Windebank took part in this aspect of Anglo-Spanish relations, and it was he who had explained to Hopton the official English attitude:

> "Only this may seem to favour some toleration therein. Flemish merchants bring goods into our ports to be re-exported in English ships, which may not only increase our navigation but our trade. And this course will probably be encouraged or checked by the liberty of transporting their monies to our doors. And happily the benefit of the customs of their goods will be greater than can be expected by the mint." 52

To judge by results, this policy appears to have worked successfully, although avoidance of Dover increased predictably but temporarily in 1636 when new rates of duty were imposed. Aston had tried in vain to discover more about the carriage of silver direct to Dunkirk, and the evasiveness of both merchants and consuls convinced him that "there is greater conveyance of monies that way than is understood."[53] By 1638 Hopton reported to Windebank that the asentistas were avoiding the King's ships in favour of the merchants, in spite of the extra risk, "which I know they would not do

unless the merchants did serve their turns better."[54] He concluded that it might be wise for a time to enforce more strictly the instructions to call at Dover.[55]

Both Hopton and Aston made sustained efforts to persuade the asentistas to ship their silver in the King's ships whenever the opportunity arose, partly to ensure that the Crown's interest in the traffic was preserved, partly to secure safe transit, and partly to oblige the captains by securing them a worthwhile profit on their voyage. Thus Aston, arriving at the Groyne in October 1635 in Captain Porter's ship, authorised him to delay his return for four weeks until the next consignment of silver arranged by Hopton could reach the port.[56] In the early summer of 1636 he went to a good deal of trouble to ensure a large shipment of silver by Captain Stewart in the Victory, which carried Oñate, the new Spanish Ambassador, to England;[57] and in March 1638 he reported that 104 chests of plate were to travel in the King's ship sent to collect the Duchesse de Chevreuse.[58] By the summer, Hopton was apologising to Captain Mennes that the need of money in Spain to counter the French attacks on the Biscay coast and Navarre prevented the asentistas from sending more than a hundred cases in his care.[59] The English diplomats were not without a personal financial interest in this, for Hopton secured a promise from the King that he should share equally in the captain's profits where it could be shown that the asentistas had transported more silver in the King's ships as a result of his persuasion than they would otherwise have done.[60]

The asentistas were naturally anxious that their money consigned to Flanders via Dover should reach its destination without undue delay, in the agreed proportion of specie to bills of exchange, after payment of the agreed duties, and they were sensitive to rumours, particularly rife in 1636-7, that their money had been detained in England. One of Windebank's tasks was to reassure them that the King had no ulterior designs on their property, no easy matter when Charles was occasionally tempted to put his own needs before those of the Army of Flanders.

The chequered fortunes of one of these silver shipments with which Windebank's name was particularly linked may serve to illustrate some of the features of this traffic. In April 1636, Captain Stewart was sent to Spain in the Victory to carry the new Spanish Ambassador, Oñate, to England, and the Marquis of Mirabel and others to Flanders.[61] Alarmed by the presence of a French fleet off the northern coast, the asentistas had been persuaded by Aston to break their invariable rule of limiting consignments to two hundred chests in any one ship. Instead of dividing the silver between the English ship and the Dunkirk fleet, they agreed to send all their currently available money, about five hundred chests of 20,000 reals each, in the Victory.[62] The unusually high value of the consignment, which amounted to about a quarter of the total receipts of the Flanders pagaduría in 1636, accounts for the exceptional interest that it aroused on many sides.[63] Aston tried to claim a share in the captain's profits on this shipment, since the arrangement had been made by his exertions, but had his usual ill success in money matters, being opposed by Hopton, Stewart and Windebank.[64]

Unknown to the asentistas and to Aston, the Committee for Trade had in April decided to cash in on the increasingly heavy silver traffic resulting from the Franco-Dutch threat to Flanders by ensuring that a full two-thirds of each shipment went to the Mint for coinage, and by imposing a new customs rate of $1\frac{1}{2}$ per cent on the remaining third sent to Dunkirk.[65] The King gave instructions through Coke that the new arrangements should apply to the consignment expected in the Victory, a decision that seems to have been influenced partly by a wish to recoup some of the losses already suffered by the English merchants' avoidance of Dover, and partly by a desire to emphasise to the French and Dutch ambassadors that the silver traffic was a profitable English venture and not simply a favour to Spain.[66] Windebank was apparently ignorant of this command, but had himself already been approached by Necolalde with the request that Captain Stewart should not linger at Dover, but should convey the Marquis of Mirabel to Dunkirk as speedily as possible.[67] His arrival was awaited in Flanders

since the Cardinal Infante was about to commence his attack on France, a highly successful campaign that was partly financed by this shipment of silver. Windebank accordingly sent instructions to Juxon and Cottington, in the King's name, that once the duties on the silver had been paid, the rest of the treasure should be transported forthwith to Dunkirk, together with the Marquis of Mirabel, and this command was duly forwarded to the Earl of Northumberland.[68] Stewart acted promptly, handed over five chests of plate in part payment of duty, and sailed for Dunkirk early on 14 July.[69] By 17 July the error had been discovered and Windebank, too late, sent a hasty cancellation of his former order.[70] The King was reported by Roe to be deeply displeased:

> "... his Majesty being advertised that the money was gone, I saw him call Windebank to a sharp account, with more passion and anger than ever I observed in a King that hath so much power over all his affections. My Lord Cottington had his part in this storm, and both looked dejected..." 71

Opponents of Spain like Correr lost no opportunity of magnifying the incident so as to discredit Windebank and Cottington and emphasise the influence wielded by Spain over some of the King's ministers:

> "... the King has let it be understood that he knows full well that besides these two [Windebank and Cottington] there are others in his Council who receive a yearly pension from the Spaniards, and that he will also be able to find a way to make them repent bitterly... If these two ministers remain in disgrace the French hope that their affairs will profit greatly, because not only the sympathies but the overt acts of these two were always devoted to helping the Spanish side. However they have such favours and so many connections that their fall will be no such easy thing although their power will be diminished as they certainly will not soon recover their former influence with the King. Accordingly everyone is awaiting the issue of this affair with great anxiety, as it is believed that the greatest deliberations will take their direction in accordance therewith." 72

The Venetian ambassador repeatedly proclaimed that the King had intended to seize the money in order to pay old debts.[73]

Most of the rumour-mongering sprang from wishful thinking,

however, and Windebank's retreat to Haines Hill for the summer seems to have been occasioned by prevalence of plague in London rather than by royal banishment.[74] Lennox, concerned to defend Windebank from slander, found the King ignorant of the scandal and astonished at its virulence.[75] Windebank, presumably reassured by the news, sent the King a justification of his actions, and denied further allegations of a secret meeting with the Spanish Ambassador.[76] In September, an enquiry by the Privy Council freed both Windebank and Cottington from suspicion, but imposed a fine and a brief formal imprisonment on Captain Stewart.[77] By November, Correr was reporting with some surprise that Windebank had returned to his normal duties.[78]

Characteristically, Sir Francis was less concerned for his own reputation at Court than for the King's reputation abroad and the possible consequences of interruptions to the flow of silver to Flanders. He advised the King to take steps to deny rumours that he had planned to confiscate the silver:

> "But one thing above all the rest I shall in all humility beg of your Majesty, and if I mistake not it highly concerns your service in this conjuncture; which is that the opinion that your Majesty meant to have stayed the monies otherwise than by coining the two-third parts, according to contract, may be suppressed and cried down." 79

He also urged Aston to use his best efforts to restore confidence among the asentistas.[80] The move was successful, and silver consignments in English ships were resumed.[81] The asentistas, however, like many financiers, continued to react nervously to adverse reports, and Hopton urged Windebank to emphasise in England the need to retain their confidence if the traffic was to continue. He stressed the importance of making the King understand that the asentistas' money, although conveyed in the name of Londoners, had not changed ownership. If the asentistas met with further difficulties, then English trade was likely to suffer.[82] He also pointed out the danger of possible retaliation upon the property of English subjects in Spain if the asentistas' money was seized.[83] Both Hopton and Windebank

well understood the mutual advantages to England, Spain and Flanders in fiscal and commercial terms of the expanding English carrying trade in silver and commodities.[84]

Windebank's exertions to ensure that the flow of money to Flanders proceeded as smoothly as possible were matched by a similar attitude to the transport of troops to Flanders. In the summer and autumn of 1639, however, events passed out of English control as large Dutch and French fleets embarked on an aggressive policy towards Spain that coincided with the diversion of a substantial part of the English fleet to Newcastle to reinforce the King's campaign against the Scots.[85]

By this time increasing numbers of contracts were being made by English merchants to transport Spanish troops to Dunkirk, a profitable arrangement for masters seeking freight.[86] The practice was of further advantage in that it inclined the Spaniards to be more lenient to the English in the matter of embargoes.[87] The royal view on the transport of troops, as outlined by Windebank, was that contracts might be made individually by the merchants at their own risk, but beyond stipulating that they should not infringe the terms of his existing treaties, the King wished to take no official cognizance of the practice.[88]

In 1639 there was anxiety once again over the prospect of a Franco-Dutch attack on Gravelines and Dunkirk. The Prince of Orange and the French King were both at the head of armies in the field, and the Cardinal Infante had spent most of May in the Dunkirk area with his whole force, preparing to ward off an attack.[89] Olivares was offering help to Charles I in dealing with the Scots in return for increased English aid to Flanders.[90] The Channel was the sole route by which Spanish armies had been reaching the Netherlands since 1634, and in 1639 Spain was planning to send an unprecedented number of troops by sea to Flanders.[91]

The Dutch reacted to this news by sending a fleet, variously estimated at between thirty and fifty ships, to lie off Portland. They stopped and searched ships suspected of carrying Spanish soldiers, and

were the subject of many complaints by English merchants.[92] In June, a company of ten English ships from San Lucar carrying silver and 1,500 men for Dunkirk was intercepted and boarded, the Dutch treating the English civilly, leaving the silver and the merchants' goods untouched, but removing most of the Spanish soldiers.[93] Pennington took the view that the Dutch action was not unreasonable, the English merchants having courted trouble by carrying combatants,[94] but Windebank urged the King that Pennington be ordered "to scour the seas and keep better order", citing the affront to the King's honour, the interruption to trade, and the need to give value for ship money as reasons for action.[95] Pennington pleaded unpreparedness,[96] but was nevertheless instructed by Windebank to take his best ships westwards:

> "... to preserve sovereignty in these Narrow Seas that trade may be free and open, as well to his Majesty's subjects as to others in league and amity with his Majesty, and that peace be kept, the merchants secured according to his Majesty's proclamations and declarations published heretofore to this effect." 97

On the other hand, the King officially repudiated the carrying of Spanish troops by English merchants.[98] Northumberland had already written to Windebank urging that the merchants be forbidden to carry soldiers: as Admiral, ~~and~~ Leicester's brother-in-law, and an opponent of Spain, he had several reasons for advocating this course.[99] Meanwhile, Windebank arranged for the three hundred Spaniards who had evaded capture to be marched from Portsmouth to London,[100] whence they were shipped to Flanders from the Downs.[101] This was not the only incident of the kind, and in September Hopton found himself defending to Olivares the refusal of English merchant ships to become involved in fighting on behalf of Spain.[102]

Moreover, as he revealed to Windebank, the situation was more complicated than it appeared. Unable to resist the lure of profit, Dutch ships were competing with the English merchants in helping to transport Spanish troops to Flanders, and in September 1639 Hopton reported that thirteen Dutch ships had made a new contract to serve the Spanish King as warships, "articled expressly to fight with the French or the Hollanders",

whereas the English "have capitulated not to serve as ships of war."[103] Windebank's reply reveals his strong sense of the inequity of a situation in which double standards were applied to England and to other nations over the making of treaties as well as the transport of troops:

> "The advice your Lordship gives ... concerning the fourteen [sic] ships of Holland which are in the King of Spain's service for as long as he pleases, is very considerable, but will scarce be credited here, where our merchants are strangely cried down for undertaking the transportation of the Spaniards from Spain to Dunkirk: so that as well in this as in treaties, all his Majesty's neighbours must be free, and his hands only tied. And they complain first that are themselves most guilty, which besides the dishonour is the greatest disadvantage to his Majesty's service that can be." 104

As a minister whose office required him to present the King's policies in the best possible light, he must have been very conscious by August 1640 that this was becoming an increasingly uphill task.

Windebank had a good deal less sympathy with the Spaniards over the attack by the Dutch on Oquendo's fleet in the Downs in 1639.[105] Although news of the preparation of a substantial armada had been current throughout the summer, Hopton's despatches announcing its departure did not reach Windebank until the Spanish fleet had been in the Downs for some days. Cárdenas's request to Charles I for shelter for the armada in the King's ports was similarly belated, and according to Windebank no warning had been given of the number of vessels expected.[106] Indeed, the first intimation of the imminence of its arrival had been the appearance at Plymouth on 2 September of a company of eight merchant ships of London, led by William Brown in the Royal Exchange, carrying silver and about 2,000 men. They had set out from the Groyne with the armada, but had parted company with it at an early stage, in spite of protests, and had prudently sailed ahead to discover the whereabouts of the Dutch fleet.[107]

After a brief encounter with the Dutch, the armada had run for Dover and there, menaced by a Dutch fleet of more than a hundred sail, with a French fleet nearby, they stayed quiescent for several weeks.[108] The only

English naval presence in the area consisted of six royal ships and a few merchantmen under Pennington, while another ten royal ships lay windbound by strong easterlies in the Thames until the night before the battle on 11 October.[109] Windebank, at the Spanish Ambassador's request, secured the King's agreement to temporary asylum, and then began on the King's instructions to negotiate terms with Cárdenas for the fitting out of an English fleet strong enough "to balance the great forces of Holland, and so to quiet the passages for them by sea in their return to Spain."[110] He regarded this as a purely business arrangement, however, and wrote frankly to Hopton that "we shall do little for love of his [Cárdenas's] or any other Madrid face."[111] Cárdenas had reminded Windebank that the safety of Flanders was now in the King's hand, and this consideration, together with the interests of the English merchants in Spain and the opportunity of placing Spain under a conspicuous obligation, seem to have been the chief considerations governing Charles I's attitude.[112]

By the second week in October it was clear that the Dutch would take matters into their own hands before English aid was mobilised. Windebank was told to prepare Cárdenas for the worst,[113] and took practical steps to organise relief measures on the south coast. As he wrote to Suffolk, Lord Warden of the Cinque Ports, "... if the Holland fleet should commit any act of hostility upon the Spaniards in the Downs, whereby the latter may be driven on shore for preservation of their lives... they may perhaps become unruly and disorderly, as soldiers in distress and necessity use for the most part to be..." Windebank ordered that they were to be billeted and fed, to prevent disorder.[114] When fighting broke out on the following day, Suffolk's five-hourly reports to Windebank recorded the stages of the Spanish defeat. At 10 a.m. he reported, "At this instant the Spaniards and the Hollanders are in a bloody fight in the Downs. The Admiral of Holland began the fight. There are six Lubeckers already run ashore, and it is probable that more will follow." By 3 p.m. he wrote that "the Spaniards and Hollanders have gone westward, fighting as they passed... His Majesty's ships lie in the Downs safely, not having sustained, for aught I

know or can be informed, any harm." Later in the day he reported that numbers of men had come ashore.[115]

Foreseeing that the Spaniards might try to shift the blame from themselves to England, the King ordered Windebank to send Hopton an account of the battle, and Windebank's next few despatches were designed as a justification of English inability to rescue the Spaniards from the consequences of their own folly.[116] At the end of September he had already written impatiently of the spineless collapse of the Spaniards after the initial Dutch attack:

> "... they were in distress, having been shrewdly torn and beaten by only 17 of the Holland ships in their first encounter (a shameful thing, considering the number of the Spanish vessels and their vastness, and their ostentation before to chastise both the French and the Hollanders,) ..." 117

Sir Francis was clearly surprised that the Spaniards should be willing to throw themselves on the King's mercy when they had given so little satisfaction over the Palatinate, and suggested that the Spaniards had made for the Downs instead of Dunkirk in a deliberate effort to involve England in hostile action against France and Holland. He reported English criticism of the impractical nature of the enterprise:

> "It is observed, their ground tackle for cables and anchors is very poor and weak, and no way able to resist winter storms in these seas... Besides, it is wondered they would send vessels of such immense greatness as their galleons upon this service, which was for the landing of their men in Flanders; their vastness and unwieldiness being such as they could not enter into any harbour, nor come near those shores without hazard." 118

It was for just this reason that Oquendo had concluded in September that his only safe refuge was the Downs.[119]

The Spanish ministers were unlikely to have agreed that the King had omitted no aid that could have been expected from him, or to have set much store by the promise to demand reparation from the Dutch.[120] The situation in Scotland and the recent display of Dutch strength made it unlikely that

anything more than a verbal protest would be attempted, and if the Spaniards hoped to provoke England to fight Holland they had miscalculated. In fact, Olivares can hardly have expected Charles to take a firm stand. The original Spanish plan of campaign had depended upon English inaction while envisaging a battle whose outcome would have been precisely the opposite of what had occurred. Oquendo's next objective, after unloading the Spanish troops for Flanders, had been the annihilation of the Dutch fleet, which had been expected to take refuge from the armada in the Downs and to have been destroyed there by the Spaniards in defiance of English claims to sovereignty. Olivares had been planning to counter subsequent English protests by pointing out the consequent benefit to England, since the Dutch had been giving aid to the Scottish rebels. Recollection of this plan may well have increased Olivares' shame and discomfiture, but it hardly provided good grounds either for surprise or for moral indignation.[121]

By the end of the year, although the King had held several private conversations with Aerssens, the Dutch Ambassador Extraordinary, no official protest had been made, and Windebank cited English unwillingness to provoke hostile reaction from the Franco-Dutch alliance as the principal reason for inaction, while informing Hopton that no decision had yet been reached: "What demonstration will be made thereof I yet know not, it being a great business and as dangerous to do something in it as nothing..."[122] Two months later, after earnest discussions between the King and the Foreign Committee, Charles's dilemma remained unresolved:

> "... in this present constitution of his affairs there may be as much danger in showing a sense equal to the affront as in showing none at all, and if he do not the former he must be necessitated to the latter, seeing a middling way in so exorbitant an offence might give a deeper wound to his honour in the face of Christendom than yet he hath received." 123

If the King demanded satisfaction from the States, and they refused, there would be no other way to vindicate his honour but by a rupture, "and in what state his Majesty is to enter into a war, considering the disorders of Scotland and the straight union between the Crown of France and the States,

whose interests are common, and consequently the quarrel must involve them both, it is not hard to determine."[124] On the other hand, to do nothing might offend Spain and damage the interests of English merchants, so delaying tactics were employed once more. Windebank instructed Hopton to divert Spain "from the over-earnest expectation of his Majesty's demanding reparation of the Hollanders", and to offer instead the Princess Mary's hand in marriage to the Prince of Spain - an alternative that can hardly have been thought adequate under the circumstances.[125] Avoidance of a confrontation with the French and Dutch, and persistent refusal to enter into treaty obligations with the Habsburgs that might lead to such a confrontation were cardinal features of the policy advocated by Windebank: if the Spaniards had been foolish enough to provoke a major encounter in English waters, they could hardly expect England to act as though an Anglo-Spanish treaty had been concluded.

Silence and procrastination, although inglorious and expensive in terms of loss of prestige, produced effective practical results. By the end of December 1639 it was already clear that Spain would not make a dramatic issue of the matter. The Dutch had undoubtedly achieved a conclusive naval victory, for Oquendo had lost shipping amounting to two-thirds of the tonnage of the forty-seven ships that constituted the main Spanish contingent in the armada, and between nine and ten thousand men had been killed or wounded.[126] Nevertheless, the Spanish ships that had run aground in England were refitted and returned, while many of the men intended for Dunkirk eventually reached their destination.[127]

The Battle of the Downs and its aftermath illustrated clearly one aspect of the problems faced by a neutral state that found itself awkwardly placed between the forces of two warring nations. England's determination not to risk war in the face of extreme provocation had been demonstrated with embarrassing clarity, although Windebank might fairly claim that the situation had not been of the King's own seeking. Two years earlier, however, the King's scheme to grant licences to Dutch fishermen had

foundered upon a similar rock, though less conspicuously, and Windebank's task in providing a face-saving explanation had been considerably more difficult.

A major provocation to contemporary English views on the rights belonging to a nation over its surrounding seas was provided by the triumphant Dutch exploitation of the herring fishery along the east coast of Britain known as the Groote Visscherij. Busses from five Dutch ports began their season off Shetland on 24 June and sailed southwards, frequently in British coastal waters, until they reached the mouth of the Thames in early December.[128] The value of the catch, the training provided for seamen, and the employment created by the fisheries were enough to arouse envy in England; more important to Charles I was the challenge to his claim to be lord of the seas flowing about his kingdom. Many previous attempts had been made to discipline and restrict the Dutch fishermen, and in 1636 a promising start had been made by the fleet under Northumberland on a policy of compelling the Dutch to acknowledge the King's rights by accepting fishing licences.[129] As Windebank wrote to Northumberland in July 1636, "His Majesty is resolved they shall answer him in acknowledgement of his sovereignty and hereditary dominion in his seas, of which the fishing is a prime and principal branch."[130]

Encouraged by Northumberland's success in 1636, and judging correctly that the chief opposition to the scheme came from the rulers of the United Provinces rather than from the fishermen themselves, the King evolved in the winter of 1636-7 a plan for extending acknowledgement of his sovereign rights over the waters surrounding Britain. In January 1637 Windebank was instructed to write to Boswell, ordering him to approach the leading fishermen in the various ports of the United Provinces, representing the benefits of English protection against attacks from the Dunkirkers, and the advantages of English friendship.[131] As a clinching argument to a notoriously mercenary nation, he was to offer substantial bribes to the most influential and intractable among them.

Boswell's reply provided an admirable analysis of the situation. The

two hundred or so fishermen who had taken licences in 1636 were mostly employees and therefore easily persuaded, their busses laden heavily with fish and guarded by only two ships. They were apprehensive of attack by the Dunkirkers, and impressed by Northumberland's rank.[132] The men whom Boswell was now to approach were of a very different calibre, being more eminent and independent, and likely to be particularly unresponsive at that time, since they were considering ways of countering Charles I's claims to maritime sovereignty.[133] Although they hoped that Charles would not press his demands because of the expense of enforcing them, and the fear of losing Dutch support for the Prince Elector, they were nevertheless preparing to defend the busses with a considerable fleet.[134]

Preliminary enquiry by Boswell in Holland through Dutch agents revealed that there were better prospects of securing support for the scheme than he had expected, but that the fishermen doubted the ability of the King to protect them from the Dunkirkers when they were fishing in small, widely scattered parties, or returning heavily laden with their catch.[135] As Windebank said, this was "the knot of the business",[136] and three solutions to the dilemma were considered. Boswell's suggestion that the Dutch fishers should trust solely to the protection of the English licences and the King's fleet was received sceptically,[137] although there was a request that two or three of the smaller English ships should remain on the fishing grounds throughout the season. Boswell saw this as a means by which the King might "more formally keep up his possession and custody of the seas and fishing", and Charles agreed that the ships should be provided.[138] Another proposal, that the Cardinal Infante should acknowledge Charles I's licences as sufficient protection against the Spanish warships, was seen by Windebank as an excellent solution if it could be obtained. By this means an even wider acknowledgement of the King's claim might be secured, since Flemish fishermen might be persuaded to take the licences also.[139]

It was a further suggestion, however, proffered by the Dutch, that was thought by Windebank and Boswell to have the best chances of success, especially as it was backed by an offer from the fishermen of 10,000 guilders

to be laid out in Flanders in payment of gratuities and fees.[140] The Cardinal Infante was to be persuaded by some influential person in Flanders to issue passports for the busses, guaranteeing them safe passage while at sea. Six hundred passports were requested, "which may no way trench upon his Majesty's right, yet save them harmless against those men of war." The case for adopting this approach was further strengthened by the existence of a precedent, since similar passes had been occasionally granted before 1633 to Dutch fishers by the Archduchess Isabella. Windebank issued several provisos about the wording of the passports:

> "... great care and caution must be used that nothing be inserted in prejudice or diminution of his Majesty's right, but rather handsomely to slide in somewhat that may insensibly lead both Hollanders and Spaniards to an acknowledgement of it, yet so as it may not give impediment to the business." 141

He agreed with Boswell that no approach should be made to Spain - a private assurance from the Cardinal Infante would be sufficient, provided that this was acceptable to the Dutch.[142]

The King was sufficiently persuaded of the merits of this scheme, which seemed calculated to secure speedy acceptance of his licences, to allow Windebank to instruct Gerbier, the English agent in Flanders, to open negotiations. Gerbier responded with a cataract of lamentations, stressing the strong prejudice in Flanders against the northern provinces; citing a recent refusal by President Roose to issue three hundred passes for which a high price had been offered; and reminding Windebank that the Marquis de Fuentes had been appointed to command the Dunkirk squadron expressly to patrol the coast from Dunkirk to Cambrai, and to harass the busses in the North Sea. "This business", he wrote, "is like to cost me many grey hairs ere done with it, by reason of apparent invincible obstacles, since no propositions can be made unto these more contrary to their present designs."[143] Having established his alibi in case of failure, Gerbier warmed to his task, suggesting, however, that no more than two hundred passes be requested at first. "Their adverseness", he believed, "would be

more irritated by the very sound of 600 passports, which to the gross Spaniards will seem a fleet to transport legions, though in itself a buss is but a poor vessel."[144] He advised against asking the Cardinal Infante to guarantee Charles I's licences, since permission would have to be obtained from Spain, and "it will sound like a spring touched by an English hand". Moreover, if the Dutch discovered that this had been done, they would be more inclined to dissuade their fishermen from taking the licences.[145]

Considerable precautions were being taken to maintain secrecy. Windebank had instructed Boswell at the outset to use the utmost discretion,[146] and so far Boswell had operated through the agency of two or three responsible Hollanders.[147] The States General were preparing a placart, containing a declaration against Selden's Mare Clausum and Charles I's claims to sovereignty, which would forbid their subjects to take English licences. Boswell hoped to get a large number of licences accepted before this was published, and feared that if his negotiations were discovered prematurely, the placart would be rushed through.[148] Gerbier had more trouble in selecting a representative,[149] but eventually found an agent through whom to approach highly-placed persons who might further the scheme.[150] The Abbé de Scaglia had been selected to appeal to the Cardinal Infante, and Burgermaster Role at Antwerp to approach his brother, President Roose, who was expected to be hostile.[151] The Cardinal Infante's mistress, however, refused to act after an unfortunate episode of a similar kind in the previous year.[152] By 19 May Gerbier could inform Boswell that most of the Council had been won over, principally by the argument that it was better for the King of Spain to accept revenue from the Dutch that would otherwise be used to put frigates of their own into service.[153] The Cardinal Infante, and eventually even President Roose, capitulated.[154] Moreover, it was agreed that six hundred passports should be supplied, and more if required.[155]

A further encouraging sign was the considerable headway made by Boswell with a group of prosperous fishers from Enkhuizen, representing about five hundred busses, and anxious to prevent interruptions to their

fishing "from enemy or friend".[156] They were prepared to take the English licences without requiring passports from the Cardinal Infante, but because they too thought it impossible for the English ships adequately to defend them owing to their frequent changes of course and fishing grounds, they asked Boswell to insure them at Amsterdam or elsewhere in Holland. They would pay the premiums for the insurance, the regular fee for the licences of a guilder per last, according to the burden of the busses, and an additional contribution towards the cost of maintaining the English ships on the fishing grounds. They asked for licences and insurance for a hundred busses, as a trial, provided that these arrived by 10 June. They planned to sail in mid-June, though if Boswell's licences did not arrive in time they were still willing to take licences from the English fleet if they met it.[157] Boswell asked Windebank to send a hundred licences as soon as possible, and undertook that if any of the busses were taken or damaged by the Dunkirkers, the King would mediate for them in Flanders as if they were his own subjects.[158] Windebank himself had been approached by Brames, an agent in London for the fishermen of Schiedam, who had asked for a copy of the previous year's licences, promising to take them in the coming season if they liked the terms and the price.[159]

By the end of May, the scheme appeared to be progressing satisfactorily. Boswell requested a further six hundred licences from England and sole authorisation to issue them and receive payment. In the meantime, Northumberland was to be instructed to honour a certificate that Boswell would issue in case the licences did not arrive before the busses sailed.[160] Bills of exchange for 20,000 guilders had been sent to Gerbier for six hundred passes, and another 1,000 guilders formed a contingency fund.[161] In Flanders, clerks were busy writing passports, although Gerbier thought that his intermediary was now planning to double-cross him by approaching the Dutch fishers direct, and selling the passes for a higher price.[162] Both men feared that disaster might strike at the last minute,[163] but when this came, it was apparently from a direction that seems not to have been considered since Gerbier's first despatch to Windebank about the fishing business.

At the beginning of June, Gerbier was forced to break the news that although victory had been secured on the political front, the Marquis de Fuentes refused to acknowledge the right of the Cardinal Infante and his ministers to infringe the terms of his commission. He refused to recognise the passports without express orders from the King of Spain, "which", as Gerbier wrote, "hath moved these on a sudden to hold the officers' pens from writing the passes."[164] On further enquiry he became convinced that Fuentes was probably acting in collusion with President Roose to overthrow the scheme, and "if the devil and dons join to cross the business, who can help it?"[165] He nevertheless urged that the King should now make a formal approach to the Cardinal Infante and Fuentes, requesting them to order their ships to respect his licences and confirm to the articles of the peace, being determined to maintain his right either by force or goodwill.[166]

This action was promised by Windebank, who devoted himself to the task of reassuring the disappointed diplomats,[167] and ensuring that the issuing of licences continued despite the lack of accompanying passports.[168] Boswell was instructed to develop the scheme of combined licences and insurance, and reported that although many of the busses had left harbour before the King's licences arrived, the men with whom he negotiated remained favourably disposed.[169]

He also reported, however, that they were carefully observing the fortunes of Adrian Rockensen Cruijk, of Vlaarding, two of whose boats had been taken by Dunkirk warships. Both produced English licences, upon which one was released, but the other was taken to Dunkirk together with two English boats belonging to Jacob Brames of Dover.[170] Boswell regarded this as a test case, if the King could secure the release of the busses, or reparation for the owners, then demands for the licences would doubtless increase.[171] Boswell was in a particularly awkward position over this, because Cruijk was "the chief with whom I have been dealing from the beginning."[172]

He was too well acquainted with similar cases in Holland to expect a speedy solution, while Brames's experience emphasised the difficulty of

securing redress. Restitution of the ships and cargo was unlikely since the busses and their tackle and catch were sold within three or four days of being brought into Dunkirk.[173] Letters of reprisal were thought to be an insufficient remedy in this case, and the Privy Council therefore ordered Pennington to make stay of any Dunkirk shipping he might meet, and await further directions.[174] Pennington's reply revealed the weakness of this remedy:

> "But I shall find some difficulty in accomplishing the same, in regard there are few ships belonging to that town but men-of-war, which seldom come where we are, and at sea are too swift for us, our ships being very foul, and theirs kept clean by washing and tallowing every six weeks or two months." 175

By June 1638 Cruijk had received no more satisfaction than Brames, and although Boswell reported that he had not yet lost hope of some reparation by the King's means,[176] there is no further trace of him in Gerbier's despatches.

In February 1638 Windebank had suggested that Hopton, returning to Madrid as ambassador, should be instructed to secure recognition of the licences by Spain.[177] On arrival, Hopton found that the Genoese Ambassador was engaged upon a similar quest, and both met with lengthy delays.[178] In Hopton's case, the matter was first referred to Secretary Roças, "the slowest man living",[179] and then to Flanders, "where President Roose will do it all the harm he can".[180] By the end of the year he thought that the Spanish reply would be non-committal, while four months later he despaired of getting any answer at all.[181]

Nevertheless, prevention was clearly preferable to cure, which probably accounts for the revival of the licence scheme at the beginning of the 1638 fishing season by a Dutch representative of the fishers in Flanders. He asked Gerbier for four hundred English licences, valid for a year, which were to be shown to the Admiralty Courts at Brussels and Dunkirk in the hope of establishing a custom by which their holders would be treated favourably.[182] Boswell reported that he had sent Gerbier a hundred and

thirty blank licences left over from the previous year, but once again there is no record of the reaction of the courts.[183] The attitude of the fishermen's representatives in 1637-8, however, suggests that the King's original conviction, that the fishermen would welcome the licences if not dissuaded by their rulers, was well-founded.

Meanwhile, Windebank had the task of forwarding the King's commands on the matter of licences to Northumberland, who was about to set out with the fleet. On 12 June 1637 he wrote, "The fishing business is at a stop, but his Majesty's resolution is to break through all impediments if his licences be taken."[184] News had come that the fishing fleets were being escorted that summer in strong convoys, and by July the King had decided that discretion was the better part of valour. His orders were that about two hundred blank licences should be taken in a merchant ship to be offered to the fishers, and that those who took them should be given safe conduct home, if they asked for it. If the fishermen refused the licences, the matter was to be referred back to him.[185] In reply to Northumberland's request for further information, Windebank was forced to disclose the King's unwillingness to provoke the Dutch guard ships:

> "The truth is, his Majesty in this conjuncture is not willing to proceed so roundly with them as he hath done heretofore, and therefore thinks fit to hold this way of inviting them fairly to acknowledge his right, without sending his whole fleet, which would be a manifest engagement and obligation to him in honour to perfect the work upon any conditions, and notwithstanding any opposition whatever, and might be of dangerous consequence and destruction to the present condition of his affairs. And therefore he chooses rather to attempt it with as little noise as may be that if the business take not in this way, it may receive the less blow, and in case of their refusal, he may have time deliberately to consider what resolution to settle." 186

Richard Fielding, selected for the task of approaching the fishers, found them willing to take licences, but the guard ships had orders not to allow him to distribute them and he therefore withdrew.[187] He was indiscreet enough to spread this story abroad, and Windebank was thereupon instructed by the King to issue a less damaging version. He told

Captain Fogg to deny Fielding's statements, and to say that he had been sent to warn the Dutch fishermen of an impending attack by the Dunkirkers, "This you are publicly to avow whensoever there shall be occasion, and to cry down the other discourse as derogatory to his Majesty's honour."[188] This tale could have carried no conviction within the fleet, whatever may have been thought abroad.

The central weakness of the licence scheme, and of the claim to sovereignty over the seas, was thus revealed. At the first sign of determined Dutch opposition, the King would not allow his fleet to enforce his claims since he could not risk engaging in war. This was the inglorious side of a determinedly neutral policy, but Windebank's correspondence also reveals one of the major benefits that accrued from neutrality: the opportunity of superseding the Dutch in a different maritime activity by participating more freely in the carrying trade between northern and southern Europe.

The protection of the interests of English merchants was a regular though often inconvenient part of the duties of the English diplomatic representatives abroad. Although the care of English traders formed a standard and relatively brief clause in the instructions drawn up by the Secretaries of State, the implementation of those instructions occupied a good deal of time and attention, and it is clear that in the 1630's there was no failure to appreciate the importance and value of English trade. In spite of the merchants' conviction that they were harshly treated and inadequately represented, the diplomatic correspondence reveals a sustained watchfulness over mercantile interests by the English representatives abroad and the Secretaries of State at home.

Much of this business was concerned with the maintenance of existing arrangements. The scarcity of commercial treaties during the Personal Rule does not argue either a neglect of mercantile interests or a failure to exploit many of the new opportunities arising from England's neutrality. The Venetians, acutely sensitive to commercial considerations, were well aware that trade was a major element in determining the shape of English

foreign policy:

> "... it is certain that in their own interests they desire the continuation of the war with equal fervour, as for political reasons it is recognised to be to their advantage, since by means of it they are rendering themselves sole masters of the trade, and in the troubles of their neighbours consists the true security of their repose." 189

In October 1636, Correr had explained why English offers to France were likely to be limited, so as to avoid an open breach with the Hapsburgs: "... they will continue to enjoy the advantages of sea trade which the war between France and Spain at present brings them."[190] The French were themselves conscious of this, and before departing on his embassy to England Bellièvre had been reminded in September 1637 that because of the war between France and Spain, "... en sorte que tout le commerce et transport des marchandises estant interrompu entre l'une et l'autre, les Anglais seuls facent le traffic et s'en enrichessent."[191]

The conditions upon which English merchants traded to Spain were regulated by the peace treaty of 1604 and the second Treaty of London, 1630, and as long as the articles of these treaties were adhered to, and customary Spanish procedures followed, the Spanish authorities appear to have been reasonably favourable, at least until 1638. Hopton assured Windebank that if the merchants "hold themselves to the articles of the peace, they may sleep very quietly, without any fear of confiscations ... now and then denunciations will happen, being according to the articles, which will cost them a little money in following the cause, but the fear of condemnation is none at all."[192] Aston paid tribute to the willingness of Olivares and other ministers to discuss merchants' business with him, and to do justice in merchants' cases.[193] Both Hopton and Aston protested, however, at the excessive number of unjustified complaints made by merchants, who expected the English ambassadors to protect them in claims to which they were not entitled. The English Privy Council too often intervened on their behalf without sufficient knowledge of local conditions, and too readily believed the merchants' tales. Hopton asked Windebank to make this clear to the Council: "I beseech their Lordships to believe me

that, for the obtaining of one tittle more than what is agreed on, there is no power nor wisdom sufficient." He asked to be given notice before the Council gave orders or the King wrote letters, "for the merchants are partial in their own causes."[194] Coke's infrequent letters generally contained demands on behalf of aggrieved merchants,[195] and he was particularly liable to forward cases with insufficient evidence to allow of satisfactory treatment in Spain.[196]

Although the merchants were very ready to complain, they were not so ready to provide information to enable the English Ambassador to take effective action, and had usually sailed away long before the case was heard.[197] Very often, too, they engaged in practices which brought them within reach of Spanish law, or entered into ill-advised agreements without notifying the English representatives. In such cases, once their suspicions were aroused, the Spanish port authorities tended to proceed alike against the guilty and the innocent.[198]

The merchants greatly underestimated the time and trouble spent on their behalf, and lodged complaints in England alleging inadequate care of their interests, especially by Aston.[199] In February 1636, Aston had appealed to Windebank to represent his actions fairly to the King, after critical enquiries by Coke about his failure to achieve success over claims that should not, in Aston's view, have been made.[200] Both Fanshawe and Hopton took care to defend him against these charges of neglect.[201]

Following the outbreak of war between France and Spain in 1635, English merchants had been taking an increasingly active part in the carrying trade to Spain from Flanders, the Netherlands and France.[202] Although much of this was contraband traffic, the diplomatic correspondence does not reflect any great increase in complaints by merchants or in the activity of the Spanish authorities until 1638. In April 1637 Aston had appealed to Windebank for advance warning in case Charles's French negotiations resulted in war between England and Spain:

"If his Majesty shall find himself obliged to this breach, I desire there may be a seasonable care had to bring the merchants fairly off, who I believe have a great stock in this kingdom, which will certainly be seized upon by this state as soon as any attempt of his Majesty's fleet shall give them colour for it." 203

In June, Windebank sent news of the Anglo-French treaty, advising him to warn the merchants to reduce their commitments in Spain, in anticipation that "there may perhaps grow some dislikes and ill-intelligence between the two Crowns of England and Spain."[204] In August, Aston had reported his suspicion that the extension to the Mediterranean of a general embargo, originally designed to prevent leakage of information about the shipment of plate from the Groyne, was intended as a deliberate act of hostility against English merchants.[205] Acknowledging Windebank's instructions in September, he conveyed the alarm of the merchants and his own dissatisfaction with Spanish explanations, and in December he was able to report the lifting of the embargo at Cadiz and San Lucar, after "many hot solicitations and eager billets" to Olivares.[206]

Hopton's despatches after his arrival in Madrid in 1638 illustrate the increasing strains to which English traders were subjected. This was not surprising in view of the prominent part they were playing in contraband traffic with the enemies of Spain: "The whole trade in a manner of this kingdom is in the hands of the English, who for lucre will be dealing for Hollanders and French."[207] He reported advice from Benjamin Wright at Cadiz that the King should prohibit English ships bringing goods directly from France to Spain and vice versa without paying customs in England as the Flanders goods did:

"They come with French goods and French merchants as free as if there were no war, and lie out at sea and sell their goods unlawfully, and the damage lighteth upon the English because the ship is English. I assure you if this were remedied, it would increase his Majesty's customs about £50,000 sterling a year." 208

The extent of English mercantile activity was well understood in Spain, and much of the apparent ingratitude for English services in the Channel was founded upon the conviction that the profits of trade were sufficient reward in themselves.[209] The scale of this illicit trade could not help but attract the attention of the authorities, and Hopton found that much of his time was taken up by cases involving merchants. He planned to discover whether the increase in the number of cases "proceeds from the increase of our trade and by our own adventurousness, or whether it proceeds from the unjust rigour of the Ministers of Justice."[210] His task in defending the merchants' interests was made no easier by the complaints of the Spanish ambassadors in England and Flanders "of the hard usage of their subjects in England",[211] or by the interminable delays imposed by the negligence of the Spanish officials.[212] The French, too, preyed upon English shipping,[213] but in spite of all these handicaps the English carrying trade with Spain continued to flourish.

Awareness of the interests of English commerce was one of the factors that helped to sustain the perennially tolerant attitude of the English Crown towards Spain. If Charles had taken a hard line over the Palatinate, it would undoubtedly have provoked Spanish relatiation upon the merchants, and this was too high a price to pay for possible advantages to the Prince Elector:

> "Yet if His Majesty were at leisure from other businesses, and would please to consider how to withdraw the great wealth and the number of good ships that his subjects have in the dominions of Spain, he might with no more expense than speaking plainly bring them to reason. But so long as they see no hope of good from us, nor fear of harm, we must never expect they will give off adoring that golden calf of the Duke of Bavaria." 214

In 1639 the Spaniards were making growing use of English merchant ships to transport men and money to Flanders. Hopton represented the benefits of this practice,[215] and protested against the condemnation of troop-carrying by Charles I in August, apparently at Northumberland's instance. He thought that restraints on the English merchants would damage

their carrying trade in commodities, and give greater opportunity for the Dutch to expand their operations under cover of neutral shipping.[216] Stressing the importance of English protection of the armada, he emphasised the extent of current English trading activity in Spanish ports, and the vulnerability of English merchants to reprisals:

> "... it is not to be credited, how many ships we have in these parts. The last week there came 24 to San Lucar in four days, and I believe there was double the number both in Cadiz and Malaga. I am far from persuading that his Majesty should engage himself against France or Holland, for I hold it to be most unfit, but that there be great care taken that they have no just cause to complain, and that in those things that may consist with his Majesty's neutrality they may be kindly dealt with." 217

Although the blow to Spanish pride inflicted by the defeat of the armada in the Downs was clearly reflected in the sharp reduction of diplomatic contacts in Madrid,[218] it is more difficult to judge whether Hopton's fears over reprisals were realised.[219] The needs of Spain for the services of English ships were increased rather than diminished by the events of 1639, and the practical necessity of maintaining support for Flanders did not permit an excessively vindictive reaction. Hopton's despatches to Windebank make it clear that English merchants in Spain suffered a good deal of financial and personal loss during 1640. Heavy new impositions were exacted,[220] while the prison of Seville was full of English merchants trading to the West Indies.[221] A more rigorous policy of confiscation and arrest was followed by the Spanish authorities, while other arbitrary charges were levied on English residents in Madrid.[222] In the face of these widespread and systematic assaults, Hopton's best efforts were of little avail. He delivered protests and memorials to which no reply was vouchsafed,[223] and employed more devious and costly methods on behalf of the imprisoned West Indies merchants.[224] He was explicit, however, that the new severity was of general application, and that English merchants were in some ways favoured rather than victimised.[225] They were more conscious of their losses than their privileges, however, and

since there was no remedy to be had in Spain Hopton thought that "it is very likely they will have recourse to his Majesty, and they have their eye on the Parliament."[226] He advocated a positive remedy in the formation of a Spanish Company.[227] Lack of regulation by a strong company had no doubt played a significant part in permitting this mercantile activity to develop, but proved a disadvantage when the merchants needed more protection than the ambassador could provide. Windebank, meanwhile, although promising to make representations to the Spanish Ambassadors in England, reiterated what was by now his settled conviction that "to expect an answer from Spain is a remedy worse than the disease."[228]

On those aspects of foreign policy that related to essential English interests, as well as on those dealing with the Palatinate, it is relatively easy to establish the nature of Windebank's views, which were clear and consistent, but it is more difficult to determine what effect he had on shaping the course of events. Once again, the clearest indication of the advice that he was offering is contained in his letters to Charles I during the King's absences from London. These provide several examples of suggestions, made by Windebank and accepted by the King, that led to subsequent action. In relation to the balance of power in Europe, Windebank's proposal in August 1636 that instructions be given to Morton and Feilding to make overtures to some of the Italian states to form a party to balance Bavaria was soon put into effect.[229] It was Windebank, also, who proposed early in 1638 that Hopton should be instructed to press for a Spanish ruling in favour of the acceptance in Flanders of English licences to Dutch fishermen, in an attempt to strengthen this aspect of Charles I's claims to sovereignty of the seas by securing a reversal of Fuentes' order of the previous summer.[230] In July 1639 he advised action on another aspect of the same question by urging that a more conspicuous naval presence be maintained in the Channel. The reasons that he adduced contain a characteristic mixture of concern for the King's reputation and authority, determination that English trading interests be protected, and recognition of practical realities. Arguing that some of Pennington's fleet should be moved

further west so that "their countenance and presence would secure trade without giving offence to any", he pointed out that "This besides matter of benefit concerns your Majesty very highly in point of honour, and if this or some other way be not taken to free the trade, I fear your shipping business will find great difficulties the next year."[231]

Windebank also exercised steady pressure on the King to shape his policy so as to balance the growing strength of France and the Netherlands by helping to redress the increasing weakness of Spain. The methods that he used here were to draw the King's attention to those despatches from English diplomats that set out most clearly the changing position in Europe as he himself saw it, such as Hopton's assessment of the situation in the summer of 1635 after the French declaration of war on Spain.[232] He also provided the King with summaries of military developments relayed to him by correspondents abroad, such as that which described the movements of Habsburg troops and the concentration of French armies towards the Rhine in October 1635. That this was a normal part of his dealings with the King is evident from his explanation that he was committing the information to paper on this occasion because "I had not time upon Sunday last to acquaint your Majesty with such advertisements as I had received the last week from Paris."[233]

Windebank was thus making use of most of the ways in which Secretaries of State could expect to shape foreign policy. From his letters it is clear that in the frequent interviews with the monarch at which diplomatic despatches were discussed and the information contained in less formal letters to the Secretary was passed on, he was not simply relaying news but also trying to influence the King's decisions. In drafting instructions for agents and ambassadors it was his practice to propose the inclusion of items that furthered English interests, and there is no sign that the King rejected any of his suggestions. Although some of these did not achieve the desired results, this was due more to the handicaps imposed by shortage of money and the need to avoid war than to any intrinsic defect in the propositions.

Although Windebank was only one of the group of the King's advisors whose influence was felt on the Privy Council and in the powerful Committee for Foreign Affairs,[234] his position as the writer of the King's letters and the keeper of the King's privy seal put him in a peculiarly close relationship with the monarch. As the Secretary who was dealing with the most confidential foreign negotiations of the Personal Rule, and whose views coincided most closely with those of the King, he was in a particularly strong position. Charles was at once stubborn and indecisive, but in those aspects of foreign policy that related most nearly to the interests of England the adverse effects of these characteristics were less in evidence, and Windebank's attempts to hold the King to a consistent policy had some chance of success.

It seems clear, therefore, that a substantial part of the foreign policy of the 1630's was not dominated by Charles I's interest in securing reinstatement for his nephew in the Palatinate. If any area of Europe emerges as being of particular interest to England, it is Flanders rather than the Palatinate. It was this territory that was of major significance to England for compelling strategic and commercial reasons, and it is not surprising, therefore, that the King chose to employ his only operative military weapon, the ship-money fleet, in an effort to ensure that Flanders did not suffer an unwelcome change of ownership.

Windebank's despatches reveal that this policy was closely related to an understanding of the changing balance of forces in Europe. The declining power of Spain and the respective strengths of France and Holland, temporarily enhanced by the Franco-Dutch alliance, were well understood by the King and many of his advisors on the Foreign Committee. Windebank's adherence to the so-called "Spanish party" sprang not from personal sympathy with Spain, as the tone of his comments reveals, but from a conviction that the growing power of Holland and France presented a threat to English interests that was best countered by support for Spain. It was no accident that this support took the form of employing the English fleet to deter a resumption of the Dutch blockade of the Flemish coast, and

to assist in maintaining the flow of men and money to Flanders. It was here that English and Spanish interests most closely coincided, and it was here, therefore, that active aid was given.

Much of this aid had to be concealed, for fear of involving England in such open confrontation with the Dutch as to imperil England's neutral status. Non-involvement in the European war was a central pivot of Charles I's foreign policy during the Personal Rule. At one time or another between 1632 and 1640 negotiations were in progress with Spain, the Empire, France and the United Provinces. No treaties were in fact concluded, however, and whatever urgent reasons were alleged for securing peace in Europe and reinstatement of the Prince Elector, still more urgent if Charles I's personal rule was to survive, and if English interests were to be protected, was the need to maintain English neutrality. This need imposed a serious handicap upon the conduct of foreign policy, since it meant that the King's only effective means of countering opposition could not be fully used. Windebank's despatches relating to the issuing of licences to Dutch fishermen and to the battle in the Downs reveal the fundamental weakness of the King's position. The resulting loss of prestige had long-term implications for England's standing in Europe and for the reputation of the King and his Principal Secretary of State at home.

A more successful picture is presented by those parts of the despatches sent to Windebank that deal with the protection of the interests of English merchants. The encouragement of trade and shipping was vital to an island state and a commercial power, and it is in this connexion that the direct value to England of maintaining neutral status and friendly relations with Spain are most clearly seen. It is easy enough to show that neutrality coincided with commercial interests, but Windebank's despatches also suggest that one of the principal influences that shaped an unresentful policy towards Spain over the Palatinate was the appreciation of the value of English trading interests in that country. The most substantial material benefit arising from English neutrality consisted in the opportunity it provided for English merchants to acquire a dominant position, while the

war lasted, in the carrying trade between northern and southern Europe.

If it is desirable to form foreign policy on an understanding of the world as it is, rather than on recollections of outdated fears and past triumphs, then the foreign policy advocated by Windebank represented in many ways a more realistic course of action than that advocated by his critics. His despatches reveal that, within the severe limitations imposed by the King's decision to rule without Parliament, it was those aspects of policy most closely related to essential English interests that were most purposefully pursued.

Notes to Chapter VI

1 P. R. O., SP 80/9/101-102v, Considerations on the restoration of the Palatinate. 20 March 1636.

2 Ibid., f. 102. "... and if that State [Holland] be either subjected or reconciled, and their strength at sea added to Germany or Spain, then out of all doubt we shall in the best condition be shut within our own ports, from which, though England be a large and fair prison, libera nos Domine."

3 See below, pp. 252 - 61.

4 Clar. S. P. I, p. 239, Hopton to Windebank, 15/25 February 1635.

5 Ibid., p. 290, Same to the same, 17/27 June 1635, saying that he "cannot be safe in any ship of their own, for they have none of defence in the coast of Biscay or Galicia that they can send him in." See also Ibid., pp. 286, 664-5.

6 Ibid., p. 495, Aston to Windebank, 30 March/9 April 1636.

7 Bodl. L., Clar. MS. 8, f. 127v, Windebank to Charles I, 29 January 1636.

8 Clar. S. P. I, p. 344, Hopton to Windebank, 10/20 October 1635.

9 P. R. O., SP 94/40/98, Same to the same, 17/27 June 1638, reporting that the French were before Fuenterrabia, and well-equipped, "... and on this side their fleet very naught, and not ready to sail." 41/74, Same to the same, 30 March/9 April 1639, "I perceive he [Olivares] is very confident of their land forces, but not of their sea forces, and that makes him look so much after his Majesty at this time."

10 See below, pp. 261 - 5.

11 P. R. O., SP 94/41/290, Hopton to Windebank, 12/22 March 1640.

12 Clar. S. P. I, p. 275, Same to the same, 21/31 May 1635; P. R. O., SP 94/40/98, Same to the same, 17/27 June 1638, "In the country very few soldiers, and the people thereof so discontented as they are in little better condition than the Portugueses have been and for the same causes." He reported also a shortage of provender and shot.

13 Bodl. L., Clar. MS. 6, f. 305, Same to the same, 21/31 May 1635. "And as for their money ... although their incomes be exceeding great, yet, at the year's end, we find the subject aggrieved, the King in want, their armies unpaid, and the asentistas ready to break by the King's failing them."

14 P. R. O., SP 94/41/97v, Same to the same, 4/14 May 1639.

15 Bodl. L., Clar. MS. 6, f. 305v, Same to the same, 21/31 May 1635.

16 Bodl. L., Clar. MS. 5, f. 172, Windebank to Hopton, 16/26 February 1634. The French were also giving shelter and encouragement to Turkish ships so that they might attack English vessels in the Channel. Clar. MS. 9, f. 25, Same to the same, 11/21 April 1636. Sydney Letters II, p. 376, Instructions for Leicester, 9 May 1636.

17 See, for example, Clar. S. P. I, pp. 104, 338, Windebank to Hopton, 11/21 July 1634, Windebank to Charles I, 6 October 1635. Bodl. L., Clar. MS. 6, f. 201, Windebank to Hopton, 24 January/3 February 1635.

18 Clar. S. P. I, p. 275, Hopton to Windebank, 21/31 May 1635.

19 Bodl. L., Clar. MS. 15, f. 110, Same to the same, 16/26 January 1639. "They begin now to find what France is, which they did never think to find so powerful as they do."

20 Bodl. L., Clar. MS. 12, ff. 74-74v, 180-83, Taylor to Windebank, 16/26 July, 4/14 October 1637.

21 Bodl. L., Clar. MS. 15, ff. 63-63v, 72-3, Same to the same, 12/22, 19/29 December 1638.

22 Bodl. L., Clar. MS. 5, f. 105v, Windebank to Charles I, 17 May 1633; P. R. O., SP 84/146/270, Windebank to Boswell, 31 May/10 June 1633; Clar. MS. 5, f. 171v, Windebank to Hopton, 16/26 February 1634. Protests were also made to Spain of the conduct of Dunkirk and Biscay ships who inflicted damage on English trade and engaged in piracy while pursuing their struggle with the Dutch. See, for example, P. R. O., SP 94/37/6v, Coke to Hopton, 11/21 February 1634.

23 Clar. S. P. I, pp. 105-6, Windebank to Hopton, 11/21 July 1634; C. S. P. Ven., 1632-6, p. 441, Correr to Doge and Senate, 14/24 August 1635. "Great disturbances occur every day in these waters, and although these consist in the mischief which the Dunkirkers, the French and the Dutch inflict on each other, it is the English ships and goods which seem to suffer the most harm." Ibid., p. 236, Zonca to Doge and Senate, 13/23 June 1634; pp. 454-5, Correr to Doge and Senate, 18/28 September 1635; p. 467, Michiel to Doge and Senate, 15/25 September 1635, provide some examples of strained relations with the Dutch over the capture of English ships, which were treated as enemy vessels by the Dutch if they called at Dunkirk. For lists of masters of English ships who suffered losses at the hands of the Dutch see SP 84/150/f. 189 (1635 or later); SP 16/318/87, 17 April 1636.

24 For the case of Polhill and Powlett, who suffered lossess assessed at £10,000 at the hands of Captain T'Kint in the St. Peter of Rotterdam in January 1631, and whose case was still not settled in 1639, see, for example, P.R.O., SP 84/150/161, Boswell to Windebank, 10/20 December 1635; 151/1, Windebank to Boswell, 1/11 January 1636; Ibid., f.38, Boswell to Windebank, 26 January/5 February 1636; SP 16/319/86, Petition of Robert Powlett, (April?) 1636; SP 16/334/49, Robert Powlett to Windebank, 31 October 1636; C.S.P.D., 1637, p. 410, Sir Henry Marten to Windebank, 6 September 1637; SP 84/154/303-4, 155/270-1, 272-5, Memoranda on losses of Polhill, Powlett and others, 1638-9. For the case of Col. Armand and consorts, whose ship was arrested at Medemblik and their goods at Amsterdam, see SP 84/151/103, Boswell to Windebank, 29 February/10 March 1636; 151/149, Same to the same, 22 March/1 April 1636.

25 Clar. S.P. I, p. 390, Windebank to Hopton, 20/30 December 1635.

26 Bodl. L., Clar. MS. 17, f.32v, Windebank to Charles I, 6 July 1639. This was the fleet that was lying in wait for Oquendo, see below p. 259-60. The merchants even said that they would be willing to pay ship money if this would ensure that they were spared these attacks.

27 P.R.O., SP 84/152/240, Boswell to Windebank, 22 June/2 July 1637, "... continuing the correspondence they [the Dutch] have already so close with France, both the one and the other leading so many ways to the disadvantage of England."

28 C.S.P. Ven., 1632-6, p. 329, Correr to Doge and Senate, 24 January/3 February 1635. See also Ibid., p. 508, Same to the same, 15/25 January 1636; p. 369, Gussoni's Relation, April 1635, "They are anxious at all costs to keep up good relations with Spain, for reasons of trade and as a counterpoise to France."

29 B.L., Add. MS. 36,450, ff.66v-67, Aston to Windebank, July 1636.

30 P.R.O., SP 16/362/56, Arundel to Aston, 27 June/7 July 1637.

31 Clar. S.P. I, p. 617, Windebank to Charles I, 14 August 1636.

32 Ibid., pp. 625-6, Instructions to Peter Morton, 23 August/2 September 1636.

33 The text of the Anglo-Dutch treaty of 7 September 1625 is given in Clar. S.P. I, pp. 27-33.

34 Bodl. L., Clar. MS. 5, ff.171-171v, Windebank to Hopton, 16/26 February 1634.

35 Ibid., f.171v.

36 Ibid.

37 Bodl. L., Clar. MS. 5, f.222v, Same to the same, 11/21 July 1634.

38 Ibid., f. 229. Gardiner, op. cit., VII, pp. 366-7, describes the incident, and vouches for the genuineness of the intercepted despatches. For the text of the despatches see P. R. O. SP 84/148/126-31, 146-9. Pagès, op. cit., p. 182, outlines the scheme for partition.

39 C. S. P. Ven., 1632-6, pp. 382-6, Correr to Doge and Senate, 1/11 May 1635. "They have considered that the aims of the close union existing between that crown and the Dutch must be watched closely with a very jealous eye ... if the French should approach to make themselves masters of Dunkirk or of some other place contiguous to the sea, ... it would not be reasonable to permit it here, either in the interests of trade or for other more important respects."

40 Ibid., pp. 385-6, Same to the same, 8/18 May 1635.

41 For brief accounts of the Franco-Dutch attack on Flanders see J. P. Cooper (ed.), New Cambridge Modern History IV, pp. 380-1; Gardiner, op. cit., VII, pp. 386-7.

42 P. R. O., SP 84/149/122, Boswell to Coke, 12/22 March 1635.

43 Gardiner, op. cit., VII, p. 382.

44 P. R. O., SP 16/290/25, 34, Lindsey to Lords of Admiralty, 30 May, 6 June 1635.

45 Ibid., 293/38, Same to the same, 5 July 1635.

46 Ibid., 291/59, Coke to Conway, 25 June; 293/39, Lindsey to Coke, 5 July; 296/14, Lindsey to Windebank, 21 August; 296/18, Monson to Windebank, 23 August 1635.

47 For the contribution made by these convoys to the survival of Spanish control in Flanders, see G. Parker, The Army of Flanders and the Spanish Road, 1567-1659 (1972), pp. 77-8, 155, Fig. 7 and Appendix C; J. Alcalá-Zamora y Queipo de Llano, España, Flandes y el Mar del Norte, 1618-1639 (1975), pp. 352-7.

48 Harland Taylor, 'Trade, Neutrality, and the "English Road", 1630-1648', Econ. Hist. Rev., 2nd ser., XXV (1972), pp. 240-4; J. S. Kepler, 'Fiscal Aspects of the English Carrying Trade during the Thirty Years War', Econ. Hist. Rev., 2nd ser., XXV (1972), pp. 264-6.

49 Harland Taylor, op. cit., pp. 236-60; Kepler, op. cit., pp. 261-83; K. N. Chaudhuri, 'The East India Company and the Export of Treasure in the Early Seventeenth Century', Econ. Hist. Rev., 2nd ser., XVI (1963), pp. 37-8.

50 P. R. O., SP 94/37/190, Instructions for Aston, 9 June 1635.

51 Bodl. L., Clar. MS. 10, f. 147, Aston to Windebank, 19/29 October 1636.

52 P. R. O., SP 94/37/5, Coke to Hopton, 11/21 February 1634.

53 Bodl. L., Clar. MS. 10, f. 147v, Aston to Windebank, 19/29 October 1636. The weight of silver coined at the Mint dropped sharply in 1636, but had risen again in the following year. Kepler, op. cit., Appendix F.

54 P.R.O., SP 94/40/196, Hopton to Windebank, 22 August/ 1 September 1638.

55 Ibid., f. 222, Same to the same, 11/22 September 1638.

56 Clar. S.P. I, p. 350, Hopton to Cottington, 22 October/1 November 1635; Ibid., pp. 334-5, Aston to Windebank, 10/20 October 1635.

57 See p. 256.

58 P.R.O., SP 94/40/31, Aston to Coke, 28 February/10 March 1638.

59 Ibid., ff. 121, 168, 172, Hopton to Captain Mennes, 3/13 July, 25 July/4 August, 8/18 August 1638; Ibid., f. 105, George Garnet to the same, 8/18 June 1638.

60 Clar. S.P. I, pp. 408-9, Hopton to Cottington, 30 December 1635/ 9 January 1636. This news was not welcome to Captain Stewart, see HMC 23: Cowper II: pp. 119, 120, Stewart to Aston, 30 May/9 June, 9/19 June 1636; Clar. S.P. I, p. 571, Aston to Charles I, 20/30 June 1636.

61 HMC 23: Cowper II: p. 121, Captain Stewart's Journal. He sailed on 14/24 April, arrived at the Groyne on 24 April/4 May, but was delayed there until the end of June because Oñate was ill.

62 B.L., Add. MS. 36,450, f. 62v, Aston to Hopton, 20/30 June 1636, describing how he had "wrought them to by pieces". Clar. S.P. I, p. 590, Aston to Coke, 14/24 July 1636; Ibid., p. 571, Aston to Charles I, 20/30 June 1636, giving details of the arrangements with the asentistas. HMC 23: Cowper II: p. 122, "A Particular of the plate transported from the Groyne in his Majesty's ship the Victory. Laden aboard in Royals of 8 and in bars, 459 chests."

63 Parker, op. cit., Appendix K, p. 295, gives the total receipts of the pagaduría in 1636 as 3,654,000 escudos. The shipment sent in the Victory was worth nearly a million escudos.

64 Clar. S.P. I, pp. 568-9, Aston to Windebank, 20/30 June 1636; B.L., Add. MS. 36,450, f. 62-4, Aston to Hopton, 20/30 June 1636; Ibid., f. 67, Aston to Windebank, July 1636; Clar. S.P. I, pp. 667-8, Same to the same, 15/25 October 1636; Bodl. L., Clar. MS 11, f. 44v, Windebank to Aston, 15/25 January 1637.

65 Harland Taylor, op. cit., p. 246.

66 HMC 2: 3rd R. Appendix: p. 73, Holland to Northumberland, 8 July 1636, "... for besides the benefit to this kingdom from the re-coining of such a proportion of silver, it will take away those

discourses of our partiality when all the world shall see the benefit the King and kingdom receives by it..." Ibid., Coke to Northumberland, 12 July 1636, ordering that two-thirds of the money be carried to the Mint.

67 Clar. S. P. I, p. 563, Henry Tayller to Windebank, 18 June 1636.

68 HMC 2: 3rd R. Appendix: p. 73, Windebank to [Juxon and Cottington], 12 July 1636; Ibid., Juxon and Cottington to Northumberland, 13 July 1636; Clar. S. P. I, pp. 588-9; HMC 23: Cowper II: p. 125, Juxon and Cottington to H. M. Customer at Dover, 13 July 1636.

69 Ibid., p. 121, Captain Stewart's Journal, 1636. Stewart had arrived in the Downs on 8 July, travelled to London to receive the King's commands, and had been told by Charles I that he would get his orders from Juxon and Cottington. Ibid., p. 125, Stewart to H. M. Customer at Dover, 13 July 1636, "I have sent you here enclosed a letter from my Lord Treasurer. I pray you slake no time since these persons of quality are impatient of their stay." Stewart, too, had a personal interest in the quantity of silver he was carrying, since he could charge one per cent for transporting it to Dunkirk. Ibid., Conway to Coke, 14 July 1636; C. S. P. D., 1636-7, p. 62, Northumberland to Lords of the Admiralty, 15 July 1636.

70 HMC 2: 3rd R. Appendix: p. 73, Windebank to Northumberland, 17 July 1636.

71 C. S. P. D., 1636-7, p. 70, Roe to Queen of Bohemia, 20/30 July 1636; HMC 2: 3rd R. Appendix: p. 73, Coke to Northumberland, 20 July 1636.

72 C. S. P. Ven., 1636-9, p. 37, Correr to Doge and Senate, 27 July/6 August 1636; Ibid, pp. 59-60.

73 Ibid., pp. 37, 59.

74 Ibid., 1632-6, p. 570, Same to the same, 20/30 May 1636; P. R. O., SP 16/326/73, The Council to Charles, Lord Stanhope, 19 June 1636, "During his Majesty's progress this summer Secretary Windebank (by reason of the great danger of infection that is like to be in London) will reside at his house at Haines Hill, Berks..."; C. S. P. D., 1636-7, p. 99, Roe to Elizabeth of Bohemia, 19/29 August 1636, reported that Windebank had retired to his house, but "whether in fear or for the season" was unknown. C. S. P. Ven., 1636-9, p. 59, Correr to Doge and Senate, 26 July/5 September 1636, represented the retreat as a punishment, and the same rumour was current at Court. Clar. S. P. I, p. 610, Lennox to Windebank, 7 August 1636.

75 Ibid., "... he [the King] might think it an irreverence to him that his Ministers, of so much faith and diligence and ability in his service (to which character he agreed, and acknowledged the having made it) should be so slightly judged of, and censured with a punishment of his, without his knowledge. He seemed to wonder much at what had been talked, being so false, how it could have grown to so strong a belief... I am to tell you, from the best hand, that we are all here fools..."

76 Bodl. L., Clar. MS. 10, ff. 64v-65, Windebank to Charles I, 2 September 1636.

77 HMC 3: 4th R. Appendix: p. 291, Dorset to Middlesex, 1 October 1636, reporting that Windebank was "as free from punishment as from what fame made him guilty of; believe me he was as innocent as the child new born..."

78 C. S. P. Ven., 1636-9, p. 94, Correr to Doge and Senate, 28 October/ 7 November 1636.

79 Bodl. L., Clar. MS. 10, ff. 64v-65, Windebank to Charles I, 2 September 1636. Aston's despatches show that Windebank's apprehensions were entirely justified, Clar. S. P. I, pp. 684-5, 687, 713, 714, 722; Ibid., p. 688, Olivares to Aston, 1/11 November 1636.

80 Bodl. L., Clar. MS. 11, ff. 46v-47, Windebank to Aston, 15/25 January 1637. See also Clar. S. P. I, p. 722, Aston to Windebank, 28 January/7 February 1637; Ibid., p. 733, Aston to Olivares, 8/18 March 1637.

81 Ibid., p. 728, Aston to Coke, 15/25 February 1637. Kepler, op. cit., Appendix F, gives the following weights in lbs. troy of silver coined at the Mint: 1635, 88,089; 1636, 42,418; 1637, 129,574; 1638, 169,387; 1639, 119,456; 1640, 134,693. (Years end 31 March.)

82 P. R. O., SP 94/41/107v, Hopton to Windebank, 8/18 May 1639. See also Ibid., ff. 102-102v.

83 Bodl. L., Clar. MS. 16, f. 65, Hopton to Windebank, 6/16 April 1639, discussing the possibility of action on behalf of Sir Peter Rycaut, one of the agents in England for the Spanish asentistas, "... yet I shall ever think that the safety of his Majesty's subjects and their estates ought to be considered of in the first place, which doubtless would be in danger if the asentistas' moneys should be meddled with, as myself have seen the experience in the time of peace between France and Spain. An embargo was laid upon all Frenchmen's estates upon the staying of the asentistas' money at Marseilles, and if that should happen but for one day it would prejudice his Majesty's subjects more than the value of Mr. Richaut's debts."

84 Bodl. L., Clar. MS. 11, f.47, Windebank to Aston, 15/25 January 1637, "... the Spaniards should have gained more by the stay and coinage of those monies here, the exchange then going very high, than they could by carrying them away in specie; and the benefit which would have accrued to them in their customs by our cloth, which must have been transported in exchange for some of those monies, is manifest."

85 Bodl. L., Clar. MS. 16, f.42v, Windebank to Charles I, 31 March 1639; C. S. P. Ven., 1636-9, p. 521, Giustinian to Doge and Senate, 29 March/8 April 1639.

86 P. R. O., SP 94/41/53-4, Hopton to Windebank, 18/28 February 1639; Ibid., f. 74v., Same to the same, 30 March/9 April 1639. "The English merchant who, I have formerly advertised, hath made an asiento for the transportation of soldiers, hath met with English shipping in South Spain almost enough to do his business. The Captains are very glad of the occasion, for they came to seek freight and he is enable to deal better with them than a merchant would have done."

87 Ibid., f. 183, Same to the same, 9/19 September 1639.

88 Bodl. L., Clar. MS. 16, f. 80, Windebank to Hopton, 19/29 April 1639.

89 P. R. O., SP 16/423/18, Carteret to Pennington, 3 June 1639.

90 P. R. O., SP 94/41/97, Hopton to Windebank, 4/14 May 1639.

91 Parker, op. cit., Fig. 7, p. 58, App. C, p. 279, gives a total of 10,500 of whom 1,500 were sent in English merchants' ships in June and 9,000 in Oquendo's armada. This was more than double the number sent by sea in any previous year. For the importance of the Channel as a military route in the 1630's see Ibid., pp. 73-9.

92 P. R. O., SP 16/423/18, 52, Carteret and Byng to Pennington, 3, 7, 13 June 1639; 423/56, Smith to Pennington, 8 June 1639, "The Hollanders begin to be bold in our seas, and lie about Portland with 50 sail, examining and searching all English ships and others which pass by them, so that in effect they command where the King challenges sovereignty. The merchants make great complaint to my Lord Admiral that our English trade is likely to be destroyed thereby, especially with Spain."

93 P. R. O., SP 16/423/17, Povey to Pennington, 3 June 1639; 425/25, Manwood to Suffolk, 19 June 1639; 425/61, Pennington to Windebank, 13 July 1639.

94 Ibid., "In truth I think the English masters have committed the greater insolency and deserve to be punished, in undertaking a business of that nature and consequence without special warrant, for their presumption therein has produced no good effect."

95 Bodl. L., Clar. MS. 17, f.32v, Windebank to Charles I, 6 July 1639. For Windebank's attitude to the ship money fleet and the King's claims to sovereignty over the seas see Chapter III.

96 P.R.O., SP 16/425/61, Pennington to Windebank, 13 July 1639. Before reparation was sought they needed more strength, for the Dutch were very strong in the Narrow Seas. The English fleet was "dispersed in many parts, and the best ships, almost out of victuals, cannot tarry abroad above three weeks longer, which will not be sufficient to go to the westward..."

97 Ibid., 425/72, Windebank to Pennington, 15 July 1639. See also Ibid., 425/45, 81, Same to the same, 10, 16 July 1639.

98 Ibid., 427/40, Northumberland to Pennington, 11 August 1639.

99 Ibid., 425/76, Northumberland to Windebank, 15 July 1639.

100 P.R.O., SP 16/425/63, Walter Neale to Windebank, 13 July 1639, acknowledging Windebank's instructions that the Spaniards be landed at Portsmouth, and explaining that they had been sent ashore in contingents of fifty, "because their number was more than all the inhabitants and soldiers in the town, and no other place hereabouts where they could be billeted, and also in regard that one third of them were extreme sick."

101 Ibid., 426/18, Porter to Pennington, 20 July 1639.

102 P.R.O., SP 94/41/183, Hopton to Windebank, 9/19 September 1639, recording Olivares' complaint that if he had known that the English ships would not attack, "they should not have been freighted, and said that the ships of the Hanse towns being neutral do otherwise. I told him that he must not expect from us that we would be hired to be men of war, but as merchant men and not otherwise. I perceive he is nothing pleased with the service of the English this year, and so I fear we shall be troubled with their embargoes the next, and indeed the avoiding of them was one of the chief causes that made me incline to the making of an asiento with them."

103 P.R.O., SP 94/41/188, Same to the same, 18/28 September 1639.

104 Bodl. L., Clar. MS. 17, f.52, Windebank to Hopton, 1/11 August 1640, referring to similar information in a despatch from Hopton of 27 June/7 July 1640.

105 For descriptions of this engagement, see Alcalá-Zamora, op. cit., Chapter VII; C. Fernández Duro, Armada Española IV, Chapter XIV; M.G. de Beer, Tromp en de Armada van 1639 (1941); L. van Aitzema, Saken van Staet en Oorlogh IV, pp. 168, 215, 218, 223-9; C.R. Boxer, The Journal of Maarten Harpertszoon Tromp, Anno 1639 (1930); Gardiner, op. cit., IX (1899), pp. 58-68; B.L., Add. MS. 27,962, ff.351-3, 354-355v, 358-359v, 360v-361v, 363v-365v, 366-7, 367-368v, Salvetti Newsletters, September - November 1639; C.S.P. Ven., 1636-9, pp. 573-89, 592-5.

106 Bodl. L., Clar. MS. 17, ff. 114v-115v, Windebank to Hopton, 29 September/9 October 1639, referring to "so great a force of near 70 vessels." For an examination of the size and composition of the Armada see Alcalá-Zamora, op. cit., pp. 429-34.

107 P. R. O., SP 16/428/21, William Hele, mayor of Plymouth, to the Council, 3 September 1639, "... being bound by their charter-party to go directly for Dunkirk, and to take advice at the next port of England where the Holland fleet lay." C. S. P. Ven., 1636-9, p. 574, Giustinian to Doge and Senate, 13/23 September 1639.

108 Bodl. L., Clar. MS. 17, f. 146, Windebank to Hopton, 18/28 October 1639; Sydney Letters II, pp. 610, 612, Northumberland to Leicester, 26 September/6 October, 10/20 October 1639; C. S. P. Ven., 1636-9, pp. 573, 575, Giustinian to Doge and Senate, 13/23, 20/30 September 1639.

109 Bodl. L. Clar. MS. 17, f. 147v, Windebank to Hopton, 18/28 October 1639; Sydney Letters II, pp. 610-12, Northumberland to Leicester, 19/29 September, 3/13, 10/20 October 1639; HMC 3: 4th R: p. 294, Newburgh to Middlesex, 27 September 1639; P. R. O., SP 16/428/93 I, Northumberland to Pennington, 15 September 1639, "There are now in the Downs two great fleets, one of the Spaniards, another of the Hollanders, and a third of the French expected to come shortly, who, though they be all his Majesty's loving friends and allies, yet it were improvident not to be in some measure prepared, at leastwise as well as the shortness of the occasion will give leave, for all attempts."

110 Bodl. L., Clar. MS. 17, ff. 116-116v, Windebank to Hopton, 29 September/9 October 1639. The Venetian ambassador alleged that Oquendo was employing lavish bribery, C. S. P. Ven., 1636-9, p. 577. For Windebank's dealings with Cárdenas see Chapter VII.

111 Bodl. L., Clar. MS. 17, ff. 116-7. Windebank seemed surprised that the Spaniards were likely to get such favourable treatment from the King, "whom I find better inclined to relieve them than they deserve." f. 116. Northumberland and Giustinian represented Charles I as remaining indifferent to both sides, but thought that the Council was inclined to favour Oquendo. Sydney Letters II, pp. 608, 610, 611, Northumberland to Leicester, 12/22, 19/29 September, 26 September/6 October 1639; C. S. P. Ven., 1636-9, pp. 573-4, 575, 577.

112 Bodl. L., Clar. MS. 17, f. 116, Windebank to Hopton, 29 September/9 October 1639.

113 P. R. O., SP 16/430/57, Endymion Porter to Windebank, 9 October 1639, expressing surprise that the Spaniards appeared to be doing nothing but wait.

114 Ibid., 430/60, Windebank to Suffolk, 10 October 1639; Clar. S. P. II, p. 78, Windebank to Hopton, 18/28 October 1639. "And besides, order was taken for the embarking of the poorer sort, and for the transportation and safe conducting to Dunkirk of them and of any other of the Spanish nation that would depart and repair thither."

115 P. R. O., SP 16/430/66, 68, 70, Suffolk to Windebank, 11 October 1639. Ibid., 430/74, Pennington's Relation, 11 October, said that twenty-four Spanish ships had run ashore.

116 Bodl. L., Clar. MS. 17, ff. 146-146v, Windebank to Hopton, 18/28 October 1639.

117 Ibid., ff. 115v-116, Same to the same, 29 September/9 October 1639.

118 Ibid.

119 Alcalá-Zamora, op. cit., p. 442.

120 Bodl. L., Clar. MS. 17, ff. 148-148v, Windebank to Hopton, 18/28 October 1639.

121 Alcalá-Zamora, op. cit., pp. 423-6.

122 Bodl. L., Clar. MS. 17, f. 216v, Windebank to Hopton, 13/23 December 1639.

123 Bodl. L., Clar. MS. 18, ff. 53-53v, Same to the same, 7/17 February 1640.

124 Ibid.

125 Ibid., ff. 53v-54.

126 Alcalá-Zamora, op. cit., pp. 456-7.

127 Parker, op. cit., p. 78, quotes Olivares' claim that 5,000 men ultimately reached Flanders.

128 For brief accounts of the Dutch herring fisheries see C. Wilson, The Dutch Republic (1968), pp. 64-66; K. H. D. Haley, The Dutch in the Seventeenth Century (1972), pp. 14-16; G. Edmundson, Anglo-Dutch Rivalry during the first half of the Seventeenth Century (1911), Appendix A, pp. 158-61.

129 For the King's claims to sovereignty of the seas see Chapter III, p. 131 , and for the activities of the ship money fleet with which Windebank was concerned, see Chapter III, pp. 132-3.

130 HMC 2: 3rd R., Appendix: p. 72, Windebank to Northumberland, 1 July 1636.

131 P. R. O., SP 84/152/9, Windebank to Boswell, 13/23 January 1637. "His Majesty ... is of opinion that if they were not discouraged by their superiors, they would all of them cheerfully and unanimously accept his Majesty's gracious offers of licences most willingly, and come under his protection."

132 Ibid., ff. 68-68v, Boswell to Windebank, 18/28 February 1637.

133 Ibid., f. 68v, "Whereas their masters or principals (whom by your Honour's letters I am to move here), are burghers of towns, many of them States of Holland, or in election so to be, of a more wilful constitution and belief, the more because at home, and meeting with a very cross conjuncture at present."

134 Ibid., ff. 69-69v.

135 Ibid., ff. 70-70v. This objection was confirmed by Northumberland, "If ... the King resolve to convoy them home, it will require a good number of ships, for they return in small fleets." SP 16/363/28, Northumberland to Windebank, 4 July 1637.

136 P.R.O., SP 84/152/108, Windebank to Boswell, 27 March/6 April 1637.

137 Ibid., f. 72v, Boswell to Windebank, 18/28 February 1637.

138 Ibid., f. 76, Boswell to Windebank, 19 February/1 March 1637; ff. 109-110, Windebank to Boswell, 27 March/6 April 1637. Windebank promised adequate naval support, even in case of war with Spain, when "his Majesty's continual forces at sea ... will be always powerful enough to waft them safe home."

139 Ibid., ff. 71-71v, Boswell to Windebank, 18/28 February 1637; f. 108, Windebank to Boswell, 27 March/6 April 1637.

140 Ibid., ff. 71v-72, Boswell to Windebank, 18/28 February 1637. Boswell thought they would increase the offer to 15,000 guilders or more if necessary, and Windebank replied, "you will find those arguments as necessary as they are powerful among those mercenary people." Gardiner is mistaken, however, in alleging that Gerbier bribed the Cardinal Infante's mistress. Gardiner, op. cit., VIII, p. 218.

141 P.R.O., SP 84/152/108v-109, Windebank to Boswell, 27 March/6 April 1637. See Ibid., ff. 174-5 for copies of passports issued by Archduke Ferdinand and Archduchess Isabella. They contained references to "the Rebellious Provinces", which the Dutch did not appear to find offensive. "... my men here were of strong stomachs, and would not stick for to swallow a word or two thereby to gain so real and sweet a thing as security." Ibid., f. 197v, Boswell to Windebank, 21/31 May 1637. See also SP 77/27/128v-129v, Gerbier to Boswell, 11/21 April, with further drafts of passports, and f. 188, Same to the same, 12/22 May 1637.

142 P.R.O., SP 84/152/76v, Boswell to Windebank, 19 February/1 March 1637; ff. 109-109v, Windebank to Boswell, 27 March/6 April 1637.

143 P. R. O., SP 77/27/132-133, Gerbier to Windebank, 15/25 April 1637. Referring to Fuentes, Gerbier wrote, "That the King of Spain would by his shipping pursue the Holland fishers as would make their wives become fishers of their own husbands' children, and those their fathers, whose drowned cadavers they would fish instead of cabeleaus and herring, whereunto joined, that then the rebels would feel their desolation."

144 Ibid., ff. 133-134v.

145 Ibid., f. 130, Gerbier to Boswell, 11/21 April 1637.

146 P. R. O., SP 84/152/9v, Windebank to Boswell, 13/23 January 1637, "But you are by his Majesty's special commandment to carry with great secrecy and dexterity, and to give account to myself only of your proceeding from time to time."

147 Ibid., f. 70, Boswell to Windebank, 18/28 February 1637.

148 Ibid., ff. 59-60, 199v, Boswell to Windebank, 18/28 February, 21/31 May 1637.

149 P. R. O., SP 77/27/133v, Gerbier to Windebank, 15/25 April 1637, indicating his doubt "That I might find a party dispute the case against these, when no living creature here dares (except with hazard of honour, life and living) show himself in any kind to favour the Holland party."

150 Ibid., f. 152, Gerbier to Windebank, 22 April/2 May 1637. Boswell feared that this might reflect adversely on Charles I if the deception were discovered, and provided Gerbier with a letter which made it appear that he and Gerbier had been acting privately, without the King's knowledge. SP 84/152/148-148v, Boswell to Gerbier 24 April/4 May 1637, "... a letter which I have written with as much colour, and yet as near to truth as may be ..."

151 P. R. O., SP 77/27/152-152v, Gerbier to Windebank, 22 April/2 May 1637.

152 Ibid., f. 152v, "I could have begun to feel the pulse of Infante Cardinal's mistress, but I have found what I did not seek, small hopes of doing any good that way, if at all in the business..." She had successfully interceded with the Cardinal Infante for William van der Grint, who had been seeking permission in the previous summer to sell passports for fishing to the Dutch for £50 each. The scheme had run into determined opposition from President Roose, and she had been severely censured. See Ibid., ff. 159-162 for van der Grint's proposals.

153 Ibid., f. 184, Gerbier to Boswell, 29 April/9 May 1637. The Council, he reported, "seem the more affectionate because President Roose (whom they cannot endure) is adverse." See ff. 140-141 for Gerbier's Remonstrance to the Cardinal Infante on fishers' passports, 15/25 April 1637.

154 Ibid., f. 188, Gerbier to Boswell, 13/23 May 1637.

155 P. R. O., SP 84/152/197, Boswell to Windebank, 21/31 May 1637.

156 Ibid., ff. 166-166v, Boswell to Windebank, 13/23 May 1637. Boswell welcomed the opportunity of extending English contacts in North Holland.

157 Ibid., ff. 167-70, "Whereby your Honour sees in what manner, to bring about my Master's business, I am fain to play the merchant and assurancier." f. 168v.

158 Ibid., ff. 167, 168v.

159 P. R. O., SP 84/152/110, Windebank to Boswell, 27 March/6 April 1637.

160 Ibid., ff. 198-99, Boswell to Windebank, 21/31 May 1637.

161 Ibid., ff. 197v-198.

162 P. R. O., SP 77/27/197, Gerbier to Windebank, 20/30 May 1637. Boswell thought it unlikely that he would succeed: "He hath not hitherto appeared at the Hague, neither will he easily be able to catch old birds with chaff, if he should be there for that purpose." SP 84/152/203, Boswell to Windebank, 26 May/5 June 1637.

163 On 21/31 May Boswell had written to Windebank that the passes from Flanders should arrive within a week, but that he would think this "long till I have the bird in hand." Ibid., f. 198. On 9/19 May, Gerbier had written to Boswell, "Well, God send luck and not to break our hearts about this business." SP 77/27/185.

164 Ibid., f. 204, Gerbier to Boswell, 23 May/2 June 1637.

165 Ibid., ff. 210, 216v-217, 309, Gerbier to Boswell, 26 May/5 June, 30 May/9 June, 29 July/8 August 1637. The decision, he thought, was not unconnected with a bid from another quarter to take passports at a higher price than he had offered.

166 Ibid., ff. 218-218v, Gerbier to Boswell, 30 May/9 June 1637.

167 P. R. O., SP 84/152/225-225v, Windebank to Boswell, 15/25 June 1637; SP 77/27/265, Gerbier to Windebank, 24 June/4 July 1637, acknowledging Windebank's assurances of the King's approval.

168 HMC 2: 3rd R., Appendix: p. 74, Windebank to Northumberland, 12 June 1637; P. R. O., SP 77/27/300, Windebank to Gerbier, 28 July/7 August 1637.

169 P. R. O., SP 84/152/238, Boswell to Windebank, 22 June/2 July 1637, "I have been here also perforce at a non-plus ever since, which hath almost as much grieved the parties with whom I had treated, as myself, being very honest men..." By October, he still found "my men with whom I first treat here, by the good means I have used, continuing their purpose and promise almost wholly as at first..." SP 84/153/39, Boswell to Windebank, 5/15 October 1637.

170 Ibid., ff. 51-52, Boswell to Windebank, 12/22 October 1637. "Nothing is asked but what is offered in the licence, and confidently expected by all who take the same."

171 Ibid., ff. 64, 66-67, 78, 109, 130, Same to the same, 23 October/2 November, 30 October/9 November, 20/30 November, 4/14 December 1637.

172 Ibid., f. 67.

173 P. R. O., SP 16/370/22, Sir Henry Marten to Lords of the Admiralty, 21 October 1637, reporting on a petition from Brames.

174 P. R. O., PC 2/48, f. 157, Lords of the Council to Pennington.

175 C. S. P. D., 1637, p. 511, Pennington to Lords of the Admiralty, 2 November 1637.

176 P. R. O., SP 84/154/55-55v, Boswell to Windebank, 14/24 June 1638.

177 Clar. S. P. II, pp. 5-6, Windebank to Charles I, 24 February 1638.

178 P. R. O., SP 94/40/137v-138, Hopton to Windebank, 4/14 July 1638.

179 Ibid., f. 194, Same to the same, 22 August/1 September 1638.

180 Ibid., ff. 236v-237, Same to the same, 19/29 September 1638.

181 Ibid., f. 325, 41/68v, Same to the same, 28 November/8 December 1638, 19/29 March 1639.

182 P. R. O., SP 84/154/36-7, Gerbier to Boswell, 1/11 June 1638.

183 Ibid., ff. 45B-45C, 52, 67-67v, Boswell to Windebank, 7/17, 14/24 June, 28 June/8 July 1638.

184 HMC 2: 3rd R., Appendix: p. 74, Windebank to Northumberland, 12 June 1637.

185 P. R. O., SP 16/363/21, Windebank to Northumberland, 3 July 1637. Windebank made it clear that the King was unwilling to use one of his own ships until he discovered the Dutch reaction.

186 Ibid., 363/28, Northumberland to Windebank, 4 July 1637; 363/41, Windebank to Northumberland, 6 July 1637.

187 HMC 2: 3rd R., Appendix: p. 74, Fielding to Northumberland, 24 July 1637.

188 P. R. O., SP 16/365/51, Windebank to Captain Fogg, 10 August 1637; Ibid., 365/53, Same to Northumberland, 10 August 1637, giving similar instructions.

189 C. S. P. Ven., 1636-9, p. 245, Correr to Doge and Senate, 12/22 July 1637. Ibid., 1632-6, p. 369, Gussoni's Relation, 3/13 April 1635, "They are anxious at all costs to keep up good relations with Spain for reasons of trade and as a counterpoise to France." In November

1636, Ballarino, Venetian Secretary in Germany, had reported the English unwillingness to risk war, because of loss of trade. Ibid., 1636-9, p. 102.

190 Ibid., p. 86. In February 1637 Michiel, Venetian Ambassador at The Hague, discussed the use of some English ships by the Prince Elector, in which he "Will have full liberty to wage war in the Spanish seas, but not off Flanders, because England does not want to lose the trade there, which is so profitable at present." Ibid., p. 145. See Supple, op. cit., pp. 104-7, and W. B. Stephens, 'The Cloth Exports of the Provincial Ports, 1600-1640', Econ. Hist. Rev., 2nd ser., XXII (1969), p. 235, for the effects on English trade and industry of the wars against Spain and France between 1625 and 1630, which were unlikely to have been forgotten during the Personal Rule.

191 P. R. O., 31/3/70, ff. 171-171v, Instructions for Bellièvre, 1/11 September 1637.

192 Clar. S. P. I, p. 279, Hopton to Windebank, 31 May/10 June 1635. See also Ibid., p. 281, Hopton to Cottington, 31 May/10 June 1635.

193 Ibid., p. 722, Aston to Windebank, 28 January/7 February 1637.

194 Ibid., p. 279, Hopton to Windebank, 31 May/10 June 1635. Ibid., p. 524, Aston to Coke, 27 April/7 May 1636, "As far as my understanding and power will give me leave, I will not suffer his Majesty's subjects to receive the least wrong; but, if I should engage myself upon every passionate merchant's complaint, I should quickly lose my credit here, and it were more than I could apply myself to, had I nothing else to do."

For a typical example of the intervention of the Privy Council, see P. R. O., SP 94/39/182, Lords of the Council to Aston, 30 July/9 August 1637, on behalf of a merchant of Weymouth, asking for the release of some of his servants imprisoned in Lisbon for wounding. Aston's reply, 27 February/9 March 1638, sent an account of the case and regretted that in spite of his efforts they were still in prison, "their offence much differing from what your Lordships are informed." SP 94/40/26.

195 See, for example, P. R. O., SP 94/37/126, 163, Coke to Hopton, 8/18 October 1634, 9/19 April 1635; 37/169, Hopton to Coke, 24 April/4 May 1635.

196 Clar. S. P. I, p. 281, Hopton to Cottington, 31 May/10 June 1635.

197 Clar. S. P. I, pp. 639, 750, 761, Aston to Coke, 3/13 September 1636, 15/25 April, 17/27 May 1637; P. R. O., SP 94/40/40-1, Aston to Coke, 20/30 March 1638.

198 Clar. S. P. I, pp. 639, 750, Aston to Coke, 3/13 September 1636, 15/25 April 1637. Hopton repeatedly made the same point after he returned to Spain in 1638.

199 P. R. O., SP 94/37/151, Complaints of certain merchants against the Spaniards, 1634. SP 94/40/70, Petition from merchants trading to Spain and Portugal, 1638, c. April, referring to the earlier petition and to Charles I's instructions to Aston to obtain remedy for them, "but in all this time they have not found any ease or relief."

200 Bodl. L., Clar. MS. 8, ff. 133-133v, Aston to Windebank, 22 January/ 1 February 1636.

201 P. R. O., SP 94/40/85, Fanshawe to Coke, 2/12 June 1638, "... these men seemed to think my Lord Ambassador did nothing for them, and yet there is scarce any doubt to be made but that the Council chose this way to satisfy his Lordship's importunities." SP 94/40/124, Hopton to Coke, 7/17 July 1638, "My Lord Aston took great pains and did great matters for his Majesty's subjects. God grant I may do half as much." As usual, Coke was engaged in attacking the English ambassadors abroad, leaving Windebank and others to speak for them.

202 C. S. P. Ven., 1636-9, p. 16, Michiel, Venetian Ambassador at The Hague, to Doge and Senate, 23 June/3 July 1636.

203 Bodl. L., Clar. MS. 11, f. 142, Aston to Windebank, 19/29 April 1637.

204 Bodl. L., Clar. MS. 9, ff. 22v-23, Windebank to Aston, 24 June/ 4 July 1637, "... your Lordship shall do well of yourself and underhand to let fall somewhat to the English merchants trading in those parts to this purpose, that so they may in time withdraw by degrees their goods from thence, and not be surprised if any such storms shall arise."

205 B. L., Add. MS. 36,450, f. 148, Aston to Windebank, 17/27 August 1637.

206 Ibid., ff. 154v-155, 167, Aston to Windebank, 4/14 September, 27 November/7 December 1637.

207 P. R. O., SP 94/40/124, Hopton to Coke, 7/17 July 1638.

208 P. R. O., SP 94/41/106v, Hopton to Windebank, 8/18 May 1639. Hopton commented "he is a discreet man, but perchance may be led something with the consideration of his own profit, for he is a dealer in licences which are prejudiced by this free trade of the French." Ibid., f. 101v.

209 Clar. S. P I, p. 317, Hopton to Cottington, 1/11 August 1635, "I have ever observed that they think we are so much in love with their trade as it is a recompense for any thing we can do for them..."

210 P. R. O., SP 94/40/220, Hopton to Windebank, 8/18 September 1638.

211 P. R. O., SP 94/40/260, Same to the same, 6/16 October 1638.

212 Ibid., f. 310, Same to the same, 14/24 November 1638.

213 Ibid., f. 222v, Same to the same, 12/22 September 1638.

214 Bodl. L., Clar. MS. 16, f. 64v, Same to the same, 6/16 April 1639.

215 P. R. O., SP 94/41/136, Same to the same, 3/13 July 1639. "Those that they have made use of this year have been very well paid, and great care hath been taken that the masters and mariners should be well dealt with."

216 Ibid., ff. 188-188v, Same to the same, 18/28 September 1639. "And as for their taking freight for transportation I shall humbly represent that if they shall be debarred from that they will be in great want of employment, there coming many more hither for freight than there is use of by the way of trade... It is strange to prohibit now what has been allowed ever since the first peace." The Hollanders "in our names, or in the names of Hamburgers or of the King of Poland (they do this now) will take freight of the King of Spain and laugh at us to see the bread taken out of our mouths and put into theirs."

217 Bodl. L., Clar MS. 17, f. 171v, Hopton to Windebank, 30 October/ 9 November 1639.

218 See above, p. 206.

219 Kepler, op. cit., p. 270, discusses the possible consequences for English trade of the presence of warring fleets in the Channel in 1639, and the defeat of the Armada in the Downs. Although the silver traffic revived quickly, no evidence survives to measure the effect on the trade in commodities re-exported from Dover in 1639-40.

220 P. R. O., SP 94/41/302, Hopton to Windebank, 2/12 April 1640. A charge of 20% was laid on Malaga wine, a further tax on raisins, as well as general impositions totalling $2\frac{1}{2}$% on all commerce.
Bodl. L., Clar. MS. 18, f. 59, Same to the same, 8/18 February 1640.

221 P. R. O., SP 94/41/307, 329, Same to the same, 7/17 April, 29 May/ 8 June 1640.

222 Ibid., f. 302, Same to the same, 2/12 April 1640.

223 Ibid., f. 288, Same to the same, 12/22 March 1640.

224 Ibid., f. 307, Same to the same, 7/17 April 1640.

225 Ibid., ff. 288, 302, Same to the same, 12/22 March, 2/12 April 1640.

226 Ibid., f. 329, Same to the same, 29 May/8 June 1640.

227 Ibid., f. 288, Same to the same, 12/22 March 1640.

228 Bodl. L., Clar. MS. 18, f. 240, Windebank to Hopton, 24 July/ 3 August 1640.

229 Bodl. L., Clar MS. 10, ff. 30-30v, Windebank to Charles I, 14 August 1636; Clar. S. P. I, pp. 625-6, Instructions to Morton, 23 August 1636.

230 Clar. S. P. II, pp. 5-6, Windebank to Charles I, 24 February 1638.

231 Bodl. L., Clar. MS. 17, f. 32v, Same to the same, 6 July 1639.

232 Clar. S. P. I, p. 318, Same to the same, 27 August 1635.

233 Ibid., pp. 337-8, Same to the same, 6 October 1635.

234 See Chapter III.

CHAPTER VII

WINDEBANK AND THE FOREIGN AMBASSADORS IN ENGLAND

Windebank's dealings with the foreign ambassadors and agents in England provide a clear reflection of those five main phases of the foreign policy of the Personal Rule that have already been identified, in which the King inclined alternately, from preference or through force of circumstances, towards the Habsburg and anti-Habsburg states.[1] Although Sir Francis's main concern was with the representatives of the House of Austria, in 1635 he was also included among the small group of commissioners appointed to discuss a draft treaty with the French Ambassadors, so that he became closely acquainted with all the most confidential negotiations. Coke handled the greater bulk of the routine work relating to the major anti-Habsburg states, and also dealt with brief missions connected with trade, such as those of Berthold Muller, Deputy of Hamburg, in 1632-3[2] and Gaudar ben Abdala, Ambassador of the King of Morocco, in 1637-8.[3]

The English Court attracted many foreign diplomats during Windebank's term of office, some sixty-seven having visited England in various capacities between 1632 and 1640. In addition, eight others were designated for service in England, and three Papal Agents had some diplomatic dealings with the King, frequently using Windebank as an intermediary.[4] Few of these missions gave satisfaction to either side, and many ended in anger, much of the ill-feeling being founded upon differences of interest between rulers of the combatant European states and Charles I and his ministers. Many of the embassies to London in the 1630's were concerned with requests for levies of troops or money, or for more open English commitment to the House of Austria or to the Franco-Dutch alliance. Since the King and his leading ministers were convinced of the need for non-involvement in the European war, and since money was scarce and the population not large, most of these demands were refused. Failing active support, each side in the European struggle was interested in securing

benevolent English neutrality, and was concerned to discredit its opponents, mainly by emphasising the dangers to England of their strength and unscrupulousness.

Of the diplomats representing the Habsburg interest the Spanish Ambassadors and Agents were by far the most active and influential, and tended to dominate the weaker Imperial and Flemish representatives, whose missions were shorter and more intermittent. Among the anti-Hapsburg diplomats the French were most actively engaged in treaty negotiations, supported by the Dutch, particularly after 1635. Representatives of Sweden, the Protestant German Princes and other states sent briefer missions for more limited purposes. The Venetian Ambassadors, with their well-established antipathy to Spain, acted as confidants of the supporters of "the common cause", and were careful to maintain good relations with the French and Dutch.[5] Since the Venetian diplomatic service was still one of the most able in Europe their reports give the fullest general picture of diplomatic activity at the English Court in the 1630's, although their comments and conclusions, particularly during Correr's embassy in 1634-7, are sometimes misleading.[6] Salvetti, the Tuscan Resident, similarly at leisure to observe the doings of others, provides a complementary though less detailed survey.[7]

The status of the foreign ministers in England reflects to some extent the various phases in Charles I's foreign policy, and gives some indication of fluctuations in amiability between England and other European states during this period, though it is by no means an invariable guide. Thus the chill in Anglo-Spanish relations in the early 1630's that coincided with English attempts to secure advantages for the Prince Palatine from Gustavus Adolphus was signalised by the long and unco-operative mission of Necolalde, the Spanish Agent. Renewal of Anglo-Spanish negotiations in 1633 was followed by the nomination in Madrid of two Ambassadors to England, although Spanish distrust of English intentions led to delays in their departure, and it was not until 1636, when the most active period of Anglo-Spanish contact was about to close, that Oñate arrived as Ambassador Extraordinary.

The interval of more than usual coolness in Anglo-French relations that accompanied the early stages of Windebank's negotiations with Necolalde was marked by the failure of the French to appoint an immediate successor of ambassadorial rank to Fontenay in 1633, although a Secretary and chargé d'affaires was left until the arrival of the next Ambassador, the Marquis de Pougny, in 1634. The quickening tempo in Anglo-French treaty discussions in 1635 was marked by the arrival of Senecterre as Ambassador Extraordinary, while Bellièvre's embassy, which began in 1637, covered the second period of declining French influence. This was acknowledged by his withdrawal in 1640 and the appointment of another Secretary and chargé d'affaires.

On the other hand, despite the growing divergence of interests between England and the United Provinces in the 1630's, Joachimi was left as Ambassador in London for twenty-six years, though in his case occasional temporary withdrawals to the Hague led to diplomatic inactivity.[8] Venice, although not engaged in active treaty negotiations with England, customarily maintained an Ambassador in London. Indeed, in the diplomatic doldrums of 1633 when Fontenay had left and Joachimi was spending ten months in Holland, Gussoni was the only full Ambassador left.[9] The dramatic incident of the Battle in the Downs of October 1639, however, was linked with the presence of three Ambassadors Extraordinary, one Dutch and two Spanish, in 1639-40, and these men, reinforced by a further Dutch representative, witnessed the final phases of attempted Anglo-Spanish rapprochement and diplomatic reversal in favour of a Dutch marriage alliance.

Windebank had taken little or no part in the first phase of the foreign negotiations of the Personal Rule, but the opening of the second phase was marked in 1633 by his conferences with Necolalde, Spanish Agent in England since 1631, first about the Palatinate and then, in company with Portland and Cottington, about the proposed maritime treaty with Spain. His dealings with Necolalde were hampered by suspicion and dissatisfaction on both sides. The chief causes of Necolalde's discontent over the Palatinate

are clearly set out in Windebank's minutes of a conference held between them in May 1633,[10] in which Necolalde attributed most of the difficulties to "the King's going ways of neutrality", but which can be traced rather to the English habit of negotiating for the Palatinate with whichever side currently had the upper hand in Germany. Windebank's present proposition was that Necolalde should continue his intercession with the Emperor for a peaceful restitution of the Palatinate, in spite of the recent agreement between the Duke of Simmern, the Prince Elector's Administrator, and the Swedish Chancellor, Oxenstierna, for restitution of those towns held in the Palatinate by the Swedes, on payment of £15,600 to be partly provided by Charles I.[11] Necolalde recalled similar situations in the past, when English negotiations with Spain had been accompanied by such activities as Hamilton's expedition to assist Gustavus Adolphus in 1631 and Vane's embassy to Gustavus Adolphus in 1631-2. Anstruther's embassy to the Empire in 1631-2 had been similarly combined with negotiations with France and the Protestant Princes of Germany. Despite frequent English promises, Necolalde had never been shown Vane's and Anstruther's instructions, and had discovered details of a draft Anglo-French treaty only from intercepted English despatches. Gerbier, the English Agent in Flanders, he described as "a mere Hollander".[12] As far as the present request was concerned, Necolalde predicted the rapid eviction of the Swedes from Germany, "and therefore it was ill husbandry to pay them for that they could not hold", while the Emperor would undoubtedly resent the restitution of even part of the Palatinate by any hands but his own, since "the Emperor must hold him an enemy that came in by his enemies".[13] If Necolalde could be shown the contract between the Administrator and Oxenstierna, he promised to provide a direct answer to the request.

Many of Necolalde's complaints resulted from the success of his own delaying tactics, which had led the King, and even such Hispanophiles as Portland and Cottington, to conclude that "they could hope of no good from Spain or the Emperor by treaty",[14] so that they had felt impelled to turn to Gustavus Adolphus in the hope of sharing the benefits of his spectacular

conquests. Although Necolalde's complaints continued throughout the summer, he approached Windebank in November 1633 with news of an impending alliance between the Emperor and Spain which Charles I was invited to join.[15] Two and a half months later, the King instructed Windebank to reply, welcoming the overture and listing four demands on behalf of his nephew in response to a request from the elder Oñate, Spanish Ambassador at Vienna.[16] Informing Hopton of these developments, Windebank conveyed the King's suspicions that Necolalde's reports to Madrid had been coloured by malevolence and misinterpretation. Sir Francis himself complained that Necolalde had "often appeared with so untoward and ill a disposition as he hath professed himself wholly unfit to negotiate anything of more nearness between the two Kings", and that he had threatened to leave if his demands remained unsatisfied.[17]

Despite Necolalde's shortcomings, the King had decided early in 1634 that the changing European situation called for a closer relationship with the Habsburgs. France had occupied Lorraine and invaded Alsace in September 1633, and by December French forces were advancing towards the Rhine. Similar resolves may have been taken by Spain, for by this time Windebank was finding Necolalde more accommodating, "... he hath either received better directions from his master, or else is grown wiser of himself, for now of late he seems to apply himself better."[18]

In June 1634 Windebank informed Portland that their discussions with the Spanish Agent were to be communicated to the Privy Council, and that he, Portland and Cottington were to meet Necolalde forthwith and enter into treaty with him.[19] Windebank's notes of a meeting with Necolalde at Roehampton in mid-July states the reason for the decision: "The Hollanders are grown more victorious, and more insolent. So likewise the French, and a dangerous league made between them." This document also reveals that the four-fold demand made on behalf of the Prince Palatine in January had now shrunk to a single request for removal of the Imperial ban, and even this was clearly no more than a token gesture to family piety and anti-Habsburg prejudice:

"That there only remained an honourable pretence for his Majesty, which might satisfy his sister, his subjects (now in service of contrary parties), and the whole world; which he conceived the taking off of the ban would be. And, considering he was contented to defer the further treaties for restitutions both of honour and interest, this of the taking off the ban was conceived to be an easy and a fit demand." 20

Necolalde was evidently aware of the need to establish priorities, but was also dangling the bait of the Palatinate settlement as a linked but more remote development: "He showed how different the two businesses were, viz., that and this league: that concerned the Prince Palatine, this the safety of both Crowns; yet withal how impossible it is, that this can be really effected and the other not follow." Necolalde seems to have been either optimistic or disingenuous, however, over the probable effects on the Palatinate's fortunes of the peace negotiations between the Emperor and Saxony which had begun in March 1634 and were to culminate in the Peace of Prague in the following year, giving assurance that "the peace of Germany .... cannot be without restoring every Prince to his own, and then the Elector must be the first."[21]

The negotiations for the maritime treaty occupied the greater part of 1634. Windebank's explanatory letter to Hopton shows that by February agreement had been reached in principle to equip an English fleet, with some financial aid from Spain, in order to raise the Franco-Dutch blockade of Flanders and to counteract the growing naval strength of the United Provinces in the Channel. The ostensible reason for equipping the fleet was to be the suppression of the predatory activities of the Dutch and Dunkirk ships.[22] By July, the first draft of articles for a secret agreement had been drawn up, which provided for the conclusion of a defensive league between England and Spain when the Imperial ban against the Prince Elector had been taken off. In the meantime, Charles I was to equip a fleet of twenty ships of war, from four hundred tons upwards, Spain bearing the cost of five of these vessels. The fleet was to protect fishing boats and English ships trading to Flanders from attack by the Dutch, and was also to

intervene on behalf of Spanish ships that were similarly attacked, thus maintaining the King's claim to maritime sovereignty. Favourable treatment was to be given to Spanish ships in English ports, particularly in cases involving embargo or arrest, and similar consideration was to be shown in Spain to English vessels taken by Dunkirkers or ships of Biscay. England was to bring diplomatic pressure to bear on Holland to secure restitution of Dunkirkers and Spanish vessels taken by the Dutch in English waters; and the Court of Admiralty was to declare that any such ships then lying in English harbours were to be immediately restored to Spain. If further pressure was needed, the English fleet might also take prizes, presumably to provide a basis for bargaining, though this activity was envisaged as being mainly restricted to those five ships that were financed by Spain. The fleet was to provide convoy protection for Dunkirk ships conveying men and money to Flanders, and in the event of a Dutch or Franco-Dutch attack on Dunkirk or any other Flemish port, the whole English fleet was to come to its aid, if necessary with additional ships, the cost of such an expedition being borne by Spain. Finally, in addition to contributing the cost of five ships, Spain was to make an immediate payment of 200,000 crowns to cover the cost of two months' pay, which was to be repaid if Charles I failed to fulfil his obligations. Reference was also made to further monthly payments, though the amount was unspeficied. Work was to be started immediately so that the fleet could put to sea in September for two or three months before the winter, resuming its activities in the following April.[23]

This draft was subject to various modifications resulting from meetings between Necolalde and the English commissioners. At a meeting at Roehampton on 7/17 August it was decided to omit all reference to the conclusion of a secret league depending upon the removal of the Imperial ban, and also to the maintenance of five particular ships by the King of Spain, who was to contribute proportionately to the cost of the whole fleet. Necolalde pressed unsuccessfully for a time clause in the article relating to the restitution of Spanish ships by the United Provinces, demanding that

compensation to Spain should be taken by England from Dutch ships and goods if restitution was not made by Holland within the time specified. On their side, the English commissioners objected to the immediate and general restoration to Spain of Dutch prizes then in English ports by decree of the Admiralty Court, and preferred to leave the matter to the decision of the court in each individual case, although they indicated benevolence towards Spanish interests. In the clause relating to convoy protection for Spanish ships laden with men or money for Dunkirk, the English ships were only to fight in their defence if sufficient warning was given to, and approval received from, the English King.

Necolalde further asked that if the English fleet came upon Spanish and Dutch vessels fighting, they should not intervene if they judged the Spaniards to be the stronger, but should part the vessels and aid the Spaniards if they were the weaker party. Windebank advised the King that this was best omitted from the treaty, and left to whatever secret instructions the King might wish to give his commanders. An attempt by the English commissioners to raise the immediate Spanish contribution from 200,000 to 700,000 crowns failed, and it became clear that Necolalde was already having difficulty in securing speedy payment of even the lower sum, Spanish money then in the Tower for coining being already earmarked for use in Flanders. Windebank calculated that the delay of five or six weeks in bringing money from Spain would prevent any naval action that year, but would enable Charles to make more gradual and inconspicuous preparations for the following spring.[24] Broadly, he seems to have been sympathetic to Necolalde's requests. Finally, it was at this stage of the negotiations that the indefinite Spanish payment mentioned in the final clause of the first draft was converted by Portland, Cottington and Windebank into the specific sum of £100,000 a month.

To this Necolalde immediately objected, on the grounds that the running costs of the fleet were as yet unknown, and the Spanish contribution might eventually be higher or lower than this figure.[25] After further protests by Necolalde,[26] further negotiations with the three commissioners,

and a third draft of the articles,[27] the King provided Portland, Cottington and Windebank with full powers to conclude a treaty on his behalf, Necolalde's plenipotentiary commission having already been shown to him.[28] The text of the treaty was not yet agreed, however, and Windebank, describing these dealings to Hopton, commented that "we have been ... in continual treaties and debates with Necolalde .... but could never draw him to any resolution, some spirit of difference or other being still raised by him, to the loss of time and perplexing of this great business ..."[29] Despite these and other difficulties and numerous complaints to Spain of Necolalde's obstructiveness, Windebank and the Spanish Agent had by this time achieved some kind of mutual toleration, and the news that he was soon to be replaced was not greeted as an unmixed blessing:

> "... his Majesty is well contented he should continue here, at least till the present treaty be perfected, which if a stranger should take out of his hands, and have the honour of his labours, it would be a great disparagement to him; besides, a new minister and we shall not suddenly understand one another ...." 30

It was not until December 1634 that the secret articles were signed, though Necolalde was even then still trying to gain some ground in respect of the time limit by which the Dutch were to make restitution of prizes taken from Spain. He asked that this be fixed, by a separate, still more secret, article, at two or three months, after which period the English were to assist the Spaniards in obtaining compensation from Dutch ships and goods. Furthermore, in a second additional clause, Charles I was to instruct his naval commanders to aid Spanish or Flemish ships worsted in struggles with their enemies, and also vessels taken as prizes by the Dutch, in such a way as not to constitute an act of hostility.[31]

By this time, although a Habsburg victory at the Battle of Nördlingen had opened the path to Flanders for the Cardinal Infante with his army, the French had strengthened their hold on the Rhine by the acquisition of Philipsburg from the Swedes, and in the autumn French garrisons had been admitted to the Lower Palatinate fortresses by the Duke of Simmern. Moreover, the

English were by then aware of the secret Franco-Dutch plan to partition Flanders. Although these provided good reasons for reaching speedy agreement on the maritime treaty, neither side would give way on the points that were still in dispute, namely the English obligation to aid Spaniards against their Dutch attackers, and the conditions for restitution of prizes brought by either side into English ports.[32] The first was regarded by the English as dangerously provocative to the Dutch, while the second would have curtailed the jurisdiction of the Admiralty Court.

In February 1635 Charles decided to by-pass Necolalde by sending Hopton powers to conclude the treaty in Spain, provided that none of Necolalde's further demands was insisted upon. Although Hopton was urged to secure an early reply, it is evident from Windebank's comments that the decision had already been taken to proceed independently with the fitting out of the fleet: "But his Majesty is now disobliged, and will himself shortly set out his fleet, without them or their monies; and so is left free to take such a party as shall be most for his advantage."[33] A year earlier Hopton had advised that just this course should be taken. If the King met the cost of the fleet from his own resources he would "remain at better liberty to alter his course". If he accepted Spanish aid he was likely to endanger his neutrality, either because the Spanish warships would contrive to involve the English fleet in fighting the Dutch, or because Spain would publish the terms of the treaty in order to provoke hostile reactions from the United Provinces.[34] By March, Hopton was having long conferences with Olivares in which the Conde Duque recounted Necolalde's numerous complaints, including the allegation that the English ministers had made additions and alterations to the articles without his agreement.[35]

The maritime treaty was never concluded, the English fleet being financed during the remainder of the Personal Rule largely by ship-money. The decreasing yield of this growingly unpopular tax, together with the King's unwillingness to risk provoking war with the Dutch, prevented the achievement of the wider extension of English naval power that had been envisaged by the King and Windebank at the outset of the negotiations with

Necolalde. Although the topic was raised from time to time in Windebank's correspondence with Hopton,[36] and although Olivares himself offered to conclude the treaty with Aston in June 1636, possibly fearing Franco-Dutch naval retaliation against Flemish ports in reply to the Cardinal Infante's invasion of France, nothing was done.[37] Aston dismissed Olivares's proposals "as being a business, I conceived, he [Charles I] now no further thought of",[38] and Windebank later commended this action: "They slighted his Majesty when the time was, and now he hath settled his affairs in another way. They have disobliged him, and he will trust to his own forces."[39] It was not until 1640, when the stability of Charles I's rule was under severe threat from the Scots, that Windebank again found himself negotiating for Spanish subsidies to England.

The numerous meetings between Windebank and Necolalde could scarcely escape the attention of the observant Venetians, although, misled by their obsessive conviction that Spanish influence dominated Charles I's leading ministers, their interpretation of these encounters was occasionally at fault. In June 1635 Correr declared that Necolalde's apparent disfavour at Court served simply as a cover for his negotiations, and that he held wide powers to conclude an Anglo-Spanish treaty. Evidently tantalised, he reported that the Spanish Agent

> "... remains in retirement all day long, and does not see a single minister. But after it has grown dark he goes almost every evening incognito to the house of the Secretary Vindebanch, and has been observed to hold the most lengthy conferences with him. As no one is present beyond their two selves it is quite impossible to discover what they discuss ...." 40

Windebank's comments about the maritime treaty negotiations convey a somewhat different impression:

> "... though he [Necolalde] have bestowed sundry complimental visits upon me of late ... he never let fall any one syllable of that business, and therefore, if he have now all his instructions, there is some mystery in this reservedness. For my own part, I have found the proceeding so cold and dilatory that I am fully resolved of

> myself never to give him subject of discourse of that business again, and therefore he shall either begin it himself, or else it shall be buried in everlasting silence." 41

Much of the dissatisfaction felt by the King and Windebank was increased by the persistence with which Necolalde had pressed for satisfaction in the case of "the ship of sugars". At some time in 1631 a Portuguese vessel carrying sugar and tobacco had been taken by Daniel le Clerc, a Frenchman commissioned by the United Provinces, and had then been driven by some mischance into Plymouth, where it had remained ever since. The Spanish and Dutch ministers had intervened in the resulting case in the Court of Admiralty, turning what should have been a private suit into a question of state, and both sides had badgered Windebank to secure a favourable judgement.[42] Necolalde had pleaded that when a Prince was a common friend to two enemies he should restore to "the first and true owner" any prize taken by one side from the other that was brought into his ports.[43] The eventual compromise decision of the Admiralty Court to award the ship to the Dutch but the costs of the case to the Portuguese set Necolalde clamouring of injustice, and he repeatedly threatened that if the Dutch were given the ship, he would break off negotiations over the maritime treaty. Windebank felt strongly that a private difference between subjects should not have been used to impair negotiations between states, and that if Necolalde were supported by his government, then England would have good reason to suspect Spanish professions of friendship, "seeing they take such slender occasions of offence." If Charles I were to be appeased, "they must either put another mind into Necolalde or send some other that may be better affected."[44] Hopton reported that Olivares seemed unconcerned, and that the whole matter had been exaggerated,[45] which gave further grounds for suspicion that Necolalde's intransigence over the clauses of the maritime treaty dealing with the restitution of prizes might spring from personal prejudice, rather than from his instructions. So strongly did Charles feel that the treaty should not be endangered that John Taylor was sent to Madrid in 1634 to complain of the Spanish Agent's behaviour and to ask for the appointment of an ambassador. He was soon able to announce the selection

of the Conde de Humanes, "a man of noble, sweet and mild nature, and of a good understanding",[46] who "doth infinitely discommend Necolalde for his manner of proceedings."[47]

Humanes was similarly praised by Hopton, as being honest and not "a man to be employed in double dealings".[48] It was hoped that his appointment would herald a more open and cordial relationship between England and Spain, though Spanish intentions may have been more negative, for Cornaro, the Venetian Ambassador in Madrid, reported that it had been decided to send an ambassador to England, even though there was no English Ambassador at Madrid, in order to foment discord more effectively between the English and the Dutch.[49] The departure of the Conde de Humanes was repeatedly delayed, however, first because of the winter, then because of the heat, then because of the difficulty of travel to England after the outbreak of war with France, "the way by land being shut up" and the way by sea being perilous.[50] There were plans to send him in the ship bringing Aston to Spain, though Hopton believed that they would have sent him sooner if the news of the Franco-Dutch attack on Flanders had been as bad as they feared. Much of the delay, he thought, could be attributed to the wish in Spain "to see how things would settle between the two Crowns, before they send their Ambassador."[51] In September 1635, however, Hopton wrote to announce that Humanes was dead, that Olivares was bemoaning the difficulty of finding a successor, but that meanwhile Don Christobal de Benavides had been named.[52]

By this time Necolalde was clamouring to be recalled, and as Hopton wrote to Windebank, "... indeed I wish he were, for I perceive by some that see his despatches he hath no good conceit of us .... and I am told that, in his private letters to his friends, he writes that there is no trust to be given to the English."[53] Windebank similarly wished that the arrival of his successor would "put an end to the negotiation of the malicious Resident here."[54] By October, the Conde Duque seems to have been persuaded that the situation called for additional exertions, and the young Conde de Oñate, son of the Spanish Ambassador to the Emperor, was selected as Ambassador

Extraordinary. Hopton assured Windebank that this choice "showed a very great respect to his Majesty, for both in common reputation, and in the particular opinion of the Conde Duque, there is not a subject of this Crown, whom they think fitter for, nor worthier of, a great charge ..." Enquiries revealed that Oñate was honest "but withal that he is somewhat hasty, so as, all considered, he is likely to do much good, or much harm, having credit and parts for both."[55]

Windebank welcomed the news of Oñate's appointment, if only as a release from Necolalde's malice, currently much in evidence again. Hopton hoped that England might derive some advantage from Oñate's antipathy to the ambitions of the Duke of Bavaria,[56] and Windebank cautiously observed that "if his instructions be answerable, he shall find work enough for his best abilities and affections now businesses grow to a crisis."[57] Any ambassador from the Habsburgs had by this time to overcome the loss of English goodwill that had followed the publications of the terms of the Peace of Prague. Windebank predicted accurately, however, that "their demands will be exorbitant and they will yield little."[58]

Oñate did not arrive until July 1636,[59] and was then in no hurry to begin his duties. Since the plague was raging in London and the Court was elsewhere, he remained for some while incognito at Greenwich, refusing a house at Lambeth "because it had belonged to a Hollander".[60] He then declined an invitation from the King to Windsor, and it was not until 24 September that he had his first public audience, and another three weeks before he saw the King in private.[61] His conduct gave considerable offence and was thought to augur ill, particularly when combined with the similar inactivity of Radolt, the Emperor's Agent, and the unwelcome news from Arundel.[62] Rumours that he was bribing the King's ministers were rife,[63] and Windebank, still suffering from the aftermath of the Victory episode, protested vigorously to the King at allegations that he had visited Oñate during the summer.[64]

One of Windebank's early tasks was to secure clarification of certain

ambiguities revealed during Arundel's negotiations in the summer. Oñate's evasive replies gave notice that he had no intention of committing himself at this early stage, and he then remained dormant throughout the first part of the winter. In December Oñate was galvanised into activity by the return of Arundel from Vienna, when he demanded an audience on the same day as the Earl, and blamed him openly for his conduct of the embassy, while proclaiming the goodwill of the Emperor and Spain.[65] Pressed by the King to declare what conditions were required by Spain for an agreement over the Palatinate, he refused to commit himself, and lapsed into inactivity again until the spring.[66]

Meanwhile, the final months of the period of active English negotiations with the Habsburgs had also been marked by the presence in England of an Imperial minister. Official diplomatic relations between England and the Emperor during the Personal Rule were not close, nor were they felt to be satisfactory by either side. Gussoni's picture of English relations with the Emperor and Princes of Germany in 1635 indicates the chief reasons for the coolness, and is equally applicable to any other part of the Personal Rule:

> "With the Emperor and with the other Catholic Princes of Germany they have little or no official relation, indeed their relations are in a sense openly strained, because of the Palatine house, although their distance apart removes occasions for direct hostilities. England keeps in touch with the other Princes of the union by sending frequent embassies extraordinary, to which those Princes do not respond, considering that England wants to put them off with mere offices and words, without the effective help which they so urgently need, or relieving the Palatine house." 67

For a brief period from 1636-7 the Emperor maintained an agent in England, and it was Windebank's task to deal with him. He was unable to prevent the mission from being almost totally abortive, though an examination of the circumstances suggests that he is hardly to be held responsible for this.

Early in 1636 the Emperor, having listened to Taylor's first

overtures,[68] was advised by the elder Oñate, Spanish Ambassador at the Imperial Court, to send a representative to England to negotiate over the Palatinate, on the grounds that Taylor's commission was insufficient. The first Imperial representative selected was Matthias Werdtmann, an Aulic Councillor, though Taylor seems to have discovered nothing of the substance of his instructions.[69] Werdtmann delayed his departure so long whilst wrangling over his status and expenses that the Emperor grew impatient and replaced him by Clement Radolt, another Aulic Councillor, on condition that Radolt should leave for England within two days, a proviso suggesting that current Imperial policy required at least an appearance of urgency.[70] Taylor recommended Radolt to Windebank as a well-disposed man, unlikely to be dominated by Necolalde and the Spaniards, and a close friend of the Bishop of Vienna, whom Taylor had already reported as being favourable to the Prince Palatine's cause. Encouraging Windebank to make good use of Radolt, Taylor stressed the need to impress him with a show of wealth and power, particularly with respect to the navy, since this was most likely to win the Imperialists away from Bavaria.[71] As he pointed out, "this summer is not so far spent ... but we may do them much harm or much good."[72]

A variety of impressions had been received as to his instructions. Ballarino reported that Radolt's written instructions, which he had seen, offered to assign sufficient property to the Palatine family to maintain their rank, in return for the Prince Palatine's submission to the Emperor. The Electoral vote could not be discussed at that time, because of the terms of the Peace of Prague. From this he concluded that "there is no section of the instructions which does not leave an opening for settling the difficulties and meeting the claims of the Palatine family." Radolt's most important instructions had not been put in writing, but were imparted orally to him by the Emperor in the presence of the full Council. Ballarino understood that if England could be persuaded into an alliance, there was to be an exchange of Ambassadors Extraordinary, and that Radolt was to conclude nothing unless there was danger of losing all by delay. If England insisted "upon despoiling Bavaria or prejudicing him in any way", Radolt was to temporise

and await further instructions. Ballarino thought that he probably had powers to treat of the exchange of the Lower Palatinate for estates in Flanders or elsewhere.[73]

Taylor's impressions were, as usual, more rosy. Provided that "his Majesty will come home unto them" the Prince Elector was to be instantly restored to the whole of the Lower Palatinate on both sides of the Rhine, and married to the Emperor's daughter, while the Duke of Bavaria was planning a match between his nephew and one of the Prince Elector's sisters, and was prepared to relinquish the Electorate after his death.[74]

Windebank appears to have taken the matter calmly, regarding the sending of an Imperial representative as an encouraging development, but refusing to advise the King to make a great display of the fleet, which he felt would speak for itself as "really the most considerable at sea this day of any Prince's in Europe."[75] It was just as well that he entertained no exaggerated hopes of the visit. Radolt, after spending a few days in Brussels conferring with the Cardinal Infante, who had helped to secure his appointment, had himself transported to England in a Dunkirk ship without waiting for an English vessel, and went straight to earth in London on 20 April without making his presence known. When Necolalde searched him out and took him, almost by force, to his own house, messages were given out that he was not there and that no news of him had been received.[76] A week later he emerged and had his first audience, accompanied by Necolalde, at which he delivered compliments in Latin. Correr hoped that "the general curiosity about the object of his mission" would be satisfied at his second audience, but when this took place on 4 May Radolt made a long speech about the distressed condition of Germany and the Emperor's need for an interval of peace in which to recover, making no reference to the Palatinate, but hinting at a particular commission that might be better delivered in writing.[77] No paper appeared, however, and when he still made no reference to the Palatinate at his third audience a week later, Correr reported that "the King conceived some suspicion at this unusual way of treating". Charles was observed to be "full of wrath and astonishment",

while the Prince Palatine said openly that this was a familiar Austrian trick, which could only be countered by armed force.[78]

Charles left London on 17 May for Hampton Court, departing early that summer because of the plague, and was soon followed by the French, Dutch and Venetian Ambassadors, and the Residents of Savoy and Florence, though not by Radolt or Necolalde.[79] Radolt had still made no attempt to open negotiations with the King, Windebank or any other minister by the time Charles left, though his complimentary visit to the Queen on 15 May caused great hilarity at Court. According to Correr, "he made her a Latin speech lasting an hour and a half, setting forth what she did not understand and what the Secretary [Windebank], who should have interpreted, could not explain to her, possibly because he was tired of listening."[80]

Some clue to Radolt's extraordinary behaviour may be found in a despatch sent in April to Venice from Ballarino in Vienna. The Duke of Bavaria, protecting his own position in the Palatinate, had reported that England was pressing more strongly for the return of Lorraine than for the restoration of the Palatinate, and that there was more hope of English action against France than fear of a formal breach with the Emperor. There was no hurry to give England satisfaction by making excessive concessions over the Palatinate, so long as the Habsburgs could continue to conceal their apprehension at the damage that England could inflict on them, presumably by the substitution of naval attack for protection in the Channel. Radolt had therefore been instructed to keep the King interested in the advantages of Anglo-Imperial and Anglo-Spanish good relations, "so profitable to the interest of that kingdom, the trade with Spain constituting the Indies of England." Otherwise, he was to "proceed with more reserve in his offices".[81] His performance suggests that he had paid more attention to the second part of these instructions than to the first.

By July, Windebank must have concluded yet again that Taylor's despatches bore little relation to reality. His assurance on 27 June/7 July that Windebank might soon expect "a more ample knowledge of what was

expected on both sides" if England entered into a league with the House of Austria, since the Bishop of Vienna had said that they would "now write their mind fully to Signior Radolt",[82] was of little more practical value than the advice three weeks later that "Radolt doth write something disgustedly; it is good to keep him in good blood and to be constant to your resolutions".[83]

By this time there was no contact between Windebank and the Imperial Agent, since Sir Francis had taken refuge from the plague at Haines Hill, while Radolt was spending the summer quietly walking and hunting elsewhere in the country and making no appearance at Court.[84] One of Windebank's last services to him before he left London had been to draft a species of safe conduct to protect him, as a foreign Roman Catholic, against the toils of the law and the hostility of the native inhabitants.[85] Radolt's position was in any case ambiguous, since Arundel had full powers to treat at Vienna, in the event of any alliance materialising.

Senecterre, the French Ambassador Extraordinary, tried to derive some profit from the situation by urging better English treatment of France and Holland in view of the unsatisfactory Habsburg negotiations, but got no response before October, when the explosion of anger that greeted Arundel's news of the Emperor's reply on the Palatinate temporarily interrupted the long dominance of the Spanish interest at Court and goaded the King into a more favourable reception of French overtures.[86] Even Radolt was spurred to action, presenting the King on 6 October with a letter purporting to come from the Emperor and promising satisfaction over the Palatinate. This appeared so promptly, however, that many believed it to have been written in England, since no courier had arrived who could have brought it from Austria.[87]

Radolt remained in England throughout the winter, objecting in chorus with Necolalde at plans to allow the Elector Palatine to use part of the fleet, and at the apparently imminent alliance with France.[88] The Prince Elector's protest to the Emperor in 1637 was taken as a signal for Radolt's withdrawal, and he left England in March 1637, angry that he had

been given no formal letter of greeting to the new Emperor. Charles refused to correspond with Ferdinand III so as to avoid using his title, by which he would have acknowledged an election in which his nephew had played no part.[89] Diplomatic relations with Vienna thereafter were slight once more, and Windebank was not again called upon to deal with an Imperial minister during his period of office.

For some eighteen months in 1634-6, while the Habsburg diplomats had engrossed most of Windebank's attention, the French had been endeavouring, with little success, to present the attractions of an alternative policy. In 1634, when war between France and Spain was already in prospect, Jacques d'Angennes, Marquis de Pougny, had been sent to England to propose that Charles I should join the French and the Dutch against the House of Austria.[90] Neither Pougny himself nor the French government expected success, but were chiefly concerned to prevent England from declaring openly for the opposite side, and to limit English aid to Spain. English hostility to the Dutch was expected to prove a serious handicap, and Pougny was warned that any outward appearance of goodwill was "only the smoke and exterior signs, and no basis for solid advantage".[91]

The French occupation of Lorraine and Alsace in the autumn of 1633, the advance of French forces towards the Rhine, and the Swedish decision to put Philipsburg into French hands in August 1634, thus strengthening their position in the Lower Palatinate, had all confirmed English suspicions of French designs. It was in July 1634, also, that Necolalde had revealed the Franco-Dutch plan for the partition of Flanders. The anti-Habsburg diplomats at the English court were acutely aware of the secret negotiations in progress between Necolalde, Portland, Cottington and Windebank, and, though uncertain of their precise nature, France and the United Provinces were concerned to counterbalance them if possible.[92] Moreover, they knew that Necolalde had been spreading alarm about Franco-Dutch plans, and that Windebank and others on the Privy Council had been emphasising the danger of the Franco-Dutch alliance "without any one speaking out in favour of the French, for whom, indeed, there is no affection among the generality here."[93]

Pougny's arrival was therefore welcomed by men like Zonca, the Venetian Secretary, though many regretted that Pougny's inexperience on his first embassy rendered him no match for the "skilful and most sagacious" Spanish Agent.[94]

Pougny seems to have been inhibited less by Necolalde, however, than by general pessimism and a conviction that the most influential English ministers were working against him. Arriving in July, he did not broach the subject of the alliance to the King until early October, on the grounds that Charles was engaged in hunting, and that the small Council that met during the summer was mainly composed of advisors hostile to France. He did mention the alliance to Portland, but found him unfriendly and approached no one else, fearing that Necolalde might get premature warning of his proposals. His despatches during the summer and autumn contain little of significance, and serve only to record his lack of progress; indeed, the Venetian diplomats' accounts of Pougny's complaints and confidences are considerably more informative.[95]

When Pougny finally read his proposals to Charles I in October they were answered by two demands, firstly that he should present them in writing, and secondly that he should get powers to include the Protestant German princes in the alliance before serious discussions began. This was understood by the French and the Venetians to be a delaying tactic. Pougny would have been considerably more depressed to know that the King immediately told Windebank to inform Hopton of the French offer, so that he could pass the news on to Olivares in the hope of expediting Windebank's own negotiations with Necolalde.[96]

Pougny was then left without further instructions from France for the rest of the year, and was given no advance information about the Franco-Dutch treaty for the partition of Flanders that was signed in Paris on 29 January/8 February 1635.[97] On 9/19 January, however, he was at last told to deliver the articles of the projected treaty between France, England and Holland in writing to the King, which were received by Charles I "with a smiling face".[98]

The draft articles, with which Windebank was soon to become familiar, proposed that if England joined the Franco-Dutch alliance, France and Holland would support the Prince Palatine's claims to the Palatinate, and the French King would use his influence at a general peace treaty to see that the Duke of Bavaria's demands with respect to the Palatinate were met without prejudice to the Prince Palatine's interests. The question of the Electorate was to be referred to the Imperial Electors. France and Holland undertook not to make peace with the Emperor or Spain until the Emperor had lifted the ban from the Prince Palatine, and they promised to defend the Prince against those who tried to prevent him from entering into his inheritance. England, France and the United Provinces were to provide mutual aid if any of them was attacked in consequence of the present treaty, or as a result of aiding the Prince Palatine, or for any other reason. France and the United Provinces were to assist England in these circumstances with an agreed number of men at their own expense, while England was to aid her allies if necessary with armed ships and men at their expense. The Kings of England and France were not to give direct or indirect assistance to those with whom they were at open war, but were to assist each other in every way.[99]

The treaty articles were referred to the Privy Council for consideration, and at the end of January Windebank became more directly involved in the discussions when the King appointed him, together with Portland, Arundel, Carlisle, Holland and Coke, as commissioners to negotiate with the French and Dutch Ambassadors. The composition of the commission, which seems to have been identical with the Committee for Foreign Affairs, suggests that the King had no serious intentions with regard to the treaty at this stage, since the Earl of Holland was the only member favourable to France. The appointment of Laud to fill the vacancy created by Portland's death in March 1635 gave the French a fleeting hope that a more co-operative spirit might result,[100] but this was rapidly dispelled when meetings between the English commissioners, Pougny, and the new French Ambassador Extraordinary, Senecterre, began on 27 March.[101]

Senecterre opened the proceedings with an eloquent exposition of the advantages of a French alliance, presented the Franco-Dutch treaty, and invited England to join, asking for an early reply. The English commissioners requested a number of minor but time-consuming amendments, and commented that the mutual promises of aid were too ill-defined for England to undertake. Fortified by their knowledge of the plan to partition Flanders, and by Boswell's copy of the secret article engaging France and Holland to resist any attempt to raise their blockade of the Flemish coast,[102] they then asked whether there were no secret articles in the treaty such as were common in the treaties they made themselves, or whether there was no other treaty between France and Holland. Senecterre, well aware that just such a treaty had been signed some six weeks earlier, embodying a plan that had been in existence for almost a year, issued a bland denial, and after a further meeting on 3 April, the English commissioners adjourned for private deliberations and the preparation of a reply.[103]

This proved to be a lengthy process. As Windebank told Feilding, "We have had sundry meetings, but are not yet grown to any resolutions."[104] His notes of points made at these meetings reveal some of the reasons for the delay. Charles I's attitude, as usual, dictated the fundamentally inconclusive character of the proceedings:

> "The King's two foundations to be held: not to engage him in a war, nor to come to a present resolution.
> His Majesty not to keep himself absolutely neutral, but undeclared."

The commissioners themselves felt that further clarification was needed about the nature and aims of the forthcoming Franco-Imperial conflict. As Windebank pointed out, "they say they will make no peace with the Emperor, but they show not how they will make the war." Senecterre should be pressed to explain more precisely how the war would lead to peace in Germany and to the restitution of the Prince Elector. Charles I wanted to know what forces the French would devote to the recovery of the Palatinate and what they would expect from England. The failure of the Ambassador of

the United Provinces to appear at the meetings was felt to be sinister: "We know not whether they have agreed to this confederacy and rather have cause to think they have not." Finally, there was a strong suspicion from the outset that the treaty would never be ratified by the French, and the commissioners took care to prepare their own escape route: "If there be any secret articles, the treaty to be null."[105]

Senecterre grew increasingly irate as the weeks passed and nothing happened, concluding that the English were unwilling to commit themselves to any action. Carlisle asked him whether they and the Dutch were planning to attack Dunkirk, which Senecterre passed off as a joke, but a week later, after two more meetings with the commissioners, he reported that the Franco-Dutch treaty

> "... leur donne forte jalousie: ils soubçonnent beaucoup des choses dans les Traittez, autres que celles qui leur paroissent par nous, et que j'en sçay beaucoup plus que je ne leur en dis." 106

This was unlikely to come as a surprise to Richelieu, for in February 1635 Senecterre and Pougny had been instructed to discover what foundation there was for the suspicion that Charles I had been persuaded by some of his ministers to negotiate with the French solely in order to discover their plans. If they thought this likely, ~~there~~ Key were to maintain strict secrecy over the French intention to declare war.[107]

Late in April, when warning came of the French declaration of war on Spain, Charles wished the allies every success and postponed his answer yet again.[108] The Franco-Dutch invasion of Flanders in May provided another setback, but the failure of this invasion in June facilitated continued discussion on several articles throughout the summer. Senecterre made little progress, and emerged from a long interview with Windebank and the King in July with the conviction that the King and his Secretary were deliberately temporising.[109] Correr reported that mutual suspicion was exacerbated by secret Franco-Dutch and Anglo-Spanish negotiations, "both sides by practically masking their real intentions, keep sincerity also out of

sight and only make use of artifices."[110] In September, Richelieu attempted to break the deadlock by reducing allied demands on England. Charles was to cease giving aid to Spain, to provide a fleet for the Prince Palatine, and to allow France to levy troops in Britain.[111]

In October, Charles's long-awaited reply was presented to Senecterre, and proved so unpalatable that the French Ambassador refused to transmit it to his master. It was therefore presented to Louis XIII by Scudamore, the English Ambassador in Paris, and Windebank sent a copy to Hopton.[112] Commencing with the announcement that the restoration of the Palatinate concerned France more than England, since Charles was concerned "merely for the near interest of our affections and blood", the King reminded Louis XIII of his existing obligations to the League of Heilbronn, which bound him not to make peace until the liberties of Germany were settled. Responsibility for the Emperor's need to placate the Duke of Bavaria by despoiling the Palatinate was attributed squarely to the French seizure of Lorraine. Without the restoration of Lorraine no peace was possible, and Charles therefore proposed that France should return Lorraine on condition that the Emperor returned the Palatinate. If the Emperor refused, Charles undertook to declare war against those who opposed his nephew's restitution "upon so fair and equal terms". In conclusion the King intimated to the French, though "not by way of threatening, that if this proposition shall be refused, we shall be forced rather to favour the other party, as the less maintainers of justice."[113] Senecterre's comment to Bouthillier, "Vous verrez leur reponse embrouillée et incertaine", perhaps did less than justice to this ingenious scheme.[114]

Meanwhile, Pougny and Senecterre had been forbidden to visit the Prince Palatine, who arrived in England in November, because they refused to use the Electoral title. Windebank was evidently amused at their predicament: "The French Ambassadors, who were so earnest for his coming, and built castles in the air upon the strait intelligence they intended to hold with him, are become strangers to him by their own unadvisedness",

while Necolalde, "that never did anything well but this"[115]... "most gallantly came on and gave him both a visit and a title." Salvetti followed Necolalde's example, "but the Venetian Ambassador stands at the French distance."[116]

The French negotiations then stagnated.[117] Michiel, the Venetian Ambassador at The Hague, reported that Pougny and Senecterre had been given powers to bribe the English ministers, "but knowing that they were heavily pensioned by Spain the Ambassadors were at a loss as to what they should do."[118] Correr reported that the King's advisors were still convinced that neutrality was in the best interests of England, and that "for its security all that is required is to maintain predominance at sea, and for the rest, to shut their eyes will never do them any harm."[119]

By April 1636 the English Court was full of preparations for Arundel's departure for Vienna, and the arrival of Oñate, and with the Habsburg interest dominating the diplomatic scene, the French Ambassadors abandoned their negotiations, "being obliged to stand and watch the effect of these new moves." So convinced were they that their overtures were immediately relayed to Spain that they hesitated to give their opponents any fresh advantage.[120] In this their suspicions were well-founded, for every major proposition made during the previous year had been communicated by Windebank to Hopton or Aston on the King's orders, with the aim of inciting the Spaniards to outbid their rivals, and although these tactics had not been noticeably productive so far, the King continued to employ them.[121]

Moreover, Charles had by this time decided to send the Earl of Leicester as Ambassador Extraordinary to Paris, having concluded that little was to be expected from the French Ambassadors, "who, in above a year's continuance with us, have not produced that fruit they gave us cause to expect". Leicester's instructions repeated the proposal for the two-fold restitution of the Palatinate and Lorraine, protested against recent French infringements of treaty agreements regulating shipping in the Channel, and expressed concern at large-scale French naval preparations.[122] In a long unofficial conversation between Correr and Windebank, Sir Francis had

shown strong resentment towards French attacks on English ships, saying that if the French "did not feel ill-will against England they would abstain from showing it in their actions." He then talked of the French fleet in detail, being well-informed as to its numbers, crew and armaments. Correr attributed much of the current policy to his influence over Charles, "who seems to value his counsel very highly. This shows how true it is that the private passions of those who conduct the counsels of princes often lead them to decisions which they might never take of themselves."[123] In the summer of 1636 the French had the highest hopes of profiting from the King's displeasure with Windebank and Cottington over the shipment of Spanish silver sent to Dunkirk in the Victory, which they saw as providing an unexpected chance of securing a major change of policy. When this change materialised in the autumn of 1636, however, it resulted not from Windebank's supposed disgrace, but from the Emperor's response to Arundel's embassy.

As early as May 1636 Hopton had predicted to Aston "that there is not the same disposition to leagues that there was when your instructions were given you, and I doubt that if the Lord Marshal shall not receive a good answer in Germany the fair shows of France may draw us that way." Nevertheless, he did not then believe that Charles would conclude an alliance with France, "... he intends only to make a home trial but not to fall off from the House of Austria."[124] By November, Salvetti reported that the French, Venetians and Dutch were making as much capital as possible out of the news from Vienna.[125] Although English suspicion of France remained lively, it had become evident by the winter of 1636-7 that little was to be gained from the Habsburgs either on behalf of the Prince Elector or by way of naval subsidies, on any terms that appeared reasonable in England. This conclusion led to the development of the third phase in the foreign policy of the Personal Rule, during which English support for continued Spanish control of Flanders was maintained, while at the same time a more receptive hearing was given to the French overtures for an alliance.

There is little trace of the part played by Windebank in the negotiations that led up to the signing of the treaty with France in February 1637, although he presumably continued to discuss the matter in the Committee for Foreign Affairs. From all that we know of his views he is likely to have agreed with the eloquent arguments advanced by Wentworth to show that an English breach with the Habsburgs would damage English trade, strain limited English resources, and probably bring little solid advantage to the Prince Elector.[126] The treaty of 1637 was unlikely to have appealed to Windebank, since it provided ultimately for an open war by England on the House of Austria by land and sea, and a joint Anglo-French drive to block Spanish lines of communication with Flanders, Italy, Germany and the Indies, two undertakings that were directly contrary to the policy that Windebank had for years been advocating.[127]

In France, Leicester was evidently determined to monopolise the negotiations, and Scudamore appealed to Windebank for support, complaining in December 1636 that he had been told nothing of the draft treaty until a month before. Leicester had then only read the draft to him, refusing to part with a copy, and had taken him to only one meeting, telling him nothing of later developments. He ascribed Leicester's behaviour partly to "an inordinate desire of glory and honour", and partly to an attempt "to put me out of all employment".[128] He sent Leicester a written request for a sight of the papers, but wrote a fortnight later to Windebank, "And for the treaty whether it goes on smoothly or with rubs, or whether it goes on at all or stands still, for my part I know as little from his Lordship as he that lives in Jerusalem."[129] Windebank had already secured a royal rebuke to Leicester for his failure to keep Scudamore sufficiently informed, but Leicester's suspicion that Scudamore would "betray all to the Spaniards" was too deeply ingrained to be easily overcome.[130]

In the event, the initial suspicion of the English commissioners that the negotiations would come to nothing was fulfilled. France claimed that the treaty could not be ratified until it had been considered by her allies, Sweden and the United Provinces, at the forthcoming conference at Hamburg,

a process which was to occupy much of the next three years.[131] Coke and Leicester handled the correspondence relating to the detailed provisions of the draft treaty,[132] and Windebank's brief postscript telling Aston that the draft had been signed, and that care should be taken to give confidential warning to English merchants, betrayed no details. His comment that despite the agreement a breach with the Habsburgs seemed remote, "... there appearing nothing yet in view that threatens it", was an accurate long-term prediction as well as a short-term reassurance.[133]

When no further progress had been achieved by September 1637, Windebank represented to Leicester that "both their Majesties are in some little disorder, for the delays used by the French in the Treaty ....", but he expressed no regrets himself and hoped that "his Majesty shall stand upon his own legs" in consequence.[134] Much of the English anxiety to conclude the French treaty in 1637-8 was due to a fear that peace between France and Spain was imminent, and that English interests would be unrepresented if the treaty remained unratified.[135] Although in June 1637 it had fairly been said that "The way of France, as now, is more prevalent",[136] there is no sign that Windebank had altered his opinions.

Indeed, this period of active Anglo-French negotiation had also witnessed a brief revival of discussions with the Spanish Ambassador. In mid-March 1637, probably in response to the news that a draft Anglo-French treaty had been forwarded to Paris, Oñate requested an audience to discuss the Palatinate, and by April Windebank was negotiating with him alone on behalf of the King, "... his Majesty having commanded my service alone to him, to understand what those convenientias were, which have been so much insisted upon, and yet have hung so long in the clouds."[137] It eventually transpired, "at last, after much fencing", that Spain required the discussions to be based upon the secret draft treaty begun by Cottington in Spain in 1630-1. Unless England would join with Spain in war against the United Provinces, Oñate had no further power to treat. If the King agreed to this, the Lower Palatinate should be instantly restored, though Spain disclaimed any power to treat of the Upper Palatinate and the Electoral vote. The

Spanish and English Kings were also to co-operate to limit Richelieu's disturbances of the peace.[138] Windebank replied that as far as Holland was concerned, "... ce seroit vrayement cueillir le fruit devant que de planter l'arbre."[139] To Aston he was equally forthright:

> "So that, in plain English, their convenientias are a direct war with the Hollanders, and little less with France, and whether these be the equal and reasonable conditions they have so long made show of, or can be interpreted arguments of their sincere intentions either to give his Majesty satisfaction or contribute to the peace of Christendom, your Lordship in wisdom will easily judge." 140

Subsequent lengthy audiences between the King and Oñate resulted in a further exchange of papers, drafted on the English side by Windebank. The King pointed out that although the Palatinate was not mentioned in Cottington's draft, it had been understood that the restitution of the whole Palatinate was to precede an English declaration of war on Holland, and that if only the Lower Palatinate were restored, then English aid was to be restricted to English naval support for the Habsburgs, and permission to raise levies.[141]

News from Vienna in May 1637 suggested that there was little or no basis for Spanish offers of the Lower Palatinate, and Oñate protested so vehemently at Charles I's grant of levies to the Swedes that the King, incensed by this and by his manner of negotiating, lost all patience and made a formal complaint to Spain. Windebank forwarded the King's instructions and copies of Oñate's papers to Aston, pointing out that "either he understands not, or hath much forgotten the duty of an Ambassador, and what belongs to sovereign Majesty."[142] For his part, Oñate complained that "there was no school in the world where one could learn how to negotiate with the English."[143] He retired to bed with what Windebank described as "a dangerous indisposition .... They say in Town in regard of our confederacy with France, that he is sick of the Mal francese."[144]

Windebank's first impression upon negotiating with him in April that Oñate was able and well-meaning had thus been rapidly dispelled, and the

remainder of his embassy was marked by increasing ill-will on both sides.[145] By the end of the year arrangements were being made for his recall, and in April 1638 Cárdenas arrived to represent Spain, while Oñate left in the following month. According to Aston, Cárdenas was of good reputation and well-regarded by Olivares. He was nevertheless regarded as a stop-gap, mainly "to fetch Oñate off, with whom they are here very ill-satisfied", and to remain until an Ambassador should be sent.[146]

The fourth, largely inactive, period of the foreign policy of the Personal Rule lasted from 1638-9, and coincided with the first part of Cárdenas's mission and most of Bellièvre's embassy. Neither of these diplomats succeeded in ingratiating himself at the English Court, and much of their unpopularity derived from their unwelcome allegations that Charles I was negotiating secretly at Brussels with the House of Austria. Suspicion of English good faith, already widespread in Europe, was thus increased, while English hostility was in turn aroused by Cárdenas's ceaseless complaints and Bellièvre's dealings with the Scottish rebels. In 1639, however, Windebank's cautious discussions with Cárdenas prepared the ground for a return to more cordial relations with Spain.

After an early success in arranging the purchase of 1200 casks of gunpowder for Flanders, together with muskets and guns,[147] Cárdenas had soon become the third Spanish diplomat in succession to incur the King's wrath. In June 1638 he wrote to Castañeda, the Spanish Ambassador in Vienna, and to Count Curtius at Hamburg, describing an audience with Charles I in which he said that the King had showed willingness to resume negotiations with Spain over the Palatinate, and had intimated that he did not feel fully committed by the draft treaty with France, then languishing in limbo at the Hamburg conference. Cárdenas also referred to an Anglo-Spanish treaty in progress at Brussels, and to discussions with Cottington on this subject. Copies of this despatch were freely distributed in Spain, Flanders and Germany, and the news soon reached Roe, the English representative at Hamburg, who promptly reported it to Coke. Although the story was distorted, it was close enough to the truth to be highly

embarrassing, particularly in view of Windebank's secret correspondence with Gerbier over Princess Phalzburg's negotiations. Pestered by complaints from France, Holland and his own ministers, the King ordered Windebank and Coke to examine Cárdenas, from whom the two Secretaries extracted a statement that "cunningly mixed some truth with much untruth". Charles thereupon suspended the Spanish minister's audiences and sent remonstrances and disclaimers in all directions.[148] The whole matter rested upon conflicting versions of the same conversation, and Giustinian was not slow to draw the conclusion that "It is a lesson for those who have to deal with his Majesty in the future to employ the pen rather than the tongue, in order to escape such heartbreaking incidents."[149]

Windebank was the obvious intermediary through whom Cárdenas might hope to secure reinstatement, and in December 1638 he appealed for Sir Francis's aid, suggesting that the punishment was so heavy that it must have "proceeded from some other sinister grounds and relation which may have been given to his Majesty concerning me."[150] While Windebank was prepared to intercede in due course, the King's displeasure required a longer penance, and Cárdenas was readmitted to active diplomacy only by slow stages. By 1639 the Scottish troubles were occupying more of the King's attention than foreign affairs, but even an offer of Spanish assistance against the rebels was not enough to secure an audience.[151] In February came the collapse of the French treaty negotiations, however, and France was suspected of aiding the Scots. The pendulum of the King's interest swung once more towards Spain, and when Windebank wrote that Cárdenas claimed to have powers to conclude a treaty over the Palatinate with him, and not solely, as before, with the King, Charles, by then in the north, gave him leave to open discussions.[152]

Some talks had been in progress since April, when Giustinian mistakenly reported that "the old quarrel between the King and the Catholic minister here seems to be put aside", describing the efforts of the Duchesse de Chevreuse and the Spanish faction to take advantage of the feeling against France.[153] The small group of watchful observers noted the renewed

activity, Leicester, then in London, recounting to Coke Bellièvre's elaborately assumed wonder "that there is communication between Secretary Windebank and Don Alonso".[154] Con reported to Barberini that nocturnal visits to Windebank's house were again being paid by a Spanish minister, and that Windebank had replied to Bellièvre's protests by saying that the French should sign the articles of the secret league with England, and that would stop any suspicion of England's treating with Spain. He also reported that there was little inclination by then in London to conclude the French treaty.[155]

As usual, Windebank was considerably more wary than the diplomatic gossips assumed, and proposed a cautiously-worded and temporising reply to Cárdenas's "very cunning piece", saying that "If it can be avoided, I should not willingly give this or any other piece of paper in writing."[156]

By July 1639 he was at last prepared to recommend that Cárdenas's offence be forgotten, in order that "he may be gained (as much as can be expected from a foreign Minister) to your Majesty's service". Warning that Olivares, now officially informed of Princess Phalzburg's negotiations, might well publish the news "and take that in their own sense for a treaty at Brussels, and in probability the French will interpret it so likewise", he argued that while Cárdenas remained in disgrace, Hopton might still be kept at a distance in Spain. With Scotland in disorder and the French treaty uncertain, a rapprochement with Spain was desirable.[157]

By August, he could inform Hopton that the King had agreed to resume negotiations as long as "some way may be found ... that his Majesty's honour may be cleared that he gave no way to the Treaty of Bruxelles."[158] This having been done by a statement to the Privy Council, Cárdenas was duly given audience, but though Windebank wrote to Hopton "so I hope that storm is passed", he also added "Though I do not hold him a fit minister to be here, and therefore they shall do well to think upon some other for this employment ...."[159]

By the autumn of 1639 Cárdenas was urgently negotiating with Windebank to salvage what he could for the Spanish armada in the Downs, and when the Dutch forestalled his efforts to secure English protection, he celebrated his reinstatement by presenting endless complaints about Pennington's failure to assist the Spaniards; the late arrival of supplies of gunpowder; Charles I's failure to make an official protest to the Dutch; the numerous audiences granted to Aerssens, the Dutch Ambassador Extraordinary; and Gerbier's dealings with the Cardinal Infante. He had little satisfaction from Windebank, who reported to Hopton that "I desire him to quiet himself, and to expect his Majesty's own time."[160]

In the following summer Cárdenas was complaining once more, this time against the Earls of Warwick and Marlborough concerning a voyage in preparation to the West Indies, "with purpose, as he pretends, to commit depredations in those parts". Refusing to provide an undertaking that no acts of hostility would be committed against Spanish subjects, Windebank pointed out the difference between the theory of peaceful co-existence after the peace treaty with Spain and the reality, "subjects of both nations taking each other in those parts as freely as in times of hostility ... Whether they will think this reasonable or no, it is no great matter ... For we shall constantly keep ourselves to those grounds ...."[161] Cárdenas's elevation to the rank of Resident Ambassador in 1640 was greatly resented by Charles I, and Windebank, commenting that Spain well knew "the insatisfaction his Majesty hath of this man", played with the notion of arranging a similar promotion for Gerbier, similarly unpopular in Brussels, by way of retaliation.[162]

Although Windebank had little good to report of Cárdenas, and little sympathy with Spanish complaints, the papers relating to the mission of the new French Ambassador Extraordinary, Pomponne de Bellièvre, who arrived in London in December 1637,[163] give every reason to suppose that Sir Francis's general position with regard to Spain remained unchanged. Bellièvre's instructions had already warned him that Charles I's most trusted advisors influenced the King strongly in favour of Spain. The French had plans to win over Windebank and Cottington by political persuasion and

bribery, and this scheme was already being operated by the Queen's almoner and a certain Foster, once employed by Portland and currently acting as a useful source of information for the French. The aim, which met with singularly little success, was to induce them to use their considerable influence to engineer a change in policy in favour of a French alliance.[164] Two years later these schemes had still borne no fruit, and Bellièvre reported that Foster's financial inducements to Windebank had been wasted.[165] This, and Bellièvre's preoccupation with social distinctions, probably help to explain his scathing description of Sir Francis as "... homme de petite naissance et de peu de mérite, qui n'a point esté nourry dans les affaires ...." He reported angrily that Windebank was nevertheless rendering highly effective service on behalf of Spain, and that he had managed to destroy the King's confidence in Coke, the senior Secretary, who would have been a useful ally for Bellièvre.[166]

French procrastination over the treaty is also explained in Bellièvre's instructions, which were quite explicit that Richelieu did not intend to conclude an agreement with England. The French Ambassador was to sustain the illusion of French sincerity while trying to persuade England to block communication between Spain and Flanders.[167] In this he had no success, and throughout his negotiations received the same bland reply that was given to the Dutch, that there was no reason why England should cease transporting troops and silver when the Estates-General were well aware that the Hollanders were similarly aiding Spain.[168]

Although Windebank's first impression of Bellièvre as a man of "prudent and moderate carriage"[169] had been favourable, he soon discovered that much of the French Ambassador's time was spent in countering his own policy. In Windebank's negotiations for the return of Marie de' Medici to France, Bellièvre was naturally urging Louis XIII's view that she should instead retire to Florence.[170] More annoyingly, he proclaimed persistently that the English were negotiating secretly with the Habsburgs at Brussels, and thus undermining the Anglo-French treaty at Hamburg. Windebank, actively engaged in correspondence with Gerbier and Hopton concerning

Princess Phalzburg's negotiations, kept strictly to the letter of the truth in his reply to Bellièvre, which he reported to the King:

> "Upon the faith of a Christian there is no such treaty on foot; much less had your Majesty consented to any such thing, though they had given your Majesty occasion enough, by delaying to consummate the secret articles of the treaty, which they should by promise have subscribed two years since, to hearken to other overtures which have been made by the House of Austria ..." 171

Carrying the war into the enemy camp, Windebank retorted that there was more reason to believe that the French were fomenting rebellion in Scotland,

> "Whereupon he protested, with all the execrations that could be, that upon his knowledge there is not the least colour for such a suspicion. I told him, when he would believe my protestations, I would give credit to his, though I had better ground for mine than he could have for his." 172

In April 1639 Windebank told Wentworth that Bellièvre had been thwarted in his intention to travel north with the King and stay near the army:

> "Indeed it had been very fit that the Covenanters ... should ... have had such a friend near them to have held intelligence with them; and that his Majesty, who is not yet sufficiently betrayed, should have been assisted by such good offices as this spy pretended to be ready to do him." 173

There is ample evidence in Bellièvre's despatches that Windebank's accusations were well-founded, and that his purpose was the one that had always animated the auld alliance, "... brident l'Angleterre à un point qu'elle ne puisse jamais estre nostre ennemye sans avoir en mesme temps l'Ecosse sur les bras." [174] Bellièvre also had a more ambitious aim, to ensure that some of the English on the powerful Committee for Foreign Affairs were replaced by Scots, who could warn the French of any decisions prejudicial to their interests. [175] In December 1639 he was listening kindly to pleas for French aid from Dunfermline and Loudoun, who undertook to put his schemes into effect, but Richelieu apparently refused to countenance

the plan.[176] Windebank, who spent much of his time in 1639-40 finding means to shore up the King's authority in Scotland, could only regard such activity as subversive.[177]

Bellièvre also worked steadily but unsuccessfully to stop the transport of men and money to Flanders in English ships.[178] While Oquendo's armada lay in the Downs, and Windebank was trying to negotiate a profitable protection arrangement with Cárdenas, Bellièvre secured his first real success by winning over the Queen, until then an advocate of the Spanish cause, to argue his own and the Dutch point of view to Charles I. He thus secured a promise of a fortnight's English inaction, during which the Dutch fought their triumphant engagement.[179] Bellièvre reported two or three further clashes with Sir Francis over English naval assistance to Spain.[180] His withdrawal early in 1640, the French decision not to appoint another Ambassador immediately, and Velada's arrival heralded the fifth and final Spanish phase of the foreign policy of the Personal Rule.[181]

Windebank's last year in office thus witnessed a fresh round of negotiations with Spain, and for most of 1640 there were no fewer than three Spanish Ambassadors in England. The disaster of Oquendo's armada in October 1639 and the growing confidence of the Dutch in the Channel made English protection for the transport of men and money to Flanders even more desirable, while the end of Bellièvre's embassy and the current unpopularity of the French at Court created a vacuum that Spain no doubt found it politic to fill. The King's need for assistance against the Scots made him receptive to Spanish overtures, and he was reported to be eagerly awaiting the arrival of the Marquis of Velada, an old friend.[182] Velada was expected to negotiate for the use of English ships to supplement those being fitted out at Dunkirk, to foster English ill-will against the French and Dutch, and to reopen negotiations for an alliance, perhaps cemented by a Spanish marriage for Princess Mary. The new Ambassador Extraordinary was thought to be well supplied with bribes for the English ministers, and his arrival was awaited with some apprehension by the French and the Dutch.[183] Arriving in England at the beginning of April, he was unexpectedly joined

three weeks later by the Marquis Virgilio Malvezzi, who was mistakenly believed to have been sent to conclude an agreement for mutual aid already arranged between Olivares and Hopton.[184]

Commissioners were appointed to negotiate, and on 5 May Strafford, Northumberland, Hamilton and Windebank had their first meeting with the Spanish Ambassadors Extraordinary at Strafford's house.[185] The Spaniards insisted that discussions should be based on Cottington's draft treaty of 1631, whereas the English preferred the articles evolved with Necolalde in 1634. "Of the marriage", wrote Windebank to Hopton, "they say not one word."[186]

Each side had its own preoccupations, the Spaniards pressing for an English declaration of war on Holland, the English arguing that this was impossible until Scotland was pacified, and requesting Spanish financial aid to enable the King to assert his sovereignty at sea.[187] Strafford, in an exchange of visits with the Ambassadors, asked for a loan of 1,200,000 crowns, while Velada and Malvezzi replied that no loan could be made unless a treaty for an offensive league were signed. Denying that the articles shown to them had ever been agreed by Necolalde, they pressed again for the Cottington treaty, which Strafford agreed should be sent to Spain, annotated with marginal notes by the King.[188] Promising an offensive league after a settlement in Scotland, Strafford proposed an increase of the fleet to forty ships for the protection of Spanish convoys.[189]

By this time he was ill, and Windebank and Cottington took over, delivering a paper that purported to contain the substance of Strafford's conversations with Velada and Malvezzi. The Spanish Ambassadors professed to be greatly astonished at a "new" proposal for a Spanish monthly payment of 100,000 crowns towards the cost of the fleet, and objected to the criteria for determining the end of the Scottish rebellion.[190] Further difficulties materialised in later meetings, and Windebank wrote to Hopton that "we are rather gone back than any whit advanced", complaining that the Ambassadors were "very various, and not constant to themselves, disliking at one time what another they had held reasonable, and making slow answers to our papers."[191] Giustinian attributed the lack of progress to Spanish

confidence that no serious assault would be directed at Flanders that season.[192]

In July, however, Velada and Malvezzi bacame seriously alarmed at the plan to confiscate silver at the Mint, much of which belonged to the Genoese asentistas.[193] Suddenly persuaded of the urgency of the King's needs, they offered to negotiate a loan of £100,000 and wrote hastily to Spain and Flanders for the purpose. Windebank, sceptical both of their sincerity and of Spain's ability to find the sum at short notice, nevertheless welcomed action, commenting on the "dishonour that three ministers should be here at once for so wise a state and do nothing."[194] So convinced was he, however, that the plan would come to nothing that his frequent letters to Charles I, which dealt almost exclusively with the raising of money, significantly made no reference to the Spanish offer, and concentrated wholly upon actual and potential domestic sources of cash and credit.[195] By September, he was writing to Hopton that "the Ambassadors here say nothing of any business at all", and that the negotiation "hath slept a great while", and Giustinian recorded the suspension of the talks "amid the fluctuation of the present disturbances".[196]

Windebank's flight to France in December removed one of the chief advocates of an understanding with Spain, and the Long Parliament's success in breaking up the junta of Charles I's advisors simultaneously scattered the Spanish faction. Surprised at the news of an impending marriage alliance between Princess Mary and William of Orange, Velada and Malvezzi announced their departure early in 1641, having in Giustinian's judgement, "incurred expense to no purpose whatever in this conspicuous mission, with scant honour for the crown which they represent."[197]

This comment could fairly have been applied to many of the major foreign embassies to England in the 1630's. The men selected in Paris and Madrid to fill these posts seem to have possessed temperaments that were unusually unaccommodating and tactless. Increasing impatience with Charles I's consistent refusal to become openly involved in war coloured the attitudes of their masters, while the English King and his ministers, well-

informed on the subject of secret treaties between the European States, had good reason to disbelieve many of the assurances that were made to them. It seems probable that the King's apparent abandonment of his policy of neutrality by the agreement in the draft Anglo-French treaty of 1637 to wage war in certain circumstances on the Habsburgs was less of a volte-face than it appeared. It may be explained by two contemporary English assumptions, firstly that the commitment would in fact fall short of a breach of the peace, and secondly that the need for any action might well be forestalled by a settlement between the combatants. Furthermore, Windebank's notes reveal that there was a strong suspicion from the outset that the treaty would never be ratified by France and her allies.

The anti-Habsburg diplomats were convinced that Windebank's influence on the conduct of foreign affairs in London in the 1630's was considerable, and that it was exercised wholly in favour of Spain. By 1640 Salvetti described him as conducting the major part of the negotiations, and founding his authority on the King's confidence in him.[198] Sir Francis's relations with the French diplomats in England, in particular, were characterised by mutual suspicion. He was unwavering in his conviction that Richelieu's continental policy presented a threat to England, and in the early 1630's the expansion of French naval power and trading activity appeared ominous.[199] On their side, successive French Ambassadors were well aware of Windebank's membership of the group that favoured Spain. In 1634 Fontenay had attributed this to financial interest and the political dominance of Portland:

> "Quant aux Comtes d'Arrondel, Carlisle, Winworth, vice-roy d'Irlande, Cottinton et Wandibanck, l'interest les fait espagnolz, tirans plusieurs notables avantages du commerce et des passeports que le Comte d'Olivares accorde aux marchands, qui négotient pour eux .... Quant à Cottinton, Arrondel et Wandibanck ilz n'agissent que comme il plaist au Trésorier, et ne peuvent estre maniez que par luy ...." 200

Pougny's instructions did not specify Windebank by name, but similarly emphasised the Spanish inclinations of Charles I's leading ministers,[201] while Senecterre in 1635 described Windebank more cautiously as

"... soupçonne d'estre Espagnol".[202] In the later years of the Personal Rule the French authorities could no longer attribute the Spanish sympathies of the King's advisors to Portland's control, and appeared less credulous that their views were shaped by cupidity.[203] Bellièvre, however, reported of Windebank that "L'on tienniez pour certain qu'il est pensionnaire d'Espagne, en toutes occasions il a fort bien et fort hardiment servi les Espagnols ...."[204] Under the circumstances, it was not surprising that Sir Francis was regarded by the French diplomats primarily as an obstacle to the successful achievement of their aims, and their chief tribute to his effectiveness lay in their evident resentment at his influence.

It is more doubtful whether the Spanish Ambassadors and Agents or Windebank himself would have agreed with the picture of a Secretary who was actively furthering the interests of the Spaniards in return for substantial bribes. An examination of Windebank's negotiations with Necolalde and his successors reveals that Sir Francis was pressing hardest for those agreements that were to England's advantage as much as to Spain's. His most active and detailed negotiations with the Spaniards consisted in the attempt to secure subsidies for the English fleet, a quest that was closely connected with his belief in the need to preserve a balance of power in Europe, to protect English commercial interests, and to uphold the King's authority over the surrounding seas. Success eluded him, and may not have lain within his power, but failure neither altered his advocacy of this policy nor prevented him from trying to achieve it by other means.

His appointment in 1632 undoubtedly encouraged the swing towards the Habsburg-oriented phase in English foreign policy that was already developing out of the King's reaction against Gustavus Adolphus's demands. Windebank's diplomatic correspondence from 1633 until 1636 reveals the extent to which this policy was pursued, and much of the reasoning behind it. The revulsion in favour of France in 1636-7 was not shared by Sir Francis, and the negotiations of the English commissioners with Pougny and Senecterre illustrate the depth of his own and the Foreign Committee's suspicion of French objectives and methods. Windebank's offers of

assistance to Leicester in September 1637, and his assurance that "I do desire nothing more earnestly than a solid and real intelligence between these two crowns",[205] may be taken as little more than politeness. He remained unconvinced of the merits of this course, as indeed did Charles I. By June 1637 Hopton was assuring Aston that the King was "in excellent disposition towards the House of Austria".[206] It is likely that Cárdenas's tactless revelations over this, as over the negotiations at Brussels, were founded in reality.[207] By 1639, Windebank was arguing in favour of keeping open the negotiations at Brussels in the hope of securing some more positive eventual advantage through Hopton in Madrid:

> "If your Majesty shall absolutely refuse the treaty at Brussels, your Majesty will be wholly cast upon the French; and what sure foundation you can have there, considering how you have been used in a treaty now above two years, I most humbly submit to your Majesty's wisdom."

On the other hand, in view of the current domestic difficulties, he advised against an open rejection of France:

> "Nevertheless, I am humbly of opinion, that it is equally dangerous, in this conjuncture, to accept the treaty at Brussels, which must put an end to that at Hamburgh. Whereof, though there be little good to be expected, yet if it be once known your Majesty hath deserted it, besides your being on the other side cast wholly upon the Spaniard, (and what sure foundation can be expected there so many years experience of their amusing treaties sufficiently shows) your Majesty will bring yourself into jealousy with the French and Hollanders and most of the Protestant party; whereof, as your business now stands in Scotland, you have little need." 208

The letter illustrates one of Sir Francis's techniques of persuasion, his essential realism, and also the common inclination towards keeping several options open that was shared by the King and his Secretary. His conclusion that Charles "... may please therefore to think upon some handsome put-off for the Resident" suggests that England, like other European states, had become well versed in the art of playing a waiting game.

Finally, one further element may be identified among the hopes and

convictions that helped to shape the foreign policy of the Personal Rule. Although there was little wish among Charles I's advisors for an imminent end to hostilities, some of them seem to have believed that the King should eventually undertake the honourable task of reconciling the warring nations. The task of peacemaker was an attractive one to the Stuarts, calling as it did for wisdom, dignity and very little expense. On the highest level it accorded with some of their most deeply held convictions, and it was clearly a rôle which could be filled by the monarch of a neutral state.[209] A credulous optimist like Taylor and a more responsible diplomat like Hopton both looked askance at the Pope's efforts at peace-making and felt that he was usurping a function that rightly belonged to Charles I.[210] In 1635 Windebank had expressed fears that the Pope's intervention might meet with untimely success, assuring the King that by the struggle in prospect between France and Spain "your Majesty is become the arbiter of the affairs of Christendom."[211] Although some of these comments may be discounted as flattery, it seems likely that this line of thought influenced not only the King's policy of non-involvement in the European war, but also Windebank's attitude to the Church of Rome. If closer relations could be established between England and Rome, the Pope and Charles I might ultimately cease to be rivals and instead join forces as arbitrators. Thus, without participating in the conflict, the King might ensure that his own interests and those of his nephew were not overlooked in the making of a European peace.

Notes to Chapter VII

1. See Chapter V, pp. 186-8.

2 Papers relating to Muller's mission, including letters to Coke, December 1632-May 1633 are in P.R.O., SP 82/7. See also C.S.P.D., 1631-3, pp. 466, 577; C.S.P. Ven., 1632-6, pp. 34, 60, 70.

3 B.L. Add. MS. 27,962 H, ff. 66, 75, 117v, 127v, 131, 142, Salvetti's newsletters, 20/30 October, 10/20 November 1637, 9/19 March, 13/23 April, 11/21 May 1638; C.S.P. Ven., 1636-9, pp. 316, 322-3, 377, 393; C.S.P.D., 1637-8, p. 321.

4 For a list of the foreign Ambassadors and Agents in England, 1632-40, see Appendix F.

5 C.S.P. Ven., 1636-9, p. 331, Correr to Doge and Senate, 30 January/9 February 1635, sets out this policy explicitly.

6 The period of Windebank's Secretaryship is covered in C.S.P. Ven., 1632-6, 1636-9 and 1640-2.

7 B.L., Add MSS. 27,962 F, G, H and I contain Salvetti's despatches for 1632-40.

8 For Joachimi see Niew Nederlandsch Biografisch Woordenboek VI (1924), p. 862; G.W. Vreede, Inleiding tot eene Geschiedenis der Nederlandsche Diplomatie, 2. 2 (1861), p. 93; and C.S.P. Ven., 1632-6, 1636-9, 1640-2, passim. His despatches for 1632-40 are in B.L., Add. MSS. 17,677 N, O, P, Q.

9 C.S.P. Ven., 1632-6, p. 81, Gussoni to Doge and Senate, 22 February/4 March 1633.

10 Bodl. L., Clar. MS. 5, ff. 110-110v, Windebank's minutes of a conference with Necolalde, 25 May 1633.

11 C.S.P. Ven., 1632-6, pp. 110, 117, Gussoni to Doge and Senate, 24 May/3 June, 14/24 June 1633.

12 Gerbier was born at Middelburg, in Zeeland, though his parents were French and his earlier ancestors Spanish. D.N.B., VII, pp. 1106-8; H.R. Williamson, Four Stuart Portraits (1949), pp. 26, 28-9. This comment also presumably refers to Gerbier's part in the scheme to establish an independent state by overthrowing Spanish control in Flanders. Ibid., p. 37; P. Geyl, The Netherlands in the Seventeenth Century I (1961), pp. 94-107; Waddington, op. cit., pp. 173-5.

13 Bodl. L., Clar. MS. 5, f. 110v, Windebank's minutes, 25 May 1633.

14 Ibid.

15 Clar. S. P. I, pp. 66-7, 69-70, 77-8, Necolalde to Windebank, 8/18 August, 13/23, 15/25 November 1633.

16 Bodl. L., Clar. MS. 5, ff. 165-165v, Answer to Necolalde's Paper, 31 January/10 February 1634. For the four demands, see Chapter V, pp. 191-2.

17 Ibid., f. 170, Windebank to Hopton, 16/26 February 1634. See Chapter V, p. 190, for Windebank's justification of the King's proceedings to date.

18 Bodl. L., Clar. MS. 5, f. 170v, Windebank to Hopton, 16/26 February 1634. For events in Europe in the 1630's see Appendix G.

19 Clar. S. P. I, p. 94, Windebank to Portland, n. d., endorsed as received on 6 June 1634.

20 Bodl. L., Clar. MS. 5, f. 235, Windebank's notes of an interview with Necolalde at Roehampton, 16 July 1634.

21 Ibid.

22 Ibid., ff. 171-2, Windebank to Hopton, 16/26 February 1634, and see Chapter VI, p. 250.

23 Bodl. L., Clar. MS. 5, ff. 247-9, Old Articles, Bever Castle, 27 July/6 August 1634, signed by Charles I. Three other copies, of which two are in Spanish, are also in Clar. MS. 5, together with four rough drafts of various articles by Windebank. The signed version is printed in Clar. S. P. I, pp. 109-11.

24 Ibid., pp. 113-5, Windebank to Charles I, 8/18 August 1634; Bodl. L., Clar. MS. 5, ff. 317-318v, New Articles, 11/21 August 1634, in Windebank's hand, signed and dated by the King, and endorsed by Windebank "Read and corrected at Tutbury, 11 August 1634".

25 Clar. S. P. I, p. 121, Necolalde to Windebank, August 1634. He later alleged that the sum had been inserted in the draft articles without his knowledge.

26 Ibid., pp. 118-22, paper endorsed by Windebank 'The Resident's objections to the alterations in the last Articles, August 1634'.

27 Bodl. L., Clar. MS. 5, ff. 330v-332v, draft by Windebank, corrected by the King, and endorsed 'Newest Articles'. Printed in Clar. S. P. I, pp. 125-6, n. d. 1634.

28 Ibid., pp. 122-5, Transcript, dated 18/28 August 1634, of Powers from the King of Spain to Necolalde, 8/18 October 1632; Powers from Charles I to Portland, Cottington and Windebank, 18/28 August 1634.

29 B. L., Add. MS. 32,093, ff. 63-63v, Windebank to Hopton, 16/26 October 1634.

30 Ibid., f. 65.

31 Bodl. L., Clar. MS. 6, ff. 124-126v, Secret Articles, 16/26 December 1634.

32 Clar. S. P. I, pp. 174-5, Hopton to Windebank, 27 November/ 7 December 1634. Necolalde's insistence on the first of these points had been ordered by Spain.

33 Bodl. L., Clar. MS. 6, f. 201. See also Ibid., ff. 200-2, 203-203v, 205v-206, Windebank to Hopton, 24 January/3 February, n. d. January/February 1635, Powers to Mr. Hopton, n. d. 1635.

34 Clar. S. P. I, p. 83, Hopton to Windebank, 28 March/7 April 1634.

35 P. R. O., SP 94/37/59v-60, Hopton to Windebank, 11/21 March 1635.

36 See, for example, Clar. S. P. I, pp. 238, 329, Hopton to Windebank, 15/25 February, 19/29 September 1635.

37 Ibid., pp. 566-7, Aston to Windebank, 15/25 June 1636; B. L., Add. MS. 36,450, f. 62, Aston to Hopton, 20/30 June 1636.

38 Clar. S. P. I, p. 566, Aston to Windebank, 15/25 June 1636.

39 Bodl. L., Clar MS. 11, f. 44v, Windebank to Aston, 15/25 January 1637.

40 C. S. P. Ven., 1632-6, p. 394, Correr to Doge and Senate, 27 May/ 6 June 1635.

41 Bodl. L., Clar. MS. 7, f. 112, Windebank to Hopton, 3/13 September 1635.

42 Bodl. L., Clar. MS. 5, ff. 105-105v, Windebank to Charles I, 17 May 1633; P. R. O., SP 94/37/33, Memorial by Necolalde, 27 April/7 May 1634.

43 Ibid.

44 Clar. S. P. I, pp. 103-4, Windebank to Hopton, 11/21 July 1634. As Windebank pointed out, the latter part of the decision had been a favour to Spain, "it being unusual to award costs to the party condemned in suit".

45 Ibid., pp. 116, 117, 147, Hopton to Windebank, 28 July/7 August, 3/13 August, 1/11 October 1634.

46 Ibid., p. 144, Taylor to Windebank, 1/11 September 1634.

47 Ibid., p. 151, Same to the same, 6/16 October 1634.

48 Bodl. L., Clar. MS. 6, ff. 58, 133v; Clar. MS. 7, f. 96, Hopton to Windebank, 30 October/9 November, 21/31 December 1634, 15/25 August 1635.

49 C. S. P. Ven., 1632-6, pp. 269-70, Cornaro to Doge and Senate, 22 August/1 September 1634.

50 Bodl. L., Clar. MS. 7, ff. 306, 326v, Hopton to Windebank, 21/31 May, 9/19 June 1635.

51 Ibid., ff. 21v, 101v-2, Same to the same, 9/19 July, 26 August/5 September 1635.

52 Ibid., f. 137, Same to the same, 19/29 September 1635; C. S. P. Ven., 1632-6, Correr to Doge and Senate, 23 October/2 November 1635. Benavides had been Spanish Ambassador in France from April 1633 until the French declaration of war in 1635.

53 Clar. S. P. I, p. 343, Hopton to Windebank, 10/20 October 1635..

54 Ibid., p. 389, Windebank to Hopton, 20/30 December 1635.

55 Bodl. L., Clar. MS. 7, ff. 170-170v, Hopton to Windebank, 20/30 October 1635.

56 Clar. S. P. I, pp. 385-6, Same to the same, 11/21 December 1635.

57 Bodl. L., Clar. MS. 7, f. 29, Windebank to Hopton, 20/30 December 1635.

58 Clar. S. P. I, p. 508, Windebank to Aston, 11/21 April 1636.

59 C. S. P. Ven., 1636-9, p. 24, Correr to Doge and Senate, 14/24 July 1636. He travelled with Captain Stewart in the Victory.

60 Clar. S. P. I, pp. 719-20, Windebank to Aston, 15/25 January 1637.

61 C. S. P. Ven., 1636-9, pp. 77, 80, 90-1, Correr to Doge and Senate, 22 September/2 October, 30 September/10 October, 21/31 October 1636.

62 C. S. P. Ven., 1636-9, pp. 46, 63, 80, 85, Correr to Doge and Senate, 9/19 August, 2/12 September, 30 September/10 October, 7/17 October 1636.

63 Ibid., pp. 63, 95, Same to the same, 2/12 September, Michiel to Doge and Senate, 3/13 November 1636.

64 Bodl. L., Clar. MS. 10, ff. 64-64v, Windebank to Charles I, 23 August/2 September 1636.

65 Clar. S. P. I, pp. 669-71, Questions from Charles I and Oñate's replies, n.d. 1636; C. S. P. Ven., 1636-9, pp. 127-8, Correr to Doge and Senate, 29 December 1636/8 January 1637.

66 Clar. S. P. I, p. 716, Windebank to Aston, 5/15 January 1637.

67 C. S. P. Ven., 1632-6, p. 369, Gussoni's Relation, 3/13 April 1635.

68 See Chapter V, pp. 208-12.

69 Bodl. L., Clar. MS. 8, ff. 163v-164, Taylor to Windebank, 22 February/3 March 1636.

70 B. L., Add. MS. 27,962 G, ff. 294-294v, 308, Salvetti, 4/14 March, 25 March/4 April 1636; Bodl. L., Clar. MS. 8, f. 251, Taylor to Windebank, 16/26 March 1636; C. S. P. Ven., 1632-6, Ballarino to Doge and Senate, 19/29 March 1636.

71 Clar. S. P. I, pp. 476, 499, Taylor to Windebank, 2/12 March, 30 March/9 April 1636.

72 Ibid., pp. 517-8, Same to the same, 20/30 April 1636.

73 C. S. P. Ven., 1632-6, pp. 536-7, Ballarino to Doge and Senate, 19/29 March 1636.

74 Bodl. L., Clar MS. 8, f. 253, Taylor to Windebank, 17/27 March 1636.

75 Clar. S. P. I, pp. 448, 502, Windebank to Taylor, 5/15 February, 21/31 March 1636.

76 C. S. P. Ven., 1632-6, p. 554, Correr to Doge and Senate, 22 April/ 2 May 1636.

77 Ibid., p. 562, Same to the same, 6/16 May 1636.

78 Ibid., pp. 564-5, Same to the same, 13/23 May 1636.

79 Ibid., p. 570, Same to the same, 20/30 May 1636.

80 Ibid., p. 572, Same to the same, 20/30 May 1636.

81 Ibid., p. 551, Ballarino to Doge and Senate, 16/26 April 1636. For English negotiations with the French over Lorraine see p. 328.

82 Clar. S. P. I, p. 582, Taylor to Windebank, 27 June/7 July 1636.

83 Ibid., pp. 593-4, Same to the same, 18/28 July 1636.

84 C. S. P. Ven., 1636-9, p. 33, Correr to Doge and Senate, 20/30 July 1636.

85 P. R. O., SP 84/9/177, Royal order for reception of Radolt [May 1636].

86 C. S. P. Ven., 1636-9, pp. 46, 54, 84, Correr to Doge and Senate, 9/19, 17/27 August, 7/17 October 1636. For Senecterre's negotiations see pp. 325-30.

87 C. S. P. Ven., 1636-9, p. 84, Correr to Doge and Senate, 7/17 October 1636.

88 Ibid., p. 153, Same to the same, 17/27 February 1637.

89 Ibid., pp. 155, 168, Same to the same, 24 February/6 March, 10/20 March 1637. Radolt was equally annoyed that he had been given the same passports as those granted "to the most ordinary persons."

90 Jacques d'Angennes, Marquis de Pougny, son of Henri III's Ambassador to the Pope. Letters of credence dated 16/26 June 1634; arrived London, 6/16 July; first audience, 10/20 July 1634, Deputy Keeper of the Public Records, ~~HMC~~ 39th R. Appendix: p. 676n; P.R.O., SP 78/96/54, Louis XIII to Charles I, 16/26 June 1634; C.S.P. Ven., 1632-6, pp. 212, 243, 247.

91 PRO 31/3/68, ff. 117v-118, Instructions for Pougny, July 1634; C.S.P. Ven., 1632-6, pp. 276, 280-1, Zonca to Doge and Senate, 5/15, 9/19 September 1634.

92 Senecterre's instructions later made it clear that Pougny's trial overture was intended to offer an alternative to Necolalde's negotiations. PRO 31/3/68, f. 138, Senecterre, Instructions, 15/25 February 1635.

93 C.S.P. Ven., 1632-6, p. 247, Zonca to Doge and Senate, 11/21 July 1634.

94 Ibid., pp. 250-1, Same to the same, 18/28 July 1634, "He is a cavalier of mature age and of admirable and open nature."

95 For transcripts of Pougny's surviving despatches, which are very incomplete, see PRO 31/3/68, 69. PRO 31/3/68, ff. 119-137 contain his despatches for 1634-5.

96 C.S.P. Ven., 1632-6, p. 289, Correr to Doge and Senate, 10/20 October 1634; B.L., Add. MS. 32,093, ff. 64-64v, Windebank to Hopton, 16/26 October 1634.

97 C.S.P. Ven., 1632-6, p. 317, Correr to Doge and Senate, 26 December 1634/5 January 1635, "He writes every day and despatches couriers to escape from the uncertainty in which he finds himself, but they never send him an answer and as he does not know to whom to attribute the blame he feels discontented and distressed."
For the articles of the Franco-Dutch treaty of 1635 see Aitzema, Saken van Staet en Oorlogh IV (1659), pp. 41-9. P.R.O., SP 103/11, Treaty Papers, France, contain two copies of the treaty and a copy of the secret articles.

98 C.S.P. Ven., 1632-6, pp. 322, 325, Correr to Doge and Senate, 9/19, 16/26 January 1635.

99 Windebank's copy of the French text of the articles is printed in Clar. S.P. I, pp. 232-3, Project de traitté entre le Roy de France, le Roy d'Angleterre et les Provinces Unies des Pays-Bas. Correr reported the list of articles in his despatch of 24 January/3 February 1635, C.S.P. Ven., 1632-6, p. 328.

100 Ibid., pp. 331, 359, Correr to Doge and Senate, 30 January/9 February, 27 March/6 April 1635. Portland was thought to be the chief advocate of English neutrality.

101 Henri de Senecterre, Marquis de la Ferté-Nabert, selected as Ambassador Extraordinary to England, January 1635, C. S. P. Ven., 1632-6, p. 327. Letters of credence dated 15/25 February 1635, P. R. O., SP 78/97/111; Instructions, 15/25 February 1635, PRO 31/3/68, ff. 138-143v; B. L., Add. MS. 27,962 G, ff. 196v-197, Salvetti to Grand Duke of Tuscany, 27 March/6 April 1635.

102 P. R. O., SP 84/149/122-123v, Boswell to Coke, 12/22 March 1635. Endorsed "Not to be redd." Boswell provided other information that indicated an imminent attack on Flanders.

103 PRO 31/3/38, ff. 153, 154, 156-7, Senecterre to Père Joseph, 2/12 April, and to Bouthillier, 2/12, 3/13 April 1635; C. S. P. Ven., 1632-6, p. 371, Correr to Doge and Senate, 3/13 April 1635; P. R. O., SP 103/11, Windebank's notes, 3 April 1635.

104 HMC 5: 6th R. Appendix: p. 277, Windebank to Feilding, 23 April/3 May 1635.

105 P. R. O., SP 103/11, Windebank's notes of private meetings of the commissioners, 11, 18 April 1635.

106 PRO 31/3/68, f. 162, Senecterre to Bouthillier, 18/28 April 1635. See also Ibid., ff. 158v, 160, Senecterre to Bouthillier and Père Joseph, 10/20 April; C. S. P. Ven., 1632-6, pp. 374, 377, 378, Correr to Doge and Senate, 10/20, 17/27 April 1635; B. L., Add. MS. 27,962 G, f. 200v, Salvetti to Grand Duke of Tuscany, 10/20 April 1635.

107 Avenal, op. cit., p. 663, Instruction for Senecterre, [February 1635].

108 PRO 31/3/68, f. 166, Senecterre to Bouthillier, 6/16 May 1635; C. S. P. Ven., 1632-6, pp. 379-80, Correr to Doge and Senate, 24 April/4 May 1635. War was not formally declared until 9/19 May, but a French courier arrived in England on 22 April/2 May bringing the news and ordering the French Ambassadors to inform Charles I.

109 PRO 31/3/68, ff. 204-6, Senecterre to Bouthillier, 29 July/8 August 1635; B. L., Add. MS. 27,962 G, f. 240v, Salvetti to Grand Duke of Tuscany, 30 September/10 October 1635. P. R. O., SP 103/11, Treaty Papers, France, contain various observations on the French proposals by Coke and others. Windebank seems to have been chiefly responsible for drafting the English replies.

110 C. S. P. Ven., 1636-9, p. 5, Correr to Doge and Senate, 3/13 June 1636.

111 B. L., Add. MS. 11,044, ff. 62v-63, Notes for Scudamore on the French proposals, 1635; The provisions about the fleet for the Prince Elector and the cessation of aid to Spain were noted as "the one ridiculous and the other unreasonable". See also Gardiner, op. cit. VIII, p. 97.

112 Bodl. L., Clar. MS. 7, f. 292v, Windebank to Hopton, 20/30 December 1635; P.R.O., SP 103/11, Treaty Papers, France, 18/28 October 1635.

113 B. L., Add. MS. 11,044, ff. 58v-59, and Clar. S.P. I, p. 393, Instructions for Scudamore, 9/19 November 1635; Add. MS. 11,044, ff. 66-9, Notes of points to be made in Scudamore's negotiations, 1635.

114 PRO 31/3/68, ff. 243-243v, Senecterre to Bouthillier, 28 October/7 November 1635.

115 Bodl. L., Clar. MS. 7, ff. 293-293v, Windebank to Hopton, 20/30 December 1635. See also PRO 31/3/68, ff. 257-257v, Pougny to Bouthillier, 25 November/5 December 1635.

116 B. L., Add. MS. 27,962 G, ff. 268, 269v-70, Salvetti, 4/14, 11/21 December 1635; Bodl. L., Clar. MS. 8, f. 65, Windebank to Aston, 4/14 January 1636.

117 B. L., Add. MS. 11,044, ff. 63-63v, Scudamore's notes of his negotiations, contain a final comment, "Proposition not answered. It seems strange that I am neither treated with, nor answered." Clar. S.P. I, pp. 507, 510, Windebank to Aston, 11/21 April 1636.

118 C.S.P. Ven., 1632-6, p. 517, Michiel to Doge and Senate, 11/21 February 1636.

119 Ibid., p. 523, Correr to Doge and Senate, 19/29 February 1636.

120 Ibid., pp. 546-7, 572, Same to the same, 8/18 April, 20/30 May 1636.

121 Bodl. L., Clar MS. 7, ff. 80v-81, Secret Instructions for Aston, 15 August 1635; Ibid., f. 112v, Windebank to Hopton, 3/13 September 1635; Clar. S.P. I, p. 424, Windebank to Aston, 4/14 January 1636.

122 Sydney Letters II, p. 375, Instructions for Leicester, 9/19 May 1636, pp. 376-7, Additional Instructions for Leicester.

123 C.S.P. Ven., 1632-6, p. 571, Correr to Doge and Senate, 20/30 May 1636. The most recent example of French attacks on English shipping was the capture of the Miniken, see Ibid., p. 559, and C.S.P.D., 1636-6, pp. 392, 393.

124 B. L., Add. MS. 36,488, f. 52, Hopton to Aston, 11/21 May 1636.

125 B. L., Add. MS. 27,962 G, ff. 352-352v, Salvetti to Grand Duke of Tuscany, 6/16 November 1636.

126 Knowler, op. cit., II, pp. 59-64, Wentworth to Charles I, 31 March, 19 April 1637, and paper of considerations on "Whether his Majesty should declare a war against the House of Austria ...."

127 P. R. O., SP 103/11, Treaty Papers, France, contain a corrected copy of two versions of the treaty, the first as it was sent to France, the second as it was returned, with omissions, additions and alterations underlined, 7 February 1637. A copy of a later draft of the treaty, dated 1 June 1637, is printed in Clar. S. P. I, pp. 761-2.

128 P. R. O., SP 78/102/254-254v, 287-291v, 298-298v, Scudamore to Windebank, 25 November/5 December, 9/19 December 1636.

129 Ibid., ff. 322, 338, Same to the same, 23 December 1636/2 January 1637, Scudamore to Leicester [December 1636/January 1637].

130 Clar. S. P. I, pp. 548-9, Windebank to Charles I, 1 June 1636; Sydney Letters II, pp. 387-8, Leicester to Percy, 6/16 June 1636.

131 E. A. Beller, 'The Mission of Sir Thomas Roe to the Conference at Hamburg, 1638-40', E. H. R., 41 (1926), pp. 61-77. Salvetti expected little of Roe, "io ne dubito molto per essere huomo che parla assai et concliude poco, et non havere altro talento che quello di essere Puritano et nemico di casa d'Austria." B. L., Add. MS. 27,962 H, f. 140, Salvetti to Grand Duke of Tuscany, 4/14 May 1638.

132 Leicester's correspondence with Coke for this period is in P. R. O., SP 78/103-106, and some of it is printed in Sydney Letters II. See particularly Sydney Letters II, pp. 497-502, Leicester to Coke, 6/16 June, Coke to Leicester, 12/22, 18/28 June 1637, and Ibid., pp. 570-1, Leicester to Charles I, 14/24 September 1638 for detailed comments on the text of the treaty. See also P. R. O., SP 103/11, Treaty Papers, France, 31 March/10 April, June/July 1637.

133 Clar. S. P. I, p. 781, Windebank to Aston, 14/24 June 1637. Aston thought that the French treaty was to be expected in view of Spanish treatment of Charles I, B. L., Add. MS. 36,450, ff. 146v-147, 172v, Aston to Windebank, 1/11 August, 18/28 December 1637.

134 Sydney Letters II, p. 515, Windebank to Leicester, 27 August/8 September 1637.

135 Clar. S. P. I, p. 754, Windebank to Aston, 29 April/9 May 1637. Senecterre remarked that many in England believed that peace had already been arranged, and that the conference at Cologne was only a front. PRO 31/3/70 (unfoliated), Senecterre to Bouthillier, 5/15 April 1637.

136 HMC 68: Denbigh V: p. 49, Middleton to Feilding, 23 June/3 July 1637.

137 Bodl. L., Clar. MS. 11, f. 148, Windebank to Aston, 29 April/9 May 1637.

138 For the articles of the secret Cottington treaty, 2/12 January 1631, see Clar. S.P. I, pp. 49-50. Bodl. L., Clar. MS. 11, f.148, Clar. S.P. I, p. 784, Windebank's reply to Oñate's paper, 5/15 April 1637, "... ils mettront en repos l'esprit turbulent du Cardinal de Richelieu de telle sorte que doresnavant la Chrétienité ne sera plus inquietée par ses brouilleries." See also Ibid., pp. 782-3, for notes exchanged by Windebank and Oñate, and for Windebank's minutes of their discussions.

139 Ibid., p. 784.

140 Bodl. L., Clar. MS. 11, f.148, Windebank to Aston, 29 April/9 May 1637.

141 C.S.P. Ven., 1636-9, pp. 186, 209, Correr to Doge and Senate, 7/17 April, 5/15 May 1637; Clar. S.P. I, pp. 783-7, Charles I's reply to Oñate's paper, 12/22 May 1637.

142 Bodl. L., Clar. MS. 12, ff.20-20v, Windebank to Aston, 24 June/4 July 1637.

143 C.S.P. Ven., 1636-9, p. 236, Correr to Doge and Senate, 29 June/9 July 1637.

144 Bodl. L., Clar. MS. 12, f.62, Windebank to Aston, 14/24 July 1637. See also Ibid., f.24.

145 Clar. S.P. I, p. 84, Same to the same, 29 April/9 May 1637; B.L., Add. MS. 27,962 H, f.41v, Salvetti to Grand Duke of Tuscany, 2/12 June 1637, "... trovando in questo Ambasciatore di Spagno troppo gran durezza ..." B.L., Add. MS. 36,450, pp. 151-2, Aston to Windebank, 24 August/3 September 1637.

146 P.R.O., SP 94/40/10v, Aston to Coke, 31 January/10 February 1638; f.131v, Hopton to Windebank, 13/23 July 1636. The original plan was to send Don Martino d'Axpe as Resident at once and Braccamonte later as Ambassador, but this was abandoned, and Cárdenas arrived instead, "in the quality of Gentilhombre", B.L., Add. MS. 36,450, ff.181, 182v, Aston to Windebank, 18/28 February, 28 February/10 March 1638.

147 C.S.P.D., 1637-8, pp. 444, 482; C.S.P. Ven., 1636-9, pp. 421, 424-5, Zonca to Doge and Senate, 1/11, 8/18 June 1638.

148 Sydney Letters II, p. 574, Coke to Leicester, 26 October/5 November 1638; P.R.O., SP 94/40/94, Copy of Cárdenas's letter to Castañeda, 15/25 June 1638; Ibid., ff.331-2, Coke to Hopton, 30 November/10 December 1638; B.L., Add. MS. 27,962 H, ff.219-219v, Salvetti to Grand Duke of Tuscany, 14/24 December 1638, "... di modo che l'Agente resta hora contumace appresso di Sua Maesta, senza potere piu trattar seco ..."
For Princess Phalzburg's negotiations see Chapter V, pp. 219-21.

149 C. S. P. Ven., 1636-9, p. 481, Giustinian to Doge and Senate, 14/24 December 1638.

150 P. R. O., SP 94/40/255, Endorsed 'Submission of Don Alonso de Cárdenas', [December 1638].

151 C. S. P. Ven., 1636-9, p. 498, Giustinian to Doge and Senate, 8/18 February 1639; B. L., Add. MS. 27,962 H, ff. 222, 231v, 234v, Salvetti to Grand Duke of Tuscany, 21/31 December 1638, 11/21, 18/28 January 1639.

152 Clar. S. P. II, p. 48, Windebank to Charles I, apostiled, 31 May 1639.

153 C. S. P. Ven., 1636-9, p. 534, Giustinian to Doge and Senate, 12/22 April 1639.

154 C. S. P. D., 1639, p. 189, Leicester to Coke, 17 May 1639.

155 B. L., Add. MS. 15,392, ff. 160-1, Con to Barberini, 24 May/3 June 1639.

156 Clar. S. P. II, pp. 48-9, Windebank to Charles I, apostiled, 31 May 1639.

157 Bodl. L., Clar. MS. 17, ff. 34v-35v, Same to the same, 9 July 1639.

158 Ibid., ff. 49-49v, Windebank to Hopton, 1/11 August 1639.

159 Clar. S. P. II, 74-5, Same to the same, 19/29 September 1639.

160 Bodl. L., Clar. MS. 17, ff. 148-148v, 217-217v, Windebank to Hopton, 18/28 October, 13/23 December 1639. For the attack on Oquendo's armada see Chapter VI, pp. 261-4.

161 Clar. S. P. II, pp. 88-9, Windebank to Hopton, 24 July/3 August 1640.

162 Bodl. L., Clar. MS. 18, ff. 237v-238, Windebank to Hopton, 24 July/3 August 1640. Giustinian noted Charles I's obvious aversion to Cárdenas at his first public audience as Ambassador, C. S. P. Ven., 1640-42, pp. 71-2, Giustinian to Doge and Senate, 21/31 August 1640.

163 Bellièvre made his public entry into London on 23 November, and had his first private audience on the 29th. C. S. P. Ven., 1636-9, pp. 333, 338; B. L., Add. MS. 27,662 H, f. 84, Salvetti to Grand Duke of Tuscany, 1/11 December 1637; HMC 77: De L'Isle and Dudley VI: p. 135, Weckherlin to Leicester, 30 November/10 December 1637. His despatches are in PRO 31/3/70-71. See also Avenal, op. cit., V, pp. 854-5; VI, pp. 238-40, 583-5, 600-603, 676-7.

164 PRO 31/3/70, ff. 175v-176v, Instructions for Bellièvre, 1/11 September 1637. "Coche et Windeban sont secretaires d'Estat, l'on a dessins de gagner le dernier par l'entremise du dit Fauster qui fera entendre au dict s'Ambassadeur ce qui se passera en cet affaire lequel doit estre tenu fort secret."

165 PRO 31/3/71, f. 142, Bellièvre to Chavigny, 22 November/2 December 1639, "... je n'ay pas jugé que cet argent fut bien employé ...."

166 PRO 31/3/71, f. 141v, Bellièvre to Chavigny, 22 November/2 December 1639. One of the numerous disappointments of Bellièvre's embassy to England was his failure to secure the right of the tabouret for his wife. C. S. P. Ven., 1636-9, pp. 414, 420, 421.

167 PRO 31/3/70, f. 173v, Instructions for Bellièvre, 1/11 September 1637; Avenal, op. cit., V, pp. 854-5, "De tenir ce prince dans le créance que le roi désire l'avancement et la conclusion de la traité, et que la conférance de Hambourg se fasse le plustôt." Ranke, op. cit., II, p. 140.

168 PRO 31/3/71, f. 147, Bellièvre to Chavigny, 5/15 December 1639.

169 Clar. S. P. II, p. 5, Windebank to Aston, 19/29 December 1637.

170 PRO 31/3/70, ff. 234-6, Bellièvre to Chavigny, 13/23 December 1638; PRO 31/3/71, ff. 21v, 25-25v, Bellièvre to Noyers, 14/24 February, 25 February/7 March 1639; Ibid., ff. 37-8, Bellièvre to Chavigny, 14/24 March 1639. C. S. P. Ven., 1636-9, pp. 457, 480-1, 506.

171 Bodl. L., Clar. MS. 16, ff. 114-114v, Windebank to Charles I, 18 May 1639. See B. L., Add. MS. 27,962 H, ff. 41, 116v-117, 120, Salvetti to Grand Duke of Tuscany, 2/12 June 1637, 9/19 March, 23 March/2 April 1638, for comments on delays in concluding the Anglo-French treaty.

172 Bodl. L., Clar. MS. 16, f. 114v, Windebank to Charles I, 18 May 1639.

173 Knowler, op. cit., II, p. 322, Windebank to Wentworth, 13 April 1639.

174 PRO 31/3/71, f. 86v, Bellièvre to M. de la Barde, 27 June/7 July 1639. See also Ibid., ff. 16v, 17, 36-36v, 39 for Bellièvre's reports that the Spanish partisans at Court were spreading rumours of French assistance to the Scots. Ibid., f. 98v, Bellièvre to Noyers, 29 July/8 August 1639, "... et que dans cet accord, il y ait des clauses qui obligent les Anglais à ne se brouiller jamais avec nous sans estre assurez d'avoir en mesme temps les Escossois pour ennemis." C. S. P. Ven., 1636-9, pp. 493, 512, 540.

175 PRO 31/3/71, ff. 86v-87, Bellièvre to M. de la Barde, 27 June/7 July 1639.

176 Ibid., f. 140, Bellièvre to Chavigny, 22 November/2 December 1639; Gardiner, op. cit., IX, pp. 91-2.

177 See Chapter IX. B. L. Add. MS. 26,962 H, f. 329, Salvetti to Grand Duke of Tuscany, 9/19 August 1639, commented that the French Ambassador was not so welcome at Court after the King's return.

178 C. S. P. Ven., 1636-9, pp. 525, 539-40, 559-60, Giustinian to Doge and Senate, 5/15 April 3/13 May, 19/29 July 1639.

179 PRO 31/3/71, ff. 113, 114-5, Bellièvre to Bullion, 29 September/9 October 1639. See also Avenal, op. cit., VI, pp. 583-5, 600-3.

180 PRO 31/3/71, f. 150, Bellièvre to Chavigny, 12/22 December 1639.

181 C. S. P. Ven., 1640-2, p. 15, Giustinian to Doge and Senate, 31 January/10 February 1640; Ibid., p. 20, Correr to Doge and Senate, 18/28 February 1640.

182 C. S. P. Ven., 1640-42, pp. 11, 18, Giustinian to Doge and Senate, 17/27 January, 7/17 February 1640. Don Antonio Sancho Davila y Toledo, Marquis de Velada, was brought from Dunkirk in the Bonaventure, C. S. P. D., 1639-40, pp. 400, 514, 521.

183 C. S. P. Ven., 1640-42, pp. 7, 11, 15, 17, 19, Giustinian to Doge and Senate, 10/20, 17/27 January, 31 January/10 February, 7/17, 14/24 February 1640; Ibid., p. 16, Gieronomo Giustinian, Venetian Ambassador at the Hague, to Doge and Senate, 3/13 February 1640.

184 Ibid., pp. 31-2, Contarini, Venetian Ambassador in Spain, to Doge and Senate, 21/31 March 1640. Malvezzi landed at Plymouth, and entered London on 23 April/3 May. C. S. P. D., 1640, p. 6; C. S. P. Ven., 1640-2, pp. 34, 41, Giustinian to Doge and Senate, 3/13 April, 24 April/4 May 1640. P. R. O., SP 94/41/291, Hopton to Cottington, 12/22 March 1640, commented that there was "some mystery in this man's going".

185 Clar. S. P. II, p. 83, Windebank to Hopton, 11/21 May 1640, giving the names of the Commissioners as Strafford, Northumberland and himself, with the addition of Hamilton at the Spaniards' request. Giustinian reported that there were five commissioners, while Monetreul believed that Strafford. Northumberland, Cottington, Windebank and Vane had been appointed. C. S. P. Ven., 1640-2, p. 45 and n.

186 Clar. S. P. II, p. 83, Windebank to Hopton, 11/21 May 1640. Bodl. L., Clar. MS. 18, ff. 172-172v, A Relation of what hath passed hitherto between the Ambassadors of the King of Spain and the Lords Commissioners of the King of Great Britain in the Conferences they have held together, 1640. The complete Relation is in Clar. MS. 18, ff. 172-181, and is also printed in Clar. S. P. II, Appendix, pp. xxvi-xxx.

187 Bodl. L., Clar. MS. 18, ff. 172v-173, Relation .... 1640.

188 Clar. S. P. II, Appendix, pp. xxxii-xxxiv, Cottington's treaty, annotated.

189 Bodl. L., Clar. MS. 18, ff. 173v-176, Relation .... 1640.

190 Ibid., ff. 166-8, Paper by Windebank, 25 May 1640; ff. 176v-178, Relation, 1640. See also Clar. S. P. II, Appendix, p. xxxi, for the Spanish Ambassadors' repudiation of the Articles "which are called of St. Juan de Necolalde", dealing in detail with their objections to the English claims for monthly payments towards the fleet.

191 Bodl. L., Clar. MS. 18, f. 210, Windebank to Hopton, 27 June/7 July 1640; Ibid., ff. 179-81, Relation .... 1640.

192 C. S. P. Ven., 1640-2, pp. 51, 54, 56, Giustinian to Doge and Senate, 5/15, 19/29 June, 3/13 July 1640.

193 P. R. O., SP 16/459/36, [Rossingham to Conway], [4 July]1640; C. S. P. Ven., 1640-2, pp. 58-9, Giustinian to Doge and Senate, 17/27 July 1640; Gardiner, op. cit., p. 170; B. E. Supple, Commercial Crisis and Change in England, 1600-1642 (1959), pp. 125-6.

194 Bodl. L., Clar. MS. 19, ff. 11, 29, Windebank to Hopton, 5/15 September, 24 September/4 October 1640.

195 See Windebank's letters to Charles I, 24 August-16 October 1640, occurring in Bodl. L., MS. 18, f. 261 - MS. 19, f. 68, and Clar. S. P. II, between pp. 89 and 133. See also Chapter IX, pp. 462.

196 Bodl. L., Clar. MS. 19, ff. 11, 29, Windebank to Hopton, 5/15 September, 24 September/4 October 1640; C. S. P. Ven., 1640-2, pp. 87-8, Giustinian to Doge and Senate, 2/12 October 1640.

197 Ibid., p. 112, Same to the same, 1/11 January 1641.

198 B. L., Add. MS. 27,962 H, f. 406, Salvetti to Grand Duke of Tuscany, 17/27 January 1640, "All' altro Segretario Windebanke resteranno la maggior parte de' negozii, siandone de gia' in possesso, et con essi della buona grazia del suo Re."

199 For aspects of Richelieu's policy in the 1630's see C. J. Burckhardt, Richelieu and his Age, (English translation 1970) II, Chapter VII, III, Chapters I-IX, XVI; R. Lockyer, Habsburg and Bourbon Europe, 1470-1720 (1974), pp. 360-3, 388-93; J. P. Cooper (ed.), New Cambridge Modern History IV (1970), pp. 230-1, 328-9, 346-9; G. Pagès, The Thirty Years War (1970), Chapters V and VII.

200 Ranke, op. cit., V, Appendix IV, p. 447, Relation donnée par M. de Fontenay, June 1634.

201 Avenal, op. cit., IV, pp. 563-4, Instruction au Sieur Marquis de Poigny [May/June 1634].

202 PRO 31/3/68, f. 162v, Senecterre to Bouthillier, 18/28 April 1635.

203 PRO 31/3/70, ff. 175v-176, Instructions for Bellièvre, 1/11 September 1637.

204 PRO 31/3/71, f. 141v, Bellièvre to Chavigny, 22 November/2 December 1639.

205 Sydney Letters II, p. 515, Windebank to Leicester, 8/18 September 1637.

206 P. R. O., SP 94/39/115v, Hopton to [Aston], 24 June/4 July 1637. See also Ibid., f. 154v.

207 Ibid., f. 94, Cárdenas to Castañeda, 15/25 June 1638.

208 Clar. S. P. II, p. 49, Windebank to Charles I, 31 May 1639.

209 See J. R. Jones, 'English Attitudes to Europe in the Seventeenth Century', in Bromley and Kossman (eds.), op. cit., p. 38, for some examples of James I's and Charles I's wish to act as mediators.

210 Clar. S. P. I, pp. 275, 453, Taylor to Windebank, 5/15 December 1635, 22 February/3 March 1636; P. R. O., SP 94/40/236, Hopton to Windebank, 19/29 September 1638.

211 Clar. S. P. I, p. 319, Windebank to Charles I, 27 August 1635.

CHAPTER VIII

RELIGION: PERSONAL BELIEF AND SECRETARIAL ACTION

It was in relation to religion that Windebank exercised his greatest independence of action, and it is no accident that it was for this that he was called to account by the Long Parliament in 1640. In the opinion of Parliament Windebank, like Coke, should have been occupied in enforcing anti-Catholic legislation. Instead, he used his position to secure lenient treatment for Catholic offenders, notably for priests and Jesuits sentenced to imprisonment or death. Sir Francis not only implemented the King's lenient policy, but, more significantly, he acted on his own responsibility and discharged Catholic prisoners, some convicted of treason, by verbal warrant or by warrants under his own hand.

He was also searching for a solution to the dilemma presented to Catholics in the oath of allegiance imposed after the Gunpowder Plot, whereby many loyal subjects found difficulty in reconciling their duty to the Church and the King. In the 1630's Windebank fought a sustained campaign to improve their position, looking either for an interpretation of the existing oath acceptable both to Rome and to Charles I, or for a new formula that would allow Catholics to swear allegiance without doing violence to their consciences. In another major cause of dissension among English Catholics, the appointment of a Catholic bishop for England, he was less concerned to reconcile differences than to prevent a challenge to Protestant authority.

Windebank and Cottington were the chief ministers in the later 1630's who were actively seeking to establish a better understanding with Rome, and Sir Francis played a prominent part in discussions with eminent Catholics who came to England for the same purpose. In the literary controversies of the time, he was consistently to be found against the militants, and he frequently identified himself with the moderate Benedictines and secular clergy in opposition to the Jesuits and the unbending attitudes of Rome. Finally, it was Sir Francis who proposed a reciprocal exchange of agents between the Pope and the Queen, and secured

the King's agreement to the scheme, which was implemented in 1635.

The influences that had shaped Sir Francis's religious sympathies were preponderantly Arminian and Catholic. His grandfather, Sir Richard Windebank, while conforming to Protestantism at the Reformation, had as Deputy of Guisnes welcomed Mary Tudor's accession by proclaiming her at Guisnes and sending assurances of loyalty when the Captain, Lord Gray of Wilton, sided with Lady Jane Gray and Northumberland's party.[1] There is little indication of the religious views of Sir Francis's father, Sir Thomas Windebank, though his appointment as tutor to Burghley's eldest son and his long association with the Cecils suggests that his Protestantism was more firmly established than that of either his father or his son.[2] The Dymokes, Sir Francis's mother's family, retained their Catholic convictions, one of his uncles, Sir Robert Dymoke, dying while imprisoned for recusancy at Lincoln.[3]

Education and friendship both steered Sir Francis towards Arminianism. In 1599-1602, while he was at Oxford, opinion at St. John's, shaped by Buckeridge, Neile and Laud, formed a notable exception to the strongly Calvinistic tendencies in evidence elsewhere in the University.[4] Arminian beliefs and practices were much to Francis Windebank's taste, and his continuing friendship with Neile and Laud perpetuated their religious influence upon him long after he had left Oxford.[5] The Middle Temple, to which Windebank was admitted in 1603, was not one of the more Puritan Inns of Court, and there were a number of Catholics and lay High-churchmen among the senior resident members.[6] Windebank's subsequent travels on the Continent included a stay in Italy which may well have encouraged a leaning towards Catholicism.[7] His London home was in Drury Lane, a street that was notoriously so full of Catholics in the 1630's as to be called Roma Parva.[8]

Windebank's other two closest associates in office were Weston and Cottington, with similar inclinations towards Catholicism, suppressed perhaps from political prudence, perhaps from reservations over certain

points of doctrine or practice in the Roman Church.[9] Windebank's friendship with Cottington grew closer after his breach with Laud, and Laud commented to Wentworth that though Windebank and Cottington had certainly not become Roman Catholics, "yet they have taken those beads into nearness."[10]

Windebank remained an Anglican throughout his period of office and his religion played a considerable part in his life. His Order of Daily Devotions ~~were~~ was based on John Cosin's Collections of Private Devotions, or The Hours of Prayer, whose publication in 1627 scandalised Prynne and Burton by its similarity with the Catholic Books of Hours.[11] Windebank would have been well acquainted with Cosin, who was a protégé of Neile's, a friend of Laud and Montague, and a frequenter of Durham House.[12]

Windebank's own Daily Devotions are perhaps worth listing, for the light they throw on his devoutness. He followed the order of prayer recommended by Cosin, adapted to his own use. On waking, while lying in bed before rising, he said the Confession, and the rest of Mattins, omitting two of the appointed psalms, but adding a number of prayers and a chapter of Ecclesiasticus. He then said the whole of Cosin's services for the third and sixth hours, again reducing the number of psalms and adding prayers. On rising from bed "and as soon as I am up and ready" there followed further meditations upon his knees. On Sundays, Wednesdays and Fridays he also said the Litany. In the afternoon, soon after dinner, he knelt and said the seven penitiential psalms, a chapter from Ecclesiasticus, the two offices of the Holy Ghost and of the Passion, and other prayers. At night, "before I make myself unready, prostrate upon my knees", there came five forms of confession taken from Cosin, the office appointed for the evening, and most of Compline. Once in bed, he said further prayers from Cosin, the twenty-third psalm, and "Man that is born of a woman".[13]

Sir Francis, like Charles I, was well aware of the parallels between his own form of Catholicism and that of Rome. Reproached by Panzani in

1635 with not being a Catholic himself, he replied, "I tell you, if I did not believe I was a true Catholic, I would not stay an hour longer in this country." Panzani, recognising what must have become by then a familiar English delusion, suggested that Windebank should discuss his convictions with some well-informed Catholic friend, but Sir Francis replied with a smile, saying, "I am a Catholic, though not a Roman Catholic." In this light manner, lamented Panzani to Barberini, are such grave questions evaded.[14] Windebank, however, again like the King, was also well aware of the distinction between individual unconditional conversion and a general reunion of the two churches, entailing mutual concessions. He had several objections to Roman practices, particularly to communion in one kind.[15]

Soon after they met, Panzani had recorded the hope that he might one day see Windebank converted.[16] Père Cyprien de Gamaches, a Capuchin in Henrietta Maria's household in Paris, claimed to have received Sir Francis into the Roman Church before his death in September 1646,[17] but although this is not unlikely, no other evidence is forthcoming in support of the assertion. After Sir Francis had left England in 1640 two of his daughters became nuns of the Calvary at the Marais du Temple, Paris, perhaps as much for social as for religious reasons since their marriage prospects would have been seriously impaired by their father's fall from office and their own exile. One of them later became the abbess of a convent in Antwerp.[18] Thomas Reade, Mildred Windebank's younger son and the brother of Sir Francis's secretary, entered Douai College in 1648, and later went to the Carthusian monastery at Nieuport.[19] Thomas, Sir Francis's eldest son, and Robert Reade, his secretary, may also have become Catholics by 1646. A list of claimants in reversion to the office of Clerk of the Signet includes the note, "Sir Thos. Windebank in possession but a Catholic, and remains beyond seas. Robt. Read, a Catholic, and beyond sea."[20] This, however, may have been no more than a method of disposing of the claims of two inconvenient candidates.

Sir Francis himself was a tolerant man, who, unlike many of his detractors, had little taste for religious and political recrimination. He

preferred a more positive and humane policy, which his period of office during the Personal Rule allowed him for a few years to follow, of trying to mitigate the severity of the laws against Roman Catholics and of working towards a better understanding between England and Rome.

From 1634 until his flight to France in 1640 Sir Francis had extensive dealings with four Catholics who came to England in various capacities, and with whom he discussed a wide range of matters connected with the Catholic Church. These were Leander Jones,[21] Prior of Douai and President of the English Congregation of Benedictines, who came to England in 1634 and remained until his death in December 1635; Gregorio Panzani,[22] sent as Papal Agent to England from 1634-1636; and George Con[23] and Conte Carlo Rossetti,[24] successively from 1636-1639 and 1639-1641 Papal Agents to Henrietta Maria, the office that Windebank had been instrumental in creating.

The first sign of Leander's advent appears in a letter from Windebank, permitting Leander to visit England to see friends and kindred.[25] An earlier draft of the letter reveals that Leander's original application had been to Laud,[26] with whom he had shared rooms at St. John's some forty years earlier,[27] but although Laud interceded for Leander with the King, they seem to have had little subsequent contact. Once Leander had arrived, he adopted Windebank as his chief contact and confidant.

Indeed it seems possible that Windebank and others, probably Weston and Cottington, welcomed the prospect of Leander's visit in order to discuss some form of reconciliation between the Anglican and Roman churches. One of Leander's purposes in coming to England was to do good offices "especially for the conversion of some persons who wished to treat with him in particular."[28] These unnamed persons were evidently non-Catholics, and Leander's subsequent dealings with Windebank suggest that he was one of their number, but that some approach towards a general reunion with Rome rather than personal conversion was under discussion.[29] Leander's ultimate objective appears in a letter to Cardinal Bentivoglio,[30] reporting his discussions with certain "distinguished, prudent, moderate and peace-

loving men." Just as fanatical advisors had encouraged earlier English kings to withdraw from the Roman Church, so might England return to the Church if the Pope would give some sign of welcome and if the present King could be influenced by reasonable and peaceable councillors.[31] Windebank was certainly one of these. There are numerous signs of the frequency and closeness of their contact. Most of Leander's communications with Rome were submitted to Windebank for approval and were sometimes substantially modified at his request, while many letters from Rome to Leander came eventually to Windebank's hands.[32] Lengthy discussions took place between the two men,[33] and in more practical matters Leander regarded Windebank as his protector.[34]

Although Leander was in frequent contact with Rome, he was in no sense an official emissary.[35] His discussions with Windebank centred on the appointment of a Catholic bishop and the wording of the oath of allegiance. Those of his suggestions that aroused the greatest disquiet in Rome reflected his own wish to reconcile moderate Catholics and Protestants and were closer to what we know to have been Windebank's views than to the more rigorous attitude of the Holy See.

Leander took a characteristically Benedictine stand by advising Rome against the appointment of a Catholic bishop for England, who would be unwelcome to the King and offensive to the Council, particularly to the Anglican bishops.[36] He was emphatic that on this subject any papal agent should take his directions "from his Majesty and the State", since the matter was likely to advance or hinder the King's inclinations towards Rome.[37]

In the following year Leander carefully explained the orthodox attitude of the Church in reply to three questions from Windebank on the essential nature of episcopal ordination, the peculiar functions of a bishop, and those episcopal functions that might be committed to priests.[38] Windebank was also concerned about allegations, probably by either a Jesuit or a secular priest, that the Benedictines were laying claim to

jurisdiction over the dioceses attached to those cathedrals that had once been Benedictine cathedral priories. Leander's reply was realistic. When the English Congregation of Benedictines was restored, some English Benedictines were appointed as priors of those monasteries. However, there would be no question of their exercising any temporal or spiritual authority unless they were installed by the Pope and the King.[39] This may have reassured Windebank for the time being, but it must also have reminded him that any reunion with Rome would entail a host of problems of this kind.

So far, Leander had remained on firm Catholic ground. It was far otherwise, however, in the case of the oath of allegiance. The oath was of frequent personal concern to Windebank, who was primarily responsible for implementing the King's lenient policy towards the Catholics. In relation to the oath, Charles wished only for an act of temporal allegiance, without desiring to encroach upon the Pope's spiritual jurisdiction. He did wish to ensure his own security, however, and believed that Catholics could take the oath with a clear conscience provided that their interpretation coincided with his own. Windebank wished to have this view emphasised in Rome, and Leander duly put it forward in his first letter to Bentivoglio.[40] Moreover, he passed on some proposals offered by his English contacts relating to the contents of a letter that they hoped the Pope might send to the King. In this Urban VIII was to withdraw the condemnation passed by earlier Popes against the oath, asking in return that the King should either suspend it or change the wording of the most offensive clauses.[41]

Leander later drafted a letter, in which the Pope was made to say that he did not condemn either the sense of the oath as understood by the King or the oath itself when interpreted in that way, asking Charles to make his intentions clear by proclamation.[42] This approximates far more closely to the wishful thinking that was current in England than to anything that was likely to emanate from the Holy See, and suggests that Leander was being manipulated by Windebank and others who wished to solve the problem of the oath through Rome rather than in England. As they well knew, Charles

was unable to amend the wording of an oath that had been framed by Parliament, and a most convenient solution would have been for the King to declare and the Pope to agree that the oath did not mean what it said.

Selby, Procurator of the English Benedictines in Rome, warned Leander that there could be no concession over the oath: "It is very hard, and indeed, as I apprehend it, altogether impossible, that the Pope suspend a brief, according as the Council desires, a brief treating of a matter of faith..."[43] Soon afterwards, Barberini wrote to Panzani, who was on his way to England, to inform him of the situation he would find there, describing Leander as a good man, but in need of someone to assist him. Barberini believed that open discussion about the oath was likely to exacerbate the differences between the English Catholics.[44]

Leander's next move was to defend himself against accusations in the Roman Curia that he was considering the interests of the state more than those of God and the Church. It was wrong, he wrote to Barberini, to allege that he favoured the oath. He had given his opinion that it could not be taken by a Catholic in that manner and sense in which it was customary for the judges to present it, and that it contained matter contrary to the faith.[45] He defended the search for a middle way, by which the interests of the state and the Church might be reconciled.

This letter was submitted to Windebank for comment, and Leander was hurt and surprised to find that it was unsatisfactory. However in the light of Windebank's comments, he drew up a second draft:

> "But now I present your Honour with the same letter, corrected according to your appointment, as you may see by comparing it to the old copy joined with it; as also a copy of the declaration... This declaration I desire to be first viewed and corrected by your Honour; which is the course I mean to take in all that I shall undertake hereafter to write concerning his Majesty's service, lest by my simplicity I should chance to offend my friends, whose good opinion I intend to keep by honest behaviour. The other paper, concerning the oath of the Mission, I have not yet ended, but will bring it to your Honour as soon as it is writ." 46

The extent to which he was prepared to allow Windebank to supervise his correspondence with Rome confirms the impression that the views in his earlier letters were strongly influenced by Sir Francis. It is clear that he had misgivings, for he pleaded with Windebank that "no more be expected of me than my religion permits me, and to give me leave to write as beseems a Catholic of my profession."[47] In spite of this, the second draft of the letter to Barberini contains a substantial change in the paragraph relating to his reply when questioned about the oath. No longer did he condemn the oath, but said only that for himself, as a monk and a timorous man, obedient to his supreme pastor, he was unable without injury to his conscience to take the oath in the manner and sense in which it was usually understood to be offered by the judges. He went on to justify his current activities on the grounds that from his nearer vantage-point he could see more than Barberini, who was occupied with the affairs of the whole Church. He and others in England feared that until now much had been reported to Rome imperfectly, ignorantly or insincerely.[48] To accompany this letter he drew up an elaborate analysis of the circumstances surrounding the imposition and retention of the oath, and an eight-part commentary on the text, giving what he called the presumed sense of the oath, clause by clause, and the sense in which it was really intended.[49]

This last document reveals several of the reasons why Leander's arguments, monitored by Windebank, were unlikely to achieve much success in Rome. The attempt to make the existing wording of the oath acceptable by insisting that it could be understood in an alternative sense did not even begin to sound convincing to the careful and hard-headed Barberini. Although Rome was realistic enough to recognise that the Pope no longer in fact had the power ofdeposing princes, it was not yet prepared publicly to acknowledge the unwelcome circumstance. To urge, as Leander did, that these opinions on the Pope's deposing power were acceptable to many learned men in France was hardly likely to strengthen the case in Rome, where there was considerable suspicion of Gallican practices. Windebank may have been as yet ignorant of the strength of opinion at Rome on these

points, and he may have been aiming at discovering, through Leander, the response of the Holy See to a number of proposals that were attractive from his own point of view. If so, he can hardly have found Barberini's first reactions encouraging.

Windebank may have found Rome inflexible on points of faith and church government, but his efforts on behalf of Davenport's book showed that the Holy See was prepared to make some effort to avoid giving offence to Charles I. In 1634 a work entitled Deus, Natura, Gratia by Christopher Davenport, a Franciscan, was published at Lyons.[50] Dedicated to Charles I, it minimised the differences between the thirty-nine articles and the beliefs of Rome. The King was much pleased, but the book was censured at Rome as a dangerous production, too generous to schismatics and heretics. Windebank made strong representations to Leander and Panzani that if a work of this conciliatory nature were condemned, it would offend the King and damage the current attempts at rapprochement.[51] At Leander's instance, Selby worked hard at Rome to stay the prohibition, and the censure was in consequence not published and the book not formally placed on the Index, although the Jesuits took care to spread the news in England of Rome's disapproval.[52]

In the autumn of 1634 Windebank had again become involved with literary controversy. Shortly after Leander's arrival in England there began circulating a work by a Jesuit, Edward Leedes, alias Courtney, entitled A Discourse against the Oath of Allegiance.[53] This was a reply to an earlier book, A Patterne of Christian Loyaltie, written apparently by William Howard,[54] but in fact either composed by or based extensively upon the work of Thomas Preston, alias Roger Widdrington.[55] Preston was a Benedictine who had for some years been contesting the deposing power and defending the right of Catholics to take the oath. His works had been censured at Rome, but his views were, understandably, regarded with favour by Windebank and the King, among many others.

Courtney's work was aggresively militant. Not only did he declare that those who took the oath incurred "heresy, idolatry and high treason",

but he upheld the Pope's deposing power in the most explicit terms and went so far as to assert "that the temporal Commonwealth, in some cases of extremity, can deprive Princes of their royal dignity for temporal causes; and that it hath the same power to take it away, which it had to give it, and to make it elective or successive, as it shall think best, in case of extremity."[56] Not unreasonably, the King regarded these as dangerous opinions, and ordered Courtney's arrest. Windebank seems to have taken an uncharacteristic delight in organising the hunt, and in October 1634 announced that Courtney was safely incarcerated in the Gatehouse.[57] He then proceeded to get statements from Courtney, containing substantial retractions of his subversive opinions, and comments on these from Preston and Leander, as well as criticisms of the original book.[58] Leander's contributions took various forms, including letters to the Pope and to Barberini, pleading that neither Howard's pamphlet nor Davenport's book should be censured, since they had been inspired by good intentions. If England was to be reunited with the Roman Church then it was necessary to tolerate liberal views, and he reminded Barberini that there had been no censure of much that had been written against the deposing power in France.[59] Finally, on Windebank's instructions, Leander wrote a more detailed attack on Courtney's book that was shown only to Windebank and Charles I, who both treated the document as strictly confidential. Leander himself, however, showed a rough draft of the attack to a friend, who, despite a promise of secrecy, revealed the more damaging parts of the commentary so widely that they soon became known to Barberini.[60]

In consequence, the growing dissatisfaction with Leander that had been accumulating at Rome seems to have come to a head. For some time Selby had been warning Leander that his activities were provoking unfavourable comment,[61] and early in 1635 Panzani had assured Barberini that Leander would remain silent, as instructed.[62] In April, Selby reported a conversation with the Secretary to the Roman Congregation, Monsignor Boccabella, in which Boccabella had said that in writing against Courtney Leander "had done malissime". Selby pleaded on Leander's behalf that he

had been commanded to do what he did, only to receive the uncompromising answer that "In this case you were not to obey any commands."[63] Selby appealed to Leander to write no more about the oath: "... it is not in your power to end this controversy, nor is it by your writing to be determined; and therefore I pray you give others leave to fight it out..."[64]

In May, Barberini wrote a critical appraisal of Leander's actions, pointing out the contrast between the offensive wording of the oath and Leander's account of the King's interpretation of it, which, he argued, should be published as widely as the oath itself. He wished that Leander had submitted criticisms of Courtney to him, and not to others.[65]

Barberini's criticisms may be taken as measure of the extent to which Leander had been influenced by Windebank, who had in many ways been using him as though he were an agent of the English Crown instead of a professed regular of the Roman Church. Moreover, Sir Francis was unwilling to part with Leander until his own scheme of an exchange of agents between England and Rome had been arranged.[66] No steps were taken to grant Leander's requests that he should return for a short time to Douai to attend to the business of his house.[67] By the summer of 1635 he had fallen ill,[68] and in the autumn he appealed to Windebank, whom he addressed as "my singular good Patron", to intercede with the King to allow him to "subsist here, under his royal wings" and end his days in England.[69] In the last weeks of his life he became uneasy about the offence he had given at Rome, and made a profession of faith, saying that he wished to hold whatever view of the oath was approved by the Church.[70]

He died on 17/27 December 1635, and was buried in the Queen's chapel at Somerset House.[71] He was widely loved for his gentleness, honesty and moderation, but he was no politician, and as Barberini had said, for all his learning he was essentially a simple man.[72] Panzani had earlier written that it was impossible not to speak well of Leander.[73] In his wish to secure better conditions for English Catholics, and in his enthusiasm for reunion, he had allowed himself to be persuaded by Windebank into occupying

a position which elicited a series of rebukes from Rome. Panzani, a considerably more sophisticated operator, must have felt some sympathy for him in this predicament, for it was one that he was currently experiencing himself.

When Leander died, Panzani had already been in England for a year, and he and Windebank were by then well known to each other. Panzani was trying to reconcile the differences between the secular priests and regulars, and enquiring into English opinion on a number of matters connected with Rome.[74] Since his business concerned the Catholic clergy, and he was not accredited to the English court, his arrival at the end of 1634 was deliberately inconspicuous. He made no calls on either Secretary of State or on the French or Spanish Ambassadors, and although the Queen informed the King of his presence in England, Charles simply asked her to ensure that Panzani should be discreet, carry out his business in secrecy and above all not meddle in affairs of state. He soon became involved in discussions over the oath of allegiance, however, and in January 1635 Father Philip and the Abbé du Perron recommended him to approach Windebank.[75] They met frequently and held lively talks on the oath, the appointment of a Catholic bishop and reunion with Rome.

Panzani evidently regarded Windebank as his most useful contact in England. Sir Francis secured a tactful introduction for him to the King, he pressed effectively for closer diplomatic relations with Rome, and Panzani was impressed by Windebank's courtesy, foresight and discretion.[76] In February 1635 the Queen showed her gratitude for Sir Francis's services to the Catholic cause by a present of six hundred crowns, and soon afterwards Panzani suggested to Barberini that Rome should register appreciation of his good offices.[77] Panzani believed that Sir Francis was genuinely interested not only in solving specific problems but also in reaching agreement with Rome on a much broader front, and that he was prepared to act as well as to talk.[78] Barberini was also convinced of Windebank's political usefulness, and urged Panzani to keep him well disposed.[79]

In February Panzani asked Windebank to secure an audience for him

with the King, and by a discreet piece of manoeuvring, Sir Francis avoided giving the impression that official negotiations were in progress. The encounter was friendly and complimentary, Charles assuring Panzani that no Catholic blood should be spilt during his reign, and Panzani assuring Charles of the Pope's wish that English Catholics should be obedient to their monarch.[80]

In the meantime, Panzani seems to have succeeded in overcoming some of Windebank's initial resistance to the provision of a Catholic bishop. At first, Windebank told him frankly that the Protestant hierarchy would never allow a Catholic bishop to exercise jurisdiction in England. In reply, Panzani gave assurances that there would be no interference with Protestant jurisdiction. Reassured, Windebank suggested that Panzani should secure from Rome a clear definition of the powers proposed for the bishop, and that a short-list of seven or eight names should be drawn up. If an appointment were made, the final selection should be approved both by the Pope and by the King.[81]

Encouraged, Panzani seems then to have been led on to explore the practical details of the arrangement, but when he asked the Queen to promote this proposal, he learnt that Windebank's first warning had been well-founded. The King refused to allow the appointment, and Panzani suspected that Laud had been chiefly responsible for the King's uncompromising reply.[82] Barberini rebuked Panzani for proceeding incautiously, and told him to restrict his enquiries to an investigation into the qualities and capacity of potential English candidates for the bishopric.[83] Later, Barberini sent permission from Urban VIII for Panzani to explore the King's inclinations further, and to assure Windebank that Rome would grant no jurisdiction to a bishop that was prejudicial to the Protestant hierarchy.[84] The Jesuits, however, seem to have inspired a hostile campaign throughout the summer of 1635, and in December the Venetian Ambassador judged that a bishop was unlikely to be appointed.[85]

Windebank and Panzani had also been discussing the oath of

allegiance, although Panzani had no direct commission to negotiate on this matter. Windebank first suggested that he might urge the Pope to modify or withdraw the briefs against those who took the oath. Panzani thought this unlikely, unless the King would adopt a less offensive form of wording. Windebank pointed out that many Catholics found it possible to take the existing oath, by accepting the King's interpretation that restricted the sense to a declaration of civil obedience. When Panzani objected that it was necessary to secure uniformity of practice, Sir Francis shifted the onus to Rome by suggesting that the Pope should draw up a new form of oath. Although Panzani clearly felt this to be a daring proposal, he promised to inform Barberini, and to send as a model the oath that was current in Ireland, in which the wording was less extreme.[86]

Barberini's response was immediate and disapproving. Panzani should not have allowed himself to be drawn into a discussion of the oath, which was a very delicate matter. If Rome drew up forms of oaths, the English would be placed in the position of judges, whereas it was Rome's business to judge, in cases where the faith was under attack. If pressed again by Windebank, he must say that he had no commission to treat on this matter.[87]

In vain did Panzani protest his good intentions. The Cardinal pointed out that Leander's example should have deterred him from rashness. He must remember that Windebank's proposals were doubtless designed as a political manoeuvre, to draw something from him, such practices were common among ministers. It was Panzani's business to see, hear and observe, and in his position it was politic not to seem to be fully informed of affairs. He should avoid further argument with Windebank unless directed by Father Philip, the Queen's confessor.[89] Since Father Philip was an ardent reunionist who agreed with Windebank on the need for Rome to make concessions to England, he was unlikely to prove an effective curb. By now, Barberini must have been conscious that both Leander and Panzani had succumbed to Windebank's influence with disturbing rapidity. He had already reminded Panzani that when Ulysses wanted to avoid hearing the

Sirens he blocked his ears and had himself lashed to a mast. On the question of the oath, he wrote, Panzani was being led into a labyrinth.[90] The oath, however, occupied a central position in the current controversy. Windebank's main objection was that the existing oath was excessively divisive, and by the 1630's more harmful than useful to the King. Not only did it divide the Catholics from other subjects but it created a rift between the Catholics themselves, and, still worse, set up a barrier between the Pope and the King.[91]

These divisions were actively perpetuated by the Jesuits, for whom Windebank nourished a steady hostility. He found their militancy repugnant, and their opposition to his own plans for closer relations between England and Rome was likely to prove both sustained and formidable, since they were interested in the conversion of England only on their own terms. They were, he said, Spaniards by faction, and must therefore suffer in any reunion arranged under the Queen's auspices, which was likely to result in the development of common interests with France. It was to their advantage that matters should continue as they were, "they being fully as expert at raising their fortunes in a storm as in a calm." England had been familiar with their tricks for many years, "they are a restless and seditious set of people, to whom no man can give content, unless he will tamely submit and suffer himself to be trampled under their feet."[92]

With these views Panzani found himself in thorough agreement, although he pointed out the Jesuits' usefulness to Rome.[93] He had not neglected his main task in England, and in November 1635 had secured an agreement between the seculars and most of the regulars, signified by the signing of the Instrument of Peace or Concord.[94] The Jesuits refused to sign, however, and did their best to discredit Panzani's achievements at Rome.[95] Although Panzani secured some concessions, he complained bitterly to Barberini of their continuing obstruction.[96] He greeted with pleasure Windebank's suggestion that the Jesuits in England should be banished or severely reduced in numbers, though Barberini soon forbade

any discussion of this proposal.[97] Panzani had earlier reported Windebank's conviction that if there were neither Jesuits nor Puritans in England then union with Rome would be relatively easily effected.[98]

Windebank evidently believed that Rome should make concessions as the price for the recovery of England, but it is not clear how far he thought this likely. Unlike his master, he was not generally lacking in realism, but in this case he may have too readily attributed to others the willingness to compromise that was so marked a feature of his own approach to current religious differences. Early in their acquaintance he had discussed reunion with Panzani, and when Panzani asked what terms were likely to be proposed by England, Windebank said that he could be sure of three: that Rome would be asked to give up communion in one kind, the Latin liturgy and the celibacy of the clergy.[99] Father Philip, the Queen's confessor, thought it likely that Rome would yield over communion and the liturgy, and that married clergy might keep their livings, provided that celibates exercised some of their priestly functions. Sir Francis himself disliked the idea of married clergy, as did the King, who distrusted their discretion in the confessional.[100]

It could hardly have come as a surprise to Windebank that Barberini replied that these suggestions would never be welcome at Rome. The English should meditate upon the schism they had caused in Henry VIII's reign, and modify the opinions that had led them to make and maintain it.[101] He may have been trying to restrain Windebank and Panzani from adventurous speculation, however, for when Father Philip made similar proposals Barberini thought that union on these terms might not be impossible, provided the King supported the cause heartily.[102] The Pope instructed Panzani to keep his conferences with Windebank about reunion secret from the Catholics in England, in case they should commit premature indiscretions which would force the King to take repressive action. Windebank was equally anxious to preserve secrecy and was angry to find that rumours of reunion were current in Rome, and that Coke and others were spreading alarmist reports in England.[103] Jesuits and Puritans had a

common interest in countering attempts by the moderates on both sides to secure improved relations.

Windebank, Panzani and Father Philip agreed that a progressive improvement in the position of the Catholics should accompany the gradual spread of support for reunion among the King's courtiers and the Privy Council,[104] and part of Panzani's mission was concerned with identifying these supporters. Among the courtiers Walter Montagu and Endymion Porter, both friends of the King, were working to ease the position of Catholics in England.[105] The Earl of Arundel assured Panzani that the King would grant liberty of conscience to the Catholics, as long as church property was not restored, and offered himself as ambassador to Rome.[106] Among the Anglican bishops, Richard Montagu of Chichester was especially active, and had a series of meetings with Panzani during the spring of 1636, making it clear that in his case only transubstantiation was unacceptable. He assured Panzani that many bishops and lower clergy would accept the purely spiritual supremacy of Rome, and believed that Protestants should be encouraged to go to Mass, and Catholics to attend Protestant churches.[107] Godfrey Goodman of Gloucester was another enthusiast, who asked Panzani for a Catholic priest to live in his house, and was reported by Hamilton in 1638 to have been converted to Catholicism at about this time.[108] Robert Wright, Bishop of Coventry, was described by Panzani as "almost Catholic".[109]

The influence of these men was limited, however, since none of them combined high office-holding with frequent attendance upon the King. It was in this respect that Windebank and Cottington were most advantageously placed. Cottington had perhaps already once been received into the Church when he fell ill in Spain in 1623, lapsing into Anglicanism when he recovered.[110] Panzani distrusted him, however, as a friend of the Jesuits,[111] even though he believed him to be more strongly in favour of reunion than Windebank, and he thought that the Jesuits were trying to make him negotiate with Cottington instead of Windebank so as to discover his plans.[112] Cottington supported reunion partly in the belief that Charles

would thereby secure a stronger international position, in which he would become, with the Pope, the arbiter of Christendom.[113]

There were notable omissions from Panzani's list, however, Laud's name being the most significant. Panzani had carefully avoided an interview with Laud and Montagu's report that the Archbishop was sympathetic, but extremely fearful and cautious can hardly have been encouraging. Moreover, Laud's attitude to the enforcement of anti-Catholic legislation suggested that he was little inclined to make concessions.[114] Nor had the King's attitude been explored in any detail, and Panzani was well aware that no firm agreement with Charles I on religion would be reached unless Laud concurred. The King, he reported, was by nature irresolute, and was wholly governed in these matters by the Archbishop. More protracted negotiations, perhaps through other intermediaries, were needed before further progress could be made.[115] Barberini also saw the matter as a long-term undertaking. Neither he nor the Pope believed that it would be easy to detach Charles from his Anglican principles, and he saw irresolution and unreliability as national characteristics of the English, rather than as personal attributes of the King.[116] Negotiations over reunion should involve no debate about doctrinal points until the fundamental question of authority had been determined.[117] He recognised the value of Windebank and Cottington as confidential intermediaries, but reminded Panzani that they were only secular ministers of state.[118]

As an office-holder during the Personal Rule, Windebank was unable to take such a long view as Barberini. Using the opportunity created by the absence of Parliament, he worked steadily to reduce what he believed to be Roman misunderstandings of the attitudes of the English court, and since much of his work involved him in diplomacy, he wanted to consolidate relations by an exchange of agents between England and Rome. The idea evolved early in 1635 during his talks with Panzani on the oath, and developed from the argument used by Windebank that there was no prohibition in English law against corresponding with the Pope on matters purely civil and temporal. He soon progressed from this to a suggestion that a mutual

agency should be established, and proposed the idea to the Queen, playing on her piety and vanity by suggesting that an agent at Rome would enhance her international standing. Once the Queen's support was assured, he undertook to secure the King's assent, while Barberini was approached by Panzani. For once, the suggestion met with approval,[119] and Barberini instructed Panzani to leave Windebank to negotiate with the King, who did not wish to appear openly in the matter.[120] In May, the King's consent to an exchange of agents was secured, Charles stipulating only that he should nominate the English agent to Rome,[121] but the Queen rapidly chose Sir Robert Douglas, whom she had sent to Rome on a brief mission in 1633-4.[122] In June, however, Panzani reported that Douglas was mortally ill, and he died shortly afterwards.[123]

Windebank's verdict on Douglas is unrecorded, but he had the strongest objections to his successor. Captain Arthur Brett,[124] popular with both the King and the Queen and supported strongly by Father Philip, was selected during the summer progress while Windebank was out of touch with the court. Panzani, who met Brett at Hampton Court, described him as a man of about forty, of good presence, who spoke Spanish and a little Latin, but no Italian, and who seemed to have some difficulty in speaking at all.[125] His ignorance of Italian was thought by many, including Brett himself, to be a serious handicap, but the King and Queen had overruled these objections.[126]

In October, Windebank decided to make his views known to the King, attacking the appointment on the grounds that Brett was "a mere stranger to letters, or to anything that hath relation to the pen", and that he would be influenced to an undesirable extent by Father Philip, whom Windebank suspected of having deliberately nominated an inadequate candidate in order to render the mission ineffective. Windebank clearly felt that he would have little control over Brett:

> "Besides, I make account, the burthen of that correspondence will lie upon me; and, whether it be for your Majesty's service that Philips should have more interest in the party employed than your Secretary, and should have more exact intelligence of many things that are to be treated of, and

which will be utterly opposite to Philips's ways, and most pernicious to your Majesty's service for him to know, than myself, I most humbly beseech your Majesty to advise upon." 127

On the oath of allegiance, the appointment of a Catholic bishop, and Courtney's book, Father Philip held views that conflicted with the King's policy. Moreover, part of Brett's task was to foment schisms and differences among the English Catholics with a view to strengthening the moderates, another matter that should remain confidential. Windebank ended his remonstrance with a request that the King should reconsider the appointment:

> "... and, therefore, I most humbly beseech your Majesty to weigh these circumstances deliberately, and to make choice of some man that may be par negotiis ... That this is a very honest Gentleman I doubt not; but honesty alone will not despatch business; and of the two, (I speak as a Secretary, and humbly crave your Majesty's pardon) honesty, in this Romish employment, may better be spared than sufficiency." 128

A marginal note suggests that he thought that the appointment had slipped out of Charles's control: "The Queen promised to give the King the choice."[129] Panzani confirmed this view, suggesting that the Queen was suddenly displaying activity in the Catholic cause to dispel accusations that she had recently done little to aid it.[130]

On 21 October, Windebank returned to the attack, saying that "... he is more another's than he can be your Majesty's." He warned that hostile rumours were beginning to circulate, and doubted whether the quality of Brett's service would repay the scandal of the appointment. An apostile by the King defended the choice, "I have spoken with the man, and if I may trust oaths, he is mine as much as I can expect any Papist to be."[131]

Cottington expressed his disapproval by limiting Brett's allowance to £500 a year, justifying the decision on the grounds that he was neither an ambassador nor an agent, but only a gentleman sent from the Queen.[132] Windebank complained to Panzani that the appointment of such a man would

make England a laughing-stock at Rome.[133] Repeated attempts by Windebank and Cottington to secure the appointment of another candidate were unsuccessful against the Queen's insistence, however, and they had to resign themselves to accepting Brett.[134]

Windebank's next task was to draw up Brett's instructions, which included most of the matters currently under review in his own discussions in England. Although Brett was the Queen's servant, and must deny any commission from the King, he was to correspond with Sir Francis, from whom he would receive his orders. He was to avoid discussing religion, except for certain matters relating to church government. He must warn the authorities at Rome that if the King's lenient treatment of English Catholics was to continue, the Papal briefs and censures against the oath of allegiance must be revoked or suspended, and he was to emphasise that the oath was intended to cover only civil obedience. Next, Brett was to press for the punishment of Courtney, for reviving controversy over the oath. If the Pope refused, then the King would deal with Courtney according to English law. Thirdly, Brett was to inform the Pope of the King's refusal to permit the appointment of a Roman bishop which could only lead to conflict with the Anglicans. Lastly, he was to request that the Jesuits be recalled from England, since their number "increaseth daily here, who, being for the most part practick and overbusy in matters of state, may become dangerous, and yet we are not willing, but upon great necessity, to use remedies which our laws do provide against them." Meanwhile, Brett was to discover as much as possible about the Jesuits' communications with Rome.[135]

To these instructions, Sir Francis made three minor additions: firstly that Brett should make some trial overtures to the Pope regarding the Palatinate and observe his reactions, which, as Windebank said, could do no harm and might give the Pope an opportunity of obliging the King. Secondly, Brett was to maintain impartiality between French and Spanish Cardinals in Rome. Thirdly, Brett was to visit the Procurator of the Benedictines, using him when necessary as his interpreter, and avoiding dependence upon Jesuit advisors.[136]

Sir Francis was evidently aware that he was by now moving into an area of policy that might eventually prove dangerous to himself, and was concerned to protect his own position, possibly reflecting that it would be ironic if he were brought to book for his dealings with a man like Brett. At the same time as he forwarded Brett's instructions to the King for signature, therefore, he included in his covering letter a significant request:

> "And now that, by your Majesty's special commandment, this business is thus despatched, I do most humbly beseech your Majesty to vouchsafe me your warrant, under your hand, for my discharge; that, if I shall be at any time questioned for it, my hand in which it is written being so well known, and the business so full of peril, it may appear I had but the ministerial part in it, and that I have done nothing without your Majesty's royal and express direction." 137

The King's reply was unequivocal: "By the signing of Brett's Instructions you see that I like them; being ready likewise to give you a warrant both for this and for any other verbal command that I have given you."[138] For the time being the Personal Rule appeared sufficiently stable, but Sir Francis was not a brave man, and was concerned to provide himself with whatever insurance he could against the wrath of the Commons to come. In the current relatively rudimentary state of theory relating to ministerial responsibility, a written authorisation from the King was the best protection that could be obtained.[139]

In the event, Windebank's judgement on the Queen's agent was never put to the test, since Brett died of a fever on 17 March 1636.[140] By this time the mission to Rome was being widely discussed. Panzani reported that even the Puritans were nominating possible successors to Brett.[141] He was concerned at the delay, and pressed Windebank to secure a decision from the King. Windebank, who had presumably lost all hope of influencing the selection, replied that the King was unwilling to exercise the right of nomination that he had originally claimed, for fear of offending the Queen.[142]

Henrietta Maria's next choice fell upon Sir William Hamilton,[143] whom Panzani described as an agreeable and witty young man of twenty-five,

showing no great affection for the Jesuits.[144] Brett's instructions were passed on to Hamilton, but Hamilton's correspondence with Windebank does not survive, and he seems to have spent much of his time in a fruitless attempt to secure the appointment of an English cardinal, an undertaking to which the Queen was particularly attached.[145] Although Barberini liked him personally, he proved too impatient for successful negotiation over the oath of allegiance.[146] Charles I became thoroughly dissatisfied with him, and his requests for recall were finally granted in 1640.[147] The Queen's lack of judgement in selecting candidates and the King's weakness in yielding to her wishes destroyed Windebank's plan of establishing a diplomatic link with Rome that was similar to the embassies sent to other major states. His hope that this might become "the greatest and most active employment your Majesty hath in foreign parts" requiring "a minister of abilities in some proportion answerable" came to nothing,[148] and the degeneration of the mission into an empty quest for an English cardinalate prevented any progress towards a settlement of current problems.[149]

By 1640 Windebank must also have been disappointed at the lack of advance achieved by the reciprocal mission from Rome to England. Panzani, having achieved a fair measure of reconciliation between seculars and regulars, left England on Christmas Day 1636 and returned to Italy for his reward.[150] In 1635 Barberini had asked Mazarin's advice on the appointment of an agent to Henrietta Maria and Mazarin, after proposing himself, suggested Carpegna or Con. Mazarin was thought to be too conspicuous a candidate;[151] Carpegna's appointment was suspended on the news of Brett's death;[152] and the agent who finally arrived in England in 1636 was George Con.[153]

Con was above all a courtier, and as a fellow Scot he lost no time in recommending himself to the King, who held long discussions with him and clearly enjoyed his company. The King's inclinations towards Rome were closely related to his love of the fine arts and to his delight in theological disputation. His Italianate taste and his rôle as a connoisseur and patron emphasised his affinity with many of his Italian contemporaries, and found a

ready response in the Barberini family who sent him gifts of paintings by celebrated Italian masters and permitted Bernini to make a bust of the King. Con shared Charles I's cultivated tastes and aided his selection and purchase of works of art.[154] In theological discussions with Con, the King, like Windebank, emphasised his own Catholicism and denied that he was a schismatic. He was willing and able to make careful distinctions between his own beliefs and those of Rome, but was by instinct more inclined to emphasise points of agreement than to encourage controversy. He undoubtedly wished for union with Rome, but was inflexible in rejecting demands for unconditional conversion. His sense of personal honour required that Rome should make concessions along the lines indicated by Windebank to Panzani, and that the Pope should renounce his claims to the power of deposing heretical rulers, a central issue in the dispute over the oath of allegiance.[155] In his talks with Con the King covered much of the ground already explored by Windebank, and revealed that he and his Secretary shared many convictions. Since part of Con's assignment was concerned with discovering the King's views, Windebank's contacts with him were less frequent and intimate than those he had maintained with Leander and Panzani.

Soon after his arrival Con had reported the King's confidence in Windebank, contrasting it with the Queen's reservations about Sir Francis's adherence to the Spanish faction.[156] Con himself, however, had little sympathy with Windebank's vision of a gradual reconciliation between England and Rome, to be achieved by concessions on both sides. He possessed little of the liberal, optimistic temperament of Leander and Panzani, and had no illusion that disputed points of any magnitude could be settled by the mutual agreement of reasonable and moderate men. He made it clear to Windebank that little could be expected in the way of concessions, although some latitude would be permissible after England had rejoined the Roman Church.[157]

For Con, similarities between Catholic and High Church Anglican practices were not enough. He pressed the King and Windebank for their

views on such matters as the Council of Trent and the nature of the Church of God. He reported to Barberini that Windebank was evasive on the question of Trent,[158] and that the King thought the Roman Church too rigid in upholding its decrees.[159]

If Con was concerned to dispel Windebank's comfortable hope that the English church could retain a substantial measure of eclecticism in its approach to reunion with Rome, Windebank found that Con nourished an illusion about the relative powers of King and Parliament that made it difficult to negotiate realistically with him on the oath of allegiance. One of Con's principal assignments was to persuade the King to alter the wording of the oath. He reminded Charles that no Catholic could take it without ship-wrecking his conscience. It had been designed to sow perpetual discord between Rome and England, and it appeared to have no other purpose than to attack the Pope's authority. In any matter of temporal allegiance, Charles would find the Catholics ready to shed blood in defence of the royal authority. To this Charles pointed out the difficulty of securing an alteration of the oath by Parliament; indeed, Catholics had much to fear from a Parliament. Con answered, "Sire, we hold your Majesty to be superior to Parliament",[160] and he could see no reason why the King should not approve on his own authority a less offensively-worded oath.[161] In further lengthy discussions the King revealed his apprehension that a less amiable Pope than Urban VIII might use the deposing power against him. Con, while defending the Papal claim to depose princes, tried to reassure Charles that he was unlikely to suffer from it.[162]

Eventually Con's firmness bore fruit to the extent that both the King and Windebank, who had been included in the discussion at Con's request, drafted new forms of the oath. Charles's oath, forwarded secretly in December 1636 to Barberini, exacted a promise to defend the King and his successors against every enemy at home and abroad and against all invasion, deposition and rebellion, attempted by any prince, priest or people. Con objected to the words "deposition" and "priest", and Barberini raised further difficulties, while welcoming the King's concession in drafting a new

oath that did not mention the Pope by name.[163] Windebank's draft was rejected at once on the grounds that it contained assertions irreconcilable with Roman doctrine. Sir Francis was evidently annoyed, and retorted that since Con's arrival less progress had been made than before his appointment, when a solution to the problem had seemed likely. He eventually agreed to try to persuade the King to alter the words "deposition" and "priest", and announced partial success a week later, when "priest" was changed to "ecclesiastic".[164]

By now Windebank had managed to convince Con that Parliament's authority in relation to the oath was not negligible. A compromise had been agreed whereby the existing oath was to be offered to Protestants, while the King would use his dispensing power to exempt Catholics and allow them to take a new oath, if a suitable wording could be agreed.[165] Windebank, however, was becoming increasingly impatient at the lack of progress, both with Con and by Hamilton in Rome. Citing the many favours to Catholics in England, the release of priests and recusants from prison, the restraints put upon pursuivants, and the redrafting of the oath, he contrasted these with Rome's intransigence. His revival of the formula proposed by Leander was met by Con's reiteration of his former statements on Rome's position.[166]

The remainder of Con's negotiations over the oath were conducted in an atmosphere of increasing resentment and disillusion. Charles had second thoughts and instructed Windebank to make amendments to the new draft that would make it appear less lenient to Puritan opinion.[167] The committee of theologians at Rome produced a host of new objections to the King's draft, and Barberini instructed Con to reject Leander's formula, and to avoid further discussion of the oath for the time being. The King accused Con of being the cause of a greatly increased tendency among English Catholics to refuse the existing oath, and blamed him for excessive delay and a serious regression in the negotiations.[168]

In 1639, however, not long before Con's departure, a new basis for discussion was found in the oath to be administered to the army sent against

the Scots.[169] This was forwarded to Barberini, with the comment that only the final clause seemed to present any difficulty, but the Roman theologians remained as intractable as ever, and demanded the removal of the final clause or the revocation of the whole oath. By this time Con was also resentful, and complained bitterly to Ferragalli of Rome's inflexibility, which had deprived him of a Red Hat and thwarted his negotiations.[170]

Con's successor, Rossetti, reported that he found Sir Francis a well-disposed and congenial negotiator who shared many of his interests and was a Catholic by inclination. Like his predecessors, Rossetti was impressed with the freedom allowed to Catholics in England, but discouraged by the continuing severity of the law.[171] In the autumn of 1639 and the spring of 1640 much of Windebank's attention was occupied by the conflict with the Scots and the forthcoming Parliament. There was less leisure to discuss reconciliation with Rome, and Rossetti's despatches to Barberini, which contain graphic accounts of the anti-Catholic feeling of the Puritans and the Short Parliament,[172] approximate more closely to regular diplomatic correspondence than to the letters of Panzani and Con.[173]

Although Rossetti shared Windebank's optimistic attitude over ultimate reconciliation, he made it quite clear in the summer of 1640 that the Pope could provide no financial assistance to a non-Catholic monarch, however great his domestic difficulties. He urged Windebank to represent to the King the practical advantages of early conversion. Lack of unity in religion was already producing rebellion among the Puritans, some of whom were hostile to any form of government. Calvinism was not compatible with royal authority, and Rossetti warned Windebank that it was increasingly clear to him that the Puritans would not be satisfied until they had achieved some form of popular government. Rossetti's prophecies may have been accurate, but his alternative picture, of Charles as a Catholic monarch repressing the Puritans by the combined weight of Catholics and Anglicans and acting as the arbiter between France and Spain, however attractive to Windebank, was unrealistic in the circumstances of 1640.[174]

By the end of November the tide of Parliamentary disapproval had

swept Windebank away, and Rossetti, who offered Sir Francis his house in Italy as a refuge, wrote regretfully to Barberini of the loss of a loyal and hard-working supporter of the Crown, contrasting Windebank's treatment of the Catholics favourably with the attitude of Laud.[175] The King and Queen, he reported, were angry at the enforced departure of the Secretary, but recognised the necessity of Windebank's flight when even the King's authorisation of his actions was insufficient to preserve him from the threat of death.[176]

The Commons' resolve to call Sir Francis to account in 1640 did not derive from his lengthy negotiations with Leander, Panzani and the two Papal agents, though these, so far as they were known, increased their suspicion of him. More tangible and damaging evidence was to hand relating to the favours shown by Windebank to Catholic priests and recusants, who were still liable to prosecution under the terms of the Elizabethan and Jacobean legislation. By the Act of 1581 the death penalty could be imposed on Catholic priests who attempted to convert Protestants;[177] and under the terms of the 1585 Act English-born Catholic priests who remained in or returned to the country were liable to suffer the penalties for high treason. Persons who knowingly aided Jesuits and priests could be charged with felony, for which the penalties were death and forfeiture of estates.[178]

In the early seventeenth century the enforcement of this legislation had fluctuated in severity according to regional variations and the circumstances of the time, but it had seldom been interpreted as generously as the Catholics could have wished, or as severely as Parliament had intended. Both James I and Charles I were inclined to be lenient, and before the beginning of the Personal Rule Parliament had called at intervals for the laws to be put into better execution, particularly in 1621,[179] 1624-5,[180] and 1628-9.[181] The response generally took the form of a commission to execute the statutes more firmly,[182] or a royal proclamation,[183] though, as Heylyn commented, the concessions seldom convinced Parliament of the King's good intentions.[184] That Windebank, then a Clerk of the Signet, was already playing a part in implementing the

policy of toleration becomes evident from Pym's report in 1626 to the Committee for Religion, that Windebank had resisted the efforts of a sub-committee to search the Signet Office for warrants to stay the execution of priests or Jesuits or to stay proceedings against recusants issued since the proclamation of 14 August 1625.[185] There were few executions of priests in Charles I's reign before the meeting of the Long Parliament,[186] and even after 1640, when eighteen priests, Jesuits and regulars were executed between 1641 and 1646, Charles successfully resisted demands to execute others, such as John Goodman, in spite of vigorous opposition from the Commons.[187]

The case of Goodman epitomises the conflict between King and Parliament on this issue. Caught and released several times in the 1630's, Goodman had been condemned to death at some time before 1635.[188] In January 1641 he was condemned once more, but was reprieved by the King, at the Queen's request. The Commons protested, and Charles replied that as Goodman had been condemned merely for being a priest, and had been acquitted of the charge of perverting the people in their beliefs, he had no wish that his blood should be shed.[189] On 29 January the Lords and Commons petitioned that Goodman should be executed, and Goodman himself asked that he should die rather than create such conflict.[190] Charles sent a warrant for the priest's banishment, and told Parliament that if they thought his execution "so very necessary to the great and pious work of reformation" he referred it wholly to them.[191] Rossetti saw this as a test of the King's authority: if this man died, Parliament's liberty to order executions would be unchecked.[192] Goodman was reprieved, but imprisoned as a felon, dying in Newgate four years later.[193] The King's policy towards priests and Jesuits had been consistent from the beginning of his reign, he allowed the law to take its course, often until sentence had been passed, but then made every effort to prevent executions for priesthood alone. When he himself authorised the release of priests he also arranged for their banishment, realising that they would soon return, but he allowed Windebank to order the liberation of priests without any similar proviso.

The relatively easy conditions enjoyed by Catholic priests and Jesuits in England had led to a considerable increase in their numbers during the early part of the seventeenth century. A number of estimates give some indication of the size of this population in the 1630's. Leander's description of the state of the English Mission in 1634 suggested that there were over five hundred secular priests, two hundred and fifty Jesuits, about a hundred Benedictines, twenty Dominicans, twenty Carmelites, thirty Franciscans, four English and Scottish Capuchins and four Minims.[194] Panzani's estimate in the following year included five hundred seculars, a hundred and sixty Jesuits, a hundred Benedictines and thirty-five others.[195] Most Catholic commentators agreed that there were too many, that their discipline was lax, and that they were distracted by controversy over the appointment of a bishop and the oath of allegiance, with deep divisions between the seculars and regulars.[196]

In spite of the King's lenient attitude, informers and pursuivants continued their activities, and could always be sure of Coke's support in hunting priests and Jesuits. He had a deep and settled hostility towards Catholics, and it was to him, not to Windebank, that the pursuivants and more exalted officials brought their tales.[197] In March 1628 he had taken an active part in breaking up the community of Jesuits in Clerkenwell, whose papers had revealed the existence of thriving and organised bands of seculars, Benedictines and Jesuits in England.[198] Since Carleton had little more sympathy with Catholics than Coke, the King could count on his Secretaries before Windebank's appointment in 1632 only for persecution and not for relief. Apart from the King's own inclinations towards clemency, it was thought politic from time to time to release imprisoned Catholics, so as to secure better treatment for English Protestants in Catholic countries abroad. Before 1632, therefore, they were occasionally released in batches at the intercession of the Queen or some other exalted petitioner. Thus in April 1630 the King authorised the release of sixteen priests and recusants who were to be delivered to Châteauneuf, the French Ambassador Extraordinary, and removed from the kingdom.[199] In June, a further six

were released on the same conditions.[200] This had also been a regular practice in the previous reign, and was to be resumed once more after the Restoration.[201]

Windebank's actions after 1632 mark a change, therefore, not in the policy of releasing imprisoned priests and Jesuits, but in the method by which this was done. Although the Queen was still occasionally the cause of a general release of Catholic prisoners, as in July 1640 in celebration of the birth of Prince Henry,[202] and although priests and Jesuits were sometimes released by warrants under the King's hand,[203] or by warrants from the Privy Council,[204] it became the common practice during the Personal Rule for Catholic prisoners to be discharged from the London prisons by Windebank's agency.

It is not possible to establish with any precision the numbers involved, although they were clearly considerable, but there are some indications of the scale of Windebank's activity in this quarter.[205] In the charges preferred against him by the Long Parliament in December 1640, it was alleged that during the previous four years sixty-four priests had been discharged from the Gatehouse, mostly by Sir Francis, and that twenty-nine priests had been discharged by his verbal warrant.[206] A list made in 1640, partly in Reade's handwriting, names eighteen priests, Jesuits and other Catholics released by "Mr. Secretary alone" from the New Prison, Newgate, the Clink and the Gatehouse.[207]

It is noticeable that after Windebank's appointment as Secretary the interval between capture and release frequently became shorter. Whereas before 1632 priests and Jesuits had often remained in prison for many years before their release, in the 1630's they were often in custody for only a few weeks before being discharged.[208] It was not long before it was discovered that Windebank was a useful ally, and from 1633 onwards his name begins to appear in Catholic petitions. Thus Thomas Edmondes petitioned the Queen for protection from the blackmailing threats of pursuivants, and asked her to speak to Sir Francis to give order that they should cease to molest him.[209]

Francis Smith, a Jesuit nearly eighty years old, petitioned Windebank to order the pursuivants Gray and Newton to cease troubling him, and to inform the Middlesex J. Ps. that he had been released from prison on grounds of age,[210] and in 1634 Sir Francis was asked by the King to take such action as he thought fit on a petition of Thomas Copley, an alien-born Catholic.[211] It is evident from these and other applications that it became relatively common for Catholics to petition the Queen to intercede with the King for their reprieve or freedom from molestation by messengers, and that the King either used Sir Francis as an intermediary or left him to act independently as he thought best.

Complaints about the effects of Windebank's activities began to appear in the later 1630's, although the Secretary was not mentioned by name. In 1635 John Gray, one of the messengers, reported to the Privy Council that he had arrested thirty-two Jesuits and seminary priests on Council warrants, and had brought them before the Board, who had committed them to several London prisons. All of these men were now at liberty, "and lie lurking in London perverting his Majesty's subjects", so that Gray petitioned the Council for order to re-take them, submitting a list of their names.[212] It is clear that Windebank made preparations to answer these allegations, since Reade made a copy of Gray's list, adding in some cases the names of those upon whose bond the prisoners had been released, presumably to demonstrate that although at liberty these men could still be accounted for.[213] Ten of those listed by Gray are known to have been discharged by Windebank on his own authority in or before 1635, and others on the list were discharged by Sir Francis at other times.[214] No attempt seems to have been made to satisfy Gray's demands.

In August 1636, when the plague was particularly prevalent in London, Robert White, the sub-curate of St. Margaret's, Westminster, complained to Laud that two Catholic priests, one named Southwell (i.e. John Southworth), although nominally imprisoned, were visiting plague-stricken houses and converting his parishioners on their death-beds.[215] In March 1637, the Rector, churchwardens and constable of the parish of St. Giles in the Fields

forwarded a petition to the Privy Council deploring the increase in the number of Catholics in the parish, "where they are so exceedingly multiplied daily that in that part of the parish called Bloomsbury there are as many or more than Protestants."[216] Appended to this was a list, prepared by Newton, of some twenty persons converted while sick of the plague by the Jesuit, Henry Morse. There were similar complaints against Southworth, this time appearing under his alias of John Southern, and against James Smithson, a prisoner in Newgate. The Council recommended the officers of the parish to ensure that the converts were convicted of recusancy, and two of the priests were retaken, Morse being committed to Newgate on 26 March by a Council warrant,[217] and Southworth to the Gatehouse on 28 November by a warrant signed by Windebank.[218] Morse was freed again, however, three months later by Windebank on the King's instructions,[219] and Southworth was evidently discharged at some time before June 1640 when he was sent to the Clink by the High Commission, to be released yet again three weeks later by Windebank.[220]

From Windebank's point of view, freedom allowed Southworth and Morse to continue their humane and courageous ministrations to the plague-stricken and the dying; from the point of view of Prynne and the pursuivants these were dangerous men. Newton described Southworth as "a great seducer",[221] while, according to Prynne, Morse was "a most dangerous seducer, who perverted no less than 560 persons in and about Saint Giles parish."[222] Other priests released by Windebank were less formidable. Edward Moore, discharged by Windebank in March 1635 after more than five years' imprisonment, had petitioned the King and Queen in the preceding November for release on the grounds of age and infirmity, enclosing a certificate from two doctors that he was suffering "from the over-moistness and intemperacy of the air of the Clink".[223] Thomas Holmes, released by Windebank in May 1634, was "grievously troubled with divers sicknesses, besides being aged and poor",[224] while Thomas Leake was seventy years old "and troubled with infirmities which endanger his life".[225]

For some, like Thomas Reynolds, Henry Morse and John Southworth,

the humane actions of Windebank during the Personal Rule provided only temporary reprieve, and their lives were ended by execution after 1640.[226] Others, like Henry More and George Musket, survived to achieve distinguished careers abroad.[227] Windebank did not allow his prejudice against the Jesuits to affect his decisions, but released secular priests, Jesuits and Benedictines indiscriminately, as the occasion offered. He was no less conscious of the possible eventual consequences of this for himself than he had been when drafting Brett's instructions, and in October 1635 asked for similar authorisation from the King:

> "I have likewise, at the intercession of the Queen's Majesty, and your Majesty's command thereupon, enlarged sundry Roman Catholics, some of them priests, out of prison upon bail, for which I have only had your Majesty's verbal order; and shall most humbly beseech your Majesty, for my safety, to vouchsafe me warrant likewise under your hand for this." 228

In his attempts to secure better conditions for Catholics in England, Windebank came into frequent collision with the pursuivants. In the 1630's there were forty messengers or pursuivants, officers of the Chamber, whose duties included the conveyance of summonses and orders from the King and the Privy Council, and the arrest and transport to London of those summoned to appear before the Council, Star Chamber or Court of High Commission.[229] They played an active part in the enforcement of the legislation against Catholics, and in this connexion their duties were defined in 1636 by the Court of High Commission as including the discovery and apprehension of such persons, and the seizure of popish and seditious books.[230] They also searched suspected houses for vestments, portable altars and other "massing-stuff" used in Catholic worship.

Although they were necessary links in the chain of law enforcement at this time, they varied greatly in the interpretation of their duties. Some, like Francis Newton, John Gray, Humphrey Cross and John Wragg, seem to have specialised in the hunting of Catholics, showing excessive zeal and provoking complaints that they were abusing their powers and exceeding their authority. At best they seem to have been insensitive and insolent; at

worst they preyed upon recusants and priests, arresting and then releasing them in return for bribes. This was partly a consequence of the irregularity with which they themselves were paid. Their salary was £50 p.a. each, augmented by slender allowances which often remained unpaid, and by fees claimed from their victims.[231]

In five years in the 1630's Francis Newton claimed to have spent over £200, which had not been repaid, in entertaining witnesses, taking priests and Jesuits to prison, and keeping some of them in his house, including Henry Morse, whom he kept for thirty days.[232] In February 1636 the Registrar of the Court of High Commission recorded the non-payment of allowances during the previous three years to four of the messengers, Wragg, Tomlins, Cross and Flamstead.[233] In these circumstances it is not surprising that the messengers took advantage of their position to reimburse themselves from their vulnerable quarry, claiming in self-defence that "they must live, and having no wages or allowance from his Majesty, are enforced to take money from whom they can get it."[234]

Most of their victims suffered in silence, but some petitioned the King and the Queen for redress, who generally passed the matter over to Windebank for action.[235] Panzani made frequent representations to Windebank on behalf of Catholics exploited by the pursuivants, and urged that their powers be curbed,[236] while Con took the same course with the King.[237] Panzani, indeed, had urged Windebank to secure the dismissal of the pursuivants, but had been told that this could not be done openly. There was some hope, however, that the messengers might be better controlled by the Privy Council, and, meanwhile, Windebank promised to favour their Catholic victims.[238]

Windebank was involved in both the official enquiries that were held into the pursuivants' activities in the 1630's. The first panel, which began work in 1634, presented a report to Windebank in March 1636.[239] They had received complaints and accusations against more than thirteen messengers and their assistants, but had examined only Wragg, Newton, Griffin, Gray

and Cooke, "being as many as they could get to come to them." Charges against Wragg included allegations that he had arrested and then released various Catholics and priests in return for payments of £260, £30 and £20. Tomlins, Wragg's assistant, and Cross, were said to have secured payments of sums ranging from £45 to £100 under similar circumstances. Newton's demands were lower and may have covered only his fees, the amounts mentioned being £6, £2 10s., and £2. John Cooke, formerly Gray's and now Newton's assistant, confirmed the charges, and said that money was also given to them when massing-stuff and popish books were found in recusants' houses.[240] Gray denied some of the accusations but admitted many, pleading that the money paid to him was for his fees, and that if he had not taken money when he found Catholic books he did not know how he should live.[241]

The committee found the charges proved and reported that "those mean and mercenary messengers" had abused the aims of the State in granting warrants to them and had drawn scandal upon his Majesty's government. They recommended that the messengers be forthwith disabled from any further proceedings on their general and dormant warrants. To prevent similar abuses in future they advised that more use should be made of the services of J.Ps. If messengers were used for the sake of speed, or in remote areas, then their warrants should lapse after a specified time.[242] According to Panzani, these recommendations were accepted,[243] but the messengers appear to have continued their malpractices, and were doubtless spurred on by financial necessity, Coke's support, and Laud's drive to secure conformity.[244]

Windebank was himself a member of a second and more powerful committee of enquiry that was established in March 1637, together with Laud, Coventry, Juxon, Manchester, Arundel, Dorset, Holland, Cottington and Coke.[245] Of these, Windebank, Arundel and Cottington might be expected to sympathise with the Catholics' plight, and the Earl of Holland was likely to side with them in deference to the Queen, but the remaining six were unsympathetic. There is no record of the outcome of this enquiry, but Gray

was imprisoned for a short time in 1638 on the evidence of a Catholic priest, and again in July 1639 for taking "great fees, to the great apprehension of his Majesty's subjects," while Wragg was also imprisoned briefly in 1639.[246] More significantly, the Privy Council ordered that persons arrested by the messengers should not normally remain in the messengers' custody while awaiting examination by the Board. Instead, they should be brought forthwith before the Clerk of the Court to enter an appearance, and then discharged upon bond.[247] It was not until the Privy Council became aware that the messengers were employing the same methods against defaulters in arms in 1639-40 as they had long used against the Catholics that the authorities became more concerned to enforce the recommendations against messengers' abuses.[248] One of Windebank's last assignments in relation to the messengers was contained in an order from the Privy Council in August 1640 that he should appoint ten new and able men, "fitter for service than the present messengers of the King's Chamber, by whose incapacity and gross negligence his Majesty's service has greatly suffered of late." In a simultaneous purge, the Privy Council dismissed twelve of the existing forty messengers.[249]

It is evident from Windebank's unceremonious treatment of the pursuivants that he had little liking for their treatment of Catholic recusants. His long search for an improved formula for the oath of allegiance to be taken by Catholics was founded upon the conviction that they were, with few exceptions, loyal subjects of the King. His campaign for better relations with Rome originated partly in a wish to arrive at a compromise agreement upon a common form of worship in which Catholics and Protestants could join. Under these circumstances, it is not surprising to find him using his Secretarial powers to improve the lot of Catholic recusants who had come within reach of the law.

The Elizabethan and Jacobean penal legislation, when rigorously enforced, made considerable inroads upon the religious observances, education, occupations, incomes, enjoyment of property and freedom of movement of Catholics. The cumulative effect of the penalties imposed in the

late sixteenth and early seventeenth centuries was so great that few faithful Catholics could meet the demands made upon them. Although enforcement was relatively lenient for most of James I's reign, and the penal laws were officially suspended in December 1624 to accompany the French marriage negotiations, widespread distrust and fear of the Catholics persisted. Parliament, the Privy Council and many justices in the counties continued to press for the enforcement of the laws, and fining and imprisonment continued in most areas despite the apparent relaxation.[250] In 1624-5, particularly, the Privy Council ordered judges to enforce the legislation, recusants were disarmed, and Parliament petitioned the King for the better execution of the laws against Popery.[251]

Despite Charles's inclinations towards toleration, a proclamation was issued in 1625 to reactivate the penal laws. By the following year, however, the King's wish to mitigate the severity of their impact, and the need for increased revenue, led to the development of the practice of compounding for recusancy, by which recusants were permitted to pay a rent assessed on the value of two-thirds of their landed property, reduced to one-third after 1635, in return for exemption from fines.[252]

The extent of peculation by local officials in the administration of this arrangement became notorious, and much of the revenue never reached the Exchequer despite attempts to punish embezzlement and improve standards. Although the yield from recusant revenue rose rapidly between 1630 and 1634, there were numerous examples of compositions being set much lower than the official rates, and the impact of the legislation was uneven at various times and in various places.[253] Windebank did not serve on either the northern or the southern commissions for compounding, and is unlikely to have viewed with much sympathy Wentworth's harsh enforcement of increased composition rents during his Presidency of the Council of the North in 1630-33.[254]

On the matter of leniency towards Catholics he also disagreed strongly with Laud. The Archbishop, conscious of the numerous charges of

inclination to Popery levelled against him, and anxious to refute them, as well as to affirm the separate nature of High Church Anglicanism, pursued a noticeably severe policy towards Catholics. In 1635 Roe remarked with satisfaction that Laud had openly warned the King in the Privy Council of the increase of Catholics and attendance at the chapels of the Catholic foreign ambassadors in London.[255] Garrard reported the same incident to Wentworth, repeating Laud's words "That the papists were the most dangerous subjects of the kingdom, and that betwixt them and the Puritans, the good Protestants would be ground to powder."[256] Foreign observers attributed most of the anti-Catholic declarations made by the Privy Council in the 1630's to the influence of Laud. The measures resolved on 29 October 1637, for example, greatly resented by the Catholics and by the Papal representatives in England, were seen by Zonca as part of Laud's campaign to counteract the lenient influences that had led to numerous conversions and to the more open practice of their religion by Catholics. Laud was also concerned to refute the Scots' allegations that he planned to bring back Popery, and Zonca reported that many informed observers believed that the Archbishop intended first to reduce the Puritans to obedience and then to turn the full power of the law against the Catholics.[257] Panzani and Con were acutely aware that Laud refused to associate himself with discussions on reunion or better treatment for the Catholics, and some of the Catholic laity's resistance to Con's efforts to raise money for the King during the Bishops' wars was traced to the Archbishop's severity.[258] In 1640 Rossetti testified to Laud's eagerness to persecute Catholics, as a matter of political expediency, and contrasted his harshness with Windebank's kind and humanitarian attitude.[259]

The ambivalent nature of royal policy towards recusants in the 1630's is evident from the publication of proclamations and orders in Council against evasion of the laws, against missionary activity by priests and Jesuits, and against the large daily attendance of laity at mass in the chapels of the foreign embassies in London, where sermons were preached in English by priests supposed to be prisoners, but freed by Windebank's

warrants.[260] At the same time as Coke was supporting Laud by implementing these decrees, and by urging the messengers to enforce them severely, the King was encouraging Windebank to arrange for Catholics to escape prosecution or punishment. Charles I was thus using the dual Secretaryship in a refinement of the accustomed Early Stuart fashion to conduct a left-hand, right-hand policy that enabled him to appear to enforce the law, while circumventing it by another route. Appearances were still further kept up by Windebank's occasional participation in punitive measures. In October 1637, for example, he and the Attorney-General were instructed by the Council to examine earlier proclamations and to draw up the most recent in the series. Part of a draft made by Windebank in pursuance of this order solemnly announced that the Catholics were taking excessive liberties in consequence of the King's leniency, and that the King was resolved to punish them.[261]

Windebank's assistance to Catholic recusants is considerably less well-documented than his aid to Catholic priests. In the proceedings against Sir Francis by the Long Parliament in November 1640, sixty-four letters of grace to stay prosecution against Catholic recusants were produced, directed to several judges and a number of different counties. It was announced also that there had been a drastic reduction in the yield from recusancy fines, partly in consequence of the Secretary's activities.[262] By December, when the formal charges against Windebank were drawn up, the number of letters of grace had increased to seventy-four,[263] and, in the meantime, several had been read to the Commons. These included one from Windebank to the High Sheriff of Sussex to exempt Sir Henry Beddingfield and his family from the provisions of the laws against recusants, and a more general command from Windebank to Robert Horwood, Under-sheriff for Hampshire, to stay all proceedings against recusants in that county.[264]

A more personal note is struck by a letter from Anne, Lady Sandys, an old friend, to Windebank. In December 1638 she wrote that she was being persistently threatened with prosecution for non-attendance at church

by an informer, one William Stebbin of Windsor, who "vows that I shall never be free from suits while I live, unless I will purchase my peace of him." She asked that Sir Francis "would, on behalf of your poor, decrepit, bedridden acquaintance make use of your power with the judges or favour with the King, that I may go in peace to my grave." A note from Cottington advised that Lady Sandys could not compound with the commissioners since she was not a convicted recusant, and that Windebank's best course would be to speak to Lord Bramston or the Attorney-General. A further note from Sir Francis reveals once again his essentially practical and humanitarian attitude to the repressive anti-Catholic legislation: "She is a very old bedrid woman, above fourscore, and cannot live a year, so what composition she can make can be of no great consideration, and it were fit the poor creature might be quiet."[265]

From Windebank's religious observances, his dealings with the Roman envoys, and his policy of shielding Catholic priests and recusants from the full force of the law it is possible to deduce something of his position in the religious spectrum. In the 1630's he had moved further towards Catholicism than Laud or Neile or Cosin, but probably not as far as Cottington or Weston. He was very clear on the need for compromise and concession on both sides, and in this he perhaps betrays a more ingrained Protestantism than he is generally credited with. To expect to strike a bargain with Rome was unrealistic, however, as some of his contemporaries, such as Fuller, would have recognised:

> "Our reconciliation with Rome is clogged with the same impossibilities: she may be gone to, but will never be met with, such her pride or peevishness, as not to stir a step to obviate any of a different religion. Rome will never so far un-Pope itself as to part with her pretended supremacy and infallibility which cuts off all possibility of Protestants treating with her." 266

Windebank's apparent failure to recognise this in the early stages of his dealings with Rome may be partly explained by the tendency of any experienced negotiator to occupy an advanced position from which he can

appear to withdraw reluctantly as a favour to his opponent, and this characteristic is evident in Windebank's progressive changes of position in relation to the oath of allegiance, during which he moved from an attempt to persuade Rome to adopt the King's interpretation of the Jacobean oath to the framing of a brief and inoffensive form of words that would at least have an immediate practical use in the army to be sent against the Scots. He shared Con's regret that English attempts to reach an agreed solution were not matched by a more generous attitude in Rome.

Windebank's expectations may also have been partly formed by a climate of opinion that was in many ways illusory. The friendliness of Urban VIII and Cardinal Barberini towards Charles I was to some extent exaggerated by their representatives, and may well have strengthened the hopes already entertained by Windebank and others at Court of this particular Pope, who was known to be well-informed about England and was noted for his clemency and mild disposition.[267] Rome under Urban VIII was pro-French in tone during the 1630's, which encouraged closer contacts with Henrietta Maria.[268] There were limits to the benevolence of the Pope and his nephew, however, which were soon reached when questions were raised concerning Papal authority and Roman dogma. It was perhaps not surprising that English Protestants should make demands and expect concessions from Rome. It was more surprising that both Leander and Panzani should have allowed themselves to be manoeuvred by Windebank into recommending these demands with a persistence that evoked sharp reproofs from their superiors.

The atmosphere of friendly optimism in which Windebank's discussions with Leander, Panzani and Rossetti were conducted was partly a consequence of the similarities between their several amiable temperaments and liberal views. Moreover, in assessing the prospects for reunion, both Leander and Panzani were misled by the contrast between the Anglican church and the reformed churches on the Continent, and also by the effects of Laud's Arminian policy. They were inclined to over-estimate the

superficial similarities of practice between England and Rome, and to underestimate the strength and extent of Puritan feeling.[269]

It is unlikely that Windebank was similarly misled, although he may well have decided to take advantage of the absence of Parliament to progress as far as possible along the road to Rome in company with a minority group of supporters. His aim of reopening diplomatic relations with Rome was successful, though his own inability and the King's unwillingness to control the selection of the Queen's agents went far towards nullifying his original intentions, which related fully as much to diplomacy as to religion.

His most significant action, however, both in respect of his own career and in his position as a minister of the Crown, related to his policy towards Catholic priests and recusants. This marks something of an innovation in the dealings of the Secretaries of State with those prosecuted under the Elizabethan legislation. The steady flow of warrants under Sir Francis's hand for the discharge of prisoners signalises at once a more generous interpretation of the Secretary's powers than was customary in the early seventeenth century, and a temporary solution to the problem of a humane monarch and an equally humane minister faced by demands for the enforcement of harsh legislation.

Notes to Chapter VIII

1 B. L., Cotton MS. Titus B II, f. 198, Sir Richard Windebank and two other officers of Guisnes to Queen Mary, 25 July [1553]: John Strype, Ecclesiastical Memorials, III i (1882), pp. 22-3, III ii, pp. 174-5.

2 Burghley was usually careful to choose men of sound Protestant and even Puritan inclinations for his household. P. M. Handover, The Second Cecil (1959), pp. 13, 14.

3 Samuel Lodge, Scrivelsby (1893), pp. 73, 162; J. Gillow, Bibliographical Dictionary of the English Catholics (1885) II, pp. 150-1; D. N. B, VI, p. 295; Lincolnshire Pedigrees IV, p. 1206; G. A. J. Hodgett, Tudor Lincolnshire (1975), pp. 173, 181, 183, 186-7, indicates the persistence of recusancy in the Dymoke family and their influence in the county.

4 P. Heylyn, Cyprianus Anglicus (1671), pp. 46-9; H. R. Trevor-Roper, Archbishop Laud (1962), p. 34; D. N. B., III, pp. 200-1, John Buckeridge; Ibid., XIV, pp. 172-3, Richard Neile; W. H. Stevenson and H. E. Salter, The Early History of St. John's College, Oxford (1939), p. 368.

5 For the friendship between Neile, Laud and Windebank see above, Chapter I, pp. 56-8. Heylyn, op. cit., pp. 44-5, 50-1, 59.

6 W. R. Prest, The Inns of Court, 1590-1640 (1972), pp. 179, 216.

7 J. W. Stoye, English Travellers Abroad (1952), p. 174.

8 H. Foley, Records of the English Province of the Society of Jesus I (1877), p. 205. If Southwell is to be believed, numbers of Catholic families lived side by side in Drury Lane, with connecting passages that ran through the tops of their houses and escape routes into the fields beyond for the household priests and Jesuits. P. R. O., SP 16/229/132, Information per Southwell, n. d. [1632?].

9 M. J. Havran, Caroline Courtier (1973), pp. 13-14, 77, 112-13, 119-20, 177-8, minimises Cottington's attachment to Catholicism in the 1630's. M. Alexander, Charles I's Lord Treasurer (1975), pp. 29-30.

10 Laud, Works VII, p. 210, Laud to Wentworth, 30 November 1635; Ibid., p. 232, Same to the same, 23 January 1636, commenting that "their link is every day stronger... Out of doubt they have been at their beads together."

11 Bodl. L., MS. Rawlinson B 224, ff. 41-5, Order of Daily Devotions, ex autogr. D. Fr. Windebank. This was among the papers left by one of his grandsons, Dr. Thomas Turner, President of Corpus Christi College from 1688 to 1714. For Cosin's work see Heylyn,

op. cit., pp. 164-5. Prynne greeted the book with "A Brief Survey and Censure of Cozens his Cozening Devotions" (1628), but Heylyn attested to its popularity.

12 For Cosin, see J. Venn and J.A. Venn, Al. Cantab., Part I, vol. I (1922), p. 400; D.N.B. IV, pp. 1189-96; V.C.H. Cambs. III, pp. 198-9, 337, 340. As Master of Peterhouse, 1635-44, he established Laudian discipline and Arminian worship in the College, for which he was attacked by the Long Parliament in 1641. He was, however, insistent upon the difference between the Roman and Anglican positions, which formed the subject of most of his printed works. D.N.B. IV, p. 1195.

13 Bodl. L., MS. Rawlinson B 224, ff. 41-45.

14 PRO 31/9/17B, Panzani to Barberini, 5/15 August 1635. For Panzani's dealings with Windebank see below, pp. 373-80, and cf. G. Albion, Charles I and the Court of Rome (1935), pp. 235-6 for similar conversations in 1638 and 1639 between Charles I and George Con. Francesco Barberini, nephew of Urban VIII, was Cardinal Secretary of State, and Protector of England & Scotland.

15 PRO 31/9/17B, Panzani to Barberini, 27 February/9 March 1635. Panzani recommended several Catholic books on the subject.

16 Ibid., 20 February/2 March 1635, "Certo che è un huomo che spero vederlo Cattolico."

17 T. Birch, Court and Times of Charles I, II (1848), pp. 400-1.

18 HMC 75: Downshire I: pp. 465-6, Lyon to Tibalds, 26 April 1695; D.N.B., XXI, p. 637.

19 Gillow, op. cit., V, p. 399; D.N.B., XVI, p. 796; Wood, Athenae Oxon., III, p. 831.

20 C.S.P.D., 1645-47, p. 500.

21 John Jones, otherwise known as Leander à Sancto Martino, b. 1575, of a family from Brecknockshire. Educated at Merchant Taylors and St. John's College, Oxford. Converted. Trained at Valladolid and Compostella and entered the Benedictine Order, 1599. D.D., Salamanca. Professor of Hebrew at Douai, and twice Prior, 1621-5, 1629-33. President General of the English Congregation of Benedictines, 1619-21, 1633-5. Leander's letters to Rome are in Bodl. L., Clar. MSS. 5 and 6, and are also printed in Clar. S.P. I. Gillow, op. cit., III, pp. 660-6; Stevenson and Salter, op. cit., p. 369; Dodd, op. cit., III, pp. 112-13; Wood, Athenae Oxon., I, p. 604; Dom Hugh Connolly (ed.), Treatise of the English Benedictine Mission, C.R.S. XXXIII (1933), p. 182; Ibid., p. 199, English Monks of Spanish and English Congregations; Ibid., pp. 253-4, Obits of Eminent Benedictines; H.N. Birt, Obit Book of the English Benedictines (n.d.), pp. 17-18; D.N.B. XXX, p. 123. For a more detailed examination of his visit to England see Gerard Sitwell,

'Leander Jones's Mission to England, 1634-5', Recusant History, V (1959-60), pp. 132-82.

22 Gregorio Panzani was an Oratorian, and after his mission to England became Bishop of Mileto, 1640-1661. His despatches to Rome are in PRO/31/9/17B and B. L., Add. MS. 15,389. Joseph Berington (ed.), The Memoirs of Gregorio Panzani (1793); Anon., The Pope's Nuntioes (1643); Dodd, op. cit., III, pp. 128-38; Albion, op. cit., esp. Chapters VI and VII; T. Dunbar Ingram, England and Rome (1892), pp. 389-93; E. L. Taunton, History of the Jesuits in England (1901), pp. 419-26.

23 For Con, see below note 153. D. N. B., IV, pp. 945-6; Albion, op. cit., especially Chapters X and XI; A. O. Meyer, 'Charles I and Rome', American Historical Review, XIX (1913), pp. 15-24; M. J. Havran, The Catholics in Caroline England, pp. 134, 138, 143-4, 153-7. Transcripts of his despatches are in B. L., Add. MSS. 15,389-92 and PRO 31/9/124.

24 Conte Carlo Rossetti was a young man of twenty-eight, not yet ordained, on his arrival in England. In 1641, after leaving England, he was nominated Archbishop of Tarsus and Nuncio Extraordinary at Cologne. Albion, op. cit., pp. 316-7, 367, and Chapters XIII and XIV passim. Transcripts of Rossetti's despatches are in PRO 31/9/18 and 19.

25 Clar. S. P. I, p. 72, Windebank to Leander, 1/11 December 1633. The letter ends 'Your loving friend', which suggests that Leander was already known to Sir Francis, who did not employ this conclusion in his official correspondence.

26 Bodl. L., Clar. MS. 5, f. 238, Windebank to Leander (draft), referring to a letter from Leander to Laud.

27 Wood, Athenae Oxon. (1721) I, p. 604; Dodd, Church History III, p. 112, describing him as "chamber fellow with William Laud." W. H. Stevenson and H. E. Salter, op. cit., pp. 368-9. Laud was admitted to St. John's in 1590 and John Jones, as Leander was then called, joined him in the following year. They both became Fellows in 1593.

28 C. R. S. XXXIII, pp. 266-73, Relation of the State of the English Benedictine Congregation, 1637. "... particularmente por la conversion de algunos que desearon tratar con el en particular", p. 268.

29 This view is expressed more strongly by Sitwell, op. cit., pp. 136, 140, 141.

30 Clar. S. P. I, pp. 128-9, Leander to Windebank, 26 August/5 September 1634; Ibid., pp. 129-133, Leander to Bentivoglio, 12/22 July 1634. Bentivoglio, now in Rome, was a friend of Leander's and

had been nuncio in Brussels and Paris while Leander was Prior of Douai and President of the English Benedictine Congregation.

31 Ibid., p. 132, "... ita per quosdam gradus ad ejusdem Ecclesiae gremium sit reditura, Rege nostro per modestos et pacificos Consiliarios placato, et per humaniora officia Sanctissimi honorifice delinito..."

32 See, for example, Ibid., pp. 152-3, 164-5, 271-3, 294-5; Ibid., p. 167, Leander to Windebank, 13/23 November 1634, enclosing letters from Rome and Paris. Most of the letters and other papers relating to Leander in Bodl. L., Clar. MSS. 5 and 6 are endorsed by Windebank.

33 Ibid., pp. 252-5, Leander to Windebank, endorsed by Windebank 15 April 1635; pp. 255-7, n.d. [1635.].

34 Ibid., pp. 106, 168-9, 221, 257, Leander to Windebank, n.d. [1634], 13/23 November 1634, n.d. [1634], n.d. [1635]

35 T. Dunbar Ingram, England and Rome (1892), p. 382, and G. Albion, Charles I and the Court of Rome, p. 145, both represent Leander as an official agent of Rome. E. L. Taunton, History of the Jesuits in England (1901), p. 418, says that he was on an informal mission from the Holy See. G. Sitwell, who examines the purpose of Leander's mission with some care, concludes that the visit was not authorised by Rome. loc. cit., pp. 132-6.

36 Clar. S.P. I, pp. 129-33, Leander to Bentivoglio, 12/22 July 1634. "... Regi serenissimo ingratum, et Consiliariis maxime Episcopis regiis odiosum."

37 Ibid., p. 209, Instructions relating to the reconciliation of moderate Papists and Protestants. For a full statement by Leander on the question of a Catholic bishop for England see Ibid., pp. 202-4, Apostolicae missionis status in Anglia.

38 Ibid., pp. 252-5, Leander to Windebank, endorsed by Windebank, 15 April 1635, O.S. Leander replied "not without fear and trembling, since the first of them is a point that may give distaste, and I am wonderful loath to give any": the answer, as he well knew, was likely to reflect upon the validity of Anglican orders.

39 Ibid., pp. 255-7, Same to the same, n.d., [1635].

40 Ibid., pp. 129-33, Leander to Bentivoglio, 12/22 July 1634. See Appendix H for the texts of the various oaths mentioned in this Chapter.

41 Clar. S.P. I, p. 131.

42 Ibid., pp. 205-7, Rough draft by Leander. Endorsed by Windebank "Letter from P. to his M." "... sensum hunc a te intentum, ipsumque juramentum in eo acceptum, non damnamus", p. 206.

43 Ibid., p. 164, Selby to Leander, 8/18 November 1634. Leander noted in the margin "It is not demanded that the brief should be suspended, or recalled, papally, but to be declared not to condemn the King's meaning in the oath, but only the meaning ill-applied."

44 PRO 31/10/10, Barberini to Panzani, 25 November/5 December 1634.

45 Clar. S.P. I, p. 181, Leander to Barberini, first draft. Endorsed by Windebank 8 December 1634. "... meo judicio, illud juramentum, eo modo, eo sensu, ea auctoritate, quibus hactenus a judicibus regiis urgeri consuevit, non posse a catholico viro, intelligente regulas fidei, praestari; et revera continere aliqua nostrae fidei contraria."

46 Ibid., p. 184, Leander to Windebank, endorsed by Windebank 16 December 1634.

47 Ibid.

48 Ibid., pp. 185-7, Leander to Barberini, corrected version, 16/26 December 1634. "... reverenter et simpliciter respondere consuevisse, quicquid sit de aliorum conscientiis aut de intercurrentibus quaestionibus, de quibus certant doctiores, mihi homini monacho et timorato propositum esse, revereri pastoris mei supremi sententiam, atque ideo Juramentum, eo modo, eoque sensu, quibus vulgo persuasum est hactenus a judicibus regiis urgeri, a me absque conscientiae meae tortura praestari non posse." p. 186.

49 Ibid., pp. 188-96, Leander's explanation of the oath of allegiance.

50 Christopher Davenport, a convert, joined the Franciscans at Douai in 1618, and was known in religion as Franciscus à Sancta Clara.

51 Berington, op. cit., pp. 165-7; Sitwell, loc. cit., pp. 178-9.

52 Clar. S.P. I, pp. 152-3, p. 168, Selby to Leander, 13/23 October 1634, n.d.,[1634]; Albion, op. cit., p. 172n. Con alleged that the Benedictines were defending Davenport's book so as to retain Windebank's support. B.L., Add. MS. 15,390, f.42v, Con to Barberini, 28 December 1636/7 January 1637.

53 Edward Leedes (1599-1677), educated at the English College, Rome, under the name of Courtney. Entered the novitiate S.J. at St. Andrew's, Rome, 1621, became a professed Father, 30 August 1634. Rector of the English College at St. Omer, 1646-9; twice Rector of the English College, Rome; Provincial of the English Province, 1660-4; and finally Rector of the English College, Liège. Died at St. Omer, 1677. Foley, op. cit., I, pp. 251-68. His Discourse against the Oath of Allegiance was apparently not published but circulated in manuscript, having been prepared for a conference with Father Preston. Albion, op. cit., p. 257 n.

54 William Howard (1614-1680), third surviving son of the Earl of Arundel.

55 Thomas Preston, alias Roger Widdrington (1567-1640), educated at Oxford and at the English College, Rome. Professed a Benedictine at Monte Cassino, 1592; sent on the English Mission, 1602. On the authority of Dom Sigebert Buckley, the last survivor of the Benedictines of Westminster Abbey, he ensured the perpetuation of the English Congregation of Benedictines. Repeatedly imprisoned and discharged, he died in the Clink, 1640. Gillow, op. cit., V, pp. 363-6, gives a list of his writings. See also Birt, op. cit., p. 21.

56 Clar. S. P. I, p. 258. Remarks upon some passages of Mr. Courtney's book against the Oath of Allegiance.

57 Ibid., p. 159, Windebank to the King, 29 October 1634.

58 Ibid., p. 258; p. 305, Mr. Preston's remarks upon certain Declarations made by Mr. Courtney. These contain quotations from two declarations, dated 24 November and 6 December 1634, that had been sent to Windebank by Courtney.

59 Ibid., pp. 169-70, Leander to Urban VIII (draft), endorsed by Windebank 15 November 1634; Albion, op. cit., p. 257, quoting a letter from Leander to Barberini, n. d. [1635?].

60 PRO 31/10/10, Leander to Panzani, 9/19 February 1635.

61 Clar. S. P. I, pp. 152, 168, Selby to Leander, 13/23 October 1634, n. d. [1634]; p. 167, Leander to Windebank, 13 November 1634.

62 PRO 31/9/17B, Panzani to Barberini, 23 January/2 February 1635.

63 Clar. S. P. I, pp. 251-2, Selby to Leander, 5/15 April 1635. See also Ibid., pp. 250-1, Same to the same, 3/13 April 1635.

64 Ibid., pp. 272-3, Same to the same, 29 April/9 May 1635; p. 277, 27 May/6 June 1635.

65 This letter was never given to Leander, Panzani and Father Philip agreeing that it would do more harm than good if it were shown to the King's ministers. Sitwell, op. cit., p. 162.

66 PRO 31/9/17B, Panzani to Barberini, 30 January/9 February 1635. See Ibid., Panzani to Barberini, 23 September/3 October 1635, for Panzani's account of Leander's enthusiastic reception of the news of Brett's appointment.

67 Clar. S. P. I, pp. 168, 221, Leander to Windebank, 13 November 1634 (endorsement by Windebank), and n. d. [1634].

68 PRO 31/9/17B, Panzani to Barberini, 29 July/8 August 1635; Clar. S. P. I, p. 336, Selby to Leander, 30 September/10 October 1635.

69 Ibid., pp. 331, 360, Leander to Windebank, 1 October 1635 (endorsement by Windebank), and 9 November 1635.

70 PRO 31/9/17B, Panzani to Barberini, 16/26 December 1635, referring to Leander's letter as "quasi in forma d'Apologia". PRO 31/10/10, Barberini to Panzani, 25 May/4 June 1636.

71 PRO 31/9/17B, Panzani to Barberini, 23 December 1636/2 January 1637; Birt, op. cit., p. 18; Dodd, op. cit., III, p. 113; C.R.S. XXXIII, p. 199.

72 PRO 31/9/17B, Panzani to Barberini, 13/23 February 1635; Berington, op. cit., p. 158.

73 PRO 31/9/17B, Panzani to Barberini, 20 February/2 March 1635, "Del P. Leandro non si puo si non dir bene, solo si li oppone da alcuni che favorisca il giuramento..." "... e certo credo, che con la sua dolcezza possa operar molto bene; nel resto e di costumi illibati, et e vecchia venerando, e di molta scienza, e di stupendissima memoria."

74 PRO 31/9/17B, Panzani's Instructions, 14/24 October 1634; Berington, op. cit., p. 132; PRO 31/10/10, Barberini to Panzani, 3/13 March 1635; C.S.P. Ven. 1632-6, p. 496, Correr to Doge and Senate, 18/28 December 1635.

75 Berington, op. cit., pp. 132-3, 134, 142.

76 PRO 31/9/17B, Panzani to Barberini, 9/19 January 1635; Berington, op. cit., p. 142.

77 PRO 31/9/17B, Panzani to Barberini, 20 February/2 March, 20/30 March 1635.

78 Ibid., Same to the same, 27 March/6 April 1635.

79 PRO 31/10/10, Barberini to Panzani, 22 July/1 August, 14/24 October 1635.

80 PRO 31/9/17B, Panzani to Barberini, 20 February/2 March 1635. Berington, op. cit., pp. 161-2.

81 PRO 31/9/17B, Panzani to Barberini, 9/19 January 1635; Berington, op. cit., pp. 146-7.

82 PRO 31/9/17B, Panzani to Barberini, 23 January/2 February, 13/23 February 1635.

83 Ibid., p. 157. Selby commented to Leander that Panzani seemed to be exceeding his powers. Clar. S.P. I, p. 250.

84 Berington, op. cit., pp. 156-7, 160, 172-3, 185.

85 PRO 31/9/17B, Panzani to Barberini, 24 June/4 July 1635; Dodd, op. cit., III, pp. 129, 139, 141, 149, 150; Berington, op. cit., pp. 178-9, 181-2; C.S.P. Ven., 1632-6, p. 496, Correr to Doge and Senate, 18/28 December 1635.

86 PRO 31/9/17B, Panzani to Barberini, 9/19 January 1635. For the wording of the oath that was offered in Ireland see Appendix H.

87 PRO 31/10/10, Barberini to Panzani, 18/28 February 1635.

88 PRO 31/9/17B, Panzani to Barberini, 6/16 March 1635.

89 PRO 31/10/10, Barberini to Panzani, 3/13 March, 15/25 April 1635; PRO 31/9/17B, Panzani to Barberini, 3/13 April 1635; Berington, op. cit., pp. 158, 171-2, 173.

90 PRO 31/10/10, Barberini to Panzani, 18/28 February 1635.

91 PRO 31/9/17B, Panzani to Barberini, 17/27 April 1635.

92 PRO 31/9/17B, Panzani to Barberini, 6/16 March 1635; Berington, op. cit., pp. 168, 169, 244-5; B. L. Add. M. S. 15,390, f. 129v., Con to Barberini, 16/26 February 1637.

93 Havran, op. cit., p. 141, misinterprets Panzani's discussions with Windebank on the Jesuits, apparently through restricting his references to Berington.

94 PRO 31/9/17B, Pax seu Concordia inita inter Clerum Saecularem et Religiosos; 12/22 November 1635, text with signatures; Ibid., Panzani to Barberini, 18/28 November 1635; Dodd, op. cit., III, pp. 132-3.

95 Berington, op. cit., pp. 219-23, 225-6, 228-32; Dodd, op. cit., III, pp. 137-8; C. S. P. Ven., 1632-6, p. 520, Correr to Doge and Senate, 12/22 February 1636.

96 Dodd, op. cit., III, pp. 134-5, Panzani to Blond, 28 November 1638, Blond to Panzani, 4 December 1635; Ibid., pp. 137-8, Panzani to Barberini, July 1636; Berington, op. cit., pp. 227-8. PRO 31/9/17B, Panzani to Barberini, 13/23 February, 1/11 April, 1/11 May, 3/13 June, 24 June/4 July 1635.

97 Berington, op. cit., p. 173.

98 PRO 31/9/17B, Panzani to Barberini, 27 February/9 March 1635.

99 Ibid., Same to the same, 27 February/9 March, 10/20 June 1635; Berington, op. cit., p. 164.

100 PRO 31/9/17B, Panzani to Barberini, 13/23 March, 3/13 April, 3/13 June 1635; PRO 31/9/18, f. 165, Rossetti to Barberini, 27 March/6 April 1640.

101 PRO 31/10/10, Barberini to Panzani, 25 November/5 December 1635, "... che le dette cause furano false e frivole, prodotte da motivo impudico et infame, onde chi vuol adherire della medesima macchia o almeno reconoscere l'errore evidentissimus in che si trova."

102 Berington, op. cit., pp. 189, 171-2.

103 Berington, op. cit., p. 244.

104 Ibid., p. 164.

105 PRO 31/10/10, Barberini to Panzani, 23 May/2 June 1635; PRO 31/9/17B, Panzani to Barberini, 15/25 July 1635. Con made similar judgements later, B. L., Add. MS. 15,390, f. 99v., Con to Barberini, 2/12 February 1637.

106 PRO 31/9/17B, Panzani to Barberini, 6/16 January 1635; Berington, op. cit., p. 240; Albion, op. cit., p. 172.

107 PRO 31/9/17B, Panzani to Barberini, 23 March/2 April, 27 April/7 May, 11/21 May 1636; Berington, op. cit., pp. 238-9, 240-1, 241-3, 246-8.

108 PRO 31/9/17B, Panzani to Barberini, 27 January/6 February 1636; PRO 31/10/10, Barberini to Panzani, 16/26 March, 25 May/4 June 1636; Dodd, op. cit., III, p. 258; Fuller, op. cit., p. 170. For Goodman's conversion see D. N. B., XX, p. 133.

109 PRO 31/9/17B, Panzani to Barberini, 27 April/7 May 1636, "coniugato, quasi Cattolico."

110 M. J. Havran, The Catholics in Caroline England (1962), pp. 135-6. In Caroline Courtier (1973), pp. 77-8, he is more doubtful of the story.

111 PRO 31/9/17B, Panzani to Barberini, 20/30 March 1635. PRO 31/10/10, Barberini to Panzani, 22 July/1 August, 14/24 October 1635.

112 PRO 31/9/17B, Panzani to Barberini, 24 June/4 July 1625; Berington, op. cit., p. 180.

113 PRO 31/9/17B, Panzani to Barberini, 21/31 October 1635; PRO 31/10/10, Barberini to Panzani, 17/27 April, 13/23 May, 23 May/2 June 1635.

114 PRO 31/9/17B, Panzani to Barberini, 24 April/4 May 1635; Berington, op. cit., pp. 239, 242.

115 PRO 31/9/17B, Panzani to Barberini, 21/31 October 1635. In March, Barberini had told Panzani that in case their hopes met with success, the matter must pass through other hands since it was too big for Panzani. PRO 31/10/10, Barberini to Panzani, 3/13 March 1635.

116 Berington, op. cit., pp. 157, 194-5, 245-6.

117 PRO 31/10/10, Barberini to Panzani, 7/17 January 1636.

118 PRO 31/10/10, Barberini to Panzani, 10/20 June 1635.

119 PRO 31/9/17B, Panzani to Barberini, 20 February/2 March, 20/30 March 1635; Berington, op. cit., pp. 160-1, 186.

120 PRO 31/10/10, Barberini to Panzani, 1/11 April 1635; PRO 31/9/17B, Panzani to Barberini, 20/30 March 1635; Berington, op. cit., p. 187.

121 PRO 31/9/17B, Panzani to Barberini, 20/30 May, 3/13 June 1635.

122 For Douglas's earlier mission see Albion, op. cit., Chapter V. The possibility of an exchange of agents had been mentioned at this time, though it does not seem to have been put to the King, and Con reported that Windebank appeared to know nothing of it. B. L., Add. MS. 15,389, Con to Barberini, 27 October/6 November 1636. Panzani's own appointment was probably one consequence of Douglas's earlier visit. For comments on Douglas, see PRO 31/9/17B, Panzani to Barberini, 20/30 May, 10/20 June 1635; PRO 31/10/10, Barberini to Panzani, 25 June/5 July, 22 July/1 August 1635.

123 PRO 31/9/17B, Panzani to Barberini, 24 June/4 July 1635.

124 Brett had earlier served in Germany, under the Marquis of Hamilton, C. S. P. Ven., 1632-6, p. 496 n.

125 PRO 31/9/17B, Panzani to Barberini, 30 September/10 October 1635. "mi pare che sia assai trattabile. Per l'altra parte patisce aliquante difficoltà in parlare."

126 PRO 31/9/17B, Panzani to Barberini, 9/19 September, 7/17 October, 14/24 October 1635.

127 Bodl. L., Clar. MS. 7, ff. 145-6, Windebank to the King, 6 October 1635. PRO 31/9/17B, Panzani to Barberini, 7/17 October, 21/31 October 1635, reporting Windebank's opposition: "Il Bret ere soldato, e non haveva studiato". "Egli [Windebank] replico, Che il Bret era notoriamenta conosciuto per incapace d'una tal carica."

128 Bodl. L., Clar. MS. 7, f. 146, Windebank to the King, 6 October 1635.

129 Ibid., f. 145.

130 Berington, op. cit., p. 200.

131 Bodl. L., Clar. MS. 7, f. 177v, Windebank to the King, 21 October 1635.

132 PRO 31/9/17B, Panzani to Barberini, 7/17 October 1635.

133 Ibid., Same to the same, 21/31 October 1635, "... che la Corte di Roma si sarebbe burlata di questo Regno, che mandava colà huomini simili."

134 Ibid., Same to the same, 21/31 October, 11/21 November 1635; Berington, op. cit., p. 200.

135 Clar. S. P. I, pp. 354-6, Instructions for Captain Arthur Brett, 28 October 1635.

136 Ibid., pp. 356-7, Bodl. L., Clar. MS. 7, f. 185, Windebank to the King, 28 October 1635; PRO 31/9/17B, Panzani to Barberini, 11/21 November 1635, The attitude towards the Palatinate is consistent with the picture presented in Chapter V.

137 Bodl. L., Clar. MS. 7, ff. 185-185v, Windebank to the King, 28 October 1635.

138 Ibid., f. 185, Apostile by Charles I.

139 For a discussion of ministerial responsibility in the early seventeenth century see Clayton Roberts, The Growth of Responsible Government in Stuart England (1966), Chapters 1 and 2.

140 Bodl. L., Clar. MS 8, f. 127v, Windebank to the King, 29 January 1636; PRO 31/9/17B, Panzani to Barberini, 3/13, 10/20 February, 24 February/5 March, 23 March/2 April 1636; C. S. P. Ven., 1632-6, pp. 520, 547, Correr to Doge and Senate, 12/22 February, 8/18 April 1636; Berington, op. cit., p. 210; C. R. S. I, p. 109, John Southcott's Notebook.

141 PRO 31/9/17B, Panzani to Barberini, 30 March/9 April, 13/23 April 1636. Correr presented a similar picture of avid discussion, but alleged that "the generality are certainly exceedingly irate" and the Court "constantly poorer, and the few who frequent it are mostly Scots." C. S. P. Ven., 1632-6, p. 547, Correr to Doge and Senate, 8/18 April 1636.

142 PRO 31/9/17B, Panzani to Barberini, 6/16 April 1636.

143 Hamilton was the third son of James Hamilton, first Earl of Abercorn. D. N. B. VIII, p. 1061.

144 PRO 31/9/17B, Panzani to Barberini, 27 April/7 May 1636; Berington, op. cit., p. 233. Hamilton was directed to make contact with Con in Rome, and Windebank took this opportunity of opening a correspondence with him. Clar. S. P. I, p. 535, Windebank to Con, 14/24 May 1636.

145 There is one brief letter from Hamilton to Windebank, 3/13 November 1636, in Clar. S. P. I, p. 693. Berington, op. cit., pp. 252-5, gives an outline of his first audience. PRO 31/10/10, Barberini to Panzani, 29 September/9 October 1636; PRO 31/9/18, Rossetti to Barberini, 14/24 February, 13/23 March, 1/11 May 1640; Albion, op. cit., pp. 291, 297, 306, 309.

146 Ibid., p. 264.

147 PRO 31/9/18, ff. 182, 195, Rossetti to Barberini, 18/28 April, 1/11 May 1640.

148 Bodl. L., Clar. MS. 7, f. 145, Windebank to the King, 6 October 1635.

149 For a detailed account of the quest for an English cardinalate see Albion, op. cit., Chapters XII and XIII.

150 PRO 31/9/17B, Panzani to Barberini, 2/12 January 1637. He was warmly received at Rome, appointed a canon of the wealthy church of San Lorenzo in Damaso, given a civil judicature in the city and later appointed Bishop of Mileto. Berington, op. cit., p. 257.

151 Ibid., pp. 204-5. As Barberini pointed out, no mischief would be hatched of which Mazarin would not be thought the author.

152 Conte Ambrogio di Carpegna was the brother of Cardinal Carpegna, and was one of Barberini's household and a favourite with Urban VIII. Ibid., pp. 204-5, 210; Albion, op. cit., p. 157.

153 George Con, d. 1640, a Scotsman, son of Patrick Conn of Auchry, near Turriff. Brought up as a Catholic, he was educated at Douai, the Scots College in Paris, and at Rome and Bologna. He became secretary to Cardinal Barberini, and accompanied him to Paris. He was rewarded with a canonry of San Lorenzo in Damaso and other lucrative benefices. D. N. B. IV., pp. 945-6.

154 For a brief survey of this topic see Albion, op. cit., Appendix I, pp. 393-401.

155 Transcripts of Con's despatches, 1636-9, are in B. L., Add. MSS. 15,389-92 and PRO 31/9/124. These give lengthy accounts of his conversations with the King. For an account of Con's mission see Albion, op. cit., especially Chapters X and XI. Meyer, op. cit., pp 15-24, contains further details of his relationship with Charles I and of the King's religious convictions. See also PRO 31/9/17B, Panzani to Barberini, 6/16 March 1635, 17/27 February 1636, for Charles I's veneration of relics and his insistence on the value of studying the works of the ancient fathers. Berington, op. cit., pp. 135, 233-4, 255.

156 B. L., Add. MS. 15,389, f. 228v, Con to Barberini, 6/16 September 1636.

157 B. L., Add. MS. 15,390, f. 30, Con to Barberini, 26 December 1636/5 January 1637. "Col Vuindibanch ancora ho trattato dell' unione ma egli s'era figurato in testa un unione chimerica con certa parità di ragioni tra la Chiesa Romana ed Inghilterra, ma credo che mi avrà inteso assai bene a quest' ora, quanto sia lontano da dovere."

158 B. L., Add. MS. 15,391, ff. 41v-42v, Con to Barberini, 19/29 January 1638.

159 B. L., Add. MS. 15,390, ff. 258-258v, Same to the same, 24 April/4 May 1637.

160 B. L., Add. MS. 15,389, ff. 220-223, Con to Barberini, 6/16 September 1635, "Io disse, Sire, noi teniamo Vra. Maesta sopra il Parlamento", f. 222. The text of this letter is also printed in Ranke, History of England V, Appendix V, pp. 451-5. B. L., Add. MS. 15,389, ff. 280-281, Con to Barberini, 29 September/9 October 1636.

161 Ibid., ff. 222-222v, "Egli (Charles I) rispose che era vero, ma che bisognava pensare all difficoltà grandissime, e pertanto era piu facile al Papa di compiacerlo e dare licenza alii Cattolici di pigliarlo..." Panzani had long since reported a conversation with Windebank from which it had been clear that the King had no intention of calling Parliament "Per non potere soffrire la sua insolencia." PRO 31/9/17B, Panzani to Barberini, 6/16 March 1635.

162 PRO 31/9/124, Con to Barberini, 29 September/9 October, 5/15 October, 20/30 October 1636.

163 Ibid., Same to the same, 1/11 December 1636, enclosing a copy of the King's draft. B. L., Add. MS. 15,390, ff. 10v-11v, Same to the same, 22 December 1636/1 January 1637. Albion, op. cit., pp. 265, 277.

164 B. L., Add. MS. 15,390, ff. 64-5, 73-4, Con to Barberini, 12/22, 19/29 January 1637. See Appendix H for the text of the King's oath.

165 Ranke, op. cit., Appendix V, p. 455, Con to Barberini, 28 December 1636/7 January 1637; B. L., Add. MS. 15,390, ff. 36-37v.

166 B. L., Add. MS. 15,390, ff. 162-3, Con to Barberini, 2/12 March 1637.

167 Ibid., ff. 234-234v, Same to the same, 14/24 April 1637; Albion, op. cit., pp. 273-5.

168 Ibid., pp. 276, 277, 282.

169 B. L., Add. MS. 15,392, ff. 135-6, Con to Barberini, 26 April/6 May 1639. See Appendix H for the text of the Army Oath, which Windebank and the King helped to draft.

170 Albión, op. cit., pp. 286-7, quoting Barberini to Con, 15/25 June 1639, Con to Ferragalli, 12/22 July 1639.

171 PRO 31/9/18, f. 10, Rossetti to Barberini, 16/26 September 1639.

172 Ibid., ff. 95-99, 181-183, 184-187, Same to the same, 27 December 1639/6 January 1640; 18/28 April, 24 April/4 May 1640.

173 See, for example, Ibid., ff. 46-51, Same to the same, 18/28 October 1639.

174 Ibid., ff. 327-9, Same to the same, 31 July/10 August 1640.

175 PRO 31/9/19, ff. 177-8, 227, Same to the same, 20/30 November, 12/22 December 1640.

176 Ibid., f. 219, Same to the same, 11/21 December 1640. By the following spring the Commons were enquiring diligently into the activities of the Papal agent, and Rossetti, like Windebank, left England abruptly in July 1641 when summoned to appear before the bar of the House. Albion, op. cit., pp. 350, 356-7.

177 Statutes of the Realm 23 Eliz. I, c. 2 (1581).

178 Ibid., 27 Eliz. I, c. 2 (1585), An Act against Jesuits, seminary priests and other suchlike disobedient persons; See also Ibid., 35 Eliz. I, c. 2 (1593), An Act for restraining popish recusants to some certain place of abode; and Ibid., I, Jac. I, c. 4 (1603), An Act for the due execution of the statutes against Jesuits, seminary priests, recusants, etc. For general surveys of the treatment of Catholics in England in the early seventeenth century see M.J. Havran, The Catholics in Caroline England (1962); W.K. Jordan, The Development of Religious Toleration in England (1936), pp. 54-114, 169-198; John Bossy, The English Catholic Community, 1570-1830 (1975); J.C.H. Aveling, The Handle and the Axe: The Catholic Recusants in England from Reformation to Emancipation (1977).

179 C.J. I, pp. 508, 510; C.S.P.D., 1619-23, pp. 220, 224, 225, 316-7.

180 Rushworth I, pp. 143-4; Heylyn, op.cit., p. 117; W. Prynne, Hidden Works of Darkness brought to Public Light (1645), p. 79.

181 Whitelock, Memorials, pp. 9, 12; J.P. Kenyon, The Stuart Constitution (1966), p. 158.

182 C.S.P.D., 1619-23, p. 378. Commission to certain members of the Privy Council to execute rigidly the statutes for banishing Jesuits and seminary priests, 20 April 1622.

183 Heylyn, op.cit., pp. 184-5.

184 Ibid., p. 185, "So true is that of the wise Historian [Tacitus], when Princes once are in discredit with their subjects, as well their good actions as their bad are all accounted grievances."

185 Prynne, op.cit., p. 80.

186 Dodd, op.cit., III, p. 172, records the execution of Edward Arrowsmith, a Jesuit, in 1628 at Lancaster; Ambrose Barlow, a Benedictine monk, also at Lancaster; and Thomas Southern, a priest, at Newcastle in 1634. Havran, op.cit., pp. 111-13, describes the trial and execution of Arrowsmith, but does not mention Barlow or Southern. He does, however, describe the quartering at Tyburn of Arthur Geoghegan, a Dominican, in 1633. Ibid., p. 114.

187 Dodd, op.cit., III, pp. 172-3. These figures may be contrasted with the execution of 123 priests and one friar between 1577 and 1603, and 17 priests in James I's reign, excluding those connected with the Gunpowder Plot. Havran, op.cit., p. 111.

188 See Appendix I. Challoner, op.cit., p. 379. For Goodman's career see Gillow, op.cit., II, pp. 530-3; Challoner, op.cit., pp. 378-82.

189 PRO 31/9/19, f.338, Rossetti to Barberini, 22 January/1 February 1641; Nalson I, p. 738; Berington, op.cit., pp. 279-80.

190 PRO 31/9/19, f.375, Rossetti to Barberini, 5/15 February 1641.

191 Berington, op.cit., pp. 279-80.

192 PRO 31/9/19, f. 360, Rossetti to Barberini, 29 January/8 February 1641. "... poiche se vive, resta il Re con l'autorità; se muore, il Parlamento rimane in libertà di operar' senza regola, e ragione, con discapito di qualcunque persona."

193 Nalson I, p. 738; Berington, op. cit., pp. 279-83; Dodd, op. cit., III, p. 98; Challoner, op. cit., pp. 379, 382.

194 Clar. S. P. I, p. 199, Apostilicae Missionis Status in Anglia, n. d. 1634.

195 B. L., Add. MS. 15,389, f. 110, Panzani, Relazione, 1635. See also Clar. S. P. I, p. 140, Williams to Laud, 30 August 1634. V. C. H. Lancaster, II (1908), p. 93, gives figures of 500 seculars, 150 Jesuits and 100 Benedictines in 1631. Foley, op. cit., VII, ii, gives the following figures of Jesuits in England: 1632, 351; 1635, 369; 1636, 386; 1639, 362. P. Caraman, Henry Morse, Priest of the Plague (1957), p. 72, suggests 31 Jesuits in the London area early in 1634. Havran, op. cit., pp. 81-2, quotes John Southcot's figures for London of 17 seculars, 7 Benedictines, 4 Jesuits and one Dominican imprisoned in 1632; and 24 seculars, 9 Jesuits, 2 Benedictines, one Dominican and one Carmelite out of prison. See also Bossy, op. cit., pp. 216-8.

196 Clar. S. P. I, pp. 197-205, Apostolicae Missionis Status in Anglia, 1634; PRO/31/9/17B, Panzani's reports to Barberini, passim. Albion, op. cit., pp. 112-4, quotes the ill-effects of the easy life in England upon the missioners, described by Father Alessandro, a Capuchin, to Barberini in 1633.

197 See, for example, P. R. O., SP 16/229/132, Information per Southwell, to Coke, n. d. [1632?]; 294/74, Report to Coke on Catholic School in Derbyshire, [July?] 1635; Caraman, op. cit., p. 123. For Coke's attempt to discredit Windebank over his negotiations with Panzani see Berington, op. cit., pp. 153-4.

198 P. R. O., SP 16/99, contains Coke's Relation of the Discovery of the Jesuits' College at Clerkenwell, 1628, and a collection of related documents. Many of these are printed in Camden Society Miscellany II and IV. Prynne, Hidden Works of Darkness, pp. 88-90.

199 Prynne, Popish Royal Favourite, pp. 18-19.

200 Ibid., p. 19.

201 See, for example, C. S. P. D., 1619-23, p. 231, for the shipment of twenty-two priests and Jesuits from Dover in March 1621; Ibid., p. 439; J. McClure, Letters of John Chamberlain II, p. 449, for a general gaol delivery of priests, Jesuits and persons refusing the oath of allegiance in August 1622. Edward Chamberlayne, Angliae notitia I (1692), p. 27, records the repeated clemency of later Stuart monarchs to Catholics, in recognition of their loyalty, in spite of the continued existence of severe laws against them.

202 PRO/31/9/18, f. 281, Rossetti to Barberini, 20 July 1640.

203 P. R. O., SP 16/473/4, Richard Johnson, Keeper of Newgate, to Robert Reade, 1 December 1640, referring to discharge of Henry Morse on 20 June 1637.

204 C. S. P. D., 1633-4, p. 441, Discharge of William Walgrave from the Clink by Council warrant, 31 January 1634.

205 See Appendix I for a list of priests and Jesuits discharged by Windebank.

206 B. L., Harl. MS. 1219, art. 29, ff. 99-99v; Nalson I, p. 571.

207 P. R. O., SP 16/473/4 I, Note of priests discharged by Windebank. Letters to Reade from Richard Johnson, Keeper of Newgate, and Thomas Dade, Keeper of the Clink, confirm the names of the seven listed by Reade as released from Newgate by Windebank's warrant, and eight others discharged from the New Prison and the Clink. P. R. O., SP 16/473/4, Johnson to Reade, 1 December 1640; 473/9, Dade to Reade, 2 December 1640.

208 For examples, see Appendix I, particularly the cases of Arnold Gerard, John Goodman, Henry Morse, Thomas Reynolds, John Southworth.

209 P. R. O., SP 16/255/29, Petition of Thomas Edmondes to the Queen, 1633.

210 P. R. O., SP 16/255/35, Petition of Francis Smith, 1633.

211 P. R. O., SP 16/278/1, Petition of Thomas Copley to the King, 1 December 1634.

212 P. R. O., SP 16/398/66, 66 I, The Names of Priests and Jesuits that were Prisoners, n. d., 1635.

213 P. R. O., SP 16/308/67, Copy by Reade of Gray's list, with comments. In two cases Reade disputed the accuracy of the list, but it is evident that Gray's assertions were substantially correct.

214 See Appendix I. Those discharged by Windebank were Curtis, Fisher, Hawkeshee, Leake, Moore, More, Musket, Reynolds, Rivers and Tresham.

215 P. R. O., SP 16/331/93, Petition of Robert White, August 1636.

216 P. R. O., SP 16/349/116, Petition to Privy Council from St. Giles in the Fields, 15 March 1637; 349/116 I, Newton's list of converts. Doubt is thrown on the accuracy of this list by a series of affidavits from fifteen of the persons concerned that they were not recent converts, but had been Catholics for a long time. C. S. P. D., 1637, p. 8.

217 P. R. O., SP 16/351/13, Council to Keeper of Newgate, 26 March 1637; Prynne, Popish Royal Favourite, p. 29

218 P.R.O., SP 16/372/71, Windebank to Keeper of Gatehouse, 28 November 1637.

219 P.R.O., SP 16/361/95, Windebank to Keeper of Newgate, 16 June 1637.

220 P.R.O., SP 16/460/21, Windebank's warrant, 16 July 1640; Prynne, Popish Royal Favourite, p. 24.

221 P.R.O., SP 16/376/341, List of Priests and Jesuits taken by Francis Newton [1637?].

222 Prynne, op. cit., p. 29.

223 P.R.O., SP 16/277/103, 280/41, Petitions of Edward Moore, 27 November 1634 and n.d. 1634; 284/81, Windebank's warrant, 14 March 1635.

224 P.R.O., SP 16/280/31, Petition of Holmes to the King [1634?]: Windebank to Davison, Keeper of the Clink, 9 May 1634.

225 P.R.O., SP 16/376/31, Petition of Leake to the King [1637?]. He also provided a doctor's certificate.

226 Dodd, op. cit., III, pp. 172-3; Gillow, op. cit., III, pp. 36-7, V, pp. 133-5; Challoner, op. cit., pp. 505-9; Foley, op. cit., I, pp. 596-603; Caraman, op. cit., pp. 179-85.

227 More, a Jesuit, became Provincial in 1635, Vice-Provincial from 1642-5, and Rector of St. Omer from 1649 to 1652 and again from 1657 to 1660. Gillow, op. cit., V, pp. 97-8. Musket, a secular priest, spent his last four years from 1641 until his death in 1645 as President of Douai College, "which he governed in such manner as both to give a new life to the discipline of the house, and in four years to improve, even in the hardest times, its temporal estate." Challoner, op. cit., p. 473, translating the inscription on Musket's tomb at Douai; Dodd, op. cit., pp. 98-9; Gillow, op. cit., V, pp. 145-6. At Rome, Musket was called Flos Cleri Anglicani.

228 Bodl. L., Clar. MS. 7, f. 185v, Windebank to Charles I, 28 October 1635.

229 G. Aylmer, 'Attempts at Administrative Reform, 1625-40', E.H.R., LXXII (1957), pp. 248-9. For an account of the pursuivants in the 1630's see Havran, op. cit., pp. 120-33; Caraman, op. cit., pp. 41-2, 115-18. Aylmer, The King's Servants, pp. 23, 463, provides more balanced comment.

230 P.R.O., SP 16/324/8b, Acts of the Court of High Commission, 18 February 1636.

231 Aylmer, 'Attempts at Administrative Reform, 1625-40', p. 249.

232 P.R.O., SP 16/376/34, Newton's petition, [1637?].

233 P. R. O., SP 16/324/8b, Acts of the Court of High Commission, 18 February 1636. Wragg was awarded £70, Tomlins £80, Flamstead £20 and Faith Cross £50 for the work of her father, who was stated to be dead.

234 P. R. O., SP 16/317/36, Report to Windebank on charges brought against messengers, 26 March 1636.

235 See, for example, SP 16/350/75, Petition of Francis Smith and others to the King, 1637; 351/59, Petition of Henry Morse to the Queen, 1637.

236 PRO 31/9/17B, Panzani to Barberini, 10/20 June, 7/17, 14/24 October, 28 October/7 November 1635; 11/21 May 1636; PRO 31/10/10, Barberini to Panzani, 23 June/3 July 1636; Berington, op. cit., pp. 201-2.

237 PRO 31/9/124, ff. 178-9, Con to Barberini, 12/22 January 1637; B. L. Add. MS. 15,390, ff. 215-215v, 267-267v, Same to the same, 30 March/9 April, 28 April/8 May 1637. Albion, op. cit., pp. 165, 245.

238 PRO 31/9/17B, Panzani to Barberini, 10/20 June 1635.

239 P. R. O., SP 16/317/36, 36 I-III, Report to Windebank on enquiry into charges brought against pursuivants, 26 March 1636. The enquiry was conducted by Sir Henry Spiller, Sir Gregory Fenner, Lawrence Whitaker and Thomas Sheppard. For comment on the composition of this group see Aylmer, op. cit., p. 249.

240 P. R. O., SP 16/317/36 I, Particular statement of abuses committed by messengers; 317/36 III. i, Affidavit of William Man, 26 January 1635. Numerous other detailed charges against the messengers are contained in 317/36 I-III.

241 Ibid., III. xiii, Examination of John Gray, 11 March 1636. The investigating committee had already heard that Gray was at that time a prisoner in the Marshalsea for debt.

242 P. R. O., SP 16/317/36 I, Report to Windebank, 26 March 1636.

243 Berington, op. cit., p. 250. In December 1635 the Council condemned the messengers' practice of taking fees before the persons sent for had been heard by the Board. P. R. O., SP 16/303/92, 9 December 1635.

244 P. R. O., SP 16/351/59, Petition of Henry Morse to the Queen, [March ?] 1637.

245 P. R. O., SP 16/350/75 and 75 II. Reference of petition of Francis Smith and others, 24 March 1637. Aylmer, op. cit., p. 249.

246 P. R. O., PC 2/48, p. 271; 2/50, pp. 162, 277, 319.

247 P. R. O., SP 16/455/61, Order of Council, 29 May 1640.

248 See, for example, P.R.O., SP 16/410/88, Order of Council relating to fees taken by messengers from defaulters from trained bands, 30 January 1639.

249 P.R.O., SP 16/465/1, Order in Council, 26 August 1640; Aylmer, op. cit., p. 67.

250 See Havran, Catholics in Caroline England, Chapters I and 2 for a survey of the anti-Catholic legislation and its implementation in the 1620's. Jordan, op. cit., pp. 87-114.

251 A. P. C., 1625-9, pp. 188-9, Lords of the Council to Lord Lieutenants, 4 October 1625; C.J. I, pp. 800-5, 809, 813; L.J. I, p. 289; Gardiner, op. cit., V, pp. 208-9.

252 For the proclamation concerning compounding see H. M. C. 16: 11th R. Appendix I, Skrine: pp. 108-9; B. L., Add. MS. 15,389, ff. 107v-108, Panzani's Relazione, 1635; Prynne, Hidden Works of Darkness, pp. 95-8.

253 Dietz, op. cit., p. 268; Havran, op. cit., pp. 95-8.

254 For the commissions to compound for estates or forfeitures of recusants see P.R.O., SP 16/252/63; Rymer, Foedera, XIX, pp. 738-46. For Wentworth's policy in the north see Knowler, op. cit., I, pp. 49-50, 52-3.

255 C.S.P.D., 1635, p. 41, Roe to Queen of Bohemia, 23 April 1635.

256 Knowler, op. cit., p. 426, Garrard to Wentworth, 19 May 1635.

257 C.S.P. Ven., 1636-9, pp. 358-9, Zonca to Doge and Senate, 12/22 January 1638; P.R.O., PC 2/48, pp. 326-8.

258 PRO 31/9/17B, Panzani to Barberini, 24 April/4 May, 10/20 June, 21/31 October 1635; PRO 31/9/124, f. 235, Con to Barberini, 29 March/8 April 1639; Bodl. L., Clar. MS. 17, ff. 80-1, Petition by Recusants to Charles I, August 1639.

259 PRO 31/9/18, ff. 222, 242, 249-50, Rossetti to Barberini, 29 May/8 June, 12/22, 19/29 June 1640; PRO 31/9/19, f. 178, Same to the same, 30 November 1640.

260 P.R.O., SP 16/286/77, Order of King in Council, 12 April 1638; PC 2/48, pp. 326-8; C.S.P.D., 1637-8, p. 75, Francis Newton to Lords of the Council, 1637; Rymer, Foedera, XX, pp. 180-1, Proclamation, 20 December 1637; Prynne, Hidden Works of Darkness, pp. 97-8.

261 P.R.O., SP 16/352/27, Order of the King in Council, 29 October 1637, and draft statement by Windebank. See also Berington, op. cit., pp. 186-7, reporting Father Philip's comment that "those who were most favourably inclined to the Catholic cause were frequently obliged to give proofs of their zeal to the contrary for fear of notice."

262 C. J. II, pp. 41-2; Nalson I, pp. 572, 651; Rushworth IV, pp. 70-1; D'Ewes, pp. 90-1. See Chapter X, p. 502.

263 B. L., Harl. MS. 1,219, art. 29, f. 99; Ibid., 1,327, art. 34, f. 44; Ibid., 1,769, art. 3, f. 9, Charges against Secretary Windebank, 1640.

264 C. J. II, p. 42.

265 C. S. P. D., 1638-9, p. 150, Anne, Lady Sandys, to Windebank, 6 December 1638, and annexed memoranda.

266 Thomas Fuller, The Church History of Britain (1655), Book XI, p. 217.

267 PRO 31/9/17B, Panzani to Barberini, 13/23 March 1635; Clar. S. P. I, p. 272, Selby to Leander, 29 April/9 May 1635; Berington, op. cit., pp. 131-2, 202-3, 215-6; Meyer, op. cit., p. 23.

268 But see R. M. Smuts, 'The Puritan Followers of Henrietta Maria in the 1630's', E. H. R., 93 (1978), pp. 26-45.

269 For Leander's assessments of the Anglican church see Clar. S. P. I, p. 197, Apostolicae Missionis Status in Anglia, and Ibid., pp. 207-8, Instructions relating to the reconciliation of moderate Papists and Protestants. Panzani's views are set out in B. L., Add. MS. 15,389, Relazione, 1635, and in PRO 31/9/17B, Panzani to Barberini, 6/16 February, 20/30 May, 27 May/6 June 1635, 27 April/7 May 1636. His comments on the religious sympathies of the Anglican bishops are printed in Albion, op. cit., Appendix V.

CHAPTER IX

THE SCOTTISH CRISIS

If Charles I's relations with his Catholic subjects may be seen to have had a profound effect upon Windebank's career, so also to a lesser extent did the King's conflict with the Covenanters in Scotland. Scottish resentment at an increasingly unpopular royal policy framed by a largely absentee monarch and his English advisors came to a head among the land-owning classes over the Act of Revocation of 1625, and among a much wider section of the population over the innovations in church liturgy and discipline that were introduced in 1636-8. The expression of this resentment by riots against the introduction of the new Prayer Book in 1637, and by the making of the National Covenant in 1638, created a climate of opinion in which the Glasgow Assembly of March-December 1638 not only continued to sit after being dissolved by the King, but also abolished the new Prayer Book, the Canons, the Articles of Perth, and Scottish episcopacy.[1]

By the summer of 1638 the King was resolved to reassert his authority by war, and on 1 July 1638 he officially informed the Privy Council in England of his decision to enforce his religious policy north of the Border, and to deal severely with the Scots.[2] In June he had appointed a Committee for the Affairs of the North, also known as the Scottish Committee, whose members, according to Garrard, were Juxon, Arundel, Cottington, Coke and Vane.[3] Windebank was in fact also a member of this committee, from which Laud was significantly excluded, and in July Northumberland informed Wentworth that Arundel, Cottington and Windebank "are all earnest to put the King upon a war, the Comptroller is for peace, and Secretary Coke rather inclined that way than the other." Northumberland himself, who had also been bidden to attend meetings of the committee, saw every reason for maintaining peace. The Exchequer contained only £200; Juxon and Cottington could promise to raise no more than £110,000; arms, ammunition and experienced soldiers were lacking, and many of the King's English subjects were so discontented that they were more likely to join the

Scots than to fight them.[4]

On the other hand, the King had already received a paper from Sir John Bankes, the Attorney-General, reminding him that office-holders and landowners in the north could be required to defend the kingdom by arming at their own expense and serving on the Border, and that the Border towns might also be required to fortify themselves at their own charge. A blockade of the Scottish coast would hinder Scottish trade, and would prevent their receiving succour from abroad.[5]

On 17 January 1639 the Committee for the North, to which the Earl of Essex, General of the Horse, and the Earl of Newport, Master of the Ordnance, were now added, recommended the raising of an army of 24,000 foot and 6,000 horse. The foot were to be taken from the trained bands of the counties, selection being left to the Lord Lieutenants and Deputy Lieutenants, and were to be brought to the rendezvous by their own commanders, at the charge of the counties. The King was to go to York, and letters were to be written to peers and others, inviting them to send forces to attend him. Hull was to be fortified, and so was Newcastle, the Marquis of Hamilton declaring "that the Scots intend to take it if they can."[6] The implementation of much of this policy was to involve Windebank in a great deal of work for the rest of his period of office, and he was closely connected with many aspects of the preparations for the first and second Bishops' Wars in 1639-40. Not only defence and military matters, but also intelligence, security, communications, and the maintenance of government in London, and links with the monarch during the King's absences in the north were associated with the Secretary's duties. A survey of some of Sir Francis's activities in these fields during his last two years in office throws light both on his own attitude towards the maintenance of royal authority and on the increasingly acute problems of the continuation of the Personal Rule.

Early in 1639 Windebank drafted a letter to the English nobility, giving formal notice of the disorder in Scotland, "begun upon pretence of religion, but now appearing to have been raised by factious spirits and fomented by some few ill and traitorously affected particular persons... to

work their own private ends, and indeed to shake off all monarchical government." To defend England from possible invasion, the King had resolved to raise an army and go north, and he summoned the peers to attend him at York by 1 April, with such forces of horse as their rank, honour and interest in the public safety required.[7]

The unfamiliar nature of the demand in a society that had become accustomed to peace, and uncertainty about the significance of the expedition caused much discussion. From those who directed their replies to him, Windebank must have gained, perhaps for the first time, some notion of the support that the King commanded on this issue from the aristocracy. Some, like the Earl of Cleveland, promised attendance with ten horse, his own retinue and servants and some of his friends.[8] Others, like the Earl of St. Albans, promised twenty horse and made a ringing declaration of loyalty.[9] The Marquis of Worcester, a Catholic, protesting that he was wholly out of his element in military affairs, stricken with weakness, years and infirmities; shorn of his adherents and thought unworthy even to bear arms, nevertheless agreed to send his son and heir with twenty horse, an offer that was commuted by mutual agreement to a payment of £1,500.[10] Others promised fewer horses, or lesser sums, often to be paid by instalments.[11] Many pleaded encumbered estates, or were unable to specify the number of horse they could supply. The Earl of Bath did both, and warned that he might be a little late arriving, from "the remoteness of my habitation and estate."[12] Those families suffering from the depredations of the Court of Wards announced that the estate was already in the King's hands, and that the heirs, being minors, could give no assistance.[13]

The King's summons to York had been directed to a hundred and fifteen lay peers, no letter being sent to Lord Boteler, who had been insane from birth, or to Lords Clifford, Wharton and Grey of Warke.[14] Most of those who replied directed their answers to Windebank, a few wrote to Coke or to the King, or signified their intentions in other ways. By the end of February or early in March 1639 Nicholas had compiled a list of what

was to be expected from seventy-seven of the peers.[15] Analysis of the response to the King's request suggests that the nobility may conveniently be divided into six groups, according to the scales of their promised support. These groups are defined and analysed in Appendix J.

Group A consists of eighteen peers (of whom two appear also in Group B and three in Group C[16]) who undertook to contribute a total of £13,800, the maximum contribution being £1,500 from the Marquis of Winchester and the minimum, from Lord Morley, £300.[17] Half of these men were Catholics, half bore titles created before James I's accession, and half were Royalists at the outset of the Civil War. Only one appears to have had an estate in the north of England, and one in eastern England.[18]

Group B consists of nineteen peers, each of whom promised to provide from four to twenty horse. The total of these firm commitments, which amounted to two hundred and twenty horse, fell far short of the original estimate of twelve hundred.[19] In this category, four Catholics could promise only thirty-two horse, the difficulty they experienced in mustering troops being a consequence of the disarming of these men or their fathers in 1625.[20] Once again there was a preponderance of future Royalists, and in this group there was also a majority of peers created by Charles I.

The twenty-seven nobles in Group C were unable or unwilling to specify how many armed men would follow them to York, though all of them promised attendance in their own person or that of a son. In some cases the shortness of the warning was blamed for inability to be specific, and many genuinely had the greatest difficulty in getting horses or arms at York, in London or elsewhere.[21] Fifty-six per cent of Group C supported the King at the outbreak of war in 1642, and over half the group had estates in the Midlands and Wales, two areas in which a high proportion of the peers' lands was in any case located.

In Group D there were four peers, the Earls of Bristol, Derby and Dover, and Derby's son, Lord Strange, who all indicated that they would come to London before declaring their intentions.[22] Derby, who had been

politically inactive for some time, died soon after the outbreak of the Civil War, being succeeded as seventh Earl by Lord Strange. Strange, a consistent supporter of the monarchy and a devout Anglican, was one of the first to join the King at York in 1642, while Dover became colonel of a regiment of Oxford Scholars in 1644-6.[23] Bristol strongly disapproved of the war against the Scots, was hostile to Strafford, and was to lead the negotiations at Ripon in 1640, although he was a Royalist in the Civil War.[24]

Group E consists of the seventeen peers who sent excuses for non-attendance. Of these, Anglesey, Marlborough, Dacre, Petre and Teynham were minors, the Earls of Mulgrave and Sussex were both over seventy, and the Earls of Chesterfield and Middlesex professed willingness to attend the King if their health permitted.[25] In political terms, the most significant replies in this group were received from Viscount Saye and Sele and Lord Brooke, two of the leading critics of the Crown, strong opponents of episcopacy and Laudian Anglicanism, members of the Providence Island Company and associates in other colonising ventures.[26] Nicholas recorded that Lord Saye "conceives himself not obliged to provide horse and arms as is by his Majesty's letter required", while Brooke "doth not apprehend himself obliged to any aid of that nature but by Parliament". Both men, by later letters, agreed to serve in England only, but eventually registered further protest by refusing to take the oath of allegiance prescribed for the peers.[27]

Group F forms the largest single group, which is in fact a miscellany of thirty-five peers, nearly a third of those addressed, for whom no reply is recorded. The relatively high proportion of Privy Councillors in this group, twenty-nine per cent, includes several, like Arundel, Holland and Pembroke, who not only attended the King at York, but also held military commands in the first Bishops' War. Manchester remained in London as an active member of the Privy Council, while Wentworth was still in Ireland. In these cases, and probably in others, the absence of a written reply does not necessarily imply lack of support for the King's policy towards the Scots. To draw conclusions from the apparent lack of response from many of these peers would be unwise, since too little is known about the delivery of the King's

summons or the survival of the replies.

Correlation of the response to the summons to York with some other groupings of the nobility in 1639-40 provides the usual complex picture of Early Stuart political reactions, although certain common characteristics may be observed in some groups. Although two of the twelve signatories to the petition of August 1640, generally regarded as constituting a nucleus of solid opposition to the Crown at that point, had been Saye and Brooke, two others, Bedford and Hertford, had been among the most generous financial contributors in 1639. The overall impression is one of wariness, however. Five of the remaining peers promised attendance without undertaking firm commitments as to their followers, Mulgrave excused himself on the grounds of age and infirmity, and no replies are recorded from Rutland and Essex. A similar impression is given by the peers whose names are associated with the August 1640 petition, and by the response of the sixteen "popular" noblemen chosen to treat with the Scots at Ripon.[28]

The thirteen peers with estates in the north were also disinclined to commit themselves. Of these only Fauconberg and Morley, both Catholics, agreed to produce fourteen horse, twenty foot and £300 between them. Six promised attendance, their own or a son's, while the rest were either non-committal or silent, though these included Arundel and Wentworth. No letter was sent to Wharton or Grey of Warke, both active Parliamentarians in the Civil War, with estates in Northumberland, Westmorland and Yorkshire. Among Wentworth's connexions in the north, no reply is recorded from his first wife's father, Cumberland, who was nevertheless appointed to command the forces in and around Newcastle. His son, Henry Clifford, was another of those to whom the summons was not sent. The Earl of Clare, father of Wentworth's second wife, replied to Coke, promising attendance, but also complained of his debts, small estate, seven daughters and the shortness of the warning. Lord Savile, son of Sir John Savile, Wentworth's old opponent, promised to attend and make such provision as he could for defence, while Lord Fauconberg, father of Henry Bellasis, promised attendance with ten horse, and was one of the few willing to

specify the nature of his aid.

Among the supporters of the Crown, the Catholic peers responded nobly with money. Nine men, only eight per cent of those approached, agreed to subscribe forty-six per cent of the total amount promised. There also appears to be a positive correlation between willingness to make firm commitments in 1639 and allegiance to the King in the Civil War. Of the thirty-five peers who offered money and horse, five were dead by 1642, twenty became Royalists, six supported Parliament and the four who were abroad, three Catholics and Goring, were all Royalist in sympathy.

The Scottish troubles also involved Windebank, who was not of a conspicuously martial temperament, in correspondence about the strengthening of fortifications on the Border, and the raising, arming and provisioning of troops. In January 1639 Sir Jacob Astley was appointed Sergeant Major General of the army in the north,[29] and from then until the King left London at the end of March it was to Sir Francis, his principal link with the government in London, that Astley reported. From York in January he wrote that the men, horse and supplies of food in the county were satisfactory, but that most of the weapons were defective. Armourers and gunsmiths were needed from London, "for otherwise there are none but tinkers can mend any such utensils of war." Since the Catholic recusants had been disarmed, many were sending their men for service without weapons.[30] Hull, he thought, could be easily defended at little expense, but the Yorkshire trained bands were reluctant to serve outside their own county, and he and Sir Thomas Morton had spent some time extracting an undertaking from the Deputy Lieutenants and Colonels to march to any rendezvous appointed by the King.[31] Newcastle, a key position, was overlooked by hills, and could not be defended against a siege, but the four companies of trained bands there were the best he had seen, and if the Scots attacked, over three thousand would man the defences.[32]

By the end of the month he had reported upon the terrain from Alnwick to Berwick and Holy Island, and back along the Borders to Carlisle.

The mayor and aldermen at Berwick and Carlisle were well-affected, but both towns were poor and needed help for their defence. From the captains appointed by Morton to survey Lancashire and Cheshire came reports of able-bodied men, reasonably well-exercised and willing to buy arms, "but cannot get any here, for money, nor at London." The county authorities were reluctant to strengthen the troops, claiming that they were already over-taxed. From Lincolnshire it was reported that the men were not yet in regiments, and that the commanders were usually no soldiers. In Cumberland and Westmorland the situation was pitiful, the Deputy Lieutenants being doubtful of forming one regiment of 1,500 or 1,000 men.[33] The story everywhere was the same: more or less willing offers to serve the King from men with little training, and an acute shortage of weapons, armourers and gunsmiths. Astley sent detailed lists of the ordnance and munitions needed in the north, and advised Windebank that "among the six Lord Lieutenants one voice for authority must establish this work." Both Astley and the Council in London were fully conscious of the vulnerability of Newcastle, the vital importance of holding it, and the dependence upon it for fuel of many places further south.[34]

Astley's despatches were reported by Windebank to the Privy Council, the Committee for the North and the Council of War, and orders were promptly given for arms to be transferred from Hull to York for sale and distribution, and for armourers and gunsmiths to be sent north, with Council warrants to enable them to exercise their trade in any corporate town.[35] To provide for the army, exports from the northern ports of grain, butter and other victuals were banned, as was the export of horses.[36] By mid-February, supplies of arms began to come through, and at the end of the month Astley could announce that Carlisle, most of Northumberland and many of the gentry were armed, that many weapons had been sold at Newcastle, and that there was no lack of grain. He was still demanding further sets of arms, pikes and snaphaunces "to arm the bordering men", but judged that it was now "high time for his Majesty to show himself both in power and person in these parts".[37]

Preoccupied and busy, Astley seems to have underestimated the preparedness of the Scots, except around Carlisle, and to have envisaged a ceremonial parade of trained bands before the King at York. Arriving there in March, he was quickly disillusioned, reporting that the county refused to pay for a parade, and was demanding a month's pay in advance when the men were summoned to a rendezvous, "Otherwise I assure you there will be great confusion, much discontent, wondrous great disorder, and proceeding to mutiny." To Windebank he wrote, "You will not believe how fickle and variable the most part of the trained bands are."[38] Suddenly aware of the growing strength of the Scots, and warned of a threat to Berwick, he hastened back to the Borders, appealing for military commanders or Privy Councillors to come north, and seeking authority to garrison Berwick and Carlisle. Replying, Windebank assured him that the Treasurer of the Army would soon leave London with supplies of money, that the King was resolved to be at York by 30 March and would then proceed to Newcastle, as Astley advised, and that Essex and Arundel were coming to his aid. Astley's letters had "given us great alarm here, and hastened away my Lord of Essex."[39]

Before the King went north at the end of March 1639, arrangements had been made for the conduct of government in his absence. Any six or more of the Council in London, of whom Laud, Coventry, Juxon or Manchester must be one, were empowered to issue proclamations and orders, to direct the newly-appointed Earl of Northumberland as General of the forces south of the Trent, and to enforce discipline in relation to ship-money and other matters. They were also to attend the Queen every Sunday while she remained near London.[40] As the Secretary remaining in London, Windebank played a prominent part in the activities of this group. Upon him devolved all the duties of arranging meetings, taking votes and drafting letters and proclamations normally shared by the two Secretaries, and his regular function of acting as an intermediary between the monarch and the Lords at Whitehall became at once more significant and more onerous. His correspondence with the King during their four months' separation reveals that he acted as the King's chief informant and as one of the principal

recipients of his commands, while it was mainly through Windebank that Charles conveyed his instructions to the Council and more intimate letters and messages to his wife.[41]

Windebank attended all the fifty-two main meetings of the Council held in the King's absence between 29 March and 6 August 1639, though as usual he was seldom present at the smaller gatherings of three or four in the Inner Star Chamber. The other members most consistently present were, as usual, Laud, Coventry, Juxon, Manchester, Northumberland, Cottington, Newburgh and Vane. Except for Coke, therefore, there was little change in the attendance at most of the meetings, except for those held on Sundays. The two newest members of the Council, the Earls of Berkshire and Leicester, sworn in March and May respectively, attended occasionally.[42] In April, Cottington assured Coke that "the Lords of the Council do diligently meet thrice every week", and the register reveals that they transacted a considerable quantity of business, mainly relating to the raising of money and men.[43]

Communications between the two separated parts of the government varied in quantity, quality and speed according to the individuals concerned. Windebank's correspondence with the King generally ran smoothly and effectively. Every two or three days he despatched a letter northwards, proposing various courses of action, reporting on measures taken by the Council, commenting on despatches from Ireland or abroad, describing meetings with the Lord Mayor and Aldermen of London and with foreign Ambassadors. Between three and five days later, according to whether the King was at York, Newcastle, Berwick or in camp, Charles I replied, usually by apostiling Windebank's letters, giving brief, clear comments and instructions, upon which action was promptly taken, as far as this was possible. A constant dialogue was thus maintained between the King and his Secretary, and only once was there any indication of serious delay in transit.[44]

By contrast, Coke made little effort to keep his fellow Secretary or the Lords of the Council in London informed of developments in the north.

Within a month of the King's departure, Windebank complained that they had not been informed of the refusal of Lord Saye and Sele and Lord Brooke to swear allegiance, or of many other matters:

> "... my Brother Secretary (to whom your Majesty was pleased to refer me) having not written to me at all by this packet, but only directed it to me with his hand, and a pair of gallows on the outside. Whereupon, I most humbly crave your Majesty's pardon, if I take occasion to acquaint you, that we are not at all advertised here of what passeth there; and my Lords are many times troubled at sundry vulgar reports, and send to me to be informed of the truth, presuming that Mr. Secretary gives advice hither of what passeth there; but I am not able to give them the least satisfaction." 45

The Council in London directed a formal protest to Coke, enjoining him to maintain a more frequent correspondence, and protesting that "things grow common and public here before we have knowledge of them .... For want of timely advertisements oftentimes we cannot do that which in discharge of our duties we ought to do."[46]

Though never lengthy or informative, Coke's letters thereafter became more frequent, and he gave perfunctory accounts of developments on the Borders, while transmitting some of the King's instructions to Windebank and the Council. In reply, Windebank sent weekly returns of the ship-money collections, together with news of cases in Star Chamber, and comments on some of the diplomatic business normally handled by Coke.[47] Their correspondence suffered delays and interruptions through the defective postal service, Coke reporting early in July that he had received only two of five letters mentioned by Windebank, and that a packet had been found opened and letters apparently removed. Windebank complained that the official post took longer than ordinary travellers, "which is a great shame, seeing the King's packets should run day and night". Neither sounded confident that Witherings would discover the culprits.[48]

Others suffered from Coke's inactivity, which was partly rooted in a jealous resolve to monopolise all business in the hands of his own assistants. Edward Norgate, one of the Signet Clerks, went north with the King and wrote to Reade that "if Sir Abraham Williams come hither, he will

find more work for his angle than his inkhorn, for I have been here six days and not written a line of any business."[49] Shortly afterwards Williams arrived at York, and by 19 April Norgate hoped that Coke would "see how imperfect and inconvenient it was to trouble this journey with Sir Abraham Williams and myself, there being not business for half a hand." Within a week, Williams had decided to return to London.[50] Sir John Borough confirmed this story, informing Sir Francis that Coke had given all the Council business to Meautys while the King was in York, so that he and the other clerks friendly to Windebank had been "utterly ignorant and unable to render you an account of what had passed." By May, Meautys had fallen ill, however, and Borough, deploring Coke's inaction, undertook to send regular news to Windebank. Thereafter, a steady flow of letters from Borough, Norgate and Thomas Windebankwho ("very well and warm, armed in buff") had joined the King's army, presented Sir Francis and his secretary with a lively composite picture of the situation in the north.[51]

From York early in April Norgate wrote that "Here is a gallant company of cavaliers, as brave in courage as in clothes, who little care for Covenanters." Courtiers like Arundel, Pembroke, Salisbury and Coke lodged at first in luxury, as Wentworth had recommended, with Sir Arthur Ingram.[52] Many, like Thomas Windebank, watched the wet, cold weather, more fearful of discomfort than of the enemy,[53] and by early May Norgate was pitying "the poor unhardened soldier, who sans tents or trees must lie sub Dio on the bare ground."[54] Gallant in appearance and eager to fight, the King's army of about eight thousand foot had camped by the end of the month near Berwick, awaiting the arrival of the Yorkshire and Durham trained bands. By this time Norgate was sorrier for himself than for the soldiers:

> "This night I took up my lodging upon the rushes in a good hard floor. I cannot hope for straw, it is too precious, here is nothing cheap but fish. The King lodges in his pavilion, but the town is so full of soldiers and troopers, who possess all houses, that the King's household servants are nothings." 55

But Murray, one of the King's cupbearers, offering Norgate a bed like a

coffin in the local alehouse, told of the army sleeping in the open on a wet night after a long march, "in all the town not one loaf of bread nor quart of beer, not a lock of hay nor peck of oats, and little shelter for horse or man; only a few hens they roasted and ate without bread, but not without water. Their horses had nothing." It soon became clear that the problem was one of distribution rather than supply, for next day Norgate was shown ample stores of bread, cheese and butter, with "mountains of rye, miscellan and excellent oats." Astley had done his work well, but the county would not yield up its carts for transport.[56]

Envying Reade his more profitable labours in London, Norgate pointed out the remoteness of the central administration: "It is not, my dear Cousin, as you and your colleagues conclude in your committee, but as we find and feel .... Never till now was an army heard on without sutler or victualler till this; it is true they are paid, but they cannot eat money."[57] From these letters Windebank could see how, despite his efforts, inexperienced lower officers, poor communications and bad organisation were enfeebling the army in the field. By June, Thomas Windebank was writing of their growing loss of morale, "... we ourselves begin to be a little daunted when we look upon our enemy's strength and cast our eyes back again upon our own confusion and wants. God remedy all, and bless the King in his designs."[58]

The outbreak of the troubles in Scotland led to a change in the attitude of the English government towards the King's Scottish subjects. They became suspect persons once again, and were treated by the authorities as potentially hostile aliens. A comprehensive series of measures against them in England and Ireland included supervision of entry and exit, the arrest of Scottish ships, goods and letters, and prevention of trade with Scotland.[59] The Secretaries' general responsibility for maintaining internal peace, reinforced by the new regulations and the King's commission to the Privy Council in London, meant that Windebank supervised the execution of many of these measures, which were enforced with varying success.

Most difficult to control was the entry of Scotsmen into England from the north. Although the Council recommended "some discreet persons to be employed, to watch the Borders and all the avenues", and travellers from Scotland were to be intercepted,[60] passage to and fro remained relatively free. The seizure by the Covenanters in March of Edinburgh and Dumbarton castles, of Dalkeith, and in Dumfries, as Baillie recorded, "all the houses of our unfriends", led to a general exodus.[61] Soon after the King's arrival at York many Scots flocked to his Court, to be greeted with little enthusiasm by the English. Most of them were promptly sent away, either further south or back home to raise forces for the King, while the Covenanters were reported to be trying to keep them in Scotland to prevent betrayal of rebel weakness. The mistaken conclusion was drawn in England that there was considerable Scottish support for Charles I, only awaiting leadership.[62] This illusion was soon dispelled by news of the loss of Aberdeen, "and it seems without a blow, it being now the Scottish fashion",[63] while the loyalty and discretion not only of Huntly, Hamilton and Traquair but also of many Scots around the Court immediately became suspect.[64] A temporary ban in April by the Scots on the transport of provisions across the Border was soon relaxed, and Essex and De Vic both reported to Windebank that while the English were prevented from travelling north, the Scots and their letters were passing with excessive freedom, so that security at Berwick was threatened.[65] Similar conditions obtained at Newcastle and Durham.[66]

More effective vigilance seems to have been exercised at the ports. The Privy Council ordered that passports were not to be granted to Scots, and Windebank, within whose province as Secretary the issue of passports normally fell, ordered suspected persons to be stopped and himself adjudicated in doubtful cases.[67] Entry into England, particularly from France, was similarly controlled. In March 1639 Leicester warned Windebank of the departure from Paris for England of Chambers, one of Richelieu's chaplains and a nephew of George Con. Leicester had already informed Charles I that he suspected Chambers, who was raising levies for a new Catholic League, of implication in some conspiracy. Meanwhile, he

sent word to the Mayor of Dover to intercept Chambers, "and to do the like for some time to all Scotsmen that come from foreign countries."[68]

The Scots in England were required to take an oath of allegiance similar to that imposed in Ireland, and the Privy Council appointed a commission to administer the oath. Windebank reported that many were taking it, and after Whitsun the Council sat regularly on Wednesdays and Fridays to hear allegiance sworn by Scotsmen in the Court and City.[69]

One of the more effective measures was the arrest of Scottish ships and merchants' goods. On 31 March 1639 Sir Francis asked the King to authorise the Scottish Committee's order to Northumberland to detain thirteen Scottish ships and their goods in the Port of London, and others wherever they could be found.[70] A succession of arrests followed,[71] and it was not long before Bellièvre protested that the measure hindered the raising of Scots levies for the French service, while the Scots bewailed the decay of trade.[72] Rossingham reported that there was little inclination to relax the measure, "all the Council being extremely cautious in anything which may concern the Scotch affairs."[73] Windebank advised the King that the Council also recommended the suspension of the privileges of the Scottish staple at Veere, in Zeeland, "the said society of merchants being now all Covenanters."[74]

Another aspect of the security drive against the Scots with which Windebank was particularly concerned was the arrest and examination of suspected persons and the seizure of letters and seditious papers. The Secretaries had wide and ill-defined powers in this respect, and Windebank's enthusiastic use of these against the Scots parallels Coke's campaign against the Catholics. There are numerous signs of his activity, which included the opening of Scottish mail at the post-house in London, where many seditious letters were discovered; the search of lodging-houses used by Scottish merchants; and the arrest and committal to messengers' custody of Scottish ministers and others suspected of distributing Covenanting pamphlets.[75] Reade was Sir Francis's usual agent in these matters, and although the job afforded occasional light relief, he found his task uncongenial.

By the end of April he complained to Thomas Windebank that "I am in such continual employment in examining these Puritan rogues, in searching for their seditious papers, and discovering their plots and villanies, that I am weary of my life."[76]

Others further afield were engaged on the same task, and it was to Windebank that they reported their findings. In January 1639 Sir Francis had instructed Astley to enquire into the case of a merchant and a tanner of Newcastle, reported to have taken the Covenant and to have been crossing the Border frequently. Investigation revealed that they were members of a group which met in various houses, being "not so well affected to the Church government" as could be wished. By February, Astley had concluded that though the meetings should be stopped, further action against small fry such as this would arouse an outcry against persecution, whereas "if a fat Puritan could be laid hold of, it were good to punish him."[77] Other cases involved further inhabitants of Newcastle, "drinking a pint of wine before Christmas", and saying that they would not fight for the King against the Covenanters. The writer of an anonymous letter from Ware, alleging a plot against the King by those who were "setting up superstition and idolatry in England", also refused to fight. Sundry inhabitants of Southwark had called Laud "the Pope of Lambeth", and blamed the bishops for the current troubles. Recurrent themes in these incidents were the reluctance to take up arms against the Scots, and hostility to the Anglican hierarchy.[78]

Early Stuart administrators were by this time accustomed to the notion that money-raising created problems, and in an effort to foster good-will it was decided to revoke a number of patents of monopoly. Windebank reported to the King that the Council had chosen over thirty, "pretended to be grievances", to be annulled by proclamation. They had "a warm debate" over the grant for transportation of butter, which was revoked, and the patent for cards and dice, which was not. He advised that since the benefits of the latter patent accrued entirely to the King, and "a reserve of £6,000 per annum" was beginning to come into the treasury, the monopoly should continue, the King agreeing "since the profitt is so considerable, and that

upon Ryot and unthriftiness".[79] A week later Windebank sent Coke the proclamation for revoking certain patents and commissions to be signed by the King, significantly accompanied by two drafts of the letter asking for financial aid from the gentry.[80]

The recipients of this letter were carefully restricted to 158 of the wealthiest gentry of favourable opinions in the seven best-affected southern and western counties, who nevertheless proved reluctant to express their loyalty in tangible terms.[81] Windebank told Coventry that the King expected him to influence the J. Ps. and leading gentry by sending a personal letter of recommendation with the Council's request, and told Charles that "his Lordship was much surprised and strucken with this intimation, and it was very good sport to observe how he wriggled at the first."[82] A month later, however, Sir Francis was forced to report that there had been little response:

> "... hitherto we have very cold answers; which, though they be not direct refusals, are almost as ill, for they bring us no relief, nor no hope of it. Some petty sums, and those very few, have been offered. So that my Lords begin to apprehend this will be of little consideration. And to use compulsory means in these distempered times, my Lords are very tender, and apprehend it may be of dangerous consequence." 83

Early in July, a plan to revive the appeal was shelved, and an analysis of the replies to the request reveals the wisdom of this decision. The letter of 26 April 1639 was sent to 158 of the gentry in Berkshire, Cornwall, Devonshire, Dorset, Hampshire, Somerset and Wiltshire, and to an unknown number in Hertfordshire, London, Middlesex, Surrey and Sussex. In November 1639 it was reported to the Privy Council that nineteen of these men had contributed a total of £770, twenty-one had promised to contribute a total of £635, forty-three had sent excuses or claimed to be serving in other ways, and 175 had not replied.[85]

In May 1639 Windebank had to send the King news that another contribution was likely to fall short of expectations. The Catholics, in addition to their general loyalty to the Crown, had a strong interest in

preserving the King's authority and much to fear from Puritan success. Their leaders were acutely sensible of the threat posed by the Scots, and temporarily abandoned their differences in a concerted attempt to raise money for the King. In March 1639 Barberini urged Con to arrange substantial financial assistance, and at a series of meetings of priests and Catholic laity at Con's house between March and June the campaign was organised.[86] Fifty Catholic collectors were appointed, and a set of instructions provided arguments to be used and the suggestion for a minimum contribution of a tenth of the Catholics' incomes.[87] Supporting letters came from the Queen, Digby and Montagu on behalf of the Queen, the leaders of the seculars and regulars, and representatives of the laity.[88] It soon became clear, however, that the response was disappointing. Con's reports to Barberini became increasingly gloomy, and on 17/27 May he wrote that Catholic purses were staying closed, and that they would have to finish the business as best they could.[89] A week later he told Windebank that the contribution would amount to fifty thousand crowns at best, and that money always led to difficulties.[90]

Windebank tried to expedite the collection, and Sir Basil Brooke, one of the leading organisers, promised him £10,000 in the summer and another £10,000 at Michaelmas.[91] In the event, about £14,000 seems to have been raised.[92] The lack of response was attributed by Windebank to "the late vexatious informations raised against them by the Puritan party, and by the over-officiousness of some of their own side ...."[93] Increased persecution of Catholics following the proclamation of 1638 was undoubtedly resented, and a petition from recusants in the north of England to the King in August 1639 threatened that the collection "would come to nothing" if pressure was not relaxed.[94] The widespread circulation of a forged letter, ostensibly from the Pope to Con, forbidding the Catholics to assist the Northern expedition either with men or money, did a good deal of damage.[95] Although Con made every effort to discredit this, many Catholics chose to obey what they believed to be the instructions of a higher authority.[96] Windebank also made a valiant effort to secure a massive contribution from the Pope,

suggesting £100,000 as a suitable sum, but neither he nor Con seems to have taken this proposal seriously.[97]

From May until July 1639 Windebank took an active part in the negotiations for financial aid from the City of London, and his letters to the King give graphic accounts of the difficulties encountered in meetings with the Lord Mayor and Aldermen. In March 1639, while the King was still in London, an earlier request for money and men had met with opposition in Common Council, and Charles had rejected their niggardly offer of £5,000 to be accompanied by a petition of grievances.[98] The King's decision to reinforce his army in the early summer necessitated a further approach to the City, however, although Laud reported that they were still intractable.[99]

On 21 May Windebank, Coventry, Juxon and Cottington met four wealthy citizens among whom was a friend of Windebank's, Alderman Henry Pratt.[100] Of these four, one refused outright to contribute, and two, including Pratt, did not refuse "but gave no hope, considering the scarcity of monies, and the great damp of trade, the merchants strangers having all called in their monies, and shut up their banks, so that it is impossible to take up any." The fourth agreed to lend what he could, which Windebank thought would be £5,000. "Upon this coldness of the citizens", the four Privy Councillors went into anxious debate, and concluded that the City loan was unlikely to amount to more than £40,000 of the £100,000 required, of which Charles had already received £10,000.[101]

In an attempt to bring further pressure to bear, Windebank drafted a letter from the King to the City, an amended version of which, written in the King's own hand, was to be presented to the Lord Mayor, Sir Morris Abbott, the Aldermen and Recorder, who were summoned to meet a small group of Privy Councillors at Whitehall on 7 June. When Abbott arrived, accompanied only by the Recorder, two Aldermen and two Sheriffs, the Privy Councillors decided not to give the King's letter to so small a number, "fearing it might hazard the business", and hastily improvised congratulations on the handling of Lilburne's seditious incitement of the apprentices against Laud and Coventry, instructing Abbott to return on Monday with as many Aldermen as

possible.[102] On 10 June Abbott and twenty-four Aldermen arrived, and Windebank delivered the King's letter, demanding a loan of £100,000. Obviously reluctant, the Aldermen were allowed to confer privately, the Lords forbidding them to depart without giving an answer. After two refusals, the demand was amended to £30,000 a month to be raised by the Aldermen with assistance from their friends, provided they did not consult Common Council. "This they assented to coldly", and were allowed to retire, though Windebank had no expectation of a favourable outcome. He pressed the Privy Councillors to advise on possible sanctions in the event of refusal. Most thought that either the City should be ordered to provide reinforcements of six thousand men at their own charge, or that the King should send for six or eight Aldermen to attend him in camp. Windebank reported that Coventry and Manchester "are very close at their fence, and are by no means willing to express themselves", and had raised objections to both proposals. Windebank himself, eager as usual to punish any slight to the King's authority, thought that both should be done and that legal action should follow any disobedience.[103]

He forwarded to Charles the limited offer eventually made, but told the Lord Mayor to reply to the King's letter himself. By 27 June this had still not been done, and Windebank wrote that "my Lords have required the costy Mayor of London to make answer to your Majesty's letters .... The truth is they are ashamed to make any direct answer, they have carried themselves so meanly toward your Majesty ...."[104] News of the Pacification of Berwick, signed on 18 June, reached London two days later,[105] and the Aldermen, reluctant to commit themselves, doubtless hoped that the matter might lapse. Windebank kept up the pressure, however, and on 11 July wrote angrily, "For the City, the Mayor is such a beast, and his Brethren the Aldermen such cattle, as they will neither be driven nor go of themselves .... They are extreme fearful to be catched by any thing in writing, and my Lords are resolved to hold this whip over them ...."[106] The end of the month brought a free gift of £10,000 to the King from the Court of Common Council, but the Crown's larger demands remained unsatisfied, the City remaining wary of entering into heavy and unwelcome

commitments on uncertain security.[107]

The reluctance of some of the King's English subjects to serve their monarch, and of many more to lend money, the lack of trained men and the shortage of arms led Charles I and his ministers to look elsewhere for assistance. Windebank had for some months been exploring other avenues, including a proposal from Colonel Henry Gage, an English Catholic in the service of the Cardinal Infante, to his brother George, that a number of seasoned troops from Flanders should be exchanged for a larger number of raw recruits from England and Ireland. Gage was disturbed at the effects of the Scottish revolt on England's reputation on the continent, and particularly at the open bragging of the French of their friendly dealings with Scotland "where they are not out of hope to plant their Flowers de lis", and of the Dutch connexions with many English Puritans. Both states were concerned to foment the Scottish revolt, and Gage warned that "however you seem to mince it, and suppress the report, here the world is full of it, and all men's eyes are upon it."[108] The offer was conveyed to Windebank, and passed on by him to the King, with the result that in January 1639 Sir Francis drafted instructions to Gage empowering him to negotiate for 6,000 foot and 400 horse to be assembled in England by 1 April, to serve for a minimum of six months. In return, Charles I would authorise the levying of such numbers of English and Irish as would fill up the English and Irish regiments in Spanish service in Flanders.[109] Although the scheme was initially welcomed by the Cardinal Infante, difficulties soon arose, and it became clear that French and Dutch pressure on Flanders did not permit the withdrawal of so large a number of experienced troops.[110] By May the situation had changed and the offer was renewed, but the position in the north had also become clearer and Charles told Windebank that "Ye may thank them but that now it comes too late."[111]

Little more productive in practical terms were Windebank's dealings with Wentworth, although he commended the Lord Deputy's advice to the King. While the Court was in the north, Wentworth directed more of his despatches to Windebank in London, particularly those dealing with the

Scottish rising. In January, Wentworth had strongly urged the strengthening and prompt garrisoning of Berwick and Carlisle, in aid of which he sent five hundred experienced men from Ireland, a scheme which Windebank warmly commended. Two key positions on the Borders would thus be saved from surprise, and the King would gain time to muster his forces: "The war is an unknown thing in England, and I fear the preparations in the beginning will go on so slowly, as that it may well chance to be August before his Majesty's army be ready to march ...."[112] Wentworth recommended a holding operation on the Borders to prevent invasion by the Scots, and the containing of the struggle in Scotland, but wrote to Clifford that he could not spare a troop of horse from Ireland.[113]

Wentworth also found it necessary to demolish Charles I's hopes of an offer from the Earl of Antrim to land an army of ten thousand in south-west Scotland to fight Argyle, demonstrating the impossibility of his raising such a force, "whether you look into his Lordship's purse or his conduct, that any attempt he can make will be so mean and weak as shall rather discourage, dishonour, than advantage the King's party."[114] Forwarding Wentworth's despatches to the King, Windebank commented that "if in the midst of your Majesty's sad business, you will please to give yourself a little recreation, your Majesty will find the Lord Deputy makes very good sport with the vast undertakings of the Earl ...." He nevertheless followed the King's instructions to return an encouraging answèr to Antrim, "as neither the Earl be discouraged, nor set at liberty from his undertaking."[115] Baillie's comment that "From Ireland a prettie army was expected, bot all these hopes proved bot toome wind",[116] would have been recognised by Windebank as all too accurate. Wentworth was similarly emphatic that he himself was unable to furnish from Ireland the loan demanded by the King:

> "I do not believe that to save my life I were able to borrow five thousand pounds amongst all the merchants of this town; generally all people here turn their stock in a course of trading, the number of moneyed men extreme few, and those altogether take mortgages of lands for their security, will in no sort meddle with any man's bond." 117

Despite Windebank's numerous intimations of the difficulty of raising

money, the King's demands were imperious. Arriving in York on 30 March, he remained there for nearly a month, while he received the news of the Covenanters' capture of Aberdeen, and gradually evolved the text of a proclamation designed to brand the Covenanting leaders as traitors, and to win over their tenants by the offer of a free pardon, a promise to remit half their rents, and an offer of long leases on favourable terms.[118] Similar difficulty was encountered in the framing of the Military Oath to be sworn by the peers.[119] The refusal of Lord Saye and Lord Brooke to take this provoked a strong demand from Windebank for their punishment. The Council's opinion was that these Lords were censurable, and his own advice was that an example should be made of them:

> "Their answers are very cunning and jesuitical; and yet the malignity and aversion from your Majesty's service lurks not so warily but that it is clear enough. Whether the time be now proper for such a prosecution, your Majesty in your great wisdom can best judge. But that such an affront as this, carried with so high and insolent a hand in the face of your army, to the hazard of the debauching of the rest of the nobility, and of that army, should be passed by for ever, and the occasion of making such dangerous heads of the faction (who have ever opposed all your Majesty's affairs) an example, be utterly laid aside, I most humbly beseech your Majesty to take this into serious consideration, before you resolve to acquit them." 120

Further questions were put to the recalcitrant pair,[121] but the Attorney and Solicitor advised that the reported answers provided no grounds for prosecution, though if more details could be obtained, "it is very likely they may be found tripping, upon some emergent circumstance", and heavily fined.[122] Although Windebank asked for more information upon which proceedings in Star Chamber might be based, no further action was taken.[123]

Meanwhile, preparations for action continued, and Windebank's letters to the King reveal the Privy Council's efforts to meet the cost of the army. In mid-April he announced that £10,000 was ready, which the King demanded should be sent with all speed, but that Cottington was having difficulty in extracting the next £10,000 from the farmers of sea-coal.

Charles nevertheless demanded this by 8 May at the latest.[124] A fortnight later Sir Francis relayed Cottington's and Juxon's hopes that the £90,000 expected for May, June and July would be forthcoming, assuring Charles that "my Lord Cottington is very industrious in this business and hath the best way of worming a Citizen that ever I observed in any."[125]

Early in May the King proceeded by way of Durham to Newcastle, where preparations for war were increased, "and all sounded now nothing but blood and death, yet the Scots held their countenances still."[126] On 17 May Charles notified Windebank that he had decided to reinforce the army by 4,000 foot and 300 horse, which would increase the cost by £6,000 a month, but that Windebank must give out that the numbers to be added were 12,000 foot and 2,000 horse. Windebank duly promised that he and the Queen would "make the number swell in the report".[127] Despite this apparent disregard for cost, the King had already warned Hamilton, who had been sent by sea to the Firth of Forth, to "take heed how you engage me in money-expense". He hoped to maintain his army for the summer, "but for doing any more I cannot promise".[128]

On 24 May Windebank advised him that even this was uncertain. The stubbornness of the City of London, the poor returns from the Catholics and the country gentry, and the existing demands on the ordinary revenue made it unlikely that the army could be financed until the end of October as intended, and the King should therefore modify his plans. Charles replied that "If they could stretch but to the end of August I would hope to have a happy end." Emphasising the divisions among the rebels and the burden of taxation on Scotland, he wrote that "it were an unexpressible pity to lose it now for fault of money."[129] Within a fortnight, however, even the King had become aware of the weakness of his position, and accepted Hamilton's and Wentworth's advice to treat with the Scots. Charles's agreement to conclude peace followed quickly upon his receipt of Windebank's news that Juxon could provide another £20,000 but that the City's response continued niggardly, despite "yesterday's proceedings from two till seven at night, wherein my Lords took extraordinary [pains],

and left nothing unsaid that might advance the service."[130]

Although the Scots were suffering similar handicaps to those of the King in assembling their army, their morale was considerably higher, and they were more successful in disguising their difficulties. Elements on both sides wanted a settlement, and the King was finally persuaded to appoint commissioners to meet the Scots' representatives in discussions that began on 11 June. Charles took an active part in these talks, receiving the Scots at first "with frowning and disdain, as men of rebellious intentions", though later "he began to let fall his anger and enter into the business".[131] The King's participation in the negotiations resulting in the signature of the Treaty of Berwick on 18 June, and his later private discussions with six of the Covenanters from 17 to 20 July helped to perpetuate the distrust and differences between the two sides. In the earlier meetings he appears to have made verbal promises that softened the terms of the Pacification, while the later encounter convinced him of the continued resistance of the Scots. Uncertainty and ambiguity surrounded the meaning of the settlement, which was regarded by both sides as a temporary expedient, allowing further political and military encounters.[132]

In London, there were no illusions that the Scottish troubles were over. Laud, convinced that "faction and ignorance will govern the Assembly", predicted the final abolition of episcopacy and was convinced that "the King can have neither honour nor safety by it."[133] Salvetti reported that "quanto alli affari di Scozia restono sempre in stato di poca quiete",[134] while Windebank announced to Hopton that the King had returned safely to London, "but his affairs there are left in no very good condition. The faction continues high and insolent, and in the same disobedience for matter of government that they were from the beginning."[135]

From De Vic and Sir John Borough Windebank had received news that the Scots were not carrying out their part of the agreement at Berwick, but were retaining men in arms and refusing to demolish their fortifications.[136] The Lord Mayor of London and others sent him similar news,[137] and Windebank was soon concerned with measures to counter the

publication by the Covenanters of their version of the proceedings at Berwick. Understanding that Pembroke and Salisbury had been concerned in the distribution of copies of "a paper containing sundry strange glosses and interpretations upon the Articles of Pacification", he wrote to demand an explanation, and although he seems to have been satisfied by Salisbury's denial, there is no indication that he believed Pembroke.[138] Early in August, he drafted the Act of State that denounced the "false and scandalous" paper, that the public hangman was ordered to burn.[139]

In October 1639 Windebank continued to serve on the reconstituted Committee for the Affairs of the North, and much of the autumn was spent in considering ways of enforcing the King's authority in Scotland.[140] Proceedings in the Assembly and the Scottish Parliament affirmed the determination of the Scots to resist the King, and the belief that the monarchy in England might eventually be threatened led to the decision to raise an immediate loan from the Privy Council and to summon Parliament to provide supplies for war. This decision appears excessively optimistic in the light of the reluctance of the gentry and many of the nobility to contribute individually to the expenses of the Bishops' War. It appears probable from Windebank's comments to Hopton, however, that the summoning of Parliament in the spring of 1640 was regarded less as a probable source of supply than as a necessary prelude to a wider use of the prerogative.[141]

In January 1640 Windebank was also appointed to a Council of War of fourteen members under the presidency of the Earl of Northumberland, in which "all martial affairs are consulted and ripened."[142] This body proceeded at once to business, arranging for foot soldiers to be raised immediately at the charge of the counties, to be sent with coat and conduct money to York, before being marched to Berwick. New rates of pay were established, the composition of troops of horse and foot was defined, and arms were to be manufactured in England and imported from Flanders.[143] Reade wrote to Thomas Windebank that the members of the Council of War "sit constantly three mornings a week, and, I assure you, ply their business hard."[144] By March they were arranging for horses to be

requisitioned for the transport of tents, making detailed provisions for the raising of troops of horse, and considering the appointment of officers.[145] Through his membership of the Committee for the Ordnance, and as one of the Commissioners for Saltpetre and Gunpowder, Sir Francis took part in other aspects of these preparations for war.[146]

In March he undertook a new task when the Scottish commissioners, Dunfermline, Loudoun, Sir William Douglas and Robert Barclay, began a series of meetings with the King. Reade had already announced their forthcoming arrival to Thomas Windebank, saying that "some call them Commissioners, but I cannot think rebels worthy of such a title, especially being employed from rebels", and the King seems to have taken a similar view, objecting to their manners, their instructions and their commission.[147] Windebank's notes of the meetings recorded these objections, and the King's agreement to listen to them, "notwithstanding it appears not that they have any power, they pretending they are come from the Parliament, which they are not able to prove otherwise than by private instructions from particular persons." Two further notes indicate the tone of the discussions. On 9 March Windebank wrote, "They come to have satisfaction, but to give none", and on 12 March, "The power of the King not to be disputed."[148] His notes of a meeting of the Privy Council on 11 March, at which the King described his encounters with the Commissioners, also set out the King's objections to the Covenant: "Never any Covenant made in the Christian world where the head was left out or had not a negative voice", and the King's determination to exact civil obedience from the Scots before negotiating further with them: "Till they acknowledge that the supreme magistrate must have authority to call assemblies and to dissolve them, and to have a negative voice in them, as is used in all supreme powers of Christendom, they are not to be heard."[149]

At a later meeting on 16 March, Windebank noted that "Loudoun dare not define whether the King hath power or not to prorogue a Parliament in the height of his power, but only to show what has been the constant practice, and to be silent where the law doth not speak."[150] By this time the King had

a copy of the Scottish Covenanters' letter to Louis XIII, which Loudoun had signed. Planning to use this document to discredit the Scots when Parliament assembled on 13 April, he forbade the commissioners to leave London, and on 11 April ordered their arrest.[151] Two days later, Windebank, Cottington and the Attorney-General, Sir John Bankes, were interrogating Loudoun in the Tower about the connexions of the Covenanters with foreign states, their requests for aid and arms from abroad, and Loudoun's signature on the letter to Louis XIII. Loudoun acknowledged this last, but denied that the letter had been sent, and neither Charles nor Windebank succeeded in arousing hostility to the Scots by reading the letter to the Short Parliament during the following week.[152]

Failure to secure supply from the Short Parliament in the spring of 1640 did not deflect the King from his determination to restore his authority in Scotland. As Windebank informed Conway, "Certainly his Majesty will not be diverted from his first design of pursuing vigorously the war."[153] Sir Francis, in common with several of the King's advisors, had never been optimistic about the prospects of Parliamentary co-operation. Now that the short-lived attempt to wring money from the Commons had proved fruitless, he turned his attention once more to other methods of collecting money and assembling an army.

His minutes of a Privy Council meeting on 6 May record the efforts of the central administration to enforce the royal policy of tax-gathering in the counties, particularly in relation to ship-money and coat-and-conduct-money. The Attorney-General was to open proceedings against the Sheriff of Yorkshire, who was to be kept close prisoner. He and the Sheriffs of London were to appear before the Board that week, letters were to be sent to other sheriffs negligent in collecting ship-money, and the Attorney-General was to take action if their response was unsatisfactory. Meanwhile, he was to proceed against the Sheriffs of Berkshire, Surrey, Leicester, Essex and Northampton for contempt and neglect. The Lord Lieutenants were to call their Deputy Lieutenants to account, and any unco-operative Lord Lieutenants or Deputies who refused coat-and-conduct-

money were to be brought before Star Chamber. A sheaf of Council warrants was issued to messengers on 7 May to bring various persons before the Board.[154]

Replies from the Deputy Lieutenants provided Windebank and other Privy Councillors with a depressing picture of the response of the southern and midland counties to the King's call to arms. Unlike the army of 1639, which had been mainly drawn from the trained bands, particularly from those of the northern counties, the army of 1640 was formed chiefly from pressed men living south of the Humber. The counties were to provide coat-and-conduct-money to finance the impress while the men were marched to an appointed rendezvous on an agreed date, initially fixed for 20 May, but soon postponed to 1 June and later to 1 July once the slow response was recognised.[155]

From many counties came news of a patchy response to the demand for coat-and-conduct-money, particularly in areas that had already resisted the payment of ship-money with impunity. Shortage of ready cash had an immediate and disastrous effect upon the attempt to muster an army in the field. In Hampshire, for example, although the Deputy Lieutenants could report by 25 May that the number of soldiers was nearly complete, they were reluctant to assemble the men: "... undoubtedly, my Lords, till the money be collected for their coat and conduct they cannot with security be brought together and held in discipline." Of the assessment of £2,500 for Hampshire, not more than £300 had been paid.[156]

In Windebank's own county of Berkshire, matters initially appeared more promising, though once again there were strong regional variations. On 26 May the Deputy Lieutenants reported to Holland, the Lord Lieutenant, that they expected to have the men for the Forest division ready on time, though "divers are run away and divers dislike the captain [Andrews] in respect he is a Recusant." Less than half the coat-and-conduct-money for the division had been paid, however, and the Deputy Lieutenants recommended action against those who refused or delayed.[157] At the next assizes on 11 July Sir William Jones, Justice of the King's Bench,

protesting that he had "a clear and honest intention to his Majesty's service", claimed to have upheld "the King's power over the person and goods of his subject for the just defence of the realm, and his power and prerogative to cause any person whatsoever to serve him in the wars, and that it was a high offence to refuse the same."[158] Although he reproved those who had not paid coat-and-conduct-money, he felt unable to proceed against those who had refused press-money without further evidence from the Deputy Lieutenants, who were not present. By fining the Deputy Lieutenants for non-attendance, and turning the accused over to the sessions, he won great popularity in the county. As Sawyer, one of the Deputy Lieutenants, wrote to Windebank, "... they would make him a saint if it were in their power." Sawyer's recommendation that the accused be dealt with in the King's Bench or some other superior court, "or else they will have no punishment",[159] seems sound in the light of the petition of 11 July 1640 to the King from the Grand Jury of the Berkshire assizes, which was a significant compendium of past and present, local and national grievances. Recalling the passing of the Petition of Right, they noted that the "illegal and insupportable charge of ship-money" was as high as ever, and protested against the new tax of coat-and-conduct-money, and the "undue means of enforcement" by Council messengers, complaining that freemen were compelled "to forsake their places of habitation". They also took the opportunity of protesting against monopolies, forest laws, the increase of deer in Windsor Forest, and the fees exacted by some of the officers under the Lord Chief Justice in Eyre.[160]

Once assembled, the pressed men from Berkshire and Oxfordshire proved singularly difficult to hold. Sawyer, arranging with Sir Richard Harrison to send hue and cry after twenty-two men who deserted from Captain Andrews, met forty deserters from Daventry, who said that "the most part both of Berks. and Oxon. were come back", and he reported to Windebank that "they were so many we knew not what course to take with them".[161] Sir Francis's notes of decisions taken at the Privy Council on 19 July suggest that he favoured firm action:

"That which is to be done, to do it so strongly that it may not fail. A commission of martial law to be directed to a provost-marshal and despatched instantly for Berkshire and Oxfordshire to execute those runaways that are in prison .... A letter to my Lord of Holland to acquaint him with the disorders of Berks., and to let him know his Majesty's pleasure that he shall presently repair thither in person if his health will permit. A like to the Deputy Lieutenants of Berks. and Oxon. to levy those that are unlevied and to supply those that are run away. Proclamation to that purpose." 162

Francis Reade wrote to Robin Reade that the common belief "that their leaders and service were Popish had done his Majesty more disservice than any one thing", and blamed this for the desertions, refusal to serve, and murders of officers suspected of being Catholics.[163] This was confirmed by Captain Lowes' account to Windebank of the dispersal of his company, after being told by other Berkshire deserters that "they were to be shipped and sold for slaves, that the officers had false commissions, that the King gave them no authority, that they should be used like dogs, that all was peace in Scotland, that that was only a pretence to carry them some other where, that we were all Papists and that my Lord General himself was one."[164] Sir Francis's second son, Francis, himself in charge of an unruly mob, "very ill-affected to this service", who threatened to kill him and his fellow officers if they proved to be Papists, found an ingenious method of dealing with the problem:

> "Upon my first day's march, I desired them all to kneel down, and to sing psalms, and made one of my officers to read prayers, which pleased them not a little, and being very familiar with them at the first, giving them drink, and stinking tobacco of six pence a pound, gained their loves, so that they all now swear that they will never leave me as long as they live, and indeed I have not had one man run from me yet, in this nine days' march, but other captains of our regiment, which marched a week before us, are so fearful of their soldiers that they dare not march with them." 165

Strong anti-Catholic feeling was also revealed by John Fettiplace, one of the Berkshire J. P.'s, who sent Windebank papers relating to an enquiry into "certain dangerous words" spoken against the King and Laud. The

local belief "that it was Bishop Laud which was the cause of the raising of all this army and that the King was ruled by him", and that "Laud was turned Papist",[166] provided one more example of a widespread but mistaken conviction that was later also to brand Windebank as one of Laud's supposed agents.

By 23 July the Sheriff of Berkshire was reporting to Sir Francis on his efforts to restore the position in Berkshire, and reached the same conclusion as the Hampshire authorities, "the backwardness of the country in the payment of coat-and-conduct-money being the cause that the service is not done. The men have been long ready, but they want a supply of money to furnish them".[167] Holland also sent an account of his disciplinary visit, and was explicit that money must be forthcoming: "That which I find must hasten their levies will be a speedy furnishing of their monies promised from his Majesty, for otherwise those parts of the county that have paid coat-and-conduct monies will not again be persuaded (I fear) upon no promises unto it."[168]

At the same time as Windebank was receiving these reports of the fiscal and military resistance accumulating in the south, he was also being given a falsely reassuring picture of the Covenanters' preparations in Scotland. In the spring and summer of 1640 he exchanged numerous letters with Sir Michael Ernle and Captain Charles Lloyd, who were fortifying Berwick, and later with Sir John Conyers, recently brought from the Low Countries as Governor of the town. He also received regular reports from Conway in Newcastle, despite attempts by Vane, who had succeeded Coke as Secretary of State in February 1640, to monopolise this correspondence: "... I find my elder-younger brother has endeavoured by subtlety to bereave me of your blessing, in signifying his Majesty's pleasure for the address of the occurrences of those parts to him."[169]

Conway enclosed intelligence reports from Scotland, which described the poverty of many of the Covenanting leaders, the deaths of sheep and cattle after a hard winter, and the inadequate food, "their fare generally from the best to the worst is kale and oatmeal". The Scots were indeed

gathering forces, according to Conway's informants, but only in small numbers: four hundred at Dunbar in May and seven hundred foot, and five hundred horse at Kelso early in June, while by the end of the month it was said that "There were no forces gathered together anywhere when this party came away, save only seven hundred men in Edinburgh".[170]

Although in the same letter there was news of plans to assemble a larger army, it was not until 17 July that Conway enclosed a further report announcing that there were fourteen Scottish regiments south of Edinburgh moving towards the Borders, and that Leslie planned to join them within a few days. Conway assured Windebank that "The assembly of the Scots hath put a great fright into Northumberland, but I do not conceive that they will come into England."[171] He continued to repeat until early in August that the Scots intended only to make a display, and to defend their own territory,[172] while similar reassurances came from Ernle and Conyers. On 29 July Ernle wrote to Sir Francis that "it is generally believed that the Scots intend to invade England. I cannot perceive that they are likely to have an army any way fit for that purpose."[173] Conyers, more realistic, nevertheless believed that the Scots would not cross the Border unless they were provoked: "Now I hear the Scots do draw all the strength they have into the towns near Edinburgh, and towards these Borders, so that their force doth more appear than hitherto it hath done ... They spake of a general rendezvous within a few days, but I believe it will not be till the King's army comes nearer Scotland, for I am still confident they intend only their own defence ..."[174] As late as 19 August, only a day before the invasion, Conyers described a Scottish sortie by a hundred horse, which had then retired, "so that in good faith I am of opinion they will not come over at all, but have made as great a show of an intention to come as they can, in hope it might be a means to cause some kind of stir or revolt in England, and that failing them, are now at a stand."[175]

Windebank in London seems to have been more reliably informed than the commanders in the north, and as early as 22 June had warned Conway that "You will do well therefore to put the forces of Newcastle in

order, seeing it is more than probable they will make an irruption into England, and that their first design will be upon that place."[176] A month later, while acknowledging Conway's soothing reports, he argued that

> "I begin to doubt that if they draw any considerable numbers together they must be necessitated to enter into action, they being not otherwise able to subsist in that miserable country. Besides, they understand too well our slowness and defects, and what a powerful party they are likely to find here that will rather join with them than oppose them." 177

By mid-August it seemed that an invasion was indeed imminent, and Windebank first conveyed to Conway the King's orders for the emergency fortification of the hills around Newcastle and then, on 16 August, made lengthy notes of the Privy Council's discussion that followed the King's proposal to go north immediately. Sir Francis did not reveal his own views, but recorded Strafford's distrust of over-hasty decisions, and his mistaken assessment that there was still a week or more to spare, together with the King's hope that his presence in the north might prevent the invasion, hearten his subjects and encourage the giving of money. Charles's reply to Strafford that "the news of their coming in is not new, but of six months' date", suggests that the King, like his Secretary, had been paying little attention to the reassurances from the Borders.[178] On 20 August, the day on which the Scots crossed into England, the King left once more for York.[179]

Vane, who accompanied his master north, proved a more reliable correspondent than Coke, but although Charles at times referred Windebank to his brother Secretary for news, he wrote that "I like that your chief letter of account should be written to me."[180] Confidentiality was maintained in the usual way, Sir Francis reminding the King "to reserve my letters to yourself, and not to deliver them to any other, but to vouchsafe to send them back to me apostiled in your wonted gracious way, which will be the safest and clearest both for your Majesty and me."[181] In particularly secret matters, such as the first proposal to summon the peers at York, Windebank sent a trusted intermediary to receive the King's verbal reply.[182]

Windebank's correspondence with Charles I and Vane, and his notes of his proceedings in London during the last two months before the meeting of the Long Parliament, reflect the King's illusory optimism and the growing conviction of his ministers that the position was fast becoming untenable. As his earlier letter to Conway had suggested, Sir Francis was acutely aware of English support for the Scots, and at the end of August, after receiving news of the loss of Newcastle, he reported to the King that he and Cottington had informed the Committee for Affairs of the North of the arrival in London

> "... of some Lords and others, persons of quality, who have been observed not to be very well contented with the time: namely the Earls of Essex, Warwick and Bedford, the Lords Saye Russell and Brooke, Pym and Hampden. These have had their meetings, and the Lords, as they have reason in this distraction of your Majesty's affairs, do much apprehend it is for some dangerous practice or intelligence with the rebels of Scotland." 183

In an attempt to forestall the presentation of a petition, which had in fact already been drawn up, the Committee considered ways of dispersing the dissident group. Bedford was warned by Arundel to repair to his Lieutenancy in Devon, while the Committee recommended that Essex be invited into the King's service: "If this Lord were taken off, the knot would be much weakened, if not dissolved. And besides that it will be of great importance to sever him from this ill-affected company, he is a popular man, and it will give extraordinary satisfaction to all sorts of people to see him in employment again."[184]

A week later, Bedford and Hertford unsuccessfully invited the Privy Council to sign their petition and were subsequently interviewed by Coventry, Arundel, Cottington and Windebank, Arundel remonstrating that "the petition seemed much different from that which the report was they had presented to his Majesty, there appearing nothing in it but a heap of complaints." Upon protesting his loyalty and readiness to serve, Bedford was told that "if such were their intentions, they had very ill luck in the manner of expressing them, seeing they seemed in their complaints rather to join with the rebels."

It can hardly have escaped Windebank's notice that he himself was actively concerned in most of the matters to which exception was being taken: the raising of money and men for use against the Scots, the encouragement of Popery and the employment of Catholics in the army, the proposals to bring in Irish and foreign forces, the imposition of ship-money and prosecution of sheriffs in Star Chamber, and the reluctance to summon and eagerness to dissolve Parliament. The plea to summon Parliament again so that these grievances might be remedied and their authors brought to trial and punishment can hardly have increased Windebank's confidence, or that of many of his fellow councillors, who had already discussed another possible course of action.[185]

On 2 September 1640, in London, the rival merits of summoning Parliament or a Council of Peers had been explored, and Windebank had been the first to declare unequivocally for the calling of the peers. In this he had been supported by Vane, Cottington, Berkshire, Salisbury, Arundel, Manchester, Juxon and Laud. Roe and Newburgh had recommended summoning both the peers and Parliament, while Dorset alone had preferred a Parliament.[186] Supplementing the verbal notification of this advice to the King, Sir Francis explained the Privy Council's hope that the peers, if taken into the King's confidence and made conscious of the imminent danger, might cast aside their differences and join in unity to save the monarchy. Recognition was not lacking, however, that this might be an over-optimistic view: "That it is true there may be danger, too much, in this advice; but in all choices there is a greater and a less, and that anything, so it bring not a greater dishonour and danger to your Majesty and the state, is to be tried and adventured, to disperse this storm in this exigent." Windebank's letter makes it clear that the advice was founded on the conviction, painfully reached after many setbacks, that as matters stood the nation would not support the King: "... if your Majesty should receive a blow (which God forbid) monies and forces will be raised very coldly and slowly; and without a voluntary assistance of both these, the Kingdom must be in danger, for to force supplies of either in this conjuncture is not held practicable."[187]

Charles seems to have taken another fortnight to accept this. From Newark on 22 August he had written to Sir Francis, "for God's sake haste monies all you can by all ways, and haste account thereof to me."[188] Further urgent demands and complaints of delay followed, and on 9 September, on receiving the news that his ministers advised against the proposed debasement of the coinage for the moment, Charles had retorted "If not now, when? But I see ye are all so frightened ye can resolve on nothing."[189] Heartened by Strafford's temporary success in bargaining with the Yorkshire gentry for a few weeks' pay for their trained bands, the King assumed too readily, against all the evidence, that the Council could achieve the same on a wider scale in the south.[190]

Except for his discussions with the Spanish Ambassador Extraordinary, Windebank took little part in the desperate efforts to raise money in London in the early autumn of 1640,[191] but reported to the King Cottington's success in negotiating the pepper business with the East India Company. He countered the King's impatient comments on the inadequacy of supply by reminding him that Cottington "is alone in it without any manner of help ... so that it is a miracle that he is able to compass that which he hath done."[192]

Cottington's miracle could not last much longer. The Commissioners appointed to obtain a further loan of £200,000 from the City of London succeeded only in securing a promise of £50,000 on the assurance of the summoning of Parliament. On 14 October Windebank sent the King this news, together with a sobering analysis of the position as seen by himself, Laud, Juxon, Arundel, Goring and Cottington. He was explicit that the existing Commissioners expected to extract no more money from the City, and that Parliament could not supply the King's needs in time. The recommendation that some of the better-affected peers, or some "who otherwise may think themselves neglected and so become wayward", might be asked to negotiate with the City for the payment of the remainder of the £200,000 was a folorn hope, and the final advice, "to consider well how long the £50,000 already granted ... will serve", by this time confirmed

the King's assessment of the hopelessness of the situation.[193] On 24 September the Great Council of Peers had met at York, received the King's announcement of the calling of Parliament for 3 November, and appointed sixteen of their number under Bristol's leadership to negotiate with the Scots. The agreement concluded at Ripon on 21 October to continue the payment of £850 a day to the invaders dictated the necessity of securing a Parliamentary settlement of the Second Bishops' War.[194]

In September 1640 Windebank had written to Hopton, hoping with little sign of conviction that "... the rest of our nation will lay aside all private animosities and look to the preservation of the monarchy, which is now at stake. I hope in God we shall yet overcome this danger, which I believe is the greatest that hath threatened this state ever since the Conquest."[195] His perception of the danger to the monarchy, and his unspoken sense of the peril of his own position were both well-founded. One of the principal effects of the Scottish crisis upon England was the gradual revelation of the depth and range of opposition to the Crown and to many of the policies advocated by the leading ministers of the Personal Rule. As the Secretary of State responsible for much of the co-ordination of defensive and punitive measures against the Scots, Windebank was in a particularly good position to measure both the extent to which the Crown's subjects were withholding co-operation during the existing emergency, and to appreciate the reasons for this reserve.

At the highest level, there was division and uncertainty. Not only did the Privy Council speak with many voices when giving advice on the handling of the Scottish crisis, but the Committee for the Affairs of the North was also deeply split in its advocacy of peace or war. The decision in 1639 to embark upon a military expedition revealed a further widespread lack of practical support for the Crown within a group to which appeal was traditionally made in emergencies. Although an analysis of the response of the peers to the summons to York in the spring of 1639 reveals the usual seventeenth-century fluidity of groupings when compared with the political opponents of the Crown in 1640 and with the adherents of the two sides at the

outbreak of war in 1642, there was evidently a small but dangerous hard core of aristocratic opposition. This not only included two members who openly questioned the right of the monarch to call upon them for military service, but also others who were actively in touch with the rebels and who were prepared to make common cause with them. An examination of the geographical distribution of support reveals a noticeable weakness in the north and east, while the failure of many of the peers to reply to the summons at all was a further disturbing feature. The effect of this on the confidence of the King's ministers is to be seen in the anxious discussion in 1640 between Windebank and Vane over the likely response to the summons to the Council of Peers in York.[196] Those peers who did provide men and money in 1639, most of whom were also Royalist in sympathy in 1642, included a significant proportion of Catholics, whose support was likely to prove in some ways a political liability rather than an asset.

The response to an appeal for money in 1639 of a carefully selected group of gentry, hand-picked from the better-affected southern shires, was even less encouraging than that of the peers, and created further despondency in the administration. Among other easily identifiable groups to whom application was made, the City's persistent refusal to provide substantial loans on what they regarded as inadequate security deprived the Crown of one of its chief sources of large-scale finance. The insistence of the Commons on dealing with grievances before supply in the spring of 1640 revealed that a military threat from the north was not enough to prevent, even temporarily, a revival of the political pressures of Charles I's early Parliaments. The disappointing contribution of the non-aristocratic Catholic laity was evidently a particular blow to the King and Windebank, whose lenient policy towards them might have been expected to call forth a proportionately generous reply. Here, however, the government appears to have been suffering from its middle position, from the effects of hostile propaganda, and from the inequitable incidence of the recusancy fines in the north, for the recent enforcement of which Laud bears particular responsibility. Windebank's own dealings with representatives of influential foreign states like Spain and the Papacy, who might have been hoped to feel

a personal interest in helping to ensure a victory for Charles I's government against Puritan rebels, showed that here also there was no practical aid to be obtained.

More generally, the mutterings and evident disaffection among the ordinary population, of which many examples were reported to Windebank, were disturbing, particularly on the Borders and in London. The repeated refusal to fight the Scots, evidence of widespread communication with the Covenanters, and the identification of the attempt to re-establish the King's authority in Scotland with the enforcement of Laud's so-called Popish policy, betrayed a fundamental popular lack of sympathy for the government on this issue that was likely to have serious repercussions upon its military effectiveness. Although the Scots had their difficulties also, which were not widely publicised in England, the balance of superiority of their forces over the obviously inadequate armies raised by the King in 1639 and 1640 showed that the wealthier and more powerful southern kingdom could not hope to control its poorer neighbour by force of arms. English military weakness became evident in most aspects of the preparations that were reported officially and unofficially to Sir Francis. Lack of experience, of arms, of united and perceptive leadership, and failure to solve the most elementary problems of supplying an army with food and shelter seriously damaged the initial morale of that minority which rallied to the King's cause. The difficulty of mustering and holding together a serviceable army, whether by summoning the trained bands or by pressing men, was fundamentally a question of inadequate finance, and once the Scots had secured a foothold in the northern counties, and were exacting a substantial ransom for their continued presence, the urgent necessity of calling Parliament was evident even to the King and the most persistent supporters of the Personal Rule.

For Windebank, the experience of the previous two years had shown that many of his most cherished policies commanded little support and aroused settled hostility. His deeply-rooted conviction in the duty of a subject to uphold the authority of the monarch was evidently not shared by many of his contemporaries, and the growingly insistent demands for the

punishment of those ministers responsible for advising the King suggested that the summoning of Parliament was likely to have serious consequences for his own career.

Notes to Chapter IX

1 For accounts of the King's policy towards Scotland and the growing resistance of the Scots, see Gardiner, op. cit., VIII, Chapters 85, 86 and 87, and D. Stevenson, The Scottish Revolution, 1637-44 (1973), Chapters 1, 2 and 3.

2 C. S. P. Ven., 1636-9, pp. 435-6, Zonca to Doge and Senate, 6/16 July 1638.

3 Knowler, op. cit., II, p. 181, Garrard to Wentworth, 3 July 1638.

4 Ibid., p. 186, Northumberland to Wentworth, 23 July 1638; Laud, Works, VII, p. 468, Laud to Wentworth, 30 July 1638.

5 H. M. C. 23: Cowper II: p. 187, Paper endorsed by Coke, "Mr. Attorney, Scotland", 1 July 1638.

6 P. R. O., SP 16/409/106, 107, Minutes of proceedings of Committee for the North, notes by Cottington and Windebank, 17 January 1639.

7 P. R. O., SP 16/410/24, King's letter to the peers, 26 January 1639; Rushworth II, p. 818, similar letter, dated 15 February.

8 P. R. O., SP 16/412/98, Cleveland to Windebank, 12 February 1639.

9 Ibid., 412/128, St. Albans to Windebank, 14 February 1639.

10 Ibid., 412/117, Worcester to Windebank, 13 February 1639. Worcester was a Catholic, and had suffered from the general confiscation of recusants' arms.

11 See, for example, Ibid., 412/124, Peterborough to Windebank, 14 February, 413/5, Stourton to Windebank, 16 February 1639.

12 Ibid., 412/113, Bath to Windebank, 13 February 1639.

13 See, for example, Ibid., 412/96, Anglesea to Windebank, 12 February 1639; 412/115, Herbert of Cherbury to Windebank, 13 February 1639.

14 A list of the persons to whom the letter of 26 January 1639 was sent is contained in SP 16/396, the minute-book of the Council of War, pp. 95-7. With the exception of the spiritual peers, and of Boteler, Clifford, Wharton, Grey of Warke, Finch and Mowbray, of whom the two latter were not created barons until 1640, the list corresponds with the list of peers summoned by writ to the Short Parliament which is printed in Nalson, I, pp. 302-5. With the same exceptions, but with the addition of the nine peers who were minors in April 1640, the list also corresponds with that in L. J. IV, p. 45, 13 April 1640.

15 P.R.O., SP 16/413/117, Nicholas's list of replies from peers, February ? 1639. Replies to Windebank, Coke and Charles I are in SP 16/412, 413, and calendared in C.S.P.D., 1638-9 between pp. 428 and 511. See also Ibid., pp. 377-8, Northumberland to Conway, 29 January 1639.

16 Campden and Morley promised both money and horse, and are therefore included in Groups A and B. Bedford, Hertford and Winchester promised money and attendance with an unspecified number of followers, and appear in Groups A and C.

17 P.R.O., SP 16/413/117. Nicholas's endorsement that "there are but 254 horse certain, £7,400", calendared in C.S.P.D., 1638-9, p. 516, corresponds neither with the total in Appendix J, nor with the sum of his own marginal figures, and was presumably an interim note which was not altered to take account of later developments. The editor's note on p. 516, that some answers were from persons not listed in SP 16/396 is incorrect. In some cases Nicholas employed forms of titles in current use that do not correspond with the forms used in SP 16/396, pp. 95-7. Thus Lord Montagu of Kimbolton is listed by Nicholas as Lord Mandeville, and Lord Mohun as Lord Oakhampton.

18 Information on religion, creation of titles, location of estates and other characteristics listed in Appendix J is derived mainly from G.E.C., Complete Peerage, D.N.B., V.C.H., and the various modern studies of county communities listed in the bibliography. Classifications of initial allegiance in the Civil War was also partially compiled from these sources, but owes more to Appendix XVI in Dr. J.B. Crummett's unpublished Ph.D. thesis, 'The Lay Peers in Parliament, 1640-44', Manchester University, 1972. Appendices VIA-VIE in the same thesis, dealing with the location of estates, provided valuable check-lists, which emphasise the heavy concentration of peers' estates in the midlands and Wales.

19 C.H. Firth, The House of Lords during the Civil War (1910), p. 63.

20 These were St. Albans, Fauconberg, Vaux and Morley. Many instances of the disarming of recusant peers are recorded in C.S.P.D., 1625-6. See, for example, pp. 175, 179, 180, 217.

21 See, for example, H.M.C. 45: Buccleuch I: p. 280, William Montagu to Lord Montagu, 28 February 1639; P.R.O., SP 16/412/127 I, Lord Eure to William Eure, 14 February 1639; 413/4, Lord Powis to Windebank, 16 February 1639.

22 P.R.O., SP 16/412/79, William Owen to Windebank, 9 February 1639; Ibid., 413/117, Nicholas's list.

23 G.E.C., Complete Peerage, IV, pp. 214, 445; XII i, p. 337; Crummett, op. cit., pt. I, pp. 86-7; Toynbee and Young, op. cit., p. 227.

24 G. E. C., Complete Peerage, II, pp. 320-1; Gardiner, op. cit., IX, pp. 208, 261.

25 P. R. O., SP 16/413/75, 106, Chesterfield to Coke, 23 February, Middlesex to Windebank, 28 February 1639.

26 A. P. Newton, The Colonising Activity of the English Puritans (1914), pp. 34, 60-75, 126-7, 175; J. H. Hexter, The Reign of King Pym pp. 76-8; Baillie, op. cit., I, p. 275; Clarendon, Rebellion, ed. Macray, III, 26.

27 P. R. O., SP 16/413/117, Nicholas's list. For their refusal to take the oath, and Windebank's opinion on this, see below, p. 448.

28 See Appendix J.

29 C. S. P. D., 1638-9, p. 307, Charles I's commission to Astley, 11 January 1639.

30 P. R. O., SP 16/409/24, Astley to Windebank, 4 January 1639.

31 Ibid., 409/65, 66, Astley and Morton to the same, 11 January 1639.

32 Ibid., 409/189, 190, Astley to the same, 22 January 1639, enclosing a map of the defences of Newcastle.

33 C. S. P. D., 1638-9, pp. 387-8, 444-5, 468-9, Thelwall, Bradshaw and Waite to the same, 30 January, 10, 15 February 1639.

34 C. S. P. D., 1638-9, pp. 330, 337-8, Committee of the North and Windebank to Astley, 18, 19 January 1639; SP 16/410/4, 99, Astley to Windebank, 24, 30 January 1639.

35 C. S. P. D., 1638-9, pp. 324, 331, Council of War and Privy Council to Newport, 17, 18 January 1639; P. R. O., SP 16/410/55, Order of Council, 27 January 1639.

36 Ibid., pp. 347, 368, Council to Vice-President and Council of York, and others, Order of King in Council, 22, 26 January 1639.

37 Ibid., pp. 481-2, 511-12, Astley to Windebank, 19, 28 February 1639; p. 484, Windebank to Astley, 19 February 1639.

38 P. R. O., SP 16/414/91, Astley to Windebank, 14 March 1639.

39 Ibid., 414/108, 109, Astley to Windebank and Arundel, 16 March 1639; 414/138, Windebank to Astley, 19 March 1639.

40 P. R. O., SP 16/415/43, 44, The King to Archbishop Laud and others of the Privy Council, 30 March 1639; H. M. C. 24: Rutland I: p. 504, Rutland's Journal, 30 March 1639; PC 2/50, p. 208, Order for the Lords to attend the Queen on Sundays, 26 March 1639. The other members named in the Commission, besides Windebank and those already listed, were the Earls of Northumberland, Dorset, Suffolk, Exeter, Bridgwater, Danby and Kellie, Viscount Wilmot, and Cottington, Newburgh, Jermyn and Edmondes.

41 Windebank's correspondence with the King during this period is in Bodl. L., Clar. MSS. 16 and 17. Much of it is printed in Clar. S. P. II.

42 See Appendix D.

43 H. M. C. 23: Cowper II: p. 223, Cottington to Coke, 27 April 1639. P. R. O., PC 2/50, Privy Council Register, January-October 1639, covers this period.

44 The single comment on delay occurs in Clar. S. P. II, p. 61, Windebank to Charles I, 9 July 1639.

45 Clar. S. P. II, p. 39, Same to the same, 24 April 1639.

46 P. R. O., PC 2/50, p. 296; H. M. C. 23: Cowper II: p. 223, Lords of the Council to Coke, 26, 27 April 1639.

47 See for example, P. R. O., SP 16/422/77, 423/11, Coke to Windebank, 29 May, 3 June 1639; H. M. C. 23: Cowper II: pp. 219, 224, 229, Windebank to Coke, 5, 7 April, 13, 24 May 1639.

48 Ibid., pp. 235, 236, Coke to Windebank, 3 July, Windebank to Coke, 9 July 1639.

49 P. R. O., SP 16/417/22, Norgate to Reade, 3 April 1639.

50 Ibid., 418/8, 52; 420/45, Same to the same, 19, 25 April, 4 May 1639.

51 Ibid., 418/8, 421/14, Norgate to Reade, 19 April 1639, Borough to Windebank, 15 May 1639. Norgate was still complaining in mid-May that Coke was conducting business exclusively through Weckherlin, Poole and May. C. S. P. D., 1639, p. 181.

52 P. R. O., SP 16/417/22, Norgate to Reade, 3 April 1639; Sheffield City Library, Strafford MSS. 11a, ff. 154-6, Wentworth to Windebank, 24 December 1638.

53 P. R. O., SP 16/417/105, 107, Thomas Windebank and Norgate to Windebank, 16 April 1639.

54 Ibid., 420/161, Norgate to Reade, 12 May 1639.

55 Ibid., 422/62, Same to the same, 28 May 1639. See also Ibid., 422/63, Borough to Windebank, 28 May 1639.

56 Ibid., 422/78, 423/29, Norgate to Windebank, 28, 29 May, 5 June 1639.

57 Ibid., 423/15, Norgate to Reade, 3 June 1639.

58 Ibid., 423/14, Thomas Windebank to Reade, 3 June 1639.

59 P. R. O., SP 16/415/114, Notes by Windebank of measures to be taken against the Scots, [March?] 1639.

60 Clar. S. P. II, p. 35, Windebank to Charles I, 31 March 1639.

61 Baillie, op. cit., I, pp. 195-6.

62 P.R.O., SP 16/417/85, De Vic to Windebank, 13 April 1639; Ibid., 418/41, Rossingham's Newsletter, 23 April 1639.

63 Ibid., 417/22, Arundel to Windebank, 4 April 1639.

64 Ibid., 417/26, 30, Smith to Pennington, De Vic to Windebank, 4 April 1639; Baillie, op. cit., I, p. 193. But see also Laud, Works, VII, pp. 565-6, Laud to Wentworth, 1 May 1639, for a defence of Huntly, and Baillie, I, p. 200, "We knew not then the estate of the English affairs, there was no intercourse between us; our intelligence had much failed us ...."

65 P.R.O., SP 16/417/93, Essex to Windebank, 15 April 1639; Ibid., 418/29, De Vic to Windebank, 21 April 1639.

66 Ibid., 420/121, Norgate to Reade, 9 May 1639. In January, Astley had reported from Newcastle that there were "false villains in the town who hold intelligence with the Covenanters." Ibid., 409/207, Astley to Windebank, 23 January 1639.

67 P.R.O., PC 2/50, p. 264; SP 16/417/118, Thomas Marshall, searcher of Rye, to Windebank, 17 April 1639.

68 Sydney Letters II, pp. 596-7, 599-600, Leicester to Charles I and Windebank, 15/25 February, 6/16 March 1639.

69 P.R.O., PC 2/50, pp. 412-5, 432. The form of oath is given on p. 414 and in Peterkin, Records, p. 212. See also P.R.O., SP 16/422/77, Coke to Windebank, 29 May 1639; H.M.C. 23: Cowper II: p. 232, Windebank to Coke, 11 June 1639; B.L., Add. MS. 11,045, f. 29, Rossingham's Newsletter, 15 June 1639.

70 Clar. S.P. II, p. 34, Windebank to Charles I, 31 March 1639.

71 See, for example, P.R.O., PC 2/50, pp. 255, 262, 263; C.S.P.D., 1639, p. 46, Lieutenant-Governor of Scilly to the Council, 16 April 1639.

72 P.R.O., 31/3/71, f. 63, Bellièvre to Noyers, 25 April/5 May 1639; Clar. S.P. II, p. 41, Windebank to Charles I, 30 April 1639; C.S.P.D., 1639, pp. 74-5, Examination of James Nemock, 23 April 1639; Ibid., p. 139, Rossingham's Newsletter, 8 May 1639.

73 Ibid., p. 97, Rossingham's Newsletter, 30 April 1639. Baillie, op. cit., I, p. 193, recorded that "our merchants and travellers everywhere in England and Ireland were handled as rebels, their goods seized on, themselves made sure."

74 Clar. S.P. II, p. 36, Windebank to Charles I, 13 April 1639. For the Scottish trade with Veere see J. Davidson and A. Gray, The Scottish Staple at Veere (1909), and M. P. Roseboom, The Scottish Staple in the Netherlands (1910). Baillie's correspondent, the Rev. William Spang, was minister to the Scots merchants at Veere.

75 C. S. P. D., 1638-9, pp. 517-8, Statement of the proceedings of Robert Reade, secretary to Secretary Windebank, [February] 1639; Ibid., 1639, pp. 53-4, Informations concerning Scotland, etc., 16 April 1639; Ibid., pp. 97-8, Rossingham's Newsletter, 30 April 1639. For the Secretaries' powers of arrest, committal and seizure of papers, see Evans, op. cit., pp. 252-63.

76 Ibid., 414/98, Reade to [Thomas Windebank], 30 April 1639.

77 C. S. P. D., 1638-9, pp. 337-8, Windebank to Astley, 19 January 1639; Ibid., pp. 358-60, Mayor of Newcastle and others to Windebank, 24 January 1639; Ibid., p. 437, Astley to Windebank, 7 February 1639.

78 C. S. P. D., 1638-9, pp. 486-7. 632-3. Mayor of Newcastle, Astley and Marlay to Windebank, Anonymous letter March 1639; P. R. O., SP 16/423/83, 83 I, various statements endorsed by William Dell, 11 June 1639.

79 Clar. S. P. II, p. 34, Windebank to Charles I, 31 March 1639, apostiled by the King, 2 April 1639; P. R. O., PC 2/50, pp. 209-10, Order in Council for preparation of proclamation, with list of 31 patents and commissions; Ibid., pp. 311-12, Lords of the Council to Charles I, 5 April 1639.

80 H. M. C. 23: Cowper II: p. 219, Windebank to Coke, 7 April 1639; P. R. O., PC 2/50, p. 313, amendments to proclamation. For the text of the proclamation, 9 April 1639, and the preceding Order in Council, see W. H. Price, English Patents of Monopoly (1909), Appendices Q and R, pp. 171-5.

81 P. R. O., PC 2/50, p. 299, Warrant from King to Council, 20 April 1639, Text of letter to gentry; Ibid., pp. 299-301, List of recipients, divided among the counties as follows: Hampshire, 25; Dorset, 18; Devon, 26; Cornwall, 18; Somerset, 22; Wiltshire, 27; Berkshire, 22; Clar. S. P. II, pp. 39-40, Windebank to the King, 24 April 1639.

82 Ibid., p. 40.

83 Bodl. L., Clar. MS. 16, ff. 125-125v, Windebank to Charles I, 24 May 1639.

84 Clar. S. P. II, pp. 58, 64, Same to the same, apostiled, 2, 11 July 1639. For an analysis of the replies see Appendix K.

85 P. R. O., PC 2/51, pp. 77-81, 26 November 1639.

86 C. S. P. Ven., 1636-9, pp. 506, 535, 545, Giustinian to Doge and Senate, 1/11 March, 24 May/3 June 1639. For accounts of the Catholic contributions see Albion, op. cit., pp. 334-7; M. Havran, The Catholics in Caroline England, pp. 152-7.

87 B. L., Sloane MS. 1,470, ff. 41-53, Advices and Motives, 1639; A Coppy of .... the names of the Collectors .... , 1641; Prynne, Hidden Works of Darkness, pp. 191-3.

88 A Coppy of the Letter sent by the Queenes Majestie, etc., 1641; B. L., Sloane MS. 1,470, ff. 36-38v, The Queen to the English Catholics, 17 April 1639.

89 B. L., Add. MS. 15,392, ff. 144-144v, 151, Con to Barberini, 10/20, 17/27 May 1639.

90 Ibid., ff. 163v-164, Same to the same, 24 May/3 June 1639, "... ho scoperto che la contributione non passara 50 m. scudi al piu, ma trattandosi di Danari per tutto nascono difficoltá."

91 Bodl. L., Clar. MS. 16, f. 125, Windebank to the King, 24 May 1639.

92 Havran, op. cit., p. 155. He seems to believe that the contributions of the Marquis [sic] of Worcester (£1,500), and the Marquis of Winchester (£1,000), were part of the Catholic contribution. Although both men were Catholics, these amounts represented their contribution in lieu of personal service and horse in the summons to the peers of January 1639. See Appendix J.

93 Bodl. L., Clar. MS. 16, f. 125, Windebank to the King, 24 May 1639.

94 Bodl. L., Clar. MS. 17, ff. 80-81, Petition from Recusants, August 1639.

95 P. R. O., 31/9/124, ff. 242-3, Instructions from the Pope to his Nuncio in England, 1639, also printed in Clar. S. P. II, p. 44.

96 P. R. O., 31/9/124, ff. 238-40, Con to Barberini, 3/13 May 1639.

97 B. L., Add. MS. 15,392, ff. 162v-163, Same to the same, 24 May/3 June 1639.

98 Valerie Pearl, London and the Outbreak of the Puritan Revolution (1961), pp. 94-5; B. L., Add. MS. 11,045, ff. 6, 7v-8, Rossingham's Newsletters.

99 Laud, Works VII, p. 569, Laud to Wentworth, 1 May 1639.

100 Clar. S. P. II, pp. 45, 46, Windebank to Charles I, 21, 24 May 1639. Pratt was a former Master of the Merchant Taylors' Company and, like Windebank, had an estate in Berkshire. Pearl, op. cit., pp. 303-4.

101 Clar. S. P. II, p. 46, Windebank to Charles I, 24 May 1639.

102 Ibid., pp. 50, 52, 53. Abbott was a brother of Laud's predecessor as Archbishop of Canterbury, a governor of the East India Company, and a friend of Sir Dudley Digges. D. N. B. I, pp. 21-4; Pearl, op. cit., Appendix I, pp. 285-8. Mrs. Pearl's comment on this meeting, op. cit., p. 97, that "Abbott's refusal to appear was a great blow to the Crown", is inexplicable, since Windebank's letter,

which she cites, makes it quite clear that he was present. Moreover, the meeting was held on Friday, 7 June, and not, as she suggests, on 8 June, the date of Windebank's letter.

103 Clar. S. P. II, pp. 54-6, Windebank to Charles I, 11 June 1639. At the Aldermen's first refusal Cottington told them them that before giving such an answer "they should have sold their Chains and Gowns". Ibid., p. 55.

104 Bodl. L., Clar. MS. 17, f. 21, Windebank to Charles I, 27 June 1639.

105 Laud, Works, VII, p. 577, Laud to Roe, 21 June 1639.

106 Bodl. L., Clar. MS. 17, ff. 38-38v, Windebank to Charles I, 11 July 1639.

107 Pearl, op. cit., pp. 98-9. She stresses that the City's objections were less political than economic at this time.

108 Clar. S. P. II, pp. 21-2, Colonel Henry Gage to George Gage, 26 January/5 February 1639; Ibid., p. 19, A Design to extricate his Majesty out of these present Troubles with the Scots ..., n. d., 1638 or 1639.

109 Ibid., pp. 23-4, Instructions for Henry Gage, 26 January/5 February 1639.

110 Ibid., pp. 24-6, 26-9, Henry Gage to Windebank, 16/26 February 1639; George Gage to the same, 23 February/5 March 1639; Bodl. L., Clar. MS. 16, ff. 18v-19v, Windebank to Hopton, 15/25 March 1639.

111 Clar. S. P. II, p. 49, Windebank to Charles I, 31 May 1639, apostiled by the King, 4 June.

112 Knowler, op. cit., II, p. 268, Wentworth to Windebank, 6 January 1639. See also Ibid., pp. 287, 297, Same to the same, 15 February, 2 March 1639; pp. 312-3, Wentworth to Charles I, 1 April 1639; p. 322, Windebank to Wentworth, 13 April 1639; Sheffield City Library, Strafford MSS. vol. 10, f. 70, Wentworth to Cottington, 16 April 1639.

113 Ibid., vol. 10, f. 332, Wentworth to Clifford, 2 June 1639.

114 Knowler, op. cit., II, p. 297. See also Ibid., pp. 300-6, Wentworth to Windebank, 20 March 1639, enclosing the Earl of Antrim's Propositions.

115 Clar. S. P. II, p. 33, Windebank to Charles I, 31 March 1639; Knowler, op. cit., p. 323, Windebank to Antrim, 13 April 1639.

116 Baillie, op. cit., I, p. 198. For Wentworth's correspondence on this matter, May-June 1639, see, for example, Sheffield City Library, Wentworth MSS. vol. 10, ff. 101-5, 314-5, 335-7.

117 Knowler, op. cit., pp. 297-8, Wentworth to Windebank, 2 March 1639.

118 P.R.O., SP 16/417/94, 94 I, 95, Hay to Windebank, 15 April 1639, enclosing draft proclamation, dated 7 April; 418/50, Proclamation, printed copy, dated 25 April; Peterkin, Records, p. 213, Charles I to Hamilton, 5, 7, 10 April; Spalding, op. cit., I, pp. 183-4.

119 P.R.O., SP 16/418/99, Rossingham's Newsletter, 30 April 1639. For the text of the oath see Ibid., 415/117, and Peterkin, Records, p. 223.

120 Bodl. L., Clar. MS. 16, ff. 99-99v, Windebank to Charles I, 30 April 1639; Ibid., f. 90, Charles I to Windebank, 21 April 1639.

121 C.S.P.D., 1639, p. 103, Questions to be put to Lords Saye and Brooke, April 1639; H.M.C. 23: Cowper II: p. 224, Windebank to Coke, 30 April 1639.

122 Bodl. L., Clar. MS. 16, ff. 122v-123, Windebank to Charles I, 21 May 1639.

123 Clar. S.P. II, p. 56, Same to the same, [11 June]1639.

124 Ibid., pp. 35-6, Same to the same, 13 April 1639, apostiled by the King, 16 April.

125 Bodl. L., Clar. MS. 16, f. 100, Same to the same, 30 April 1639.

126 B.L., Add. MS. 28,566, f. 8, Aston's Diary, 5 May 1639.

127 Clar. S.P. II, pp. 42, 45, Charles I to Windebank, 17 May, Windebank to Charles I, 21 May 1639.

128 Peterkin, Records p. 219, Charles I to Hamilton, 13 May 1639. Baillie commented on the "huge expense" of Hamilton's force, which he put at over £30,000 a month, Baillie, op. cit., I, p. 202. Windebank passed on Juxon's reproach that a demand of £18,000 for Hamilton was unexpected, Clar. S.P. II, p. 47, Windebank to Charles I, 24 May 1638, apostiled.

129 Ibid., pp. 46-7. Gardiner's survey of the financial situation in May 1639 indicates some of the difficulties of the position, and corresponds more nearly to Windebank's assessment than the rosier picture presented by Dietz. Gardiner, op. cit., IX, pp. 25-6; Dietz, op. cit., pp. 284-7.

130 Clar. S.P. II, pp. 53-4, 56, Windebank to Charles I, 8, 11 June 1639; P.R.O., SP 16/423/107, The King's reply to the Covenanters, 15 June 1639.

131 B.L., Add. MS. 28,566, f. 24, Aston's Diary, 11 June 1639.

132 For the negotiations preceding and following the Pacification of Berwick see Stevenson, op. cit., pp. 151-61; Gardiner, op. cit., IX, pp. 38-47; Spalding, op. cit., 215-20; Peterkin, op. cit., pp. 228-33. A copy by Windebank of the articles of the Pacification of Berwick is in P. R. O., SP 16/424/4, and they are printed in Rushworth III, p. 945.

133 Laud, Works VII, p. 584, Laud to Roe, 26 July 1639.

134 B. L., Add. MS. 27,962, ff. 329-329v, Salvetti to Grand Duke of Tuscany, 9/19 August 1639.

135 Bodl. L., Clar. MS. 17, f. 72v, Windebank to Hopton, 16/26 August 1639.

136 C. S. P. D., 1639, pp. 395, 407-9, De Vic to Windebank, 15, 21 July, Borough to Windebank, 21 July 1639.

137 Ibid., pp. 386-7, Copies of an anonymous letter, 11 July 1639, and other papers sent to Windebank by Abbott and Lord Maynard.

138 P. R. O., SP 16/425/86, 95, Windebank to Pembroke, 17 July, Pembroke to Windebank, 18 July 1639; Ibid., 426/1, 10, Salisbury to Windebank, Windebank to Salisbury, 19, 20 July 1639.

139 Ibid., 427/14, Act of State concerning the seditious gloss upon the Pacification, 4 August 1639; PC 2/50, pp. 587-9, Proclamation against the scandalous paper relating to the Pacification, 11 August 1639. A copy of the Covenanters' paper is in SP 16/424/113.

140 Turner, Cabinet Council I, p. 308; Sydney Letters II, pp. 614, 623, Northumberland to Leicester, 17/27 October, 12/22 December 1639; Clar. S. P. II, p. 81, Windebank to Hopton, 13/23 December 1639.

141 See Chapter X, p. 481.

142 P. R. O., SP 16/441/119, Reade to Thomas Windebank, 13 January 1640; PC 2/51, p. 2, gives the list of members as Northumberland, Juxon, Hamilton, Arundel, Newport, Wentworth, Conway, Cottington, Vane, Windebank, Uvedall, Astley, Conyers and Byron. By 14 February 1640, Goring's name was also included. C. S. P. D., 1639-40, pp. 458-9, Commission to Northumberland and others.

143 Ibid., pp. 295-6, 301, 323, 368-9, Minutes and Orders of the Council of War, 2, 4, 11, 24 January 1640.

144 P. R. O., SP 16/441/119, Reade to Thomas Windebank, 13 January 1640.

145 C. S. P. D., 1639-40, pp. 529, 567, Notes of proceedings at the Council of War, 9, 21 March 1640.

146 See, for example, Ibid., pp. 445-6, 512, 560.

147 P. R. O., SP 16/441/119, Reade to Thomas Windebank, 13 January 1640; Stevenson, op. cit., p. 181.

148 P.R.O., SP 16/447/19, 58, 96, Windebank's notes of meetings with the Scots Commissioners, 3, 9, 12 March 1640.

149 Ibid., 447/87, Windebank's notes of proceedings at the Council, 11 March 1640.

150 P.R.O., SP 16/448/12, Windebank's notes of meeting with the Scots Commissioners, 16 March 1640.

151 C.S.P.D., 1640, p. 32, Rossingham's Newsletter, 14 April 1640.

152 P.R.O., SP 16/450/85, 86, 87, Draft by Windebank of questions put to Loudoun; Examination of Loudoun; Loudoun to Charles I, 14 April 1640. For the use made of the letter in Parliament, see Chapter X, pp. 487-8.

153 P.R.O., SP 16/542/69, Windebank to [Conway], 7 May 1640.

154 Ibid., 452/53, Windebank's minutes of Council meeting, 6 May 1640; 452/65, Council warrants to messengers to bring various persons before the Board, 7 May; 452/66, Order of the King in Council, sheriffs to be examined by the Attorney-General, 7 May 1640.

155 C.S.P.D., 1640, pp. 121-2, Council to Lord Lieutenants of certain counties, 6 May 1640; Ibid., p. 219, Windebank to Conway, 26 May 1640; Gardiner, op. cit., IX, pp. 158-9.

156 C.S.P.D., 1640, p. 152, Tichborne and Norton, Deputy-Lieutenants of Hampshire, to Lennox and Portland, 12 May 1640; Ibid., pp. 216-7, Portland to Northumberland, 25 May 1640, enclosing another letter from Tichborne and Norton.

157 Ibid., p. 219, Deputy-Lieutenants of Berkshire to Holland, 26 May 1640.

158 P.R.O., SP 16/461/13, Sir William Jones to Finch, 25 July 1640.

159 Ibid., 460/38, 38 I and II, Sawyer to Windebank, 18 July 1640, and Sawyer's notes.

160 Ibid., 466/42, pp. 18-20, MS. Entry Book relating to the second Bishops' War, 1640.

161 Ibid., 460/38, Sawyer to Windebank, 18 July 1640.

162 Ibid., Windebank's notes on back of Sawyer's letter.

163 Ibid., 460/48, Francis Reade to Robin Reade, 19 July 1640.

164 Ibid., 461/5, Lowes to Windebank, 24 July 1640.

165 Ibid., 460/46, 47, Francis Windebank to Secretary Windebank, and the same to Robin Reade, 19 July 1640.

166 Ibid., 461/46, 46 I, II, Fettiplace to Windebank, 29 July 1640, and attached papers.

167 Ibid., 460/83, Sheriff of Berkshire to Windebank, 23 July 1640.

168 Ibid., 461/20, Holland to Windebank, 26 July 1640.

169 C. S. P. D., 1640, p. 219, Windebank to Conway, 26 May 1640.

170 Ibid., pp. 215-6, 275-6, 361-2, Intelligence from Scotland, [25 May] 1640, and enclosures in Conway's despatches of 8 and 30 June 1640.

171 P. R. O., SP 16/460/25, 25 II and III, Conway to Windebank and intelligence from Scotland, 17 July 1640.

172 C. S. P. D., 1640, p. 516, P. R. O., SP 16/463/11, Conway to Windebank, 27 July, 3 August 1640.

173 Ibid., 461/47, Ernle to Windebank, 29 July 1640.

174 Ibid., 461/49, Conyers to Windebank, 29 July 1640.

175 Ibid., 464/41, Same to the same, 19 August 1640.

176 C. S. P. D., 1640, p. 329, Windebank to Conway, 22 June 1640.

177 P. R. O., SP 16/460/54, Same to the same, 21 July 1640. At the last moment he seems to have been lulled into a false sense of security, writing to Conway on 22 August, "I hear the Scots are not so forward as was apprehended and so you shall have the more time to put Newcastle into defence." Ibid., 464/71. For Conway's Narrative of his conduct in the action at Newburn, 1640, see Clar. S. P. II, pp. 99-110.

178 P. R. O., SP 16/464/8, Windebank's notes of the proceedings of the King in Council, 16 August 1640.

179 Bodl. L., Clar. MS. 18, f. 261, Windebank to Charles I, 20 August 1640, misdated 24 August in Clar. S. P. II, p. 89.

180 Ibid., p. 91, Charles I to Windebank, 24 August 1640.

181 Ibid., p. 92, Windebank to Charles I, 28 August 1640.

182 Ibid., p. 97, Same to the same, 3 September 1640.

183 Ibid., p. 94, Same to the same, 31 August 1640.

184 Ibid., p. 95, For a list of Lord Lieutenants who in 1639-40 were repeatedly urged to reside within their Lieutenancies, see PC 2/50, p. 261.

185 Clar. S. P. II, pp. 110-11, Windebank to Charles I, 7 September 1640. For copies of the petition of the twelve nobles see P. R. O., SP 16/465/16-24; C. S. P. D., 1640, pp. 639-40; Rymer, Foedera, XX, p. 435; Rushworth III, p. 1260; Nalson I, p. 437. The signatories of the petition sent to the King were Bedford, Essex, Brooke, Warwick, Saye and Sele, Mandeville, Exeter, Hertford, Rutland, Mulgrave, Howard of Escrick and Bolingbroke. Other copies omit the names of Exeter and Rutland, and include those of Bristol and Paget; or omit Howard of Escrick and add the names of Lincoln, North, Willoughby of Parham, Saville, Wharton and Lovelace.

186 Hardwicke State Papers II, pp. 168-70, Memorial, Council and Committee, 2 September 1640.

187 Clar. S.P. II, p. 97, Windebank to Charles I, 3 September 1640.

188 Bodl. L., Clar. MS. 18, f. 262, Apostile by Charles I, 22 August 1640, on Windebank's letter of 20 August.

189 Ibid., Clar. MS. 19, f. 25, Windebank to Charles I, 7 September, apostiled by the King, 9 September 1640. See Clar. S.P. II, pp. 91-2, 96, Charles I to Windebank, 21, 23, 27 August, 2 September 1640, for the King's earlier demands. For the threat to debase the coinage see P.R.O., SP 16/459/77, Windebank's notes of business, 11 July 1640; 461/32, Rossingham's Newsletter, 27 July 1640; Rushworth III, p. 1217; Gardiner, op. cit., IX, pp. 170-2.

190 Hardwicke State Papers II, pp. 176-9, Vane to Windebank, 13, 14 September 1640; Bodl. L., Clar. MS. 18, f. 273, Apostile by Charles I, 2 September, on Windebank's letter of 1 September 1640. "Tell the Earl Marshal and all the Council that we here preach the doctrine of serving the King every one upon his charge, for the defence of the realm, which, I assure you is taken as canonical here in Yorkshire, and I see no reason why you of my Council should not make it be so understood there."

191 For Windebank's attempts in 1640 to secure a Spanish subsidy through Velada and Malvezzi, see Chapter VII, pp. 340-2.

192 Bodl. L., Clar. MS. 19, f. 31v, Windebank to Charles I, 18 September, apostiled by the King, 20 September 1640.

193 Clar. S.P. II, pp. 129-30, Same to the same, 14 October 1640. For the negotiations with the City of London see B. L., Add. MS. 11,045, f. 129, Rossingham's Newsletter, 27 October 1640; P.R.O., SP 16/468/16, List of Peers to negotiate with the City, 24 September 1640. These were Manchester, Pembroke, Clare, Campden, Conway and Goring. See also Pearl, op. cit., pp. 102-5, Ashton, op. cit., pp. 180-3.

194 Hardwicke State Papers II, pp. 186-204, Vane to Windebank, 14 September-23 October 1640. For the negotiations between the English and Scots Commissioners see J. Borough, Notes of the Treaty carried on at Ripon ..., Camden Society (1869), pp. 2-69; Rushworth III, pp. 1286-96; Baillie, op. cit., pp. 262-3.

195 Bodl. L., Clar. MS. 19, f. 12, Windebank to Hopton, 5 September 1640.

196 Hardwicke State Papers II, pp.172, 178, Vane to Windebank, 11, 14 September 1640.

CHAPTER X

PARLIAMENT, ARTICLES OF IMPEACHMENT AND EXILE

By November 1639 it had become clear that no agreement with the Scots was likely to be achieved. In Scotland, the re-enactment by the Edinburgh Assembly of the Acts of the Glasgow Assembly, and their ratification by the Scottish Parliament, were clear signs of continued resistance to the King. The abolition of episcopacy by the Scots and the adoption of a new method of choosing the Lords of the Articles effectively ended royal control of Parliament. In England, the rejection by the Committee for Scottish Affairs of the Scots' demand for the King's ratification of the proceedings of Parliament; the dismissal of the Scottish commissioners, Loudoun and Dunfermline; and the prorogation on 14 November of the Scottish Parliament marked the formal recognition by the King and his advisors that the Pacification of Berwick would not lead to a permanent settlement. Traquair's account to the Committee for Scottish Affairs on 27 November of the temper and proceedings of the Scots left little room for optimism, and it was evident that if the King was to reassert his authority in Scotland, it must be by force.[1]

The difficulties experienced in raising money for the First Bishops' War earlier in the year, and the reluctance of the City of London to lend money to the King led to the conclusion that if another expedition were to be sent to the north, then a more substantial source of supply must be found. Lengthy debates on ways and means were held in the recently reconstituted Committee for Scottish Affairs, which now consisted of Wentworth, Laud, Hamilton, Juxon, Northumberland, Cottington, Windebank and Vane.[2] As Windebank explained to Hopton, a proposal to resort to Parliament was made, but was at first rejected, "it being unlikely that a Parliament would furnish supplies in time and in proportion answerable to this present exigent."[3] The King's credit was already taking the strain of the First Bishops' War[4] and when the Committee considered alternative sources of extraordinary revenue, these appeared full of difficulties. Although it was

decided to tap some of them, the King was finally recommended to call a Parliament:

> "But the Lords being desirous that the King and his people should meet if it were possible, in the ancient and ordinary way of Parliament, rather than any other, were of opinion his Majesty should make trial of that once more, that so he might leave his people without excuse, and have wherewithal to justify himself to God and the world, that in his own inclination he desired the old way; but that if his people should not cheerfully according to their duties meet him in that, especially in this exigent, when his Kingdoms and person are in apparent danger, the world might see he is forced contrary to his own inclination to use extraordinary means, rather than by the peevishness of some few factious spirits to suffer his State and Government to be lost." 5

Wentworth, over-confident of his power to manage the English legislature in the same way as the Irish, and over-estimating latent English hostility to the Scots, was the chief advocate of this course, with support from Laud and Hamilton.[6]

Although Windebank concurred in the decision, his own views are unrecorded. He had little affinity with Parliaments, but believed strongly in the need to reassert the King's authority over the Scottish rebels. His active participation in the money-raising efforts of the spring can have left him in no doubt of the desirability of finding other methods of financing an army, the cost of which was now estimated at about a million pounds a year.[7] It is likely that he was one of those members of the Committee described by Northumberland: "those Lords, that were all this while most averse to Parliaments, did now begin to advise the King's making trial of his people in Parliament, before he used any way of power. This being advised by their Lordships (who, to say truth, found themselves so puzzled that they knew not where to begin) the King was soon gained."[8] Both Northumberland's letter and the tone of Windebank's comment to Hopton suggest that there was little optimism in the Committee over the probable response to the King's request for supply, and that the summoning of a Parliament was regarded rather as a prelude to a more extensive use of the prerogative than as a solution to the problem of money-raising in itself.

This impression is confirmed by the precaution taken by the King when the recommendation of the Committee for Scottish Affairs was announced at the next meeting of the Privy Council. Having arranged for Traquair to make "particular and exact relation to the Lords of the late Assembly and Parliament in Scotland and of their high and insolent demands, together with his opinion of their purpose to persist in them, and that there was no probability of reducing them but by force", the King asked the somewhat startled Council for their advice, in the light of the Committee's views, and secured a unanimous vote in favour of summoning Parliament. Before accepting the recommendation, however, Charles asked whether "if the Parliament should prove as untoward as some have lately been", the Lords would guarantee to aid him to an extraordinary extent themselves. It was only when he received a unanimous and favourable answer to this question that he consented to summon a Parliament for 13 April.[9]

Windebank's draft of the King's letter to those members of the Council who had been absent from the meeting on 5 December explained the nature of the King's expectation of their immediate assistance, which consisted of contributions towards a loan of £300,000 on the security of assignments out of the revenue, to be repaid with interest within two years.[10] Windebank himself contributed £3,000, which he first had to arrange to borrow,[11] and the response from many others was prompt and generous.[12] Like many Privy Councillors he no doubt acted from a mixture of motives, including personal loyalty to the Crown, conviction that the King's authority should be maintained, and a vested interest in the continuation of the existing system of government, which he saw as threatened by the revolt in Scotland: "the fire continuing there, and growing to that danger, that it threatens not only the monarchical government there, but even that of this kingdom."[13]

Once the King's decision to summon Parliament was known, Sir Francis's first inclination was to secure one of the Berkshire county seats. He wrote immediately to his neighbour at Hurst, Sir Richard Harrison,

proposing a joint candidature for a knightship of the shire, but Harrison excused himself, pleading lack of sufficient fortune to support public employment. As an old friend, and a supporter of the Court, he was prepared to be active in Windebank's interest, however, and promised to notify Sir Francis of likely competitors and the inclinations of the county.[14]

Sir Edmund Sawyer, one of the Auditors of the Exchequer, enlisted by Cottington on Windebank's behalf, wrote a prompt and friendly letter to Reade, regretting only that Sir Francis had not approached him directly: "If you had but told me he desired such a thing, it had been enough for me, for I have received so many favours from him that I should be glad of any occasion wherein I might serve him."[15] His analysis of the likely support for Sir Francis was not altogether encouraging, however. The most obvious difficulty was geographical, for the election was held at Abingdon, while his own area of influence, like Windebank's, was in Windsor Forest. As Sawyer pointed out, "the men who dwell near there [Abingdon] and who come in the morning and go home at night, are those who usually carry the business. Our forest men are but a handful in respect of them and many will make excuses in respect of the long journey and charge." As yet the other candidates for the county seats were unknown, and Sawyer's advice was simple and practical: "When his Honour finds who is likely to stand, the best way is to join with the strongest in voices, to have his voices, and he to have his Honour's."[16]

In the event, this was more easily said than done, for the other candidates, who were both ultimately elected, were John Fettiplace and Henry Marten, two men who were currently hostile to the court and well-known in the county.[17] Berkshire was not strongly influenced by any of the great aristocratic families, and most of those who sat as knights of the shire and as burgesses in the sixteenth and seventeenth centuries were drawn from families like the Windebanks who had become prominent since the Reformation. The Fettiplaces, however, were more active and influential in local life than the Windebanks, and were allied by marriage to one of the pre-Reformation county families, the Besils.[18] Sir Francis's

failure to acquire a county seat cannot be attributed solely to his own lack of influence in Berkshire, for it was also an example of a more widespread trend that had developed during the 1620's, in which Privy Councillors had gradually been driven from the larger open constituencies to seek election in the small boroughs and University seats that were more amenable to Crown influence. In 1628 no Privy Councillor had been elected to a county seat, and although earlier Secretaries of State like Naunton in 1626, Morton in 1625 and Calvert in 1621 had been among the few exceptions to the general trend, they had only succeeded through the enlistment of exceptionally influential support, or by heavy expenditure of money.[19] Of the three other Privy Councillors besides Sir Francis who sat in the Commons in the Short Parliament, only Sir Edward Littleton occupied a county seat, at Stafford, while Vane sat for Wilton and Sir Thomas Jermyn was elected to Bury St. Edmunds.[20]

It is not clear at what point Sir Francis abandoned his quest for a knightship of the shire, though in doing so he possibly acted on a warning from Sir Richard Harrison, who had undertaken to advise him "whether I conceive it fit for you to appear in that business without assurance of good success."[21] In February 1640 he may have been exploring another avenue, for a friend of Robin Reade's wrote of a reading given at Lincoln's Inn and the ensuing discussion on the question of what honours were due to Secretaries of State by right or favour, and what claims they had de jure to a place in the Lords. He reported the conclusion that they had no place there, unless they were made barons or were called by writ.[22] The Secretaries of State had been, since the reign of Henry VIII, among those of the Crown's legal advisors who received a specially worded writ of summons to the House of Lords, although their status was that of assistants, and they normally took no other part in the proceedings of the upper House. By the mid-sixteenth century it was customary for them to secure election to the lower House if they were commoners, although writs of assistance were still sent to them until 1679.[23]

It is unlikely that Windebank seriously expected a place in the Lords,

and at some stage in the preliminaries to the Short Parliament, he decided to seek a safer refuge by becoming one of the candidates for Oxford University. In the early seventeenth century the Universities had evolved a compromise by which they nominated one candidate while the Chancellor or some other outside influence named the other, usually on behalf of the Court. Although no letter of recommendation for Oxford at this election survives, Windebank was presumably supported by Laud, and possibly also by the King.[24] It was evident that some powerful influence was at work, for on 9 March Sir Francis's youngest son John, then a scholar at New College, wrote to Reade,

> "This afternoon the whole university are assembled to elect our burgesses. I intend on Wednesday to acquaint my father with the proceedings. I hear already that the Vice-chancellor had given order to the Masters of Arts to name my father burgess in the first place before Sir John Danvers." [25]

Although this instruction seems not to have been followed, Sir Francis was chosen without apparent dispute, and Laud recorded the unanimous consent of Convocation to the choice.[26] Presumably Sir Francis thought himself fortunate, since he wrote to Hopton later in the month that the elections for Parliament had been "very tumultuary."[27]

Windebank's secretary, Robin Reade, had experienced something of this in his own campaign. He had initially managed to secure two nominations, the first in January by Wentworth for Boroughbridge, Yorkshire, which apparently came to nothing,[28] and the second for Rye by Suffolk, Lord Warden of the Cinque Ports, and by Sir Francis.[29] The jostling for seats in Parliament had been remarked by Edward Nicholas from the outset,[30] and Reade commented to Thomas Windebank in February that "... there is such bandying for places that, for aught I see, we who were made sure at first of burgessships are as likely to miss them as others, men being not able to perform what they promise ...."[31]

At some time in the campaign Reade transferred his attention from Rye to Hastings, and on 17 March the Mayor and Jurats of Hastings wrote to

announce that Reade had been elected, together with Sir John Baker.[32] This was not the end of the matter, however, for allegations of bribery, which seem to have been well-founded, were made by the freemen of Hastings against John White, the Earl of Dorset's secretary, acting as Reade's agent.[33] The charge reflected the political antagonism between the officials of the borough, who supported the Court candidate, and a group of freemen supporting a local candidate, Thomas Eversfield. Reade's election stood, though Eversfield was to get his revenge in the autumn.[34]

Sir Francis's eldest son, Thomas, appears to have had less trouble in securing election at Wootton Bassett, Wiltshire.[35] Although no record of assistance from his father survives, it is unlikely that Sir Francis would not have given it, and Thomas may well also have been supported by Sir Richard Harrison, the Windebank's neighbour and friend at Hurst, who had himself represented Wootton Bassett in the 1621 Parliament.[36] There is no sign that Windebank sent any other letters of recommendation for candidates at this election.

Upon the Short Parliament, which sat from 13 April until 5 May 1640, Sir Francis is unlikely to have made either a favourable or a powerful impression. Clarendon later described him as "a bashful speaker",[37] and he does not figure conspicuously in the various accounts of the proceedings of this Parliament.[38] Although the same can be said for many other Privy Councillors with more Parliamentary experience than Sir Francis, it is in this respect that he displayed one of his chief shortcomings as a minister of the Crown.

The Secretaries' relationship with the legislature in the early seventeenth century was not clearly defined, although they were expected to sit in Parliament and to share with the Treasurer and Comptroller of the Household, the Vice-Chamberlain and the Chancellor of the Exchequer the tasks of explaining the King's policy and protecting the King's interests. Like other Privy Councillors they served on a number of committees, and acted as intermediaries in conveying formal messages between the King and

Parliament. They assisted in many of the routine procedures of the Commons such as administering the oaths of allegiance and supremacy, conducting the election of the Speaker, and carrying bills from the lower House to the Lords.[39]

The extent to which they could do more than this by playing a prominent part in debate, managing or persuading the Commons in the King's interest, and exercising authority in the House as the monarch's representative, depended heavily on the personality of the individual Secretary and the temper of the Commons. The two-fold trend in the Early Stuart Parliaments towards under-representation of the Privy Council in the Commons and a growing display of initiative by the lower House had established by 1640 a powerful assumption that neither the Secretaries of State nor the other Privy Councillors in the Commons would exercise any great influence over the House.[40] Long acquaintance with Windebank and the experience of his first three Parliaments is unlikely to have led Charles to expect that Sir Francis would upset this assumption. Moreover, the Early Stuart Secretaries appointed after Salisbury were not generally chosen for their powerful personalities or their political acumen. As Willson rightly pointed out, many of them "owed their places primarily to their industry and efficiency in detailed administration",[41] and Windebank is a particularly good example of this breed. He had not sat in Parliament before 1640, and there was no tradition of Parliamentary experience in his family, for neither his father nor his paternal grandfather had been members. With a seasoned and astute campaigner like Pym making an early mark in a House of Commons that was intent upon voicing the pent-up grievances of eleven years, Sir Francis had little chance of intervening effectively.

One of his first tasks was to acquaint the Commons with the details of the intercepted letter from a group of the leading Scottish Covenanters to the King of France, asking for his assistance in their struggle with Charles I. This had been revealed by the King on the opening day, in a calculated attempt to arouse a burst of English loyalty against a treasonable attempt by the Scots to secure the intervention of a foreign power in a domestic dispute.

The attempt failed, and Charles probably did not then appreciate the difficulty of kindling this kind of response in an assembly whose leaders were themselves in contact with the Scottish rebels, and who were planning to urge the redress of Scottish as well as English grievances as part of their Parliamentary programme.[42]

On 16 April Windebank read the letter to the Commons, first in French and then in English, and gave an account of the examination in the Tower of Lord Loudoun, one of the signatories, two days earlier by Cottington, himself and the Attorney-General. Loudoun had confessed to signing the letter, which was undated, but claimed that it had been written before the Pacification of Berwick and had not been sent. Not surprisingly, under the circumstances, Sir Francis seems to have had no better success than the King and Finch on the opening day. He was answered by Harbottle Grimston, who urged that the danger described by Windebank stood at a distance, whereas there was a greater domestic danger, "so much the more daingerous because it is home bredd and runnes in to the veynes."[43] Although the letter was again produced on 17 April it was then laid aside "till the House be well settled", while the Commons turned their attention to the more absorbing task of preparing a list of their own grievances with which to confront the King when he asked for subsidies.[44]

Sir Francis, perhaps on account of his office as Secretary, was appointed to several of the more important committees of this brief Parliament. On 16 April he became a member of the large Committee for Privileges set up to examine disputed election returns and similar matters, which met on three afternoons a week in the Star Chamber, and which seems to have been kept relatively busy.[45] He was also a member of a smaller select committee convened to prepare a report to the King on the violation of the liberties of the House on the last day of the previous Parliament, when the Speaker was commanded to put no questions while the Commons were still sitting after receiving a verbal command by the King that the House be adjourned. Since this committee also included Pym, Hampden and St. John, as well as Sir Walter Erle, it is likely that Sir Francis did not

find himself altogether in sympathy with his companions.[46]

He must have been even less in sympathy with the matters under discussion in the most significant of the committees on which he sat. This was the body that was preparing material for a conference with the Lords on the principal grievances of which redress was to be demanded. The long catalogue of injuries was arranged in the three broad groups outlined in Pym's major destructive speech of 17 April: innovations in matters of religion, propriety of goods, and the liberties and privileges of Parliament.[47] Since Windebank had been closely concerned with the introduction or enforcement of many of the measures to which objection was being made, and since he was known to be a consistent supporter of the royal prerogative, it is perhaps surprising that he had been selected for this committee. It is possible, however, that this was a deliberate move by the leading opponents of the Crown to demonstrate at close quarters the strength and range of hostility to the government of the Personal Rule to that servant of the King who was most likely, by virtue of his position, to relate what he heard to his master.

Both in this committee and in the meetings of the whole House, Windebank, although he was not yet named, was in some respects given a preview of the attack that was to be launched against him by the Long Parliament in November, particularly in relation to his tolerant treatment of Catholics and his wish for closer relations with Rome. A man of his temperament, who had already foreseen the dangers of his position in relation to his dealings with the Catholics,[48] can hardly have failed to understand the threat implied in speeches such as that of Francis Rowse, member for Truro, which asserted that "the root of all our grievances I think to be an intended union between us and Rome", and which inveighed against Davenport's book, Deus, Natura, Gratia, that Windebank had been at such pains to preserve from censure.[49] Nor can he have missed the significance of the summons before the Committee to manage the Conference with the Lords of Sir Gilbert Gerrard, who had informed the House of the actions of the messenger Newton, "who had apprehended divers Jesuits and

had afterwards let them go again."[50]

A recurrent but minor activity of Windebank's during the Short Parliament was the duty of reporting to the House on the arrangements for a fast to be observed by both Houses and the whole kingdom. Appointed on 16 April a member of the committee to organise the fast, he carried frequent messages on the subject to and from the Lords, a trivial but customary task in the early stages of a Parliament, and one that had been carried out by Coke in the 1620's and was to be taken over by Roe in the Long Parliament.[51]

A critical point was reached during the second week of the Short Parliament when, on 23 April, the Commons resolved that the consideration of grievances should take precedence over the granting of supply. The House voted that a conference should be sought with the Lords to discuss ways in which innovations in religion, the raising and enforcement of unwarrantable taxation, and infringements of Parliamentary liberties could all be prevented. Sir Francis does not appear to have spoken on behalf of the Crown in this crucial debate, and, predictably, was not selected as a member of the committee appointed to consult with the Lords.[52] Rossetti described how the King, on receipt of the news of the Commons' proceedings, had risen from the table in the middle of a meal, "pien d'agitatione", and had summoned his Council, which then sat until after sunset.[53] Windebank's brief notes of this meeting, scribbled on the back of a letter from the Mayor of Newcastle, record some of the major resolutions taken. These included the decisions to forestall by some means the Commons' meeting with the Lords, and to exhort the Lords to supply the King. The final note described the action that was taken by the King early the following morning: "The King to go to the upper House and to let them know that the House of Commons are slow and so to desire a conference."[54] Further notes by Windebank on the following day recorded the names of the twenty-five members of the upper House who voted against the delusively reassuring decision of the Lords that the King's supply should have precedence over other business.[55]

There is no record that Windebank made any significant contribution to the Commons' debates during the closing stages of this Parliament, and he appears only to have carried to the King the Commons' repeated announcements of adjournment without making a grant of supply.[56] On Saturday, 2 May, Vane had brought a reminder to the House from the King that they had as yet given no answer to his request for supply, and considering "that a delay of his supply is as destructive as a denial, his Majesty doth again desire them to give him a present answer ...."[57] The House promptly went into Committee and spent the whole day in an inconclusive debate on the need to secure control of naval and military taxation, finally asking Windebank, Vane and Jermyn to inform the King that the debate would be resumed on Monday morning.[58] Vane's notes of the Scottish Committee's meeting on Sunday unfortunately give no indication of Windebank's views on the prosecution of the war, and we cannot judge his probable reaction on Monday, 4 May, when Vane arrived with his extraordinary demand for twelve subsidies.[59] Once more at the end of the day the same trio were despatched to the King with the announcement of the adjournment of the debate until Tuesday.[60] On Tuesday morning, however, after attending the Privy Council meeting summoned for six o'clock and voting in favour of a dissolution, Windebank fetched the Speaker to Court and then accompanied him to the Lords where the King dissolved Parliament.[61]

The following day Sir Francis returned to the task of chivvying reluctant officials into collecting ship- and coat-and-conduct-money, and prepared to approach the City once more for a loan.[62] His total lack of sympathy with the events in the Commons is revealed in a letter written two days after the dissolution to Conway, in which he deplored the encouragement given to the Scots "by the unhappy rupture of the Parliament, who have clearly discovered they like their courses so well that they would contribute nothing towards their suppression", and asserted the King's determination to pursue the war vigorously "notwithstanding all those oppositions and impediments cast in by his ill-affected and refractory subjects." He also returned to the theme of his draft letter to the Council

of the previous December, arguing that the refusal of the Commons to co-operate with their sovereign, despite his willingness to make concessions, provided the King with a justification for more oppressive measures:

> "Howsoever, the King's offer to them to abolish the shipping business, and to give them time by continuing the Parliament for their grievances, had left them inexcusable, and will justify his Majesty to God and the world that he has omitted nothing on his part whereby a better intelligence might have been settled between him and his people. As the case now is, his Majesty must resort to other counsels and ways for the preservation of the monarchy, which if they become more burdensome to them they may thank themselves."

Ever a realist, however, and too well acquainted by this time with the difficulty of putting the King's policies into effect, he also added the revealing phrase, "But how to compass it is now the great consultation."[63]

The ensuing summer must have confirmed his growing pessimism, and the inability of the King's forces to stem the tide of the Scottish invasion rendered useless his tireless efforts to raise money and to co-ordinate the defence of the north.[64] In the autumn, he was once more faced with the task of securing a seat for the Parliament that was called for 3 November.

This was to prove a more difficult task than it had been in the spring. The dissolution of the Short Parliament, the political manoeuvrings of the Providence Island Company and Saybrook groups, and the invasion of England by the Scots in August created an atmosphere of uneasy tension.[65] Uncertainty in the south of England about the events of the summer and early autumn in the north had given rise to widespread speculation and rumour, and there was a shortage of reliable news. Robin Reade was one of those in a position to keep his relatives better informed than most, and his brother, Dr. Thomas Reade, wrote in September from New College, "Many do greedily hearken after your relations as the only oracle of true reports."[66] Francis Reade, writing from Faccombe to thank his cousin for "taking the pains to acquaint me so frequently with the grand passages of these times", referred to the circulation of "some slender and doubtful reports, such as

we make usually of things we would not have true."[67] Although a staunch Royalist, he wrote naïvely that "The news of a Parliament is most acceptably welcome in all these parts, and a strong expectation of much ensuing good has possessed every man. I pray God no factious spirit appear amongst the members of that great body that may hinder the happy issue of that meeting."[68] An experienced politician like Strafford and an obscure Royalist like Francis Reade seem to have shared a strange lack of comprehension in 1640 about the inimical force that was to be unleashed against their preferred style of government by the summoning of Parliament.

The autumn election campaign was brief, lasting only the legal minimum of forty days.[69] Seats were hotly contested, local interest was strong, and many boroughs were noticeably less amenable to pressure than usual. Court candidates often found difficulty in securing nominations, and were to find it even more difficult to win seats. Edward Nicholas's father, a steward of the Earl of Pembroke, commented that "There is great shuffling for burgesses for the Parliament",[70] and when the polling started many of the elections were disorderly and riotous.[71]

Sir Francis had hoped to sit again for Oxford University, but failed to secure election on 17 October, when Sir Thomas Roe and John Selden were returned instead.[72] The reasons for his failure are not entirely clear, but there appear to have been a number of contributory factors. According to his nephew, Dr. Thomas Reade, Windebank's unimpressive performance in the Short Parliament had led some members of the University to conclude that they needed a more effective representative: "Though for my own part I know my uncle's wisdom to be such that the University should not have suffered through his silence in the last Parliament, yet I have not the power of other men's opinions who are guided only by their own perverseness."[73] This, however, should not have been conclusive, since Reade also wrote that "Most of our Doctors and the principal men of the University were well inclined towards him, but I am informed that some higher power was directly or indirectly interested in the election of both the last", i.e. Roe and Selden.[74] Windebank seems to have had some intimation of impending

defeat, for on 9 October, in one of the lists of his proceedings during the King's absence, there appears the note, "The Lo: Cham: threatening Sec: Win: .... Sec: Win: likely to miss Oxford."[75]

The Earls of Pembroke wielded a good deal of influence over Parliamentary elections in a wide variety of seats during Charles I's reign, and the swing of the fourth Earl, then Lord Chamberlain, against the Court resulted in a number of developments unwelcome to the King's supporters.[76] Clarendon recorded that the Earl of Pembroke's "interest in many places was so great that many burgesses were chosen by his recommendation".[77] It is possible that in the peculiar conditions of October 1640 some of the University turned to Pembroke, the brother of their former Chancellor, for advice rather than to their present Chancellor, Laud, whose unpopularity was by then becoming increasingly evident. Pembroke did not go so far as to throw his weight behind the Puritan candidate for the University seat, Sir Nathaniel Brent, who was supported by yet another group who were hostile to Laud,[78] and Dr. Reade rejoiced that at least "the Puritan faction prevailed not."[79] Once again, no letters of recommendation from Laud for this election at Oxford survive, and although there was a contemporary suggestion that he recommended Selden, it seems unlikely that in this crisis he would have backed an opponent of the Court, though he may well have supported Roe, whom at that stage he would have regarded as an ally.[80] Whatever course of action he took before the election, Laud was the first to notify the King of Windebank's defeat.[81]

If Pembroke was in fact responsible for Windebank's downfall at Oxford, then there was a certain bitter irony in the situation, of which Sir Francis must in any case have become conscious on 9 October. In September 1640 Pembroke was still regarded as a supporter of the Court, and even before the news of Charles's decision to summon Parliament had reached London, Windebank had written to the King,

"If your Majesty at this assembly of the Lords shall resolve upon a Parliament, some of my Lords here do humbly beseech your Majesty to treat with the Lord Chamberlain, and others that have Burgesses in their disposal, to reserve as many places as they can for your Majesty." 82

The King had agreed to this, and one of Sir Francis's early assignments had been to approach Pembroke with a list of those of the King's servants for whom places were to be provided, "... his Majesty expecting some help from him for the others, you are to see them provided out of such places as are in her Majesty's and the Prince's gift." [83] The attached list included the Solicitor-General, Edward Herbert; the Surveyor-General, Sir Charles Harbord; the counsel and attorneys of the Council of the North and of the Marches; and the judges of the circuit in Wales. [84] As late as 6 October the King had reminded Windebank "to get as many burgess places for the Parliament for my servants as ye may, from the Chamberlain or any that has power that way." [85] The results of Pembroke's endeavours must have come as something of a shock to them both.

In Windebank's case, a remedy for his defeat was rapidly found by the Queen, who asked Henry Jermyn to give up his place at Corfe Castle, procured for him by the Attorney-General, Sir John Bankes, lord of the borough. [86] Jermyn readily complied, and Windebank was returned for the seat on 22 October. [87] Thomas Reade enquired of his brother, "I would gladly hear whether my uncle had compassed or endeavoured to be a member of Parliament. I suppose neither you nor he much desire it?" [88]

Reade himself had contested Hastings again, supported by recommendations from Windebank and seven other members of the Privy Council. Despite, or perhaps because of, these powerful advocates, he was not elected, and his campaign was further handicapped by persistent rumours that he was a Catholic. [89] Sympathising with him in his defeat, Francis Reade wrote,

> "I am sorry to hear that you not only miss the place which you desired, but are maliciously slandered also. It seems that the opinion is grown general that whoever is not Scottishly must be Popishly affected, the brethren of corporations especially being verily stiff in this opinion ...." 90

It was not only in the boroughs but also in Parliament that suspicion of Popery was rife. It is not always easy to determine priorities among the many motives that animated the Commons in their onslaught against the leading servants of the Crown in the first months of the Long Parliament. Clarendon's account of Pym's intentions before the assembly of Parliament makes it clear that he, at least, intended the Parliamentary programme to be a comprehensive one:

> "... they must now be of another temper than they were the last Parliament; that they must not only sweep the house clean below, but must pull down all the cobwebs which hung in the top and corners, that they might not breed dust and so make a foul house hereafter ...." 91

Among later writers, Gardiner warns against underestimating both the ignorance of the Crown's opponents and the sincerity of their conviction that the King's ministers "had been conspiring with Con and Rossetti to lay England at the feet of the Pope". While exonerating Laud and Strafford and the general body of Catholics who wished for a quiet life, he sees Windebank as bearing greater responsibility for the overtures to Rome, although he perhaps underestimates the extent to which Sir Francis took the initiative in this approach.[92] By contrast, C. V. Wedgwood, perceiving Strafford as the main target, emphasises the manipulation of Parliament by "Pym and his ring of supporters", and sees the events of the first few weeks as a carefully orchestrated exercise in the creation of alarm and suspicion. In this interpretation, the emphasis on Catholic armies and Catholic plots that Windebank had failed to investigate was primarily a means of arousing sufficient panic and hatred to disguise the thinness of the evidence that Strafford's actions amounted to treason.[93]

For Clayton Roberts, the chief issue in the autumn of 1640 was that of ministerial responsibility. Like Gardiner, he emphasises that the attack

was not the work of a faction but of "the whole nation represented in Parliament". The chief offence of Charles I's ministers lay in their advocacy of an unpopular policy, and the mainspring of the opposition was not constitutional, but political and religious. Defending them against the charge of destroying the constitution, he stresses that "they had wished merely to execute the same conciliar and prerogative powers used so effectively by their Tudor predecessors. Not one of their acts lacked a Tudor or a medieval precedent."[94]

In some ways Windebank had had a particularly free hand, since the Secretary of State's discretionary authority in both domestic and foreign affairs had always been loosely defined. Salisbury, explaining in the early seventeenth century the nature of the Secretary's office, compared the Secretary with other ministers whose powers were carefully circumscribed:

> "All officers and counsellors of princes have a prescribed authority by patent, by custom, or by oath, the Secretary only excepted; but, to the Secretary, out of a confidence and singular affection, there is a liberty to negotiate at discretion at home and abroad, with friends and enemies, in all matters of speech and intelligence."

So wide was the scope of their activities that "Secretaries can never have any commission so long and universal as to secure them."[95]

Among the numerous ill-defined powers of the Secretaries was their right to commit and discharge prisoners and to seize papers. This was often challenged, and clear rulings on these points were not obtained until the eighteenth century. Elizabethan and Early Stuart Secretaries frequently interfered with the course of justice on the monarch's orders, particularly in relation to religious offences, while Cecil and Walsingham appear to have exercised similar powers on their own initiative.[96] Thus Windebank's discharge of prisoners on the King's verbal warrant and on his own authority was not without parallel, but in the political climate of November 1640 his actions were seen as an attack upon the state, rather than simply as a questionable exercise of the Secretary's powers.

The Commons began their attack on Windebank less than a week after the assembly of the Long Parliament, and at first it took several forms. On Monday, 9 November, Pym proposed the appointment of a committee to secure the better execution of the laws against recusants, and the House was informed that letters of grace under the privy signet had been used to stop proceedings against them.[97] In the afternoon of the same day the committee, which included Pym, Hampden and Roe, met for the first time to enquire into the number of Papists in and about London, their arms, and the dispensations granted to exempt them from the rigour of the law.[98]

On the following day Sir Gilbert Pickering raised another matter by presenting a petition relating to proceedings taken by Windebank and Reade against a schoolmaster from the Palatinate, whom Windebank had prohibited from opening school, describing him as "teaching strange doctrines". Pickering accused Sir Francis of planning "to put down good schoolmasters and to bring poisoned schoolmasters in". An apparently minor episode, this was the final straw which produced a development with wide ramifications, for it was followed by an order to set up a select committee to examine both this and the numerous more significant petitions which might form the basis of a request to the Lords "for the punishment of those that deserve it as authors of our miseries and mischiefs."[99] Digby had already urged the formation of such a committee, which seems to have become the collecting centre for the material upon which the Grand Remonstrance was eventually based.[100]

Windebank's name appeared in yet another context on 10 November in relation to an alleged breach of privilege of the Lords by himself and Vane, as members of the Lower House. Immediately after the dissolution of the Short Parliament in the spring, they had issued a warrant to Sir William Becher, Clerk of the Council, to seize and search Lord Brooke and the Earl of Warwick, "without any crime laid to their charge".[101] This was an example of the frequent secretarial practice of committing without cause shown per speciale mandatum regis, which had been called into question in 1628, and which Sir John Coke had then defended as a necessary function of

his office.[102] Although it would appear to have been a fruitful matter for the Commons to develop, the charge was not pursued, and the explanation is suggested by Clarendon, who notes that the accusation referred to both Secretaries so that any proceedings arising from it would have involved not only Windebank but also Vane, "whom they were to protect".[103] Although all of the accusations made against Sir Francis so far differed in nature, they contained the common feature that in each case he was alleged to have exercised excessive and arbitrary authority.

On Wednesday, 11 November, a new voice was added to the chorus when Sir John Clotworthy raised the question of a complaint from a Mrs. Anne Hussey to Windebank about William O'Connor, an Irish priest, alleging that Windebank had "slightly referred the examination of it to his clerk".[104] This accusation appears to have fulfilled a dual purpose, first in forming part of the case that was being built up against Windebank, and secondly in spreading alarm about a Popish plot to usher in the open attack on Strafford, who had reached London the previous night and who was sitting in the upper House that day.[105] Mrs. Hussey said that O'Connor had threatened to kill the King with his own hand, and had told her that "many thousands were in pay to be ready to cut all Protestant throats".[106] Two months earlier Windebank, disbelieving the story but suspecting it to be a dangerous political slander, had taken care to bring O'Connor before the Privy Council and had explained his actions to the King:

> "An Irish priest, one O'Connor, Chaplain to Queen Mother, having been charged by an Irish woman with some seditious words in favour of the Roman Catholic party, was this day brought before the Lords, and by them referred to a Justice of Peace, and a Clerk of the Council, to be examined. I had committed him before to the Gatehouse upon the complaint, though, I confess, I discovered malice and impertinency in the information; and there he hath been prisoner eight or ten days. But the Irish woman that accused him, having some relation to the Earl of Warwick, and having been heretofore a Roman Catholic, but now a convert and a zealous sister, gave it out, and it grew common in town, that a Jesuit had threatened the King and the State, and I had smothered the business. Whereupon, I thought fit to bring it to the Board, and remit it wholly to their ordering." 107

Meanwhile the Commons had moved on to a more significant investigation into Windebank's discharge of priests and Jesuits. On 11 November the messengers Newton and Gray had been called before the House, and their evidence was sufficiently damaging for the Commons to order a time to be fixed for Windebank's answer.[108] Sir Francis had already claimed that "he had done nothing in the business of recusants but ministerially", and that he would submit to the House "if he hath done anything in his own particular",[109] which suggests that he was still placing hope in the efficacy of the King's verbal warrant. A somewhat confused series of allegations, based largely on hearsay evidence, was then made, that Windebank had called the members of the previous Parliament traitors for refusing to grant the King money, and that he had said that all who refused to pay ship money were traitors.[110] Sir Francis asked for time to recollect the incidents "in a business that so highly concerned his life and fortune", but claimed that he remembered nothing of the words.[111]

On Thursday, 12 November, Aquila Weekes, Keeper of the Gatehouse, and Richard Johnson, Keeper of Newgate, appeared with an assortment of warrants of committal and discharge, providing evidence of Windebank's release of Fisher, Goodman, Reynolds, Morse and others, of whom some were convicted traitors.[112] Sir Francis was then asked to withdraw, and retired into the Committee Chamber, whereupon Sir Thomas Jermyn informed the House that the King was taking notice of their proceedings. It was decided to take some course to prevent leakage of information, in view of "the great inconveniency that might fall upon the House if his Majesty should be informed of any thing that is in agitation in this House, before it be determined."[113] The nature of the King's intervention was clarified by Sir John Coke the younger in a letter to his father:

> "The King sent a message by Sir Thomas Jermyn that whereas he heard that Secretary Windebank was questioned for discharging priests, true it was that he had been directed by his Majesty to discharge divers priests for several causes. This was only in general, and how far it is like that verbal warrants of this nature may justify him you can judge." 114

Charles was thus implementing the promise made to Sir Francis five years before, and in doing so was illustrating another of Cecil's maxims, "... the Prince's assurance must be his confidence in the Secretary, and the Secretary's life his trust in the Prince."[115]

There was then a lull in the proceedings against Windebank while the leaders of the Commons turned their attention to bigger and more dangerous game in the person of Strafford, who had been taken into custody on 11 November.[116] Except for the enlargement of the Committee for Enquiry into Recusants by another six members, and an extension of its terms of reference to cover the discharge of Catholic prisoners,[117] the House paid little more attention to Sir Francis until Friday, 20 November, when an examination of Robert Horwood, formerly under-sheriff for Hampshire, revealed yet another facet of the Secretary's activities in aid of Catholics. Horwood testified that some two years before he had received a letter from Windebank countermanding the powers conferred upon him by the King's writ to seize the lands and goods of convicted recusants. Although he claimed to have obeyed the order, he was nevertheless committed to the custody of a messenger, and while under restraint he said that he had been forced by Reade to enter into a bond of a hundred pounds to cease prosecuting certain recusants and priests.[118] Rossingham commented that "There are many complaints of this kind against Secretary Windebank whereof, it is said, the Commons will present him by way of indictment, it being felony by the law to assist Popish priests and Jesuits."[119] During the following week the Committee received petitions from the City of London concerning the increase in the numbers of papists; examined the circumstances that had allowed a sizeable colony of them to settle permanently in London and Westminster despite orders to depart; and added twelve more members, including Hyde and St. John, to its number.[120]

It was not until Tuesday, 1 December, however, that a major attack on Windebank was unleashed in Glyn's report to the Commons. Upon further examination of Weekes, Johnson, Newton and Gray the Committee had found evidence of the discharge of sixty-four priests and Jesuits in one year,

some indicted and some convicted of treason. Some had been discharged by privy signet, some by warrant from the Privy Council, but most had been released by Windebank's warrant. Originals or copies of twenty-nine warrants signed by Windebank had been found, which included those relating to Moore, Holmes, Morse and Southworth. Windebank had also discharged priests by verbal warrant, and had threatened messengers, who were "discountenanced by the Secretary". Musket and Gunpowder Smith carried notes from Windebank ordering that they should not be molested. The petition from St. Giles-in-the-Fields was reported, and Sir Francis's house in Drury Lane was said to be a resort of priests and Jesuits.[121] As D'Ewes commented, "since Secretary Coke's going out, the priests and Jesuits have reference to the Secretary's [house] as the iron to the lodestone".[122]

Furthermore, sixty-four letters of grace to stay prosecution against Papists had been found, directed to several judges and a number of different counties. It was reported that during the past thirteen years the yield from recusancy fines had amounted to only £4,080, and that non-enforcement of the fine of twelve pence a Sunday deprived the poor of their dues. Following this catalogue of misdeeds, order was given that Windebank should be given notice to appear before the House on the following morning to answer questions, and the whole matter of the charge against him was referred to the Committee for Enquiry after Recusants.[123]

In the course of his report, Glyn had expounded the Committee's view that Sir Francis had exceeded his powers:

> "For these discharges of priests and Jesuits, not one of them standeth with the rule of law. When they are indicted and convicted, the King, the Fountain of Justice and Mercy (and the law doth allow it) hath power to show mercy, upon any of his subjects. But, in such cases, the King's prerogative speaketh by his Privy Seal Signet, or Great Seal, and ought to discharge by record. But to send signification of pleasure is against law. For a minister, either verbally, or by warrant under his own hand, not only to discharge men condemned, but to command no further prosecution, the Committee doth conceive he doth not discharge his duty." 124

Foreign observers had no doubt where these enquiries were leading. On 13/23 November Giustinian had reported that the Commons were "formulating a vigorous process" against the two Secretaries of State, who were accused of carrying out the King's commands "in matters which, by decree of Parliament, it was not lawful for him to command or for them to obey."[125] A week later he remarked that "they are showing great activity in the matter of the two Secretaries of State, and although the King has intimated that all they did was by virtue of his orders, the parliamentarians have not so far consented to admit this reasonable excuse." He thought that Vane, in view of his religious sympathies and recent appointment, would not suffer, "whereas total ruin is predicted for Windebank, who is the first [Secretary] and has always openly taken the party of the Spaniards."[126]

By 22 November Montereul was similarly convinced that the King's authorisation would be insufficient to save Sir Francis,[127] while by 3 December he had also concluded that Parliament would not be satisfied with eliminating the King's more unpopular ministers and redressing grievances, but that they were intent upon attacking the King himself as the ultimate source of power:

> "... jusques a dire qu'il ne se falloit pas amuser a les oster l'une apres l'autre, et de coupper les branches qui reviendroient bientost apres, mais que, si on les vouloit faire seicher, il falloit attaquer l'arbre par la racine, qui est la trop grande authorité du Roy." 128

The "extrème hardiesse" of the Commons remarked by Montereul was also noted by Nalson, who commented on the speed and confident assertiveness of their attack on Windebank:

> "It will certainly be the wonder of future ages, as well as it was the astonishment of that wherein it was acted, to take a review of the bold proceedings of this House of Commons, and how even from their very infancy they affected the supremacy of power, and that arbitrary government which they pretended to redress ...." 129

They were emboldened, he believed, by the credulousness of the public,

"... every thing that was suggested to persuade the people of the inclination

of the Court to favour Popery, found an easy belief, and was swallowed, or rather devoured, with delight and pleasure ...." Whatever their ultimate intention, he thought that the Commons for the moment were content that the responsibility should be "thrown upon the ministers and taken off from the King", and he dates the open transfer of the direct attack to the monarch from the publication of Prynne's "The Popish Royal Favourite" in 1643.[130] May's account of the same events approximated more closely to what was doubtless the Parliamentary leaders' own preferred interpretation, and he saw Windebank as the first to be dealt with of the civil offenders who "must needs be many in so long a corruption of government".[131]

By early December Windebank must also have decided that the Commons were intent upon vengeance. He does not appear to have attended the House on 2 December, and on the following day Pym moved that he should be summoned to appear at once, if the King's affairs permitted. Answer was brought that "upon his Majesty's occasions he sat up all last night, and was newly gone to bed; yet, if the House would command him, he would presently come." Instead, however, he was required to present himself on 4 December by eight o'clock.[132] When he again failed to appear, Sir Walter Erle reported a rumour that Sir Francis had fled, and ordered a messenger to investigate. D'Ewes thought it would be useless to search his study, since his papers had presumably already been removed, "... and if the birde weere fledd the eggs weere broaken".[133] The result of these enquiries is not recorded, and the only references to Windebank on Saturday, 5 December, and Monday, 7 December, were connected with the seizure by him of some of Sir Edward Coke's books.[134] On Tuesday, 8 December, an unsigned letter from Reade, directed to Thomas Windebank at Drury Lane, was read to the House. This said that on 3 December Sir Francis had been at Queenborough and intended shortly to leave for France.[135] Another letter from Reade, written from Calais on 6/16 December, described how he and Sir Francis had lain on board ship at Queenborough on the Thursday night, and the next day, in flat calm, had sailed no further than Margate Roads, reaching Deal on Saturday morning. Impatient of this slow progress,

they got "a little cockboat of Deal" to take them to Calais, "... but the night proved so dark we could not find this town, and the next morning the fog grew so great we had very much ado to find the passage into this place. This Mr. Secretary has passed very well, having been sick only one hour last night at sea, but of other things, you will imagine he is most sensible."[136] The slow-moving ship they left was boarded by Dunkirkers within twenty-four hours, and then taken from them by the French and brought into Calais as a prize, so as Sir Francis wrote, "though our passage were full of hazard yet we avoided a greater danger".[137]

His comment had a wider application. On 10 December the Commons ordered that a notice be sent to Windebank's house requiring him to appear next morning. If he did not come, then a message should be sent to the Lords requesting them to ask the King "for a proclamation against him, to bring him in". Meanwhile the lower House, accepting his departure, moved that a warrant from the Speaker should authorise the issue of a new writ to replace Windebank as a member for Corfe Castle,[138] and a week later, on 17 December, this was done.[139]

The apparent carelessness of the Commons in permitting Sir Francis to escape requires some explanation, indeed, Clarendon confessed himself surprised: "I could never yet learn the reason, why they suffered Secretary Winnibanke to escape their justice .... against whom they had more pregnant testimony of offences within the verge of the law than against any person they have accused since this Parliament, and of some that, it may be, might have proved capital, and so their appetite of blood might have been satisfied."[140] It is not immediately obvious why, once Glyn's damning report had been read on 1 December, the House then proceeded at such a leisurely pace. Nor is it clear why they accepted messages from Windebank's servants without securing Windebank himself, or without taking more effective steps to discover his whereabouts.

The delay on 1 December resulted apparently from consideration for a fellow-member, though this may have been no more than a pretext.

Glyn's report had been followed by a discussion on the charges to be brought against Windebank, and Sir John Clotworthy and Oliver St. John had proposed that "before any charge were set up against Secretary Windebank, he being a member here might first be called to answer here", and this was agreed.[141] At this point a message arrived from the Lords desiring an immediate conference, and the two Houses discussed the mechanics of the forthcoming interrogation of Strafford. On their return, the Commons reverted briefly to the subject of Windebank and the Catholics, and then referred the whole matter to the Committee for Enquiry into Recusants, which presumably explains why the full House did not reopen the subject on the following day.[142] Clarendon's explanation of their readiness to accept Windebank's excuses for absence has already been noted,[143] and in avoiding the embarrassment of proceedings against both Secretaries for breach of privilege, the Commons also allowed Windebank to evade trial for the charges relating to recusants and Catholic priests. Furthermore, according to Clarendon, there was a plan to replace him as Secretary by Denzil Holles, and since an impeachment was unlikely to be concluded swiftly, the Commons thought "his place sooner void by his flight than by his trial".[144] From the point of view of the Court, Windebank's flight seems to have been reluctantly accepted as necessary, partly to save his life, and partly so that he should not be forced to contribute damaging evidence against Strafford and Laud.[145] Sir Francis also warned his son to take care of a chest of secret papers that contained material dangerous both to Cottington and to himself.[146]

Once Windebank had fled, proceedings against him lost something of their momentum, although the choice made in January 1641 of committees to be retained in that year reveals that the attack on the King's advisors was still being given priority over the hearing of other grievances.[147] By 10 December a list of six charges to be preferred against Sir Francis had already been drawn up, which were presumably intended to form the nucleus of the ultimate impeachment.[148] These all related to his discharge of priest and Jesuits, and to his protection of priests and recusants against

the prescribed processes of law. The first charge dealt with the seventy-four letters of grace signed by Windebank during the last four years, and the second with the sixty-four priests discharged, mostly by Windebank, from the Gatehouse over the same period. The third article accused him of issuing a warrant to protect Musket and all the houses he frequented,[149] while the fourth mentioned the twenty-nine persons discharged by Windebank's verbal warrant. The fifth article declared that Windebank had discharged one prisoner committed by the King's own hand, without signifying the King's pleasure.[150] The final charge related to the petition from St. Giles-in-the-Fields about the growth of Popery in the parish, particularly mentioning the twenty-one persons who had been "turned suddenly" by two priests discharged by Windebank.[151]

In their actions against the King's ministers the leaders of the House of Commons were evidently drawing on their experience of the 1620's, though this was applied more decisively in Strafford's case than in Windebank's. The formulation by the Commons of the accusations against Sir Francis maintains the tendency observed by Tite for the lower House to take an increasingly active part in the framing of charges and the conduct of judicial proceedings.[152] Moreover, the Commons were by now asserting their right to call the King's ministers to account: "... the constitutional ideas that their predecessors had enunciated in the 1620's .... had become received opinion in Westminster Hall and St. Stephen's Chapel by 1640."[153]

On 12 January 1641 it was resolved that the Committee for Recusants and for preparing charges against Windebank should continue in being, and to it were referred such matters as the affair of the Irish priest, O'Connor; petitions complaining that Windebank had authorised the secret conveyance abroad of persons to be educated in Catholic seminaries; and petitions about the spread of Catholicism from various parishes in London, including Blackfriars, St. Brides', and St. Martin's, Ludgate.[154] Giustinian reported in mid-January that the greater part of the Commons' session that week had been spent in reading the processes drawn up against

Windebank and Finch, and on 25 January the Committee was ordered to meet three days later to prepare the charge against Sir Francis,[155] though Reade wrote to Thomas Windebank that "all who write thence besides yourself think it will not yet be delivered in. I wish with all my heart the business were despatched one way or other ...."[156] His wish was not granted, for a series of unexplained delays then occurred. By July it appeared that the charges had still not been finally formulated,[157] and it was not until the end of August that the two Houses held a conference on the proposed impeachment of the Earl of Bridgwater, the Earl of Manchester, Laud, Cottington, Newburgh, Windebank and Vane. The impeachment was read, but not entered in the Journals.[158] On 6 September it was ordered that the accused should be summoned to answer the charges and that the proceedings should open on Tuesday, 9 November,[159] but on that date the upper House was occupied with other business and the hearing is not mentioned in the Journals.[160] As late as March 1642 Glyn was once more being instructed to present the articles against Windebank and Finch, this time in conjunction with the charges against Laud.[161]

A fresh hare had been started in the Lords in July 1642 in relation to an alleged slander against Pym by Windebank and Thomas Elliott. Windebank was reported as having accused Pym of taking bribes, and of having said that "before he was a Parliament Man he was worth little; but he had now cozened the King of as much monies as he hath bought a great estate, and given ten thousand pounds of the King's monies to the marriage of his daughter." Although this provoked a conference between the two Houses on 4 July, however, the matter was subsequently dropped.[162]

So, apparently, was the impeachment against Windebank. Of the seven ministers of Charles I scheduled for impeachment in August 1641, Laud was the only one who was finally brought to trial, and then not until 1644. The subsequent decision to proceed against Laud, as against Strafford, by way of attainder, demonstrated once again the failure of impeachment as a means of securing responsible government.[163]

Although the Long Parliament had failed to achieve one of its

original high purposes, it had secured the more immediate practical aim of discrediting the leading figures of the administration of the Personal Rule, and of separating the King from his most unpopular counsellors. Windebank fled abroad within a month of the Commons' first meeting, and his political career was never resumed. It nevertheless remains something of an irony that though not one member of the House in November 1640 had opposed the decision to impeach him,[164] his son could in 1647 support his petition to the Lords to inherit his father's estate by the assertion:

> "That your Petitioner's estate was truly and fully entailed and settled upon your Petitioner by his late father in the year 1641; and that neither before nor since there was any charge drawn up, or order of impeachment or proclamation, against your Petitioner's said father, for any offence by him committed or pretended to be committed, against the Parliament or laws of the kingdom",

and that this was accepted by the upper House as a valid argument.[165]

The absence of a trial prevents us from discovering what case Sir Francis would have put forward in his own defence, but some indication of his and Reade's views both of the nature of the Secretary's office and of Sir Francis's own conduct can be gathered from their letters from France. On 11/21 January 1641 Windebank wrote a formal letter to the Lord Chamberlain which he asked his son to show first to the King and then to deliver to Pembroke if the King approved.[166] Designed probably as an attempt to protect his wife and children who were then still in England, the letter contains a denial of two rumours that were currently being circulated, firstly that he had improved his fortunes by taking bribes from Rome, and secondly that he was planning to introduce Popery into England. Having affirmed his poor estate and his loyalty to the Anglican church, he went on to defend his position:

> "For that which hath passed my hands for favour of that party, it hath been merely ministerial, as his Majesty best knows, and I must be bold to say that his Majesty hath not been deceived by it, but hath received many greater advantages; besides that, if a Secretary of State should not hold intelligence with the party, is absolute to disable him for

> the service of the State, and that hath been done always more or less, and so must always continue. Kings and their Ministers of State, have ever had, and might ever have a latitude according to time and occasion, and cannot be so tied according to strictness of law as others are, without peril to the government ..." 167

Windebank was thus justifying his activities in similar terms to those of Cecil, that the Secretary's powers were necessarily less circumscribed than those of ordinary persons, though, unlike Cecil, he does not go so far as to claim greater latitude for the Secretaries than for other ministers. His claim that his own actions have been "merely ministerial" is made in the contemporary sense that he had simply been obeying orders. He also appears to be claiming that the interests of the state and the needs of the intelligence service required him to have dealings with some persons who might popularly be regarded with suspicion, and goes on to suggest that in the conditions of the period there was less need to include the Catholics in this category, while recalling the King's prerogative power to mitigate the severity of the law:

> "... when the Roman party were practique and busy about the state, there was reason to be more strict, but now by the wisdom of the Queen and her good offices they are better tempered, less severity hath been used, it being the prerogative of the Prince to use moderation according to occasion. Further than this I have not had to do with the Roman party, nor thus far but in obedience to my Master's commandment, which I hope shall not be censured a crime, this being my condition ...." 168

Reade made similar claims in private letters to Thomas Windebank, which were designed to suggest the kind of arguments that he might advance on his father's behalf. He made a clear distinction between Finch's situation in relation to ship money and other matters and that of his uncle:

> "... his lordship being charged, as I conceive, with advising the King and acting himself such things as have been destructive to the laws, wherein the King cannot warrant him, and I am sure Mr. Secretary cannot be charged with any advice given to the King concerning the Roman Catholics, nor with acting anything without the King's warrant for every particular. And in this respect

> I hold our condition better than that of any other that is now under question, that the King may justly and confidently avow Mr. Secretary, which he cannot do to the rest ...." 169

Under the circumstances it is not surprising that both Reade and Windebank took care to understate the extent to which Sir Francis had acted independently in his dealings with the Catholics. Reade even claimed that Windebank had been "so far from advising those things that were done in favour of the Roman Catholics, that he did most of them with a very ill will, as I am able to testify." This was probably intended for other eyes, however, since he also referred to some earlier letters to Thomas that had been opened in transit, and some of his own letters that had miscarried.[170]

Even Reade, however, appears to have been conscious that the King might have some reservations: "Methinks if the King would avow Mr. Secretary gallantly, as in honour and justice he is obliged, an end would easily be put to our troubles; but if he avow him only in part, and make difficulty of the rest, we are lost." If the King failed to support Windebank in any single act in favour of the Catholics, Reade thought Sir Francis would suffer as much as if none was avowed.[171]

Reade also emphasised the peculiarly close relationship of the Secretary to the King: "... it stands with all reason, that the King is more obliged in honour to avow his Secretary, who is the immediate executor of his commands, than any other minister whatsoever ...."[172] A month later he returned to the same theme: "... the questioning of his Secretary, the immediate minister of his commands, concerns the King in his honour more nearly than the questioning of any other can, and he having done nothing but by his Majesty's order, or in necessary consequence thereof, the King is obliged in his own honour and in right to Mr. Secretary to save him harmless ...."[173]

It is likely that Reade's insistence on the King's obligation to protect his Secretary was rooted in the knowledge that Charles I had been prepared in the 1620's to resist Parliamentary attacks on his servants a good deal more strongly than his father had done. Buckingham had been retained in

office and favour despite repeated accusations and investigations, while Richard Montagu had actually received preferment while under attack. On at least two occasions, in 1625 and 1629, Parliament had been dissolved in order to silence criticism.[174] Although Reade's expectations might have been fulfilled fifteen years earlier, the position had changed radically by 1640-1. There is little doubt that his claims on behalf of Sir Francis were well-founded in the light of the past history of the Secretary's office,[175] but they were unlikely to be kindly regarded by a Parliament that was engaged in a far-reaching assault upon prerogative rule. Newburgh had already summed up the practical realities of the situation in describing Windebank's flight to Coke:

> "... his good nature and willingness to please having made him either neglect that warranty who should secure him, or adventure upon the transgressing of those laws which he did not know or think could be so dangerous to him in his place. And the King at this time being under the advice of the worst counsellor, necessity, which takes from him all power to defend any servant of his whom his own innocency, or the opinion of it in Parliament, shall not protect ...." 176

Windebank's innocence in his own or the King's eyes, or in relation to an earlier concept of the nature of the Secretary's office, mattered little to a House of Commons that was seeking, however clumsily, to reach a new definition of treason, and to establish the principle that all ministers were responsible not merely to the King, but to the Crown in Parliament.

Windebank's flight to France created some uncertainty among the French authorities. Sending belated news of his departure, Montereul hazarded three speculations as to the motives for his choice: the Queen's wish to place under her brother's protection a man whose fall was partly due to her; an attempt to dispel the impression of his dependence on Spain; and a more subtle scheme to discredit the French in England because they sheltered a quarry of Parliament, "... et, de cette sort, qu'il a essayé de rendre un service à l'Espagne en se jettant mesme entre les bras de ses ennemys". In any event, Montereul counselled "qu'il doibt toujours estre suspect".[177]

Detained politely in Calais while warning was given of ~~his~~ their arrival, Windebank and Reade were in Paris by the New Year, and lodged in the Rue de Tournon, in the Faubourg St. Germain, an area much favoured by diplomats.[178] He evidently kept up a brave front in public, for Aylesbury wrote to Hyde:

> "That which I find most strange is Secretary Windebank's carriage; who is as merry as if he were the contentedest man living, and tells everybody that the King knew of his coming away, that he had a pass under his own hand, that the Queen expressly commanded Aubert to attend him, and that he never did any thing concerning the Papists, that he had not either immediate order from the King, or has not yet his hand to shew for it; which, by the way, neither does the King honour, nor him any good. I was yesterday to visit him, and find him excellent company, though sure he could never be a good Privy Counsellor, for he tells all that he ever knew or did." 179

By May 1641, the Countess of Leicester was giving her husband similar news: "The little Secretary is as pleasant as ever he was, and is sometimes seen at the Court with a coach full of boys."[180]

In private, however, he was afflicted by depression. From Calais Reade wrote to Thomas Windebank that "My uncle is very much dejected, still making account that he and his family are utterly ruined; I pray to God send us some comfort from your parts, or we shall have a miserable time in these."[181] Besides being concerned to justify his actions in England, Sir Francis was principally worried about money, and his and Reade's letters to Thomas are full of requests for various arrears to be paid and loans to be recovered. Early in 1641 he wrote to Henrietta Maria, asking her to secure some financial relief for him, and also approached the Countess of Arundel for assistance in his affairs.[182]

Soon after his arrival in France, Reade had thought that his uncle's place might be disposed of by Christmas, but the King retained him in office for almost another year. The usual rumours about his successor circulated at Court, the opposition in Parliament being hopeful of securing the office for Denzil Holles, the Earl of Bristol's son being

another candidate.[183] In November 1641, however, Charles I, having secured Sir Francis's resignation, replaced him by Edward Nicholas, Clerk of the Council, with whom he had left Windebank's signet while he was in Scotland, and who moved into Sir Francis's quarters at Whitehall in December. Soon afterwards, the King also dismissed Vane, replacing him by Falkland, one of the candidates considered in 1632.[184]

Sir Francis sent a generous comment about Nicholas to his son: "For the new Secretary, it is a great comfort to me his Majesty has made so good a choice, and if I durst I would congratulate with him, but desire you, as of yourself, lest anything from me be held contagious, to do that service." Clearly dispirited by his loss of office, however, Sir Francis asked Thomas to thank the Queen for her messages, and to seek her continued assistance, and it was with Henrietta Maria rather than with the King that he kept in contact.[185] Acknowledging that his replacement as Secretary was "no more than I had reason to expect", he nevertheless could still not feel that he had deserved it, and hoped to be allowed to return quietly to Haines Hill. In the meanwhile, he did not feel inclined to frequent the French Court.[186]

Early in 1642, Robin Reade wrote to his cousin that "My uncle is of late much more dejected and melancholy than formerly, that which very much troubles him is the base, scandalous, malicious and senseless report lately raised of him in England, which has no more truth than reason in it."[187] Rumours had been circulating that secret meetings were being held in Sir Francis's house in Paris, and that some manifesto against proceedings in England was in preparation.[188] This may well have been linked with the scare of a Catholic plot, current in London in November at the time of the Grand Remonstrance. Later in 1642, Finch and Windebank were alleged to have conspired the death of the French King and Cardinal Richelieu so as to secure control of French forces to bring against the Parliament in England. This accusation was accompanied by an account of their discovery and supposed flight to Denmark, and the story was solemnly published by order of both Houses as a prelude to the publication of charges against the

two exiles.[189]

Similar stories had been current since 1640, when Boswell had forwarded to Laud a letter from Andreas ab Habernfield describing a supposed plot to kill the King and Laud and to secure the "convulsion of the whole realm." This asserted

> "That very many about the King, who are accounted most faithful and intimate, to whom likewise the more secret things are intrusted are traitors to the King, corrupted with a foreign pension, who communicate all secrets of greater or lesser moment to a foreign power."

Further details were subsequently supplied, which traced the plot to the instigation of the Jesuits led by Con. Arundel and Windebank were to be used to secure access to Laud, and when Laud resisted these approaches, it was resolved to stir up the Scottish troubles, and under cover of these to kill the King and the Archbishop. Hamilton and Sir Toby Matthew, and the Countess of Arundel were supposed to be closely concerned with the plot, and a Catholic widow, former owner of Windebank's London house, was said to have contributed £40,000 to the scheme.[190]

In March 1642, Aylesbury had written from Rome to Hyde, describing a meeting at Naples with a Franciscan friar who "used us very civilly, and has a great mind to go into England to accuse Secretary Windebank of greater matters than the Parliament ever laid to his charge. I assure you, the discourse he makes of him is very good sport; and in these sad times I could wish you had him amongst you to make you merry." Aylesbury found the "graver gentlemen" of the Church in Rome equally polite but less forthcoming, and in an audience with Barberini could not persuade him to gossip: "Not a word of England, though I sought all I could to put him to that discourse".[191]

Puritan pamphleteers in England lost no opportunity of making political capital out of Windebank's religious inclinations. In 1643-5 Prynne, as part of his campaign against Laud, produced a series of publications in which a number of Windebank's letters relating to the

Catholics were reproduced, with appropriate comments. The Popish Royall Favourite, published in 1643, recited Sir Francis's activities in releasing priests and Jesuits, and printed a collection of his warrants. Rome's Master-peece (1644) recounted once more the story of the "most execrable plot" discovered by Andreas ab Habernfield. Hidden Workes of Darkenes Brought to Publike Light provided in greater detail the story of Windebank's dealings with the Catholics, and printed a number of Sir Francis's and Robin Reade's letters to Thomas Windebank from France. They had for some time been aware that many of their letters were being opened and that the post for Paris was frequently delayed, and had suspected either the malignity or the inefficiency of "honest Mr. Witherings" who, as Reade wrote, "is as fit to govern that office as I am to rule the Kingdom".[192]

An anonymous pamphlet, The Pope's Nuntioes described Windebank's dealings with Panzani and Con, while another, The Pope's Cabinet Council Discabinetted, recited the "plots and policies of the Pope and his Jesuitical Crusaders", linking them with those about the Queen, the "close stratagems and ghastly gamballs of William of Canterbury", the Roman envoys, and many Catholic monopolists.[193]

In 1641 a batch of political satires of lighter weight had appeared, in which a series of conversations between Windebank and Finch were recounted. Time's Alteration was headed by a picture of Sir Francis with a feather quill behind one ear, captioned:

> "Beware you false Traytors, that are left behind,
> T'is best for you to sayle by Windebanck's wind." 194

Perhaps the most entertaining of these was The Scholler's Complaint, in which a penurious Cambridge scholar contemplated the selection of a more profitable career. The opening verse set the scene:

> "All in a mellancholllike study,
> None but my selfe,
> Me thought my muse grew muddy,
> After seaven yeeres reading
> And costly breeding,
> I fell and could finde no pelfe.

Into learned ragges I've read my plush and satten,
And now am fitte to begge in Greeke and Latine,
Instead of Aristotle I would I had a patten.
Alas, pore scholler!
Whither wilt thou goe?"

Six verses and many possibilities later he was thinking of going abroad and adopting another religion:

"Be Jew or atheist,
Turke or papist,
To Geneva or Amsterdam?
Bishoprickes are voide in Scotland; shall I thither?
Or shall I after Finch or Windebanke, to see if either
Want a priest to shrive them? oh no, 't is blustering weather." 195

As usual in the case of Sir Francis, the reality was considerably less lurid than most of these works suggested. By the summer of 1641 he had concluded that he was unlikely to return soon to England, and arranged for his wife and some of his younger children to join him in France. He kept in touch with the English Embassy, but decided not to seek other political employment. Finding life in Paris expensive, he arranged to sell his silver and the more valuable contents of the Drury Lane house, realised some other assets, and planned to move away from the capital: "The charge will be less, and the living better, if we retire to some country town remote from Paris and reside there privately, as other ladies of our nation have done."[196] Robin Reade was still hopeful that they might return to England, once Nicholas replaced his uncle as Secretary, believing that "nine months' banishment and the loss of the Secretary's place is a far greater punishment than anything my uncle has done can deserve, considering all has been done upon command."[197] Sir Francis, while sharing the same wish, was less optimistic. He thought of taking a house in Angers, then in Nemours, and finally, in 1642, moved with his family to Aubigny.[198]

In 1644 he was back in England, and in January was staying in John Holloway's house in St. Aldate's parish, Oxford. With him were Thomas, his eldest son, and possibly also John, who became a captain in the

Lifeguard of Foot, and married Holloway's daughter, Susan.[199] By May Sir Francis and Thomas had moved to Exeter with the Queen, where Sir Francis was trying to get bills of exchange converted at Bristol and at the Exeter mint, and Thomas was again asking Robin Reade to send him perfumed gloves.[200] By the end of the year Sir Francis had returned to France. Writing from Evreux to thank Sir Richard Brown for entertainment in Paris, he was apparently resigned to his continued exile: "For myself, I am likely to languish à petit feu, but I shall do it with less noise and more incognito than you, which is all the difference I find in our fortunes."[201] After this, there is little more trace of him. His daughters were received into the Catholic Church, and, on confessing their conversion to their father, Sir Francis

> "... expressed his displeasure, alleging that in the Protestant religion as in the Catholic, one may go to Paradise. Those pious ladies listened with patience to what their father said, answered him humbly, according to the instructions which they had received, found means to make a learned and virtuous priest speak to him, offered up prayers to God for his conversion, which they at length obtained with transports of joy."

Some time later he fell ill, "exhibited through all his illness striking sentiments of piety, contrition, love of God, gratitude and thanksgiving for the blessings which he had received", and in 1646, "passed happily from this life into a better".[202]

Notes to Chapter X

1 For accounts of these developments, see Gardiner, op. cit., IX, pp. 49-55, 71-5; Wedgwood, King's Peace, pp. 292-6, 303-4; Stevenson, op. cit., Chapter V.

2 Sydney Letters II, p. 615, Northumberland to Leicester, 24 October/3 November 1639.

3 Clar. S. P. II, p. 81, Windebank to Hopton, 13/23 December 1639.

4 Ashton, op. cit., pp. 104, 175, 191.

5 Clar. S. P. II, p. 81, Windebank to Hopton, 13/23 December 1639.

6 Laud, Works III, p. 233; C. S. P. D., 1639-40, p. 158, Nicholas to Pennington, 12 December 1639.

7 Sydney Letters II, p. 623, Northumberland to Leicester, 12/22 December 1639. This was for an army of 30,000 foot and 5,000 horse.

8 Ibid.

9 Clar. S. P. II, pp. 81-2, Windebank to Hopton, 13/23 December 1639. See also Laud, Works III, p. 233, "And a resolution voted at the Board to assist the King in extraordinary ways, if the Parliament should prove peevish, and refuse ...."; Sydney Letters II, p. 623, Northumberland to Leicester, 12/22 December 1639.

10 P. R. O., SP 16/435/37, 38, Charles I to certain Lords of the Council, [6 December] 1639, fair copy and Windebank's draft.

11 See Chapter II, pp. 78-9 ; C. S. P. D., 1639-40, p. 337, Docquet, 15 January 1640.

12 A list of the contributions to this loan can be found in P. R. O., SP 16/453/75. £150,000 had been contributed within a few days, and another £50,000 was subscribed before Christmas. Gardiner, op. cit., IX, p. 77; Ashton, op. cit., pp. 176-7, refuting Dietz's suggestion that the loan was a failure. Dietz, op. cit., p. 285.

13 Clar. S. P. II, p. 81, Windebank to Hopton, 13/23 December 1639.

14 P. R. O., SP 16/435/52, Harrison to Windebank, 9 December 1639. Sir Richard was elected for New Windsor Borough in the Short Parliament. M. of P. I, p. 480.

15 Ibid., 435/72, Sawyer to Reade, 13 December 1639.

16 Ibid. Probable supporters for Windebank near Abingdon were the tenants of the Countess of Banbury at Cholsey; Alderman Pratt's tenants at Coleshill, and Sir Robert Pye's tenants around Farringdon.

17 M. F. Keeler, The Long Parliament (1954), pp. 33-4. Marten was a regicide, but Fettiplace swung back to become a royalist in the Civil War.

18 J. E. Jones, 'The Parliamentary Representation of Berkshire and its Boroughs during the Reign of Elizabeth I', Berks. Arch. J., 63 (1967-8), p. 39.

19 D. H. Willson, The Privy Councillors in the House of Commons, 1604-1629 (1940), pp. 68-75. Naunton represented Suffolk in 1626, Morton spent a good deal on his election for Kent in 1625, and Calvert's election for Yorkshire in 1621 was due mainly to the energetic campaigning of Wentworth, his fellow candidate. Ibid., pp. 70-1, 73.

20 M. of P. I, pp. 483-4.

21 P. R. O., SP 16/435/52, Harrison to Windebank, 9 December 1639.

22 Ibid., 446/25, Allan Boteler to Reade, 25 February 1640.

23 Evans, op. cit., p. 250. The other office-holders who received similar writs were the Justices of the King's Bench and Common Pleas, the barons of the Exchequer, the King's Sergeants and the Attorney General and Solicitor General. See also E. R. Adair and F. M. G. Evans, 'Writs of Assistance, 1558-1700', E. H. R., 36 (1921), p. 368.

24 Millicent Rex, University Representation in England (1954), pp. 121, 130, 214; Willson, op. cit., p. 75.

25 P. R. O., SP 16/447/63, John Windebank to Reade, 9 March 1640.

26 Laud, Works, V, p. 263; M. of P. I, p. 482; Rex, op. cit., p. 121. Danvers had sat previously for Oxford University in 1621, 1625 and 1627, Le Neve, Fasti, p. 505.

27 Bodl. L., Clar. MS. 18, f. 96v, Windebank to Hopton, 27 March/ 6 April 1640.

28 C. S. P. D., 1639-40, p. 347, Strafford to Boroughmaster and Boroughmen of Boroughbridge, 17 January 1640.

29 HMC ~~12~~ 31: 13th R. Appendix, pt. IV: p. 209, Suffolk to Mayor, Jurats and Commonalty of Rye, 8 February 1640; Ibid., p. 210, Windebank to the same, 8 March 1640.

30 C. S. P. D., 1639-40, p. 158, Nicholas to Pennington, 12 December 1639. "There is very much labouring by divers to be Parliament men, but I think they will be happiest who are not of the House ..."

31 P. R. O., SP 16/445/80, Reade to [Thomas Windebank], 20 February 1640.

32 C. S. P. D., 1639-40, p. 556, Mayor and Jurats of Hastings to Reade, 17 March 1640.

33 Ibid., p. 565, Declaration of the Freemen of Hastings, 20 March 1640; P.R.O., SP 16/450/7, Deposition of William Parker and John Jackson, 1 April 1640; Ibid., 450/39, 40, Mayor and Jurats of Hastings to Reade, 7 April 1640, and annexed papers; 450/8, Reade's notes of evidence collected on the Hastings election, 1 April 1640; Ibid., 449/44, Ashburnham to Nicholas, 31 March 1640.

34 For a detailed description of this incident see John E. Gruenfelder, 'The Spring Parliamentary Election at Hastings, 1640', Sussex Arch. Soc., 105 (1967), pp. 49-55.

35 M. of P. I, p. 484. S.T. Bindoff, in 'Parliamentary History, 1529-1688', V.C.H., Wilts., V (1957), p. 135, comments that Thomas "certainly owed his single appearance for Wootton Bassett in April less to his domicile in the county than to his kinship with the secretary of state."

36 M. of P. I, p. 454; V.C.H., Berks., III, p. 252.

37 Clarendon, Rebellion, ed. Macray, I, p. 234n.

38 For a collection of material relating to this Parliament see Esther S. Cope and Willson H. Coates (eds.), Proceedings of the Short Parliament of 1640, Camden 4th ser. 19 (1977).

39 Evans, op. cit., pp. 237-8

40 For an examination of these trends see W. Notestein, 'The Winning of the Initiative by the House of Commons', Raleigh Memorial Lecture 1924, Proc. Brit. Acad. II (1924-5), pp. 125-75; and Willson, op. cit.

41 Ibid., p. 21.

42 The text of this letter is printed in Rushworth III, p. 1119. See also P.R.O., SP 16/450/88, [Rossingham to Conway], 14 April 1640; Sydney Letters II, pp. 644, 645, Windebank to Leicester, Charles I to Leicester, 11/21 April 1640; Balfour, op. cit., III, p. 76; Gardiner, op. cit., IX, pp. 91-3, 97-9.

43 Cope and Coates, op. cit., p. 135, quoting Harvard MS. Eng. 982, f. 22; C.J. II, p. 3; P.R.O., SP 16/450/85, 86, 87, papers relating to the interrogation of Loudoun by Cottington, Windebank and Bankes, 14 April 1640; C.S.P.D., 1640, p. 59, [Rossingham to Conway], 21 April 1640; Baillie, op. cit., I, pp. 190-1.

44 C.J. II, p. 5.

45 Ibid., pp. 4, 7, 10-11, 14-15, 17.

46 Ibid., p. 7; P.R.O., SP 16/450/66, [Rossingham to Conway], 28 April 1640.

47 For Sir Walter Erle's reports from the Committee on Matter for a Conference with the Lords see C.J. II, pp. 11, 16.

48 See Chapter VIII, pp. 384, 396.

49 P. R. O., SP 16/450/94, p. 10, MS. Entry Book of speeches and proceedings in Parliament, 15 April-5 May 1640.

50 C. J. II, p. 16.

51 Ibid., pp. 4, 6-7, 8, 10-11, 23-4; Cope and Coates, op. cit., pp. 64, 237.

52 Ibid., pp. 169-74, quoting Northamptonshire R. O., Finch-Hatton MS. 50, pp. 54-9; C. J. II, pp. 9-10.

53 PRO 31/9/18, ff. 184-5, Rossetti to Barberini, 24 April/4 May 1640; SP 16/451/66, Rossingham's Newsletter, 28 April 1640.

54 P. R. O., SP 16/450/113, Notes by Windebank, 23 April 1640, on the back of a letter of 18 April 1640, Robert Bewick, Mayor of Newcastle, to Windebank and Vane. The emotional tension of the meeting is reflected in the unusual incoherence of these notes. Windebank confusingly used the same abbreviations to denote the House of Lords and the Lords of the Council, and the same terms to describe the planned confrontation of the upper House by the King and the meeting between the two Houses that was viewed with such apprehension.

55 Ibid., 451/39, Windebank's note of those voting against the King, 24 April 1640. See Cope and Coates, op. cit., pp. 69-80, quoting H. L. R. O., Braye MS. 16, ff. 20v-31, for the debate in the Lords on 24 April; Gardiner, op. cit., IX, pp. 109-11.

56 Cope and Coates, op. cit., pp. 176-98, provide the fullest accounts of business in the Commons from 25 April-5 May 1640.

57 C. J. II, p. 19.

58 Ibid.

59 P. R. O., SP 16/452/31; HMC 2: 3rd R., Appendix: p. 3, Vane's notes of opinions delivered at a junto of the Privy Council for Scotch affairs, 5 May 1640.

60 C. J. II, p. 19.

61 P. R. O., SP 16/450/94, pp. 11-12, MS. Entry Book of speeches and proceedings in Parliament, April-May 1640; Laud, Works III, p. 234; Gardiner, op. cit., IX, p. 117.

62 P. R. O., SP 16/452/53, Windebank's minutes of Council business, 6 May 1640.

63 Ibid., 452/69, Windebank to Conway, 7 May 1640. To Hopton he wrote of the dissolution, "This is a very great disaster, but there was no other way, and his Majesty hath wherewithal to justify himself to God and the world, that the fault is not his, having offered

redress of all their grievances, and particularly of that which they call so, the shipping money." Clar. S. P. II, p. 83, Windebank to Hopton, 11/22 May 1640.

64 See above, Chapter IX, pp. 453-63.

65 For the political activities of Pym and his associates before the assembly of the Long Parliament see J. H. Hexter, The Reign of King Pym (1961), pp. 75-89.

66 P. R. O., SP 16/468/70, Dr. Thomas Reade to Robin Reade, 28 September 1640.

67 Ibid., 468/71, Francis Reade to the same, 28 September 1640.

68 C. S. P. D., 1640-41, p. 139, Same to the same, 4 October 1640.

69 The King announced his intention to summon Parliament to the Council of Peers at York on 24 September. P. R. O., SP 16/468/16, 23, Finch to the Clerk of the Crown, Vane to Windebank, 24 September 1640.

70 C. S. P. D., 1640-41, p. 183, John Nicholas to Edward Nicholas, 20 October 1640.

71 Keeler, op. cit., p. 7. For surveys of the elections to this Parliament see Ibid., pp. 6-12; R. N. Kershaw, 'The Elections for the Long Parliament, 1640', E. H. R., 38 (1923), pp. 496-508.

72 M. of P., I, p. 492. For Roe, see Keeler, op. cit., p. 325; D. N. B., XVII, pp. 89-93; for Selden, see Ibid., pp. 1150-62; Keeler, op. cit., pp. 336-7; Kershaw, op. cit., p. 503.

73 P. R. O., SP 16/470/67, Dr. Thomas Reade to Robin Reade, 26 October 1640.

74 Ibid., Pollard's article on Windebank in D. N. B., XXI, p. 635, ascribes his defeat to his great unpopularity. Willson, op. cit., pp. 75-6, attributes it not to unpopularity, nor to the opposition of a group, "but because he was not supported by the usual letters from important people."

75 P. R. O., SP 16/464/45, Windebank's notes of proceedings in the King's absence, 9 October 1640.

76 Violet A. Rowe, 'The Influence of the Earls of Pembroke on Parliamentary Elections, 1625-41', E. H. R., 50 (1935), pp. 242-56.

77 Clarendon, Rebellion, ed. Macray, ~~I, 218~~. Bk. III, 1.

78 Wood, op. cit., II, pt. I, p. 424.

79 P. R. O., SP 16/470/67, Dr. Thomas Reade to Robin Reade, 26 October 1640.

80 Rex, op. cit., pp. 144-5.

81 Clar. S. P. II, p. 131, Windebank to Charles I, 14 October 1640.

82 Bodl. L., Clar. MS. 19, f. 48, Windebank to Charles I, 25 September 1640, apostiled by the King, 27 September.

83 P. R. O., SP 16/468/61, Vane to Windebank, 27 September 1640.

84 Ibid., 468/136, List of officers of the Crown recommended as burgesses, [September]1640; C. S. P. D., 1640-1, p. 166, Bankes to Windebank, 12 October 1640.

85 Bodl. L., Clar. MS. 19, f. 58, apostile by Charles I, 6 October 1640, on Windebank's letter of 4 October.

86 Clar. S. P. II, p. 131, Windebank to Charles I, 14 October 1640; Keeler, op. cit., p. 44; Bulletin Inst. Hist. Res., VI (1928-9), p. 50.

87 M. of P. I, p. 488; Keeler, op. cit., p. 395. Windebank was not "provided with a Cornish seat instead", as stated in Rex, op. cit., p. 146.

88 P. R. O., SP 16/470/67, Dr. Thomas Reade to Robin Reade, 26 October 1640.

89 P. R. O., SP 16/469/86, Reade to Mayor of Hastings, 11 October 1640; Ibid., 469/107, Manifesto of Mayor and Jurats of Hastings, 15 October 1640. cf. C. S. P. D., 1639-40, pp. 561-2, for a similar allegation against Nicholas at Sandwich in the spring election. Thomas Eversfield and John Ashburnham were elected for Hastings, M. of P. I, p. 497.

90 C. S. P. D., 1640-41, p. 198, Francis Reade to Robin Reade, 26 October 1640.

91 Clarendon, Rebellion, ed. Macray, III, 3.

92 Gardiner, op. cit., IX, p. 227. For modern examinations of the intensity of feeling against Catholics see Carol Z. Wiener, 'The Beleaguered Isle. A Study of Elizabethan and Early Jacobean Anti-Catholicism', Past and Present, 51 (1971), pp. 27-62; Robin Clifton, 'The Popular Fear of Catholics during the English Revolution', Past and Present, 52 (1971), pp. 23-55.

93 Wedgwood, Revaluation, pp. 311-19.

94 Clayton Roberts, op. cit., pp. 77-8, 80.

95 Robert Cecil, Earl of Salisbury, 'The State and Dignity of a Secretary of State's Place, with the Care and Peril thereof', Harleian Miscellany II (1744), p. 265.

96 A full discussion of the question can be found in Evans, op. cit., pp. 252-67.

97 Wallace Notestein (ed.), The Journal of Sir Simonds D'Ewes (1923), p. 17, Appendix B, p. 529.

98 C.J. II, p. 24.

99 D'Ewes, p. 22.

100 Ibid., pp. 16, 22 n.

101 Ibid., p. 23. Lord Saye was also arrested, together with Sir Walter Erle, Pym and Hampden. P.R.O., SP 16/453/24, [Rossingham to Conway], 12 May 1640.

102 Parliamentary History II, p. 343; Evans, op. cit., p. 256.

103 Clarendon, Rebellion, ed. Macray, III, 20.

104 C.J. II, p. 26.

105 Wedgwood, Revaluation, p. 315.

106 Nalson I, p. 523; Rushworth III, p. 1267; D'Ewes, p. 25 n; Gardiner, op. cit., IX, p. 237. Referring to the story as "this nonsense", he notes that the Lords, who were not under Pym's influence, shared the same alarm as the Commons.

107 Clar. S.P. II, p. 116, Windebank to Charles I, 11 September 1640; Rushworth III, pp. 1266-7.

108 C.J. II, pp. 26-7; D'Ewes, Appendix B, p. 533. Nalson I, p. 521, attributes these proceedings to Wednesday, 2 November, which is clearly an error.

109 D'Ewes, p. 26.

110 Ibid., pp. 26-7.

111 Ibid., p. 27 n.

112 C.J. II, p. 27; Rushworth IV, p. 44.

113 C.J. II, p. 27. See Colin G.C. Tite, Impeachment and Parliamentary Judicature in Early Stuart England (1974), pp. 194-7, for the Commons' concern to preserve secrecy in the early stages of the attack on Buckingham in 1626.

114 HMC 23: Cowper II: p. 263, Sir John Coke the younger to Coke, 12 November 1640.

115 Harleian Miscellany II (1744), p. 265; Bodl. L., Clar. MS. 7, f. 185, Windebank to Charles I, 28 October 1635, and see Chapter VIII, p. 384.

116 Wedgwood, Revaluation, pp. 315-20.

117 C.J. II, p. 29.

118 Ibid., p. 33; Rushworth IV, p. 52; D'Ewes, p. 47. Horwood was ordered to produce Windebank's letter on the following Thursday, and Reade, Laud and other persons concerned were commanded to appear before the House on the same day.

119 B. L., Add. MS. 11,045, f. 145v, Rossingham's Newsletter, 25 November 1640.

120 C. J. II, pp. 34, 38-9; D'Ewes, p. 78.

121 C. J. II, p. 41. Other accounts of this part of Glyn's report are given in Nalson I, pp. 571-2; Rushworth IV, pp. 68-70; D'Ewes, pp. 89-91. For an anecdote concerning Windebank's unceremonious treatment of the messenger Newton, see Clarendon, Rebellion, ed. Macray, III, 15 n., 19.

122 D'Ewes, p. 90.

123 C. J. II, pp. 41-2; Nalson I, pp. 572, 651; Rushworth IV, pp. 70-1; D'Ewes, pp. 90-1. D'Ewes gives the amount received from recusants as "... little above 4,000 £ of recusants in the ordinary way of law by the levies of sheriffs upon the statutes."

124 C. J. II, p. 41.

125 C. S. P. Ven., 1640-42, p. 96, Giustinian to Doge and Senate, 13/23 November 1640.

126 Ibid., p. 98, Same to the same, 20/30 November 1640.

127 PRO 31/3/72, ff. 333-4, Montereul to Chavigny, 19/29 November 1640.

128 Ibid., f. 348, Same to the same, 3/13 December 1640.

129 Nalson I, p. 521.

130 Ibid., pp. 653-4. For Prynne's work see below, pp. 515-6.

131 Thomas May, The History of the Parliament of England (1854), pp. 71, 83.

132 C. J. II, p. 44; Rushworth IV, p. 74; D'Ewes, p. 101 and n.

133 Ibid., p. 103. See also C. J. II, p. 45; Rushworth IV, p. 83.

134 D'Ewes, pp. 110, 118.

135 Ibid., p. 125 and n. The letter was sent on to Sir Edward Dering by the Mayor of Gravesend.

136 P. R. O., SP 16/473/25, Reade to Thomas Windebank, 6/16 December 1640.

137 Ibid., 473/57, Windebank to the same, 13/23 December 1640.

138 C. J. II, p. 48; D'Ewes, p. 133; Nalson I, p. 666; Rushworth IV, p. 91.

139 C. J. II, p. 53.

140 Clarendon, Rebellion, ed. Macray, III, 18.

141 D'Ewes, p. 91.

142 Ibid., pp. 91-2.

143 See above, p. 499.

144 Clarendon, Rebellion, ed. Macray, III, 19, 86.

145 PRO 31/3/72, ff. 350-1, Montereul to Chavigny, 10/20 December 1640.

146 P. R. O., SP 16/476/91, Windebank to Thomas Windebank, 28 January/7 February 1641; Ibid., 492/109, A Note of Windebank's 44 letters.

147 D'Ewes, pp. 242-3 and notes.

148 Copies of these charges, varying slightly but not significantly in wording, may be found in B. L., Harleian MSS. 1,219, art. 29, f. 99; 1,327, art. 34, f. 44; 1,769, art. 3, f. 9. The copy in Harl. MS. 1,327 is dated 10 December 1640. See also State Trials IV (1816), 42-7.

149 Musket's name is variously given as Musson and Masson in the surviving copies of the articles.

150 This was presumably Edward More or Moore, see Appendix I.

151 See Chapter VIII, pp. 394-5. The two priests concerned were Henry Morse and John Southworth.

152 Tite, op. cit., pp. 204-7, 218-20. Emphasising the flexibility of judicial procedure in the Parliaments of the 1620's, he contrasts the relatively passive rôle played by the Commons in the cases of 1621 and 1624 with their more active participation in the cases of 1626 and 1628. The increasingly political nature of the attacks is also noted.

153 Clayton Roberts, op. cit., p. 81.

154 C. J. II, pp. 61, 66, 73, 79, 94; D'Ewes, pp. 327-8, 414.

155 C S. P. Ven., 1640-42, p. 117, Giustinian to Doge and Senate. 15/25 January 1641. The despatch ends, "This is all I have to report of the events of this most tiresome Court."

156 P. R. O., SP 16/476/93, Reade to Thomas Windebank, 28 January/ 7 February 1641.

157 C. J. II, p. 197.

158 L. J. IV, pp. 382-3.

159 Ibid., pp. 388, 407 (where the date is given as 9 December, presumably in error), 418.

160 Ibid., pp. 429-30.

161 Trevor-Roper, op. cit., pp. 422-3.

162 L. J. V, pp. 177, 180, 181.

163 Clayton Roberts, op. cit., pp. 130-1. See also Adele Hast, 'State Treason Trials during the Puritan Revolution, 1640-1660', Historical Journal, XV (1972), pp. 37-53.

164 Clayton Roberts, op. cit., p. 78.

165 L.J. IX, p. 104, X, p. 196.

166 Copies of the letter can be found in Nalson I, pp. 652-3, and in Parliamentary History IX, pp. 149-53. The copy in B. L., Harl. MS. 1,219, art. 107, f. 354, is dated February 1641.

167 Nalson I, p. 653.

168 Ibid.

169 P. R. O., SP 16/476/71, Reade to Thomas Windebank, 22 January/1 February 1641.

170 C. S. P. D., 1641-3, p. 9, Same to the same, 11/21 June 1641.

171 Ibid., 1640-41, p. 314, Same to the same, 14/24 December 1640.

172 P. R. O., SP 16/476/71, Same to the same, 22 January/1 February 1641.

173 Ibid., 477/39, Same to the same, 19 February/1 March 1641.

174 For the attacks on Buckingham and Montagu, and the King's reactions to them, see J. N. Ball, 'Sir John Eliot at the Oxford Parliament, 1625', Bulletin Inst. Hist. Res., 28 (1955), pp. 113-27; 'The Impeachment of the Duke of Buckingham in the Parliament of 1626', Mélanges Antonio Marongiu, Etudes présentées à la Commission Internationale pour l'Histoire des Assemblées d'Etats (1967), pp. 35-48, and especially p. 47, where it is suggested that Charles I did not dissolve Parliament in 1626 to save Buckingham; 'Religion, Fundamental Law and Parliamentary Sovereignty in the English Parliament of 1629', Herrschaftsverträge, Wahlkapitulationen, Fundamentalgesetze (1977), pp. 77-89; Tite, op. cit., Chapter VII; Clayton Roberts, op. cit., Chapter II; Gardiner, op. cit., V, pp. 351-5, 360-3, 372-3, 429-30; VI, Chapters LVII, LVIII; VII, Chapter LXVII.

175 Evans, op. cit., pp. 106-7, "It was the old Tudor view which had raised the secretary to eminence as the instrument of prerogative ...." For a statement of the new attitude adopted by Parliament towards the King's ministers see von Ranke, op. cit., II, pp. 234-7, where "the notions of old English loyalty" are contrasted with the idea of Parliamentary government, and the overturning of established assumptions is emphasised: "Henceforward there was a change in the power, an offence against which constituted high treason: formerly it was the King, now it was the entire Parliamentary body. In their hands was the sword of vengeance: the victims of the Star Chamber were set free, the members of the tribunal impeached." p. 237.

176 HMC 23: Cowper II: p. 266, Newburgh to Coke, 7 December 1640.

177 PRO 31/3/72, f. 351, Montereul to Chavigny, 10/20 December 1640.

178 P.R.O., SP 16/473/57, 476/91, Windebank to Thomas Windebank, 13/23 December 1640, 28 January/7 February 1641.

179 Clar. S.P. II, p. 134, Aylesbury to Hyde, 8/18 January 1641.

180 HMC 77: De L'Isle and Dudley VI: p. 403, Countess of Leicester to Leicester, May 1641.

181 P.R.O. SP 16/473/58, Reade to Thomas Windebank, 14/24 December 1640.

182 Ibid., 476/71, Reade to Thomas Windebank, 22 January/1 February 1641; 476/90, Windebank to Henrietta Maria and to Thomas Windebank, 28 January/7 February 1641; HMC 58: Bath II: pp. 76-7, Windebank to Thomas Windebank, 26 February/8 March 1641.

183 P.R.O., SP 16/473/58, Reade to Thomas Windebank, 14 December 1640; 476/95, Note by Conyers, 29 January 1641; Heylyn, op. cit., p. 448; Clarendon, Rebellion, ed. Macray, III, 83, 86, 191.

184 C.S.P.D., 1641-3, p. 103, Vane to Roe, 22 August; p. 115, Nicholas to Pennington, 1 September; p. 185, Charles I to Windebank, November; p. 192, Bere to Pennington, 9 December 1635. Clarendon, Rebellion, ed. Macray, IV, 100 n., 167 n.

185 C.S.P.D., 1641-3, pp. 206-7, Windebank to Thomas Windebank, 17/27 December 1641.

186 Ibid., p. 206, Same to the same, 17/27 December 1641.

187 Ibid., p. 220, Reade to Thomas Windebank, 31 December 1641/ 10 January 1642.

188 Ibid., p. 213, Windebank to Thomas Windebank, 24 December 1641/ 3 January 1642.

189 Anonymous pamphlet, New Treason plotted in France, 1642.

190 Nalson I, pp. 467-80, especially p. 472; Gardiner, op. cit., IX, pp. 227-9.

191 Clar. S.P. II, p. 142, Aylesbury to Hyde, 19/29 March 1642.

192 P.R.O., SP 16/486/119, Reade to Thomas Windebank, 31 December/ 10 January 1642. See also Ibid., 479/64, 65, Windebank and Reade to the same, 23 April/3 May 1641; 485/98, Reade to the same, 19/29 November 1641; 486/71, Same to the same, 17/27 December 1641; HMC 58: Bath II: pp. 75-6, Windebank to Thomas Windebank, 19 February/1 March 1641.

193 B.L., Sloane MS. 1,467.

194 Anon., Time's Alteration (1641); Four Fugitives Meeting (1641).

195 The Scholler's Complaint, in Diary of John Rous, A. D., 1641, ed. M. A. E. Green, Camden Society (1861), pp. 115-17. The verses were to be sung to the tune of Alloo, Alloo, Follow my Fancy.

196 P. R. O., SP 16/481/62, Windebank to Thomas Windebank, 25 June/5 July 1641; 482/7, Reade to the same, 2/12 July 1641; 482/73, Windebank to the same, 23 July/2 August 1641; C. S. P. D., 1641-3, pp. 25-6, 39, 58.

197 Ibid., p. 78, Same to the same, 6/16 August 1641.

198 Ibid., pp. 213, 220, 300, Windebank to Thomas Windebank, 24 December 1641/3 January 1642, 31 December 1641/10 January 1642, 25 March/4 April 1642; Ibid., p. 364, Richard Brown to Roe, 30 July/9 August 1642.

199 Toynbee and Young, op. cit., pp. 53-6. I am grateful to Dr. Ian Roy for drawing my attention to this reference. It is not clear whether Sir Francis was received by Charles I during this visit, which seems to have occurred in 1643-4 rather than in 1642. See D. N. B., XXI, p. 636.

200 P. R. O., SP 16/501/141, 142, Thomas Windebank and Windebank to Reade, 26 May 1644.

201 HMC 70: Pepys: p. 202, Windebank to Sir Richard Brown, 26 December 1644.

202 Birch, Court and Times of Charles I, II (1848), p. 401; Bodl. L., Rawlinson MS. B 224, f. 40, Memorials of Sir Francis Windebank, Secretary of State.

CONCLUSION

In assessing Sir Francis Windebank, both as a person and as an office-holder, it becomes immediately apparent that in him certain elements are lacking. He was not a great man: the qualities of mind recognisable in Wentworth's writings and speeches, the width of vision enabling both Wentworth and Laud to plan, and in some measure to achieve, coherent and comprehensive schemes of reorganisation in state and church were not possessed by Sir Francis. Neither can he be classed with the great administrators of the sixteenth century, like Burghley, or the single-minded masters of detail like Thomas Cromwell or Sir Francis Walsingham. Nor can we find in him any considerable or explicit element of political theorising. Nowhere in his despatches or in his reported conversations do we find him expounding at length his philosophies of government, of monarchical authority, of the relationship between church and state, of legal jurisdiction, of economic theory, or of colonial development, though he was closely concerned at the highest level with the practical applications of administration in all these fields. In Sir Francis's company we shall never be lifted out of the every-day world, nor shall we struggle to comprehend the profundity of his thought or the complexity of his argument. For inspiration and for the enlargement of our vision we shall look to him in vain.

Although in some respects this failure to theorise may be taken as a reflection upon Sir Francis's calibre, it is possible that the explicit formulation of political theory by the Secretaries of State was thought to be neither necessary nor desirable in the 1630's. There was no vocal Parliamentary opposition to answer, and the principal attacks on the Personal Rule took the form of political libels, more likely to be countered by prosecution in Star Chamber than to provoke the King's servants to an exercise in literary self-justification. The position of the Secretaries of State, close to the King and maintaining regular liaison between the monarch and his other servants, encouraged them to concentrate more on the day-to-day running of the administrative machine than to speculate upon its ultimate

nature or purpose. Their busy lives, occupied in a ceaseless round of attendance on the King, frequent Council and committee meetings, and the reading and drafting of innumerable despatches, left the Secretaries with little leisure or apparent inclination to justify the governmental system at considered length in speech or writing. Their job was rather to make it work, to keep the wheels running smoothly and the paper flowing at reasonable speed. It was in the process of doing this that they secured much of their political influence, and they perhaps thought it wiser not to formulate their ideas too precisely.

Whatever the explanation, this absence of theoretical exposition creates a considerable problem for the student of Windebank's career. From his despatches and reported conversations it is evident that he cannot be dismissed simply as a time-serving hack or as a diligent and subservient clerk, facile charges too readily levelled by his modern detractors. Nor does it appear that he was merely a creature of Portland's or Laud's, as some hostile contemporaries alleged. In paying court to the chief minister, foreign ambassadors like Correr and Bellièvre tended to undervalue his colleagues, and neither of these men had any reason to be grateful to Sir Francis. In hunting bigger game, pamphleteers like Prynne used Windebank, who had escaped their vengeance, to bring down Laud. Although Sir Francis agreed with the Treasurer and the Archbishop on many points, and owed much in his early career as Secretary to the patronage of both, too much of his work was conducted without reference to either of them for us to regard him merely as a dependant.

Sir Francis evidently possessed strong views on many of the issues of his day, and these issues, leading to civil war in less than two years after his flight to France, can in themselves hardly be classed as negligible. A considerable body of surviving evidence makes it possible to demonstrate what Windebank was doing for much of his working life as a Secretary of State, but his motives, his own inspirations and spurs to action, the points at which his convictions joined or parted company from his actions, are more difficult to find. Despite the lack of explicit statements by Sir

Francis, however, it is possible to suggest certain conclusions about his attitude to government and his interpretation of the powers and duties of a Secretary of State, and also to use his career to throw light on some aspects of policy-making and administrative practice during the Personal Rule.

There are many indications that Windebank was a convinced supporter of hierarchical order, of enhanced monarchical authority and of non-Parliamentary rule. His consistently severe sentences in Star Chamber in cases involving libels or other attacks on ministers of the Crown, and his care to protect Wentworth's authority as President of the Council of the North and as Lord Deputy of Ireland, show him repeatedly upholding firm secular government both at the centre and at the periphery through the medium of prerogative courts. Obedience by the subject, of whatever rank, to the King's commands was the keynote of much of his activity in London during the two Bishops' Wars. He advised firm disciplinary action in 1639 against Lords Saye and Brooke for their refusal to take the oath of allegiance required from the lay peerage, and was clearly prepared to encourage the lawyers to hunt for further legal ammunition when the initial grounds for prosecution proved inadequate. One of his rare bursts of anger was reserved for the Lord Mayor and aldermen of London for their meagre and reluctant response to the King's demand for money in 1639-40, and he was ready to take a firm line with the City authorities, whom he saw as undermining the King's position. The Privy Council thought it impolitic to coerce the lay peers and gentry who gave little aid, but Windebank's notes of Council meetings reveal his own determination that Lord Lieutenants and their deputies, sheriffs and others in responsible positions in the counties should be called to account in Star Chamber or before the Board if they proved to lack zeal in the King's service. It was in 1638-40 that he is for the first time to be found actively using his Secretarial powers in intelligence work, and it is clear that for him Scots, Covenanting rebels and their English sympathisers provided a far greater threat to the state than the Catholic recusants whom many of his contemporaries regarded with greater apprehension. Indeed, on this occasion we find him commenting unequivocally to Hopton that the Scots and their allies were in his view

engaged not merely in resistance to unpopular royal measures, but that they aimed at the overthrow of monarchy itself.

Appointed Secretary three years after the beginning of the Personal Rule, he had never until 1640 held high office while Parliament was in session, though he had observed the developments in the Parliaments of the 1620's from a lower administrative level. It is probable that this experience initiated, and brief membership of the Short Parliament confirmed, his antipathy to Parliaments, for by the summer of 1640 he was unhesitating in his advice that Parliament should not be called. Consciousness of his own ineptitude, both in electioneering and in handling the Commons, no doubt partly explains his arrival at this position, and by this time awareness of personal danger may also have played its part. Neither Sir Francis's attitude to government nor his activity in office was calculated to endear him either to electors trying to make local and national grievances heard, or to a House that was seeking the means of redressing them.

Although Windebank's attitude to government was firmly founded on a belief in the strong central authority of the monarch, and his religion is clearly recognisable as Arminian, the ways in which he applied these convictions to his working life differ considerably from the methods adopted by Wentworth and Laud. Sir Francis's own attitude to the Personal Rule is characterised by a broad acceptance of the status quo. He gives little sign of a wish to reform the administration, though he undoubtedly regretted many of its more inconvenient manifestations, particularly in relation to the difficulty of raising money to implement the King's policies and to uphold his authority. His inclination seems to have been rather to make the existing system work a little better than to institute new and sweeping schemes of investigation and change, and it was here that he parted company with Laud and the policy of Thorough, and found himself more in harmony with Cottington. It was in the Treasury Commission that this difference of attitude is most clearly detectable. The deadlock on this committee, reached within a few months of its creation, demonstrates the strength and

effectiveness of the alliance between Windebank and Cottington, and Wentworth's comments suggest that they were accustomed to opposing the Archbishop in this way on more than one of the central committees.

To explain this it is not necessary to accept Laud's embittered allegations of venality and obscurantism, which were clearly coloured by prejudice. It was Windebank, after all, who brought the Treasury Commission's inaction to the King's notice and tried to get business started again. Moreover, in 1639-40, the next occasion on which he and Cottington can be seen acting in concert over finance, this time in alliance with Juxon, there is every sign that they were neither dilatory nor corrupt, and that they were taking considerable pains to keep the King accurately informed of his financial position. Their opposition to Laud sprang more probably from differences of temperament and style, and from the perception that radical and insensitive programmes of reorganisation might well bring greater evils than toleration of existing inadequacies. The ultimate effect upon the King's fortunes of the policy of Thorough, pushed to extremes by Laud and Wentworth within the boundaries of their own separate jurisdictions, suggests that Cottington and Windebank were wise in trying to resist the extension of this policy to a wider area of central government.

There is no sign that Windebank was trying unscrupulously to exploit for his own profit either his position or the Early Stuart administrative machinery. An examination of his income and estate amply confirms the defence of his conduct in office that he made to the Lord Chamberlain after his flight to France. It seems likely that his gross income from the Secretaryship was under £5,000 a year. Many of the sources of the Secretaries' income had not kept pace with inflation, and pluralism had declined, so that there were fewer opportunities for enrichment through Secretarial office in the 1630's than there had been in the sixteenth and early seventeenth centuries. His net annual income from his estate is likely to have been between £500 and £600, and after selling part of the property inherited from his father, Sir Francis bought no more land. By temperament he was neither acquisitive nor ambitious. Moreover, his

letters are refreshingly free from that preoccupation with his own career and prospects, and the obsessive concern with other people's opinion of himself, that is so marked a feature of the correspondence between Laud and Wentworth and between Leicester and Northumberland.

Nor is there any sign of indiscretion on Windebank's part during his tenure of the Secretaryship. Indeed, there is every indication that he maintained strict secrecy, particularly about confidential diplomacy and about his discussions with the Catholics. His consultations with Weston and Cottington over negotiations with Spain were clearly undertaken with the King's full knowledge and consent. His exchange of letters with Charles I during the King's absences from London ~~were~~ was carefully arranged to minimise the risk of leakage, and there are signs that the monarch and his Secretary repeatedly agreed to withhold information on a number of matters from other members of the Privy Council and its committees, and that Sir Francis duly maintained the reserve required of him. Allegations of his indiscretions in Paris after his flight are unspecific, and these accusations are likely to have been further examples of the many slanders employed by his opponents to discredit him.

An examination of Windebank's service on the Privy Council and the committees and commissions of the Personal Rule emphasises the concentration of policy-making and government in the hands of a very small group at the centre. The effective reduction of a Privy Council of between thirty and forty members to an active working group of about twelve of the most assiduous attenders was further reinforced by the changes that took place in the nature and composition of the Standing Committees of the Privy Council during this period. The trend in these committees towards a more continuous existence, already visible in the early 1630's, was accompanied by a reduction in the number of members, so that in 1634 the Committee for Foreign Affairs and the Committee for Ireland, in particular, had pruned their membership from thirteen and twelve respectively to six apiece. By 1636 Juxon had replaced Portland on these bodies, which frequently then remained static in membership for another three or four years. Increases

in the size of the Committee for Foreign Affairs and of the Council of War in 1639 indicated a slight broadening of the base of government, while the inclusion of several opponents of Personal Rule on the Committee for Ireland by 1641 signalised one result of the political victories achieved in the Long Parliament. By 1636, however, Windebank, Juxon, Arundel and Coke formed a common nucleus on all five of the major Standing Committees, and the influence of the small group who participated in so many areas of government was clearly enhanced.

It is evident, however, that this group was not united, and that within it there were both personal feuds and deep differences of opinion on policy, sometimes coinciding and sometimes conflicting. Evidence to show the effect of these differences on the conduct of business in the Privy Council and its committees is tantalisingly scarce, but there are signs of open strife and the currents ran strongly under the surface. The much-emphasised split of 1641 in the Country party was antedated by several years in the case of the Court, and on many sensitive issues in the 1630's it is difficult to identify any group large enough to be called a Court party at all.

Windebank, for example, appears to have worked harmoniously with Laud at the outset, but to have disagreed with him over some areas of policy by 1634, and to have moved still further away by 1635 during the operation of the Treasury Commission. Although for him this was a public rather than a private difference, for Laud it severed their close connexion and deprived him of an ally on the committees. Windebank's policy towards the Catholics was not shared by Laud, who took pains to dissociate himself from it, and while in foreign relations the Archbishop was in favour of peace, he played no part in the confidential negotiations with Spain. Windebank's political association with Portland and Cottington seems to have flourished in consequence of their joint negotiations with Necolalde from 1633 onwards, and after Portland's death he continued to act closely in concert with Cottington over foreign policy (though Cottington was not a member of the Committee for Foreign Affairs between 1634 and 1640). They formed a frequent alliance against Laud on the Treasury Commission,

the Irish Committee and elsewhere, and were probably joined on occasion by Arundel, who was certainly in accord with them over foreign policy until 1636, though apparently not thereafter. Coke and Holland, both members of the Committee for Foreign Affairs, were carefully excluded by the King from any cognizance of Windebank's dealings with the Habsburg states, and would undoubtedly have opposed them strongly. The personal dislike, professional rivalry and political disagreements between Windebank and Coke were powerful and continuous, and the two Secretaries can frequently be found working actively against each other, particularly in religion and foreign policy. Many of these differences over these two broad areas of government are likely to have involved similar disagreements over those aspects of taxation and legal jurisdiction that were associated with them. The Treasury Commission came to a standstill because of the strife within it, and the Committee for the Affairs of the North was deeply divided even on the basic issue of peace or war with Scotland.

These differences between the core of Privy Councillors on the smaller committees were accompanied by more fundamental divisions over policy and style of government among the larger group of active Privy Councillors, which in itself fell far short of the Privy Council as a whole. Northumberland and Pembroke, for example, were hostile to Windebank on most major issues, and neither of them supported the King in the Civil War. Coventry was clearly unsympathetic on occasion, and it is even possible that the modification of the committee system in the 1630's was as much a device for excluding members of the Privy Council as the development of the Committee of the Whole House in Parliament in the early seventeenth century had been a means of evading the Speaker.

Charles I made no attempt to win over critics like Warwick and Bedford by offering them posts in the central administration, but neither did he initiate any major reshuffle among office-holders in the 1630's, and Coke's long overdue dismissal early in 1640 is the only occasion on which the King suspended his loyalty to his highly-placed servants. When faced by a dissentient committee Charles simply by-passed those individuals

whose opinions were inconvenient. In foreign affairs, particularly, he used the committee containing Holland and Coke, both inclined towards a French alliance, to conduct dealings with France, but used Windebank alone to correspond confidentially with Spain, the Emperor and Flanders. The King's indecisiveness and love of keeping various options open may well have inclined him to retain a government that approximated even more closely to a coalition than most. The result was a situation of unstable equilibrium in which the government of the Personal Rule may have appeared a unified target to some of its opponents but was ready to fly apart when subjected to strain. Although the term "Court" seems to have been used as a label in the 1620's, and appears to have meaning in broad conceptual terms for some later historians - either as the bureaucratic antithesis of the more diffuse and unpolitical country, or as a cultural élite - when more closely inspected as a coherent political entity during the 1630's, it shatters into fragments.

There are two themes with which Sir Francis's name has been most frequently linked by contemporary and later commentators: his membership of the "pro-Spanish faction" and his favourable treatment of Roman Catholics. It is in the areas of foreign policy and religious toleration that we at last find him making explicit pronouncements about his personal beliefs and attitudes, and it is also in these areas that we find him interpreting his Secretarial powers to their widest extent. Indeed, he used considerable initiative in introducing, and considerable persistence in persuading the King to adopt, those lines of action that he favoured.

A study of Windebank's career is particularly useful for the light that it sheds on the foreign policy of the Personal Rule. In the administrative conduct of foreign affairs, his period of office witnessed the evolution of the division of diplomatic business between the two Secretaries that was later formalised by the creation of the Northern and Southern departments. Until his death in 1632 Dorchester had largely monopolised the diplomatic correspondence which Coke, as the senior Secretary, then inherited. In 1633 Sir Francis was first introduced to diplomacy and, although the junior Secretary, from 1634 he was entrusted with all the King's

most confidential negotiations. By the later 1630's he was handling the main business relating to the Habsburg and Habsburg-dominated areas, as well as other tasks of personal interest to the King. When Vane succeeded Coke as Secretary in 1640, he was instructed to correspond with the northern states of France, Holland, Germany, the Baltic countries and Turkey, while Windebank continued to deal with Spain, Flanders and the Emperor, as well as the Italian states and Switzerland.

His correspondence with the Ambassadors and Agents in his charge shows that he was careful to represent their interests fairly to the King, and discriminating in his handling of their claims for allowances. The quality of his despatches is high, and complaints by the English representatives abroad that they were inadequately informed of developments affecting their missions may be explained by Charles I's indecisiveness rather than by Windebank's inefficiency. Although the broad division of duties into Habsburg and anti-Habsburg negotiations had obvious advantages for the King, it exacerbated the existing hostility between Windebank and Coke, fostered secrecy and suspicion, and led to a widespread and mistaken impression that Windebank and the King were bestowing generous favours upon Spain. A study of Windebank's despatches, reports and instructions helps to dispel this misapprehension and also to clarify the main priorities and diplomatic methods of English foreign policy in the 1630's.

The policy of neutrality imposed on Charles I by the decision not to summon Parliament was supported by the majority of the leading ministers who constituted the Committee for Foreign Affairs, and by others including Wentworth, who well appreciated the dangers that war would represent for his administration in Ireland. Neutrality was not understood by Windebank and his fellow ministers as implying isolation and withdrawal, however, or as involving abstention from the pursuit of essential English interests.

Considerable sums were spent on foreign embassies, and much of the King's and Windebank's time was devoted to diplomacy. The successful continuation of the Personal Rule in England was partly dependent upon avoidance of war. If England was not to be surprised into sudden and

unwelcome action by developments in Europe, the King needed to receive a steady flow of information from experienced observers in the European capitals. With few exceptions it is clear that this information was being provided, and that Windebank was influencing the King's decisions on foreign policy by emphasising the advice and warnings that most agreed with his own perception of European developments. In doing this he repeatedly reveals himself as a realist, with a good grasp of the changing situation in Europe, and it is evident that decisions taken in England were not based upon ignorance. This is particularly clear in relation to English awareness of the relative weakness of Spain, the growing strength of France and Holland, and the lack of candour displayed by the French in their policy towards the Southern Netherlands.

Sir Francis consistently argued that English foreign policy should be directed towards maintaining a balance of power among the European states. It is in this connexion that he may be regarded as a member of the "Spanish faction" in the sense that he saw Spain as a declining power to be supported against France and Holland, whose strength and ambitions he saw as more dangerous to England. This is the earliest example of the adoption of this view as a basis for English foreign policy. In the previous reign a small minority, including Raleigh, had emphasised the growing commercial challenge presented by the Dutch, and James had regarded Spain with benevolence, but the English were still far more conscious of Spanish strength than weakness. In the 1620's, Buckingham's militancy had brought England into simultaneous conflict with both France and Spain, a disastrous policy necessarily abandoned in favour of neutrality early in the Personal Rule.

In the 1630's, under Portland's aegis, the attempt was made to forge this neutrality into an effective diplomatic weapon, and to see it in active rather than passive terms. After the Treasurer's death in 1635 Windebank, by then conducting Charles I's most confidential foreign correspondence with little reference to the Foreign Committee, was chiefly responsible for maintaining this line. In urging the King to counterbalance

Spain's opponents he never lost sight of other important English interests, chief among which were the encouragement of trade, an increase in English naval strength and authority in the surrounding seas, and the maintenance of tripartite occupation of the opposite Channel coast.

Recent work has shown that the Spaniards saw the renewal of war against the Dutch in 1621 as a fight for economic survival rather than as a campaign for territorial reconquest. In the 1620's Spanish strategy was based on economic pressure with sustained use of embargoes against Dutch dominance in the north-south carrying trade, and the restriction of military action in Flanders to defence. The armada of Flanders was built up into an effective striking force against Dutch merchant vessels trading with English, French and Baltic ports, and against the herring busses of the lucrative North Sea fishery. Historians have only recently become aware of the nature of this policy, and are still engaged in tracing its considerable impact on European economic development between 1621 and 1648. As Windebank and others perceived at the time, England had much to gain from these developments. By the 1630's, English merchants had already captured a substantial share of the carrying trade to southern Europe, and the increased revenue from customs duties was helping to maintain the Personal Rule.

These trends were accelerated by the French declaration of war on Spain in 1635. Another neutral competitor was eliminated, and although French merchants, like the Dutch, continued to trade with Spanish territories under foreign flags, officially they too came under the Spanish embargoes. Windebank's foreign correspondence reveals a sustained awareness of the need to protect English mercantile interests, particularly in Spain and Portugal. Aston and Hopton worked in Madrid to ensure the continuation of preferential treatment for the English, and to secure for them as much freedom of action as possible within the limits of existing Anglo-Spanish agreements. Much of the ill-treatment in Spain, about which the merchants complained to the Privy Council, appears to have resulted from over-eager exploitation of their opportunities, particularly

by dealing in prohibited goods and by acting as intermediaries for Dutch or French merchants.

In another expanding sector of English trading activity, Windebank was active in fostering the carriage of silver from Spain to Flanders in English ships. This brought with it increased profits from the transport of other commodities and increased participation in trade with the Southern Netherlands. The thriving Dover ~~composition~~ entrepôt trade and the profits of coining a proportion of the silver at the Mint provide some measure of the success of this policy, the benefits of which Coke was also prepared to recognise. Here also the merchants engaged in illicit activity, principally by avoiding Dover, but this was tolerated by the English authorities in order to expand the trade. It is significant that after Windebank's flight in 1640 Parliament continued to encourage the carriage of Spanish silver through the Channel, and that coinage of silver at the Mint reached its peak in the early years of the Civil War.

For Windebank and those who thought like him the transport of pay for the army of Flanders had a strategic importance that transcended any interest in profit. Perennial English concern to prevent the acquisition of the Southern Netherlands by a strong and hostile power had been reawakened in the early 1630's by Dutch successes in the Maas valley and by their blockade of the Flemish coast which coincided with a period of particular Spanish weakness. Secret negotiations conducted by Portland, Cottington and Windebank to secure Spanish subsidies to strengthen the English fleet for action in this area came to nothing. Necolalde's revelation to the English ministers in 1634 of Franco-Dutch plans to invade Flanders provoked them to unilateral action, which included the imposition of ship-money. The use of the English fleet to raise the blockade of the Flemish coast in 1635-6 and to convoy supplies of silver to strengthen Spanish resistance against the Franco-Dutch alliance was warmly supported by Windebank, but the policy was unpopular in England except among the merchants who benefited from it. It may fairly be argued, however, that it was more advantageous to England in strategic and economic terms to

maintain a divided Netherlands than to allow Flanders to be added to the United Provinces or overrun by France.

The despatches directed to Windebank by the English Ambassadors and Agents in his charge repeatedly stressed French desire for territorial acquisition, and in February 1634 Windebank commented to Hopton upon the need for Anglo-Spanish co-operation against the King of France, whom they must regard as a dangerous neighbour. "Gallus amicus non vicinus" was a conclusion eventually reached by the Dutch nearly ten years later, when Spanish weakness had become more apparent and French desire for self-aggrandisement more evident. That Windebank should have appreciated the position so early suggests that he was both perspicacious and well-informed.

The creation of a powerful English fleet was a central feature of the policy adopted by the King, advocated by Windebank and warmly supported by the English representatives abroad. That ship-money was initially imposed to provide the means of maintaining the balance of forces in Europe by perpetuating Spanish control of Flanders is clear from Windebank's correspondence. He would have welcomed more decisive employment of the fleet to strengthen English control of the Channel and the North and Irish Seas, and might well have expected this policy to command widespread support in England in view of the complaints against the pirates in the Channel in the 1620's and 1630's. He also appreciated the rôle the navy could play in protecting English merchants, enhancing England's position as a mediator, and enforcing the King's claims to maritime sovereignty.

In this last context Windebank was particularly concerned with a further scheme to turn European developments to English advantage by issuing licences to Dutch fishermen in the North Sea in return for protection against the armada of Flanders. This was an area in which England could oppose Spain without seriously undermining more vital strategic aims, while enforcing recognition of English naval authority from a group who contributed significantly to the economic and maritime power of the United Provinces. Of this and its implications for England he was very conscious,

and it is perhaps worth reminding ourselves that the next major war fought by England in the seventeenth century was against the Dutch, even under a Puritan Commonwealth. Windebank's correspondence reveals the adroitness with which he and the English representatives in the United Provinces and Flanders took advantage of the numerous conflicting interests in the Low Countries, and their understanding of the relationship between practical reality and high-sounding theory. The collapse of this scheme, and the inability of the English fleet to "scour the seas" as Windebank wished, or to prevent the decisive Dutch defeat of a Spanish armada in the Downs in 1639, all stemmed from the ultimate need to preserve English neutrality. Retreat from confrontation and consequent loss of prestige were the consequences of having a navy that was not powerful or efficient enough to deter aggressors, or to respond to several calls simultaneously. Ship-money may therefore be regarded as one of the pivots upon which the foreign policy of the Personal Rule turned. Adequate response to the King's demands might well have enabled the building of a fleet strong enough to achieve the aims of the King and his ministers. Determined resistance to this tax undermined the whole scheme, and Windebank, as a practising advocate of secret diplomacy and prerogative control of foreign policy was repeatedly reminded of the unpopularity of these methods. The failure of the government of the Personal Rule to appreciate the need for countering high-principled objections to unparliamentary taxation, and uninformed local prejudice in the counties, proved an expensive error in more than one way.

While intervening actively on behalf of Flanders, the King was prepared to do no more than negotiate interminably over the Palatinate. Windebank's despatches enable us to reassess the position of the Palatinate in English foreign policy, and to contest the traditional view advanced by Gardiner and Seeley that its recovery was one of the King's chief aims. In this context Windebank may once again be regarded as a member of the "Spanish faction" in the sense that he thought that the Spaniards held the key to the ultimate restoration of this territory, and that since it would eventually be necessary to approach them, it was best to deal directly with them from

the outset. He was sharply critical of excessive Spanish demands, however, and there is abundant evidence that he was not pressing for generous concessions to Spain. He differed from Charles I in preferring to make moderate claims in the hope of gaining ground slowly, rather than pursuing an all-or-nothing policy. In this he found himself in agreement with the English Ambassadors and Agents serving in Habsburg territories, who would have acted with more determination than their master by taking advantage of Spanish weakness, particularly after the outbreak of war with France in 1635. Charles was not open to persuasion on this point, however, and was resolved to offer nothing but the most general protestations of goodwill.

On the other hand, the King was adamant in making extensive demands on behalf of his nephew, even when it was clear from preliminary enquiry that these would not be met. The restoration of the Prince Elector was frequently linked with a professed English wish for general European peace, although Windebank and many others openly recognised that more important national interests were best served by a continuation of the war. The King seems to have been anxious to ensure that the claims of his sister's family would be safeguarded in the ultimate peace settlement, but his delaying tactics suggest that he did not regard the matter as urgent. It is clear from the despatches directed to Windebank that Charles I and his Secretary were generally well-informed about the attitudes to the Palatinate of the various interested European states, and that their decisions were not based upon ignorance or misapprehension. In return, however, Charles repeatedly prevented Windebank from keeping the English Ambassadors abroad fully aware of his own views and conclusions, so that on this issue many of their negotiations were rendered abortive from the start. One of Windebank's recurrent tasks was to draft instructions for the diplomats in his charge that so circumscribed their actions as to leave them little room for manoeuvre, and then to keep them tightly under control so that they made no indiscreet commitments on behalf of the King. Although this can hardly have been welcome to the English representatives abroad, it is clear from their despatches that they both liked and trusted Sir Francis, and all

paid tribute to his skill in clarifying the complexities of Caroline foreign policy.

Windebank's contacts with the foreign Ambassadors and Agents in England provide a good illustration of another aspect of the foreign policy of the Personal Rule, the King's alternate swings towards Habsburg and anti-Habsburg alliances. While Sir Francis's most active correspondence with the English Ambassadors and Agents abroad concerned mainly those in the Habsburg states, he also participated in the negotiations in London for a French alliance. His notes of Anglo-French meetings, the draft treaty papers, the despatches of the French and Venetian Ambassadors, and the comments of Salvetti reveal the mutual distrust that permeated these negotiations, and the secret reservations on each side that rendered a successful ratification of the treaty unlikely from the outset.

The persistent denial by the French early in 1635 of any concealed treaty with the Dutch was already known by Windebank and the other English negotiators to be false, and the joint Franco-Dutch invasion of Flanders in May soon demonstrated this, while confirming the need for continuing aid to Spain. Later secret agreements continued to be made by the anti-Habsburg allies, and Windebank's notes reveal that the English ministers had resolved that if they were not fully informed, any Anglo-French treaty should be null. Meanwhile, the King instructed his commissioners to come to no immediate agreements, and Windebank found himself once more playing a waiting game. Increased English urgency in pressing for a treaty in 1637-8 resulted from a fear that peace might be imminent. Windebank does not appear to have shared this view, and regarded with equanimity the delaying tactics of the allies over treaty ratification at Hamburg. His own unwavering suspicion of the French and the King's persistent inclination towards friendship with Spain are both evident, while the French Ambassadors lamented their failure to bribe the more influential Secretary to alter his own and the King's views in their favour.

In the five partially overlapping phases of foreign policy during the

Personal Rule that can be identified, Windebank's rôle was to facilitate negotiations with the Habsburgs while retaining a healthy scepticism over their demands and undertakings. When he became Secretary in 1632 the first phase was in progress, and Charles was attempting to derive some benefits for the Elector Palatine from Gustavus Adolphus, whose successful campaign in Germany suggested that he was best able to recover the Palatinate. Coke was handling these abortive talks, which were abandoned soon after Gustavus Adolphus's death in November 1632. Windebank was particularly active in the second phase, lasting from 1633-6, which was principally characterised by negotiations with the Habsburgs. Brought to an end by the failure of Arundel's mission to the Emperor in 1636, these discussions had been accompanied since 1634 by exploratory talks on a draft treaty with the French, which were reactivated in the third period, from 1637-8. Windebank was engaged both on these and on simultaneous conversations with the Spanish representative in London. 1638-9 was an interval of stagnation, during which Sir Francis conducted secret negotiations with Princess Phalzburg in Flanders and encouraged Hopton's efforts in Madrid, while 1639-40 witnessed a temporary rapprochement with Spain.

Throughout this time, Windebank showed no inclination to persuade the King to bestow special favours upon the Spanish Ambassadors and Agents in England. Indeed, his comments about them to Charles were almost uniformly critical, and they were frequently unwelcome at Court. Broadly, he was advocating a foreign policy based on a search for common ground and for the development of mutual Anglo-Spanish advantages, so as to provide a reliable and durable basis for furthering British interests. Like the King, he preferred to keep several options open simultaneously, and was happy to employ delaying tactics while England continued to reap the material benefits of neutrality.

It is here that the solid benefits of the foreign policy of the Personal Rule can be perceived, and seventeenth-century foreign diplomats and later economic historians seem to be a good deal more conscious of them than

nineteenth-century writers and those contemporaries who were blinded by memories of the glories of the late sixteenth century. In fact, there are several parallels between the aims and methods of Elizabethan diplomacy before 1585 and Caroline diplomacy in the 1630's. Common to them both are the avoidance of war and open treaty commitments, perpetual procrastination, undercover aid to ensure the continuation of a struggle in the Netherlands, and encouragement to one of the greater European states to fight to curb the power of another. In the meantime, English merchants were encouraged to thrive at the expense of the combatants, and to exploit more fully wider areas of trade. In the 1630's, however, the balance of power had shifted so that Catholic Flanders and Spain had become objects of solicitude rather than enmity. To exploit this situation required a radical change of opinion in England, and while the King, Windebank, Cottington and those who supported them had been able to readjust their attitudes, their critics had not.

In his policy towards the Catholics, much of the same lack of prejudice is evident. Once more he was searching for common ground as a basis for a compromise agreement with a foreign power which aroused strong instinctive hostility in England. He seems to have been chiefly responsible for persuading the King to agree to an exchange of agents between the Queen and Rome, a development that for him was not unconnected with the wish to associate Charles I with the Pope as a neutral arbiter in the European struggle. His aims were admirable in many ways, but in this area of policy he showed less perceptiveness than in foreign affairs. Finding many features of the Roman Church attractive, and holding lengthy discussions with liberal-minded Catholics, he seems to have underestimated the inflexibility of the Roman authorities. In his wish to adopt some Catholic practices and ignore others he showed himself more akin to many English Protestants of the sixteenth and early seventeenth centuries than he may have realised.

In his dislike of controversy, and his wish to tolerate diversity of opinion within a unified Christian society, he had much in common with the

Great Tew circle. Although a devout High Churchman in most respects, he was disinclined to join Laud and the Arminian bishops in their reliance upon the teaching of the ancient Fathers and the authority of the early Councils, and Panzani and Con found it difficult to provoke him to heated argument on these points. Chillingworth's appeal to charity and accommodation, and his emphasis on bridging the gulfs that could only be deepened by persecution, were expressions of Windebank's own views. Like Falkland, Sir Francis preferred to emphasise essentials rather than trivia. He did not share Laud's wish to impose uniformity, or to regulate men's conduct in minute detail. His defence to Leander of the rights of the Anglican bishops appears to have stemmed principally from a wish to avoid further controversy over jurisdiction. His long quest to frame an oath of allegiance acceptable both to Rome and to the King was central to his general policy of reaching compromise solutions and eliminating occasions for persecution.

In his view of the relationship between the Christian subject and his sovereign, he had much in common with Hobbes. Disinclined to accept papal authority and inflexible Roman dogma in relation to the deposition of monarchs, he shared Hobbes's view that the subject's duty of obedience to the King transcended his obligation to obey conflicting commands from a minister of Christ. His efforts to free the King's loyal Catholic subjects from the toils of the law was a practical expression of Hobbes's dictum that, provided they rendered outward obedience to the sovereign, men should be free of enquiry into their inward thoughts and beliefs.

In the application of these ideas Windebank received much support from the King, who was similarly inclined to minimise controversy and reduce persecution. Charles worked closely with Sir Francis in drafting inoffensive formulae for the oath of allegiance to be taken by Catholics, and in his discussions with Con he covered much of the ground already explored by Windebank with Leander and Panzani. Encouraged by the King to employ his Secretarial powers of release, rather than of arrest and committal, in relation to Catholic priests, Jesuits and recusants, Windebank used them so frequently as to provoke open comment and opposition. Although not

exceeding the authority wielded by sixteenth-century Secretaries of State, his use of verbal warrants and warrants under his own hand pushed the Secretarial powers to the limit. In the 1620's, Parliament had already ordered a search of the Signet Office for records of indulgences granted to Catholic recusants, and critics of the royal prerogative regarded the formal administrative passage of warrants through the Signet Office as a safeguard against arbitrary action by the monarch. The number of people involved in this process, and the presence in the Signet Office of several clerks owing allegiance to Coke rather than himself, may well have decided Windebank on occasion to avoid unwelcome publicity. In 1635 he had taken care to ask for a written warrant from Charles I for what he clearly regarded as the dangerous practice of releasing Catholics from prison. An apostile on Sir Francis's letter assured him that the King was ready to give him warrants for any verbal command, but there is no sign that he received one in this case. Windebank's actions in this context presented the Commons with a powerful weapon for use against him in 1640, and although the King supported his servant, the determination of the House to call the monarch's evil counsellors to account was too strong to save the Secretary.

The crisis in Scotland enables us to observe through Windebank's eyes another of the significant milestones in the Personal Rule, the gradual revelation of the extent to which the King had lost the confidence and support of a substantial proportion of his subjects. Starting from the assumption that the King's authority must be reasserted, by war if necessary, Windebank spent much of his last two years in office trying to ensure that sufficient men and resources were mobilised towards this end, and that disaffection was prevented or stamped out. Despite repeated setbacks he persisted tirelessly in this task, betraying little sign of depression, and undertaking a considerable increase of work in relation to the maintenance of government in London during the King's absences in the north. Resilience, loyalty and determination among a handful of the King's servants at the centre could achieve little, however, in the face of wide-spread disaffection and lack of co-operation from peers and gentry, City

merchants and officials in the shires, tax-payers, trained bands and pressed men. As a Privy Councillor, Windebank helped to decide the nature of the call to be made upon various sections of the community; as Secretary, he interviewed many potential helpers, drafted many letters, orders and proclamations, and received many discouraging replies. It is these last that help us to quantify the failure of some groups to meet the King's demands, and to trace examples of the disaffection that was manifested at all social levels.

To Windebank, whose ideas on the duty of the subject to render obedience to the monarch seem to have approximated closely to Filmer's, this revelation must have been particularly repugnant. In representing the unwelcome news to the King, however, Sir Francis reveals himself once again as realistic and clear-headed. He had a more accurate perception of the long-term significance of the Scottish revolt for the position of the monarchy than many of his contemporaries, and a less rosy view of the potential aid to be derived from Parliament. In practical terms, both Windebank and Cottington responded to this crisis more effectively than either Laud or Wentworth, but they must also have been aware that their own policies, particularly in relation to the imposition of unparliamentary taxation and the treatment of Catholics, had helped to foster the disaffection against which they fought.

In 1640 Sir Francis Windebank was made to face the consequences of his actions as Secretary during the past eight years. His election for Oxford University in the Short Parliament, after unsuccessfully seeking nomination for a county seat in Berkshire, provides another example of the trend by which Privy Councillors had gradually migrated from open constituencies to seats more responsive to Crown influence. Inexperience and lack of talent as a House of Commons man told against him here: his performance in Parliament was not impressive, and he did little to advance the King's cause. The speeches on grievances delivered in the lower House dealt with many aspects of religion and government with which Windebank was closely connected, and hostile comments on rumours of

reunion with Rome, and the unlawful release of priests and Jesuits, were clearly aimed in his direction. The full reckoning was delayed until November, however, when Sir Francis's initial failure to secure re-election for Oxford University was a further measure of the strength of opposition to one of the King's most confidential servants. His arrival in the Commons as a member for Corfe Castle, at the Queen's instance, drew attention once again to his Catholic connexions.

The vulnerability of Secretaries of State to censure and removal from office was a recurrent feature of seventeenth-century politics. Their wide discretionary powers and the range and lack of definition of many of their activities made them easy targets, while their peculiarly close relationship to the monarch paradoxically rendered them more liable than many other office-holders to dismissal by their master. In Windebank's case, the attack came from another direction. Within a week of assembling, members of the Long Parliament, intent upon calling the King's ministers to account, had launched a series of accusations against him, all relating to his exercise of excessive and arbitrary authority, principally in matters of religion. The most serious and best substantiated charges concerned his release of priests, Jesuits and recusants, and Glyn's report made careful distinction between the Secretary's implementation of the King's prerogative of mercy by means of the Signet as a matter of record, and the independent exercise of authority by Windebank in discharging condemned prisoners by verbal warrant or by warrants under his own hand. His conclusion that "the Committee doth conceive he doth not discharge his duty", while not supported by precedent, was, in the prevailing political climate, a sufficiently threatening indictment to provide good reason for Sir Francis's decision to leave at once for France.

His departure signalised the first victory of the Long Parliament against the ministers of the Personal Rule, and also the end of Sir Francis's career and a permanent reduction in the fortunes of his family. Although he was not impeached and lived for nearly six more years, he never returned to political life, and after the Restoration his sons did not take up the

reversions so carefully secured for them. Material prosperity was seriously impaired by the loss of the Haines Hill estate after Sir Francis's death, and by a recurrent tendency among young male Windebanks to yield to passion rather than to observe prudence in the choice of their brides. The rise and fall of the Windebank family as landowners and office-holders had taken place in rather less than a century, and Sir Francis's unsavoury reputation as Laud's "most pestilent treacherous instrument" was soon being established by Prynne's busy pen.

It is easy to understand that Windebank embodied much of what his opponents in the seventeenth century most hated. To them he was an enemy of Parliaments and an oppressor of the Covenanting Scots, a persecutor of Puritans and an upholder of the privileges of monopolists in the prerogative courts. An Arminian seeking to bring back Popery, pro-Spanish and anti-Dutch, he was partially responsible for introducing ship-money. He suffered, however, like the King himself and other members of the government of the Personal Rule, from a failure to persuade the political nation of the benefits of the policies that he advocated, while demanding financial support to sustain them and blind obedience to the better judgement of those in office. He was particularly active in relation to religious and foreign policy, two central areas in the struggle between the Early Stuart monarchs and their Parliaments over the delimitation of authority. Windebank clearly inclined strongly to the interpretation that these should be matters for the Crown rather than the Crown in Parliament, and, as the King's confidential Secretary, he also expected to take a considerable share in influencing the monarch's attitude and decisions. In his lenient treatment of Catholic priests and recusants, and in his negotiations with envoys from Rome in particular, he exercised a good deal of personal initiative, and must therefore bear the responsibility for increasing that widespread fear and hatred of Catholicism that is evident in 1640, and that placed a powerful weapon in the hands of the Long Parliament.

In the twentieth century, it is difficult to share the hostility that many of Sir Francis's attitudes and actions provoked. In religion, the

encouragement of better understanding between different groups of Christians, and the wish to evolve common forms of worship and doctrine through toleration and mutual concession, are aims that have still not been fully realised, and for which men still strive. Most civilised societies would share his aversion to militant extremism and humanitarian distaste for the execution and imprisonment of priests. In English foreign policy, to negotiate and arbitrate rather than to make war; to see in the balance of forces in Europe the best interest of England; to avoid commitment of limited resources to distant causes of doubtful advantage and to seek benefits nearer home: these aims seem hardly reprehensible. Nor, in an island state, does it appear unreasonable to expect the nation at large to contribute to the upkeep of a fleet designed to safeguard English interests in the North Sea and along the Channel coasts, to protect native trade and shipping, and to maintain good order in the surrounding seas. In government, it would seem incumbent upon a Secretary of State to uphold the authority of the King and his representatives, to decide policy within small committees representing a considerable but not comprehensive range of opinions, to distrust sweeping and provocative programmes of reform, and to strive to mobilise the nation against rebellion and threatened invasion.

It is possibly in something approaching these general terms, shorn of emotive contemporary language, and ignorant of the labels of historians, that Windebank may have perceived his own rôle and pursued his own career. He was rightly conscious that he worked hard for limited returns, that he, as well as his father and grandfather, had given loyal service to the Crown and planned that his sons should do the same. Comparing himself with his fellow-Secretary, Coke, he was conscious, as were many of his contemporaries, that he was more generous, more amiable, more versatile and more efficient. He was careful of the quality of his work, and it is difficult to believe that many of his casual critics are familiar with his despatches or the cast of his mind. While not losing sight of the principles and prejudices that animated seventeenth-century political struggles, and while not seeking to isolate Sir Francis Windebank from his contemporary

setting, it is nevertheless still not inappropriate to judge him against values that remain constant over centuries. By these standards he appears neither negligible nor deserving of contempt.