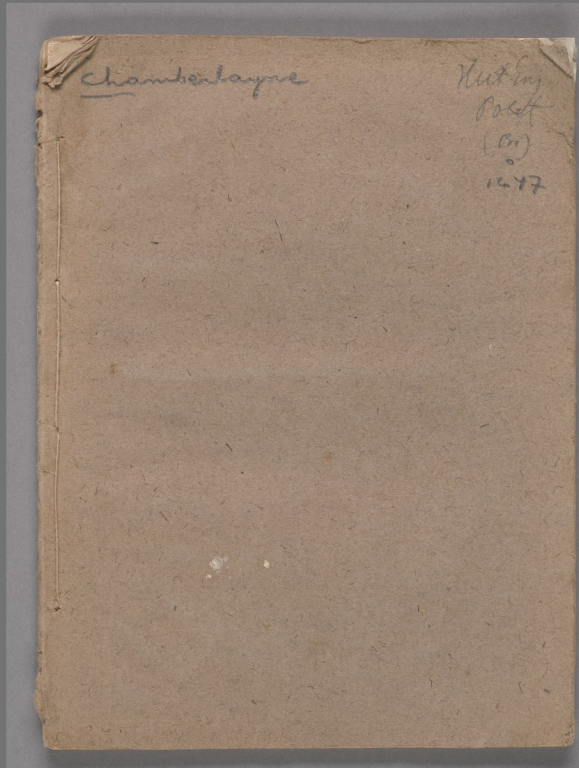


Chamberlayne, Edward

The present warre parallel'd, or a
briefe relation of the five ...



Tryck // / I25 B II c Br. I647

Tillkomstår 1647

Digitaliserad år 2019



National Library
of Sweden

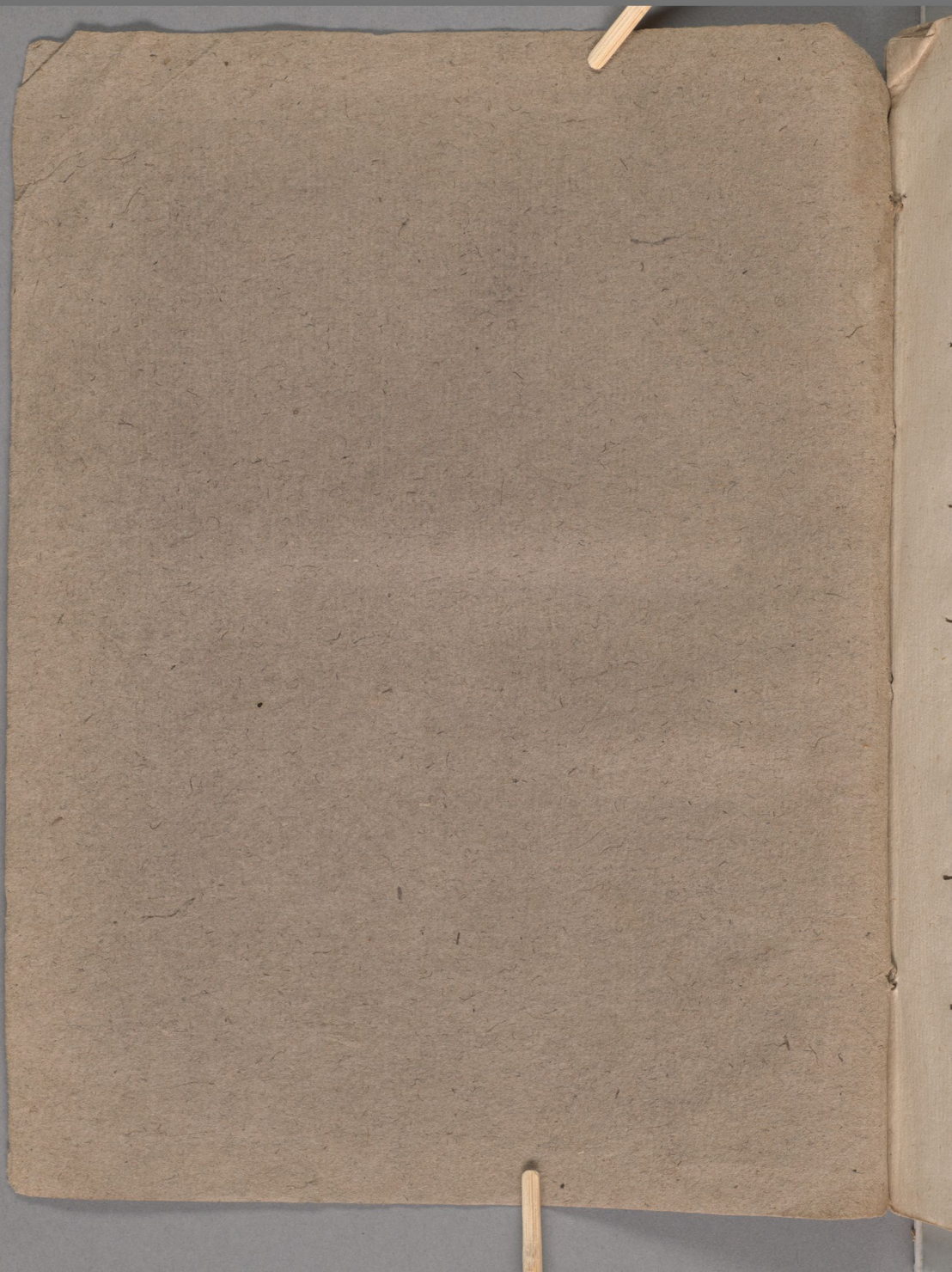
Chamberlayne

Writing

Book

(101)

1677



THE
PRESENT WARRE
PARALLELD.

OR

A briefe Relation of the five yeares Ci-
vil Warres of HENRY the Third, King of
England, with the Event and Issue of that un-
naturall Warre, and by what course the King-
dome was then settled againe.

Extracted out of the most Authenticke
Historians and Records.

Vt prospicias futura, respicias praeferita.

The most probable way to know what will be, is to observe
what hath beene.

Qui respicit quae fuerunt, & inspicit quae sunt, prospicit etiam quae futura sunt.

The Historian by running backe to Ages past, and then forward to present Af-
fares, comparing one with the other, can give a verdict of the State, well
neere Prophetick.



Printed in the yeare, 1647.

THE
PRESENT WARRE
PARALLELD.

OR
A brief Relation of the five yeeres
of the Warres of Henry the Third King of
England with the Emperour and his
successors, and by what course the King
came to his death.

Extracted out of the most Authentick
Histories and Records.

The Historian by turning backe to these parts, and then forward to present
times, comparing one with the other, can give a verdict of the State, well
more Profitable
The Historian by turning backe to these parts, and then forward to present
times, comparing one with the other, can give a verdict of the State, well
more Profitable
The Historian by turning backe to these parts, and then forward to present
times, comparing one with the other, can give a verdict of the State, well
more Profitable



Printed in the yeare, 1647.

THE
PRESENT WARRE
PARALLE'D.

OR,

A briefe Relation of the 5. yeares
Civil Warres of HENRY the third, King
of *England*, with the event and issue of that un-
naturall Warre, and by what course the Kingdome
was then settled againe.

HENRY the Third of that Name, (a man
more pious then prudent; a better man
then King) swayed the Scepter of this King-
dome 56. yeares. The former part of his
Reigne was very calme, the latter as tempestuous.

The maine tempest was thus raised. The King for
many yeares, during that high calme, had sequestred
himselfe wholly to his harmelesse sports and recrea-
tions, and intrusted the whole managery of the *State*
to his officers and ministers. These taking advantage
of his Majesties carelesnesse (the maine fault of this
King) insensibly suck't and drayned the revenues of
Crowne and Kingdome, till the King awakened by
extreame necessity, began to enquire, not how he

came in (for his necessities would not permit that) but how he might get out.

The best way that his evil Counsellors could find to relieve their Master, and save them selves, was (the ordinarie way of supply in Parliament declined) to have recourse to Monopolies, Patents, and other extraordinary and illegall Taxations. But (præternaturall courses are never long-lived) the free-borne *English* would not long endure such slavery.

When the King saw there was no other remedie, he throws himselfe into the bosome of his people for reliefe, and advise in * Parliament, * where they undutifully taking advantage of his Majesties extremities, in stead of reliefe, outbrave him publicquely, with a * Catalogue of all the mistakes, and all the misfortunes of his former government; which coming to the peoples cares soone stole away their hearts, and alienated their affections from their Sovereigne, and left him wholly to the mercy and will of his Parliament. They sensible hereof, and that the reines of government were now cast upon their necks, (like *Apollo's* Horses, when *Phaeton* had the driving of them) ran violent by-courses, till they set the whole Kingdome on fire.

So farre they went as to make an Ordinance, *That* *whereas there was present want of a thorough-reformation in the State, the government thereof should be put into the hands of foure and twenty, Qui Regiâ potestate suffulti, who being armed with Sovereigne power, should take upon them the whole care and government of the Kingdome, should nominate and appoint the Chancellor, Treasurer, Chiefe Iustices, Governours of Forts, Castles, and Navie, and all other*

great:

* Anciently called the wood or mad Parliament, ordinarily in History styled *Insanum Parliamentum*. Fabian. * *Chron.* Norwic. * Like the Remonst. of Decem. 15. 1641.

Math. Westm. & Man. Paris.

45

great Officers, and Ministers of State for all times to come.

To this traitorous Ordinance, the King, *Metu incarcerationis perpetuae compulsus est consentire*, for feare of Math. Westm. perpetuall imprisonment, was inforced to give his Royall assent: And for further security, to be content to give it under the great Seale, and upon Oath, that 43 whensoever he attempted to assume unto him his Regall power, *Liceat omnibus de Regno nostro contra nos insurgere, & ad gravamen nostram opem & operam dare, ac si nobis in nullo tenerentur*. It should be lawfull for all his Subjects to rise against him, and oppose him, as if they owed no alleigeance to him.

Strange it is that he should be content to be a meere Nil nisi pro umbra nominis habebatur. Math. Westm. Cipher, that so lately was the onely Figure of the whole Kingdome, that he should be content to part at once with every title of Sovereignty, but the bare title ! But prodigious, that so many choise Senators, so many Fathers and Judges of Law and Conscience, should so forget God and themselves, as to give their assent for the totall subverting of the Regal authority, when as they had all taken their corporal oathes, *De terreno honore dicto Regi & heredibus ejus servando*. Which Oath was well kept (saith mine Author) *Ordinando ne unquam regerent, sed semper ab aliis regerentur*: by making an Ordinance that they should never rule againe, but alwaies be ruled by others. Math. Westm.

These foure & twentie thus settled, continue the Parliament during their pleasure, put the Kingdome in a posture of defence, place governors of their own choosing, such as they could confide in, in the cheife Forts, nominate and appoint Judges of Assize, Sheriffes of Counties, Coroners, Bailiffes, (discharging those that Regist. Rossen.

were made by the King) took an oath of them all respectively.

And here they would make the people believe they should never be troubled with licentious Sovereignty again; (but never more as it proved:) for now every one of them began to value his own worth, and to hammer his head on every designe, that might enlarge his own power and command. In briefe, of so many subjects, they became *totidem Tyranni*, (as the book of Sr. *Albanes* speaks) so many Tyrants, and for one bad King before, they have foure and twentie worse.

But *England* (like old *Rome*) cannot long endure more Kings then one: great faction and deadly feud arose between the chiefest of them; which the rest taking into consideration, and perceiving that by so many heads, not onely monarchy was dissolved, but faction and debate every day increased upon them, so wrought, that all, but five, agreed that the foresaid Ordinance should be repealed, and the King restored to his pristine power.

M. Westm.
Preaching that Religion could never be thoroughly reformed, or the differences fully composed *sine gladio materiali*, & that all that should loose their lives in this cause were Martyrs. *Rj-shanger.*

But those five members stily oppose this agreement, and for the maintenance of their cause, *trahunt multos pseudopphetas, lupos in ovium vestimentis, qui contra Christi Vicarios, & Christum Domini Regem ipsum murmurant, non ut Spiritus Sanctus eloqui; sed ut superioris potestatis contemptores obloqui dabant*: they drew to their side many lying ministers (Wolves in the sheeps clothing) who murmur and speak evill against the Lords anointed, not as the Holy Spirit gave them utterance, but as the despisers of dignities gave them their lessons. These Incendiaries by their sheeps clothing (a faire conversation) drew the people every where to side with

with them against the King, and those that wisht the King his former power. Which the King perceiving, and how the multitude grew every day more and more tumultuous, (for all things were now carried by tumults) was advised by his Privie Council, to withdraw himself (least His person might be endangered) from the Parliament (then held at *Westminster*) to His Castle of *Windsore*. Chron. Dunst.

After some contestation at this distance; it was agreed upon by the King and his adherents, and the five members and their adherents, that the difference should be referred to the *French Kings* arbitrement. * *Rishanger*.
 * The King of *France* upon the day of hearing, gave sentence that the said Ordinance, whereby the King was deprived of his regall power, should be made null. Gull. Rey. ar. 1628
 The five members & their complices seeing this, (notwithstanding they had bound themselves by oath to stand to his award) flew off, and resolving to have their own wils, drew into arms, made choice of the Earl of *Leicester* for their General, and (for their own private interest, pretending the publick good) drew the greatest part of the Kingdome after them, (*so easie it is to draw the fickle multitude to the wrong side) crying every where at first, *Liberty & Religion*, though towards the end of the warre not a word of either. Comes Liehtrie.

By their faire pretences, they gained so farre upon the *Londoners*, that they generally enter into a Covenant to assist the Earle: For which purpose (besides a new Major or Bailiffe) they choose two Commanders, *Thomas Pymwelsden* and *Stephen Buckerell*, at whose command, by the towling of *St. Pauls* great bell, they were to be in armes upon any occasion. Their first exploit * Cotton.
Hollinsb.

plot was a march to *Isleworth* in a tumultuous manner, where they plundered and fired the Kings brothers Mannour-house.

* *Risbanger.*

For disswading the King to stand to the foresaid Ordinance of Parliament.

The Earls armie by this time on their march, plundered all that were disaffected to their cause & proceedings, and imprisoned them: * Especially those that stood any way affected to the Queen: for they all (but most of all the Londoners) were most maliciously bent against her, insomuch that as she was passing the Thames neer the bridge, a rude rabble of the Cittie got together on the bridge, and with confused yellings cried, *Drown the witch, &c.* and by throwing dirt and stones at her, drave her back: which impious affront was punctually remembered in the first fight; as you shall hear anon;

* *Risbanger.*

Besides this main armie under the Earle of *Leicester*, they had another armie under the command of the Lord *Ferrers* (of whom descended the late Lord of *Essex*) who behaved himselfe insolently towards the King, in destroying his parks as he marcht, &c. which in the conclusion cost him dear; yet to delude the people, the main armie bore before them the Kings Arms: And to shew they were for the King, when they had displaced the old Governours of the Kings Castles and Forts, and placed in such as they could confide in, they gave them an oath to be true to the King, and to keep those holds to the use and benefit of the King and State: yet when the King demanded entrance at one of his Forts, wherein they had placed a Governour, he was kept out.

Dover. Chron.
Dunstan.

At Sea, the Barons of the Cinque-ports seized the Kings ships, took great Prizes, but they that sate at Stern upon Land shared in those Prizes, as the same then went.

By

By this time the King began to rouse himself, and finding nothing now left him, but a good Cause and the hearts of his wiser Subjects, yet by that, and these, and the assistance of his Brother *Richard*, King of the *Romans*, in a short space he had raised a considerable army. (A King can never be so down, but he will rise againe) with these he marcht (and like a snow-ball encreased by motion) plundering the Rebels lands as he went to *Northampton*, which was fortified against him by some of the cheifest of the Rebels; yet by a furious assault he soone gained it.

Thence continuing his march into *Sussex*, neer *Lewes* he received a Message from the Earle, the tenour whereof was, That as for his Majestie they intended no harm against him, but only desired that he would remove his evil Counsellors that did advise his Majesty against them, against the honour of the King, and welfare of the kingdom. The King in his Answer charges them with Rebellion and disloyalty, and commands them to lay down their armes, and to return to their obedience, that they might be received to mercie: but the Earle rejecting the offer (* when Subjects have once broken their fealty and trust to their Sovereigne, they never dare trust their Sovereigne againe) resolves to give the King batell.

Neere *Lewes* both armies meet: One wing of the Earles army was made up of *London* troops, which the Prince, being then Generall of the Kings horse, observing, and remembring (not without indignation) the abuse offered by the *Londoners* to the Queen his Mother, he claps spurs to his horse, and all his Cavalrie after him, crying, [*Here, here,* (my brave Cavaliers) *are the main contrivers of all rebellions and mischief; Now,*

Richardus R. Romanus
novus.

Cambdens
observation in
the case of *Robert*
Earle of
Essex.

Equites hæc
hæc seditionum
scelerumque
omnium capita
sunt, nunc nunc
fortiter adjuce
tela.

now, if ever, charge home,] and so fell on with that fury, that they presently flie: the Prince in an eager and hot pursuit does great execution upon them for four miles. But this prosperous begining of the fight on the Kings side was the utter overthrow of the Kings forces: for when the Earle perceived that the Prince (a young fiery spirit) with all the Kings horse was gone so farre in pursuit of the *Londoners*, he fell violently on the Kings foot, and soon routed them; took the King, (his horse being slain under him) prisoner. The Prince at length retreating (when he saw all lost) surrendered himself. There were taken in this fight (besides those royall prisoners, the King, the Prince, the Kings brother, and his eldest Sonne) above twenty Noblemen that were for the King; and slaine about * 3400.

* Southwell.

Rishanger.

The Earle having thus gotten a compleat victory; forthwith endeavours to seize all the *Militia*, and power of the kingdome, for which end he carries the King about with him to countenance his actions; but the rest of the royall prisoners he disposes in severall garrisons.

And now the Earle believes all his own, and the people dream of nothing but Peace, but alas the warre was not begun till now: For when the torn remainder of the loyal army that escaped at *Lemes*, now keeping garrison in *Bristow*, and other noble spirits saw how insolently the Earle dealt with his and their Sovereign in barring him of his libertie, &c. They soon raised a considerable power under the command of *Roger Mortimer* Earle of *March*: unto whom many flockt out of *Shropshire*, *Cheshire*, *Herefordshire*, and *Worcester*, that were well affected to the King.

Moreover the Queen (who was a *French* woman)

got

Tux Regius

*Elconora Angl
regina, e Gallia
cuncta*

got over beyond sea, to trie her friends for their assistance to restore her husband to his former libertie and authoritie, *Quod ad laudem & magnificentiam Ælionoræ Anglorum Reginae libet intexere* (saith one of that age) *quod Domino suo, & Eduardo filio tam strenuè & tam viriliter tanquam virago potentissima succurrendis fortiter insudaverit.*

But before these forces were well united, the Rebels forces were as well divided: for debate arising (as is usuall in all confederations, where all parties must be pleased, or else the knot will dissolve) between his Excellency the Earle of *Leicester*, and the Earle of *Glocester*, because his Excellency, minding his own private, more then the publike good of his fellow Rebels, (without any respect had to his adjutants) ingrosses all to himself, disposes of the royall prisoners at his own pleasure, seized on the revenues of the Crown, and composition of dilynquents for his own use, (whereas they had privately agreed before, *Ea omnia equâ sorte inter eos dividenda fore*). In brieve he shared all places of power and profit between himself, his sonnes, and his allies. Whereat *Glocester* (as good a man as he) stomackt and fell off with his followers to the Prince, who by this time (*disponente domino clavigero carcerum*, every thing working for the King) had made his escape out of prison at *Hereford*: (for being allowed by his keepers to aire himself sometimes on horse back in the town meddow, after he had tyred two or three, at length he mounts a speciall fleet Nag, and putting spurs *Custodibus valedixit*) and came safe to *Wigmore* Castle, where the Lord *Mortimer* lay with his forces raised for the King, so marcht on with a great power, taking in (as they went) some strong garrisons of the Rebels,

*discrepancia inter Rebel-
les.*

plundered their houses, drave their Cattell, &c.

Here the warre grew hot, each side fortifying towns and houses, plundering and driving all round about to store the garrisons: Mens houses (which were wont to be their own castles) were now made castles, but the owners were least masters; all left to the mercie of the rude souldier, the poor Countreymans dwelling house pillaged every where and searcht, **usque ad lectorum stramentum*, to the very bedstraw: nor onely mens houses, but even Gods houses, the very Churches were not free from the prophane hands of plunderers; the high waies lay unoccupied, no passing from town to town without danger of robbing.

*Risbauger.

When the Prince, the Earle of *Glocester*, the Earle of *March*, with the reliques of the royall army were united and well ordered, they resolved to give his excellency (the Earle of *Leicester*) battell: At *Evesham* in *Worcestershire* by a speedy and unexpected march, they came upon him. The Earle seeing himself engaged to fight, gave order that his own coat-armour should be put upon the King, who was then a prisoner in the army, and that the King (for the safetie of his person forsooth) should be placed in the front of the battell, that so if the battell went against him, the King might be aimed at as Generall, and his excellency thereby make his escape. But the King at the first charge called out to the loyall armie, that he was their King, and so was preserved; yet not without the losse of some of his own, (being wounded by a javelin) as well as his subjects blood: the battell was very violent, and went fore against the Rebels; at length the Earle himselfe (the head of this Rebellion) was cut off; at the instant of whose death, there happened such extraordinary

pugna.

ligh-

lightening, thunder, and thick darkenesse, that it struck a generall horreur and amazement into the hearts of the Rebels, as if the King of Kings would now at last visibly revenge the Kings quarrell, or as if they had seene Gods immediate hand against them, as once against *Corah*, and the 250, Assembly men, *Numb. 16. v. 35.* for the like rebellious practises.

In this signall Battell were slaine, (besides the Earle and his sonne) sixteene Lords and Knights, and about ten thousand more of the Rebels part.

The Earles Corps was strangely (though not undeservedly) handled by the people, who were so enraged against him, the chiefe actour and authour of their so much mischief and misery, that (in despite of him) they lopt off his head, hands, feet, and privie members, and sent them (in scorne) for tokens to severall places; his body was buried in *Evesham* Church. Notwithstanding this, there were many ignorant people (who had been by specious pretences abused, and seduced to that side) that were of opinion for a long time after, that he dyed a Martyr, because it was in defence of their holy (as they thought, but indeed impious) Covenant and Oath.

Two of the Earles sonnes were at the same fight taken Prisoners: not long after they made an escape out of Prison, but could not escape Gods vengeance on Rebels; for in *France*, *In miseris dies suos finiverunt.*

The Countesse, being banished, died a Nunne in *France*. All the Earles Honours and Possessions were conferred upon *Edmond* Earle of *Lancaster*, the Kings second son. And thus ended this great fiery Meteor in a stench. Thus fell our English *Cataline* (as *M. Cambden* styles him) a man in shew faire and honest, but indeed,

deed, *Vir pravo ingenio & profunda perfidia*: of a perverse disposition, and treacherous beyond any mans suspition; after his Sovereigne had heaped upon him many high favours, as the Earldom of *Leicester*, and that high and honourable office of Lord high Steward, and (to endear him the more) had given him his own Sister in marriage: In token of thankfulnesse, he doth his utmost endeavour to diminish the Kings known authority, to subject him to the wills of his Subjects, to pull downe Monarchicall government, and set up a factious Oligarchy, and all under that faire common pretence of restoring Religion to its purity, and the People to their Liberty.

The King thus happily preserved, and almost miraculously (all things considered) set at liberty; about a Month after calls a Parliament at *Winchester*, (no more at *London*, untill it was more loyal and lesse tumultuous) where by a full Convention it was enacted, *That all Statutes and Ordinances made by t^e former Parliament (called the wood or mad Parliament) should be repealed, and all writings and bonds then sealed by the King for observing the same, should be cancelled and made void. That the City of London, ob suam Rebellionem, for this her Rebellion should be deprived of all her ancient Priviledges and Liberties, and the Ringleaders of them, juxta voluntatem ipsius Regis plecti, to suffer such punishment as his Majestie was pleased to inflict: Et ditiores Civitatis in carcerem truderentur (saith Matth. Westm.) Pro eo quod Simoni, in Regis contemptum, & etiam damnum Regni, fortiter adhaerint: that the wealthier Citizens should be cast in prison, because they had in contempt of his Majestie, and great dammage and mischief of the Realme assisted the Earle. Furthermore it was there enacted*

Fabian.

Rishanger.

enacted that all such as had favoured the Rebels (were they now in prison, or at large) should forfeit all their estates.

Afterward the King marcht with a great power to *Windeſore*, resolving (as the ſame then went) to deſtroy the whole City of *London*: Many of the Rabble and wild Commoners (ſaith *Fabian*) were as reſolved to defend the City againſt him: but the wiſer ſort thought better to become humble petitioners for their pardon of what was paſt, then to incenſe his Maſteſtie any farther, and to that end, drew up an humble Petition, and preſented it to the King: but their late rebellious carriage had ſo farre provoked his Maſteſties patience, that he would not ſo much as admit of their Petition, or hearken to any that endeavoured to mediate for them.

Hereupon they were adviſed to draw up an inſtrument or writing, whereby they ſhould yeeld themſelves wholly, both bodies and goods to the Kings mercie, which was done accordingly, and ſealed with the Common Seale of the Citie.

His Maſteſtie upon earneſt ſuit unto him, accepted hereof, giving preſent expreſſe command, that all the Chaines and Poſts which they had placed at every ſtreet and lanes end, ſhould be forthwith carried to the Tower, and that the Mayor and fourty of the chiefe Citizens ſhould reſpaire unto him the next day, and confirme their ſaid writing: this was done, and they all came accordingly; but (contrary to their expectation, though not deſerts) were all delivered into the cuſtody of the Conſtable of *Windeſore* Caſtle, and ſhut up there in a large Tower, where they had ſmall cheere, and worſe lodging. The next day toward night

night, all (but five, whereof the Mayor was one) had their enlargement. Those five, their bodies and goods, were as a boone bestowed on the Prince, the rest were commanded to attend at *Windsore* for a long time after.

Sixty or seventy wealthy Citizens with all their Lands, goods, and Chattels, did the King dispose to his household servants.

For the Government of this unruly City, the King appointed one *Othon* a forreiner, or stranger, first Constable of the Tower, and then *Custos*, or Warden of the Citie, to pull downe their haughty rebellious spirits, and that his Peace for the future might be surely kept, he required the best mens sonnes in the City for Hoftages. These he clapt up in the Tower, and caused them to be there kept at the cost and charges of their Parents.

Daily suit was made unto his Majestie for his Pardon and favour, but in vaine: then they petition the King to know his gracious pleasure, what Fine he would demand of the whole City, for their offences against him. The King at length signified unto them that the summe of fifty thousand Marks should be their Fine. Whereto the *Londoners* returne this humble answer. They had been of late, by this unhappie War, so exceedingly impoverished, that a summe so great (as it was in those times) could not possibly be raised amongst them; wherefore they humbly beseeched his Princely compassion might be so farre extended towards them, as to require and accept according to their abilities. At length, after much suit and submission, and a fine of twenty thousand Marks, the King received them to mercy, and sent them under his great Seale

a general

a generall Pardon (those onely excepted, whose estates were already bestowed) granting and allowing that their former Charter, and ancient Priviledges should be restored unto them, notwithstanding all the transgressions (they are the words of the Pardon) and trespasses done to Vs, to our Queene, to our noble brother, Richard King of Almaine, and the Prince, our first begotten sonne.

And here was the first pacification berwixt the King and the Londoners, for whom we may say thus much, That their foule Rebellion against their Sovereigne was not more detestable, then their humble submission to their Sovereigne was commendable. And therefore in the Ordinance, called *Dictum de Kenelworth*, made for the settling of the Kingdome, we find them (notwithstanding, all their disloyalty) commended, as shall be seene in the ensuing Story.

After the proud stomach of this City was brought downe, and all tumultuous spirits quelled, the King calls his Parliament (in *sesto Sancti Edwardi Regis*) to *Westminster*, wherein those that aided and assisted the Earle were all (excepting the Londoners) attainted, and that all their Lands and goods were forfeited.

But this Sentence (though it was lesse then they deserved) yet was more then they would endure, and therefore the fire (that was not yet quencht, but smothered) breakes forth againe. Some fle into the Isle of *Ely*, and fortifie that. Some into the Isle of *Axholme* in *Lincolnshire*. Another party possesse themselves of *Killingworth* Castle. Another, under the command of the Lord *Ferrers*, in the Northerne parts. And amongst others, one *Adam Gurdon* lived as an Outlaw in *Hampshire* (* *tunc rarus aut nullus locus in Anglia fuit sine, eo quod terra erat vestilionibus plena* : Now scarce

* *Risbanget.*

any place in England was free from plunderers.

To reduce these to obedience, the King undertakes *Killingworth* Castle. The Prince was sent against *Adam Gurdon*. Lord *Edmond* the Prince's brother against those in *Axholme*; And Lord *Henry* the King of *Almaines* sonne, against the Lord * *Ferrers*.

* This Lord *Henry*, the Kings Nephew, was a valiant Souldier, and having found out the Lord *Ferrers* at *Chesterfield*, gave him battel, & overthrew him, and because he had been pardoned once before, it was decreed that he should be degraded, and deprived of his Earldome for ever, and fined fifty thousand pounds.

To the Rebels in *Killingworth* Castle the King sent first a gracious message, willing them to desist, and to returne to their obedience. But they, contrary to all Law of Armes, contrary to natural civilitie, cut off the Messengers hand, and sent him back with an uncivil answer. Then the King marcht to *Killingworth*, and sate downe before it upon Midsummer Eve. During the siege (which lasted six Months) *Clerus & populus convocantur, & duodecim eliguntur de potentioribus Procerum, & prudentioribus Prelatorum, quibus datur potestas ordinandi super Statutum exheredatorum, &c.* The Clergie and Laitie are assembled, and out of the chiefest of the Peerage, and wisest of the Prelates, were chosen twelve, to whom power was given to pronounce sentence against the Rebels, and to settle the peace of the Kingdome; they, first taking an oath, *de utilibus ordinandis*, to decree nothing, but what should be for the good of the Common weale.

Then the people take a solemne oath, *Quod dictum ipsorum inviolabiliter observarent*; that they would stand to their Decree, which to this day, by our Lawyers is called, *Dictum de Kenelworth*; a severe, yet a good and wholesome course (without effusion of blood) to punish Rebellious Subjects.

The Decree was as followeth.

In nomine sanctæ & individue Trinitatis, Amen. Ad honorem et gloriam Omnipotentis Dei Patris, & Filij, et Spi-

ritus
Dictum de
Kenelworth.

ritus Sancti, &c. Et ad honorem & bonum prosperum & pacificum statum Christianissimi Principis Domini Henrici Regis Angliae illustris, & totius Angliae Ecclesiae, Nos Wilhelmus, &c. In English thus.

In the name of the holy and individuall Trinitie Amen. For the honour and glory of Almighty God, the Father, Son, and holy Ghost, &c. And for the honour, prosperitie, and peace of the most Christian Prince, our Sovereigne Lord *Henry* the most renowned King of *England*, and of the whole Church of *England*, Wee *William Exon*, *William Bath and Wells*, *Henry Worcester*, and *T. S. Davids*, Bishops. *Gilbert de Clare* Earle of *Glocester*, *Humphrey* Earle of *Hereford*, *Philip Basset*, *John Bailof*, *Robert Wallop*, *Alan de la Souch*, *Roger de Somerie*, and *Warren de Basingborn*, providing for the welfare of the Land, &c. have thought fit to order as followeth.

1. That the Rebels be not wholly deprived of their estates, but shall have libertie to redeem their lands by fines, in manner following.

1. That those that were in the fight at *Chester-field*, against our Sovereign Lord the King.

Item, All those that by force of arms impiously kept *Northampton* against the King.

Item, Those that gave the King battell at *Lewes*.

Item, Those that were taken prisoners at *Kenelworth*.

Item, Those that came to pillage *Winchester*, or were elsewhere against the King, whom the King hath not pardoned.

Item, Those that gave the King battell at *Evesham*.

Item, All those that freely and voluntarily and without any compulsion, have contributed to the war against the King or Prince.

Item, The officers and servants of the Earle of *Leicester*,

cester, that pillaged their neighbours, or were the cause of any murders, firings, or other enormities, that all these be fined five years revenues of all their Estates respectively: and that if they pay down their fines presently, they may enjoy their lands presently: but if the land must be sold for the payment of the fine, he, on whom the King bestowed it, shall have the refusall, if he will give as much as any other. And if the original owner will pay down the whole fine, he shall have the whole land, and likewise, if he will pay the moiety, or third part, he shall have the moiety, or thirds of the land. And if at the end and term appointed, the owner doth not pay for the other moiety, it shall be clearly theirs on whom the King was pleased to bestow it.

And assoone as any one hath paid down his whole fine, such shall have liberty to let, or set, or sell his land within the prefixed time.

Those that have woods and would willingly make sale of them for the payment of their fines, He on whom the King bestowed, and the original owner shall have each one his Bailiffe to see it sold: and those two Bailives shall (as fast as the money is made) pay it to whom the fine was given by our Sovereigne Lord the King: this payment must be made within three years at the farthest.

All Officers and Reformades that were known to be common plunderers, and made it their businesse to plunder, if such have no lands, but only goods, they shall be fined one moiety of all their goods, and shall finde sufficient sureties, that they shall keep the peace of our Sovereign Lord the King, for the time to come. They that have nothing shall be sworn upon the holy Gospel, and finde sufficient sureties, that they will keep the

the King
 satisfaction
 shall be
 are whole
 2 More
 in actual
 nority)
 said Wa
 the same
 so that t
 marriag
 come to
 the lan
 own N
 King
 they in
 manne
 there b
 estates
 accor
 3 Y
 battel
 Prince
 ther,
 doned
 4 T
 by the
 be not
 that th
 the ho
 allow
 5 I
 that v

the Kings peace for the time forward, & shall make such satisfaction, and doe such penance, as the holy Church shall censure, excepting onely banished persons, who are wholly left to the will and pleasure of the King.

2 Moreover, as for Wards or young heirs (that were in actuall Rebellion against the King during their minority) their Guardians shall pay their fines, and the said Wards (when they come to age) shall pay back the same to their Guardians within two or three yeers, so that the Guardians shall have the Wardship and their marriages (without disparagement) even till they be come to full age, & all Wards shall pay their fines after the same manner as those of full age. Onely the Kings own Wards shall be in the hands of those, to whom the King shall give them until they come to years, and then they shall pay down their fines according to the same manner as those of full years; Provided alwayes that there be no waste made by the Guardians upon their estates; If there be, then the Guardians to be punished according to Law.

3 If any that were for the King before and since the battell at Lewes, be now fined for not assisting the Prince (when he was raising forces to rescue his Father,) we leave him to the King to be censured or pardoned, as he shall think fit.

4 That there be no sale or waste made of any woods by those on whom they were bestowed, unless the fine be not paid within the time limited. Only it is allowed that they shall cut so much wood as is necessary to keep the houses in reparations; and if they shall exceed this allowance, to be severely punished.

5 If any be thought to be dangerous persons, and that they are like to move sedition, and to revive the

wars; let the King secure their persons as he shall think fit, either by sending them into forrein parts for a time, or what other way shall be thought expedient; provided alwaies, that if they be thereby hindred from paying their fines, they shall not forfeit their estates.

6. That if any will not submit to this ordinance, he be left to be censured at the Kings-bench-bar, before the feast of St. *Hillary* next coming. All those that live in forrein parts shall find sureties (according to the laws & customs of those States) to live peaceably, otherwise that they shall not be received in a peaceable manner.

7. Whereas the Kings Majestie is engaged to many that served him in his wars, and faithfully stuck to him, whom he hath not yet sufficiently rewarded, and some have been rewarded above their deserts, we desire that the King take speciall care, that out of delinquents estates they may be all rewarded to the full, lest otherwise a new warre should be occasioned.

8. That the Kings Majestie be graciously pleased to make choice of twelve able men that may be authorized to see all this punctually and faithfully performed, and that the Kings Majestie, his Heires or Successours take care that it be all firmly observed and maintained, and to inquire into, and regulate, and see duely executed, what shall be by the said twelve men ordered according to reason and equity.

9. That all farmers and renters of lands that were against the King shall loose their farms for all the term or time of their leases that are to come, provided that the landlords be no way endammaged) and when the term of their leases are out, then to return to the landlords again.

10. As for Castles and Forts built by the Kings grant
and

and allow
trary to
that (acc
which mu
the owner
imposed
change fo

11 All
Earles de
trahendo
serum, &
people t
his part
that the
all their

12.
went to
or did a
goe the
to con
or the
ced to
masters.

as con
Demi

13
dred go
miseri
fended
Kings e

14
ins. No
stance.

and allowance, upon any delinquents ground, contrary to the will of the said delinquent; We decree that (after the owner of that land hath paid his fine, which must be within three yeares) for six yeares more the owner of that Land shall pay such custome as was imposed by the King, or else accept of a reasonable exchange for the said land.

11 All Lay-men who notoriously advanced the Earles designs, and assisted him or his adherents, *Attrahendo homines per mendacia & falsitates parti Comitum et suorum, & detrahendo parti Regis et filij sui*, by drawing people through lies and falsities either to the Earle and his partie, or from the King and his party, it is ordained that they be fined as much as two yeares revenewes of all their estates.

12. That all such as were pressed; or out of feare went to the Warres, but never fought against the King, or did any mischief, also those that being not able to goe themselves, yet by force or feare were compelled to contribute towards the Armies against the King or the Prince; also that those that were enforced to be plunderers, or to aide and assist any plunder-masters, and yet did returne to their habitations as soon as conveniently they could, be all left *In misericordia Domini Regis.*

13 That all those that wittingly bought any plundered goods, restore the value of the goods, and be in *misericordia Domini Regis*; because they thereby have offended against the Law, and done contrary to the Kings expresse command, set for halfe a yeare before.

14 That all those that at the Earles command went into *Northampton*, yet never gave the Rebels their assistance, or made any resistance, but as soone as they perceived

ceived the King comming, tooke Sanctuary (provided that this be attested by the oathes of good and lawfull men) likewise that those that owed no suit or service to the Earle, and yet came upon his command, be all fined halfe a yeares revenue of every one respectively; but those that held of the Earle in Fee, let them be onely in *Misericordia Domini Regis*.

15. That impotent silly people, and all such as did no mischief, may enjoy their Estates as formerly, and recover dammages at the *Kings Bench* against those that shall wrong them.

16. That those that accuse any of their fellow subjects out of malice, be punished at the Kings pleasure, and that his Majestic thence forward do not easily give credit unto them. And we judgethat they deserve the same punishment as the accused, if the accusation were true, provided that they loose not life, limme, or estate.

17. That all such as are accused upon meere malice, may still enjoy their estates, and recover dammage against their accusers in the *Kings Bench*, as above said.

18. That all women enjoy their owne inheritances and dowries. But those lands that came by their husbands, who have been against the King, shall be redeemed by a fine, according as his Majestic shall impose upon them, &c.

19. That all such as are acquitted (so it be by those that have authority to acquit them) remaine & stand in such a condition as they are put into; and that all that have paid their fines, shall not be responsible for dammages and trespasses committed by them upon those, against whom they fought in the time of the late troubles, but that all dammages and trespasses be forgiven on both sides, provided that the Church may have her dues.

20 That because it may be of dangerous consequence, that any Castles should remaine in the power of those, who were in actuall Rebellion against the King, we theretore decree, and ordaine, that for the Castles of *Hardley*, *Bytham*, and *Chertley*, there be given a reasonable exchange.

21 As for the Earle *Simon Mansfort* his Countesse, and his sons, we decree nothing, because our Sovereigne Lord the King hath referred them, and their offences to the King of *France*.

22 As for the Citie of *London* (taking notice, it seems, of their humble submission) we commend it, and doe make this motion to our Sovereigne Lord the King, that by the advise of his Privie Counsel, he take order for reforming the state of the Citie, and settle their Lands, Revenues, Buildings, and Liberties, and that this Order be presently debated.

23 For the Lord *Ferrers*, we decree that he be fined seven yeares revenues of all his estate.

24 That all that now keepe *Killingworth* Castle be pardoned, except *Henry Hastings*, and those that had any hand in cutting off the Kings Messengers hand, all which shall be fined seven yeares revenues of all their estates, or else submit themselves to the Kings mercy.

25 That all men whatsoever endeavour to keep the peace of the Kingdome, that none presume to commit any outrages, firings, murders, robberies, or by any other meanes breake the Peace. Which if any shall be so

hardy as not to observe, and be thereof lawfully convicted, let him have sentence according to the Lawes of the Land.

26 *Item*, that all whom it may concerne, take their oathes upon the holy Gospel of God, that they will never take any revenge, be accessory, or consenting to take any revenge, nor will suffer (as much as in them lyes) that any revenge should be taken against any one for any injury suffered in the late times of trouble, and if any one shall presume to revenge himselfe, we decree that punishment be inflicted upon him in the *Kings Bench Court*.

27 That the *Holy Church* receive full satisfaction from those that have injured her.

28 But if there be any that will not submit to this Ordinance, or refuse to be tried by their Peers before our Sovereign Lord the King, let them forfeit their estates forever. And if there be any that have gotten possession of the Rebels Lands, and were himselfe a Rebel, he is thereby incapable of challenging any right to the Land, or to have any title to the fine by the Kings Majesties gift.

29 whosoever will not submit to this Ordinance, let him be accounted a profest enemy to our Sovereign Lord the King, and to his Sonnes, and to the whole Realme, and let all the Laity and Clergie (as farre as the Canon Lawes and Common Lawes will reach) prosecute such an one as an enemy to the peace of Church and State.

hardy

D

30 Lastly,

30 Lastly, that all those that are imprisoned, of any way debarred of their Libertie, upon reasonable and competent security, shall have their enlargement, by putting in Sureties, or such other way as the King hath allowed.

Dated, and set forth from the Campe before Kenelworth, the last day of September, in the yeere of our Lord God, 1266. and of the Reigne of the most renowned King HENRY the Third,
51.

About the end of October the King assembled all the Lords Spirituall & Temporall, and Knights of Shires, to Northampton, where this decree was confirmed by Act of Parliament.

Thus endeth that famous Ordinance called to this day, *Dictum de Kenelworth*; wherein are comprised the wisest rules, that the wisest men of those times could possibly devise, to uphold, compose, and recover a tottering, distracted, dying Kingdome.

About two Months after the publication of this Ordinance, *viz.* upon Saint *Thomas* Eve, the Castle was delivered up, upon conditions (too good for those that had so barbarously used the Kings Messenger, contemned the King, and impoverished the countrey) to march away with their goods, and to undergoe no fine for taking up Armes.

The Barons of Cinque Ports seeing the King prosper, made their peace with the King.

This Castle had the King bestowed upon the Earle of *Leicester*, in franke marriage with his sister *Elionor*; but when the Earle by his Rebellion had forfeited, and the King had now won it, he gave it to his owne Sonne, *Edmund* Earle of *Lancaster*, who by this time had reduced the Isle of *Axholme*, and all those rude ignorant people, that flockt thither,

pillaging and plundering the Kings friends round about.

The Prince also met with *Adam Gurdon*, a famous sturdy Rebel, that lay lurking in *Aulston Wood* in *Hampshire*, robbing and spoyling the adjacent parts, *Præcipuè terras eorum qui parti Regia adhererant*; the Prince upon his approach, hearing of his valour, sent him a Challenge for a single Combat. *Gurdon* accepts it, and performed it so gallantly, that the Prince assured him of his life and estate, if he would submit: which he did, and was received into great favour with the Prince; but divers of his men were there executed.

But now the Isle of *Ely* was strongly fortified by a great multitude got together, that refused to submit to the Ordinance of *Kenelworth*. Upon the naturall strength of this Isle, and the plentie of all provision therein, seditious Rebels have often presumed, & from hence have molested more Kings then one, as they did now the neighbouring Counties, robbing, and pillaging *Norfolk*, *Suffolk*, and *Cambridgeshire*, plundering the Citie of *Normich*, and carrying away the richest Citizens, made them redeem themselves: at length a message was sent unto them, requiring them to submit to the Ordinance of *Killingworth*, to leave off robbing their fellow subjects, and to return to their allegiance: Hereto they return this insolent answer, that they had taken up arms to defend the good of Church and State, and therefore ought to be restored to their lands without paying any fine. In brieft they require hostages into the Island, and that they might hold it five yeers peaceably

Risanger.

ably, till
promise
fidelity w
our times
try the un
that purp
them, the
after man
bove two
boats, the
ced to ye

And
But ther
of *Gloce*
med ou
Citie to
(faith m
drew up
plundre
estates, b
rives, ma
Citie wo
strength a
appointing

The Ki
thetime ap
Majestic, r
Some to W
lacc. fenest
man a con

ably, till they saw how the King would performe his promyses, (perfidious subjects ever suspect their Princes fidelity) which high insolency of theirs (unheard of till our times) so exasperates the King, that he resolves to try the utmost to reduce them to their obedience; for that purpose marches with a mightie Armie against them, the Prince also joyns with a considerable power; after many assaults, at length (after they had held it above two yeers) by the help of new made bridges and boats, they stormed it on every side that they were forced to yeeld.

And now men thought that the fire was quite out. But there were yet some live embers (which the Earle of *Glocester* upon some distaste blowing) suddainly flamed out again in *London*, where the Commons of the Citie forgetting their late punishment, and as men (saith mine author) without dread of God or the King, *Fabian.* drew up in Arms again, flockt to the Earle of *Glocester*, plundered the well affected to the King, sequestred their estates, brake the Prisons, chose a new Major and Sherives, made Bulwarks and Barbicans, and fortified the Citie wonderously, and were so confident of their strength and cause, that they durst bid the King battel, appointing *Hounslowe-heath* for the field.

The King by a speedie march came to the place at the time appointed, but they instead of meeting his Majestie, ran about the Citie in a tumultuous manner. Some to *Westminster*, and there plundered the Kings Palace, *fenestras & ostia fregerunt*, (saith *M. Westm.*) *vix manus à combustione totius Palatii cohibentes*; brake the doores

doores and windows, hardly forbearing to set it all on fire.

Then the King removed his campe to the other side of the Citie, and had his head-quarters at *Stratford*, three miles off the Citie, the rest of his Armie lay at *Hans*, a village hard by. The wiser Citizens foreseeing the danger that hung over them, desired a treaty with the King, whereunto (though they were most unworthy of so much clemency) His Majestie was graciously pleased to condescend, and upon these easie terms they were again received to mercie.

Imprimis, Salvo in omnibus dicto Killingworthi, that the ordinance of *Killingworth* should be observed in all points; then that the fortifications should be razed, and the trenches filled up; lastly, that one thousand markes dammages should be paid down to the Kings brother, for his Mannour of *Iffeworth*, fired by them long before.

Also his Majestie for some yeares following chose the Mayor and Sheriffes himselve: but toward the latter end of his Reigne, being fully reconciled, he restored them their (often forfeited) * Priviledges.

* Then did the King command, that Peace should be proclaimed all the Kingdome over, which was received with joyfull acclamations.

Thus after the Almighty (whose judgements are unsearchable) had suffered crafty seditious spirits to seduce a whole Nation, to trample upon his Anointed, and to tread his Honour in the very dust for a time, yet at length, all his enemies are clothed with shame, and upon himselve his Crown flourisheth again.

And

And now
ter so many
joyfull long
enjoy without
for the better
King gives
vers in-land
other Rebe
where find
lived.

Also, t
his Subj
tie, who
fist the S
ling re
bers, w
time, n
fo, Rar
would
or Bea
fritie o
bars in

Befi
gni dist
such as
Realm
if any
a shee
surely

And now after this furious dreadfull Tempest, after so many stormes and showres of blood, began a joyfull long-expected Calme, which that they might enjoy without any intervening of more stormes, and for the better settling and quieting the Kingdome, the King gives expresse command for the razing of divers in-land Castles; as *Farnham, &c.* That so if an other Rebellion should be begotten, it might no where find a nurse, and then it could not be long lived.

Also, for the more quiet and secure travelling of his Subjects, he appoints a Captaine in every Countie, who with a Troupe of Horse should alwaies assist the Sheriffe, for the taking and punishing all stragling reliques of the late Armies, and high-way robbers, wherewith the Kingdome did abound at that time, no place free from them. In some places also, *Ruricola* (saith *Rishanger*) the Countrey people would generally rise aginst them (as against Wolves or Beares,) and at one time, they tooke and kill'd fiftie of them, that were got together neere *St. Albans* in *Hartfordshire*.

Besides, the King *Proclamari fecit contra pacem regni disturbantes*, set forth a Proclamation against all such as should any way disturbe the quiet of the Realme, by plundering or stealing, &c. And that if any man should presume to steale but a Cow or a sheep, *vel aliquid aliud* (saith mine Author) he should surely be put to death.

These

These were the petty devises of that Age, to pump and draine the huge sinke of the Kingdome, but the Staple Policie was, by a Forreigne expedition (like a wide sluice) to let out all the filth at once: for which purpose therefore (among others) it was resolved upon, that a great Army should be raised under the Command of the Prince, for a voyage to Palestine. And by this course especially did his Majestie soone spend the insolencies of his owne, and the Rebels Souldiers, made Lawlesse by the late unavoidable Liberty of Civil Armes.

So at a late Dyet, or Parliament in Germanie (after they had undutifully strived with the Emperour, & wasted the Empire) it was concluded, That all should be reduced to the same state as it was in the yeere 1618.

And here was an end of this wasting, groundlesse, unnaturall Warre, wherein the Subject having struggled and wrestled with Soveraigntie, till they had wasted the Kingdome, and wearied themselves, at last are content to sit downe by the losse, to let the King have his owne Rights againe, and some of theirs, according to the usuall event and issue of such imbroylements.

A Post.

O Ue
for
Fo
First,
then fo
prest.
For th
Govern
suffer H
suck him
gency, a
legall Im
the heart
he must
and coun
sure) he
be kings o
to be lesse
more: wh
vantage of
ny hard ce
mands, be
they part v
heed of eve



A Postscript.

OUt of this briefe Narration may be extracted
somewhat for **KING**, and **Commons**.

For the **KING**.

First, for preventing Seditious and Rebellions;
then for settling a Kingdome after the Rebellion sup-
prest.

For the first; That he beware how he entrust the
Government of His Kingdome to others. How He
suffer His Favourites, and great Officers of State, to
suck him into necessities, and inthrall Him by indi-
gency, and be thereby drawne, by extraordinary il-
legall Impositions and Taxes, to vex and alienate
the hearts and affections of His Subjects, and then (as
he must) be constrained to flie to them for reliefe
and counsell in Parliament, where (he may then be
sure) he must be Subject to his Subjects, and they will
be kings over their King: where he must be content
to be lesse then he should be, and the Subject will be
more: where (he may be sure) they will make ad-
vantage of his necessitie, and he must undergoe ma-
ny hard censures, and be vexed with undutifull de-
mands, before they will relieve him. But whether
they part with their money or not, let the King take
heed of ever parting with his Power.

E

Then

Then after the heat and heart of a Rebellion be broken, not to be severe against any, lest the rest grow desperate. Severity may blow up, never blow out, the flames of Rebellion.

Yet to shew some acts of Justice and power as well as grace and mercy; not to use the extremity of Justice, least he thereby renew the present Rebellion; yet to shew some Justice to prevent a future.

By a sweet mixture of mercie and justice, the King shall at once both humble and oblige his delinquent Subjects. By mercy, in not taking the rigour of the Law; by Justice, in taking a part of the Law: by this, he shall humble them in taking so much; by that he shall oblige them in taking no more.

Next, to take speciall care in rewarding, and cherishing, and countenancing, and remembring (before others) all those that stuck close unto him, that by their persons, or their purses, shewed themselves really for him, and, without all fallacie, loyall.

After this to prepare speedily for some Forraigne Expedition, wherein to imploy all the late Active Spirits, and working heads, who will quickly make worke againe at home, if they have not worke abroad.

Lastly, to place some one (as a Scavenger) in every Countie, to carry away the dreggs that are left behind. Such as will not beyond Sea, cannot work, and are ashamed to beg.

For the People this.

First, that they suffer not themselves to be abused and mis-led into disloyalty, by any ambitious, unquiet

quiet, cunning Spirits, upon what pretences soever, and when Liberty, Religion, or any publique good is pretended, then most of all to suspect their private ends.

Next, that the People never get by this course, but often loose their former ancient Liberties and Priviledges, according to that observable (though not observed) *Maxime*, EVERY REBELLION SUPPRESSED MAKES THE KING MORE KING, AND THE SUBJECT MORE SUBJECT.

Lastly, that taking Armes without Sovereigne authority, upon what pretences soever (be they never so faire, as for Religion, or Liberty; never so foolish, as that it is not against the King, but for the King) is most abominable in the eyes of God, and though it seeme to prosper for a time, yet most surely and severely is it punished in the end, ending commonly in a generall impoverishment (if not in the end) of the people, and some dreadfull Judgement upon the Contrivers.

*My Sonne feare thou the LORD, and the King, and meddle not with them that are given to change:
For their Calamity shall rise suddenly, and who knowest the ruine of them both?*

Prov. 24. ver.
21. 22.

FINIS.

