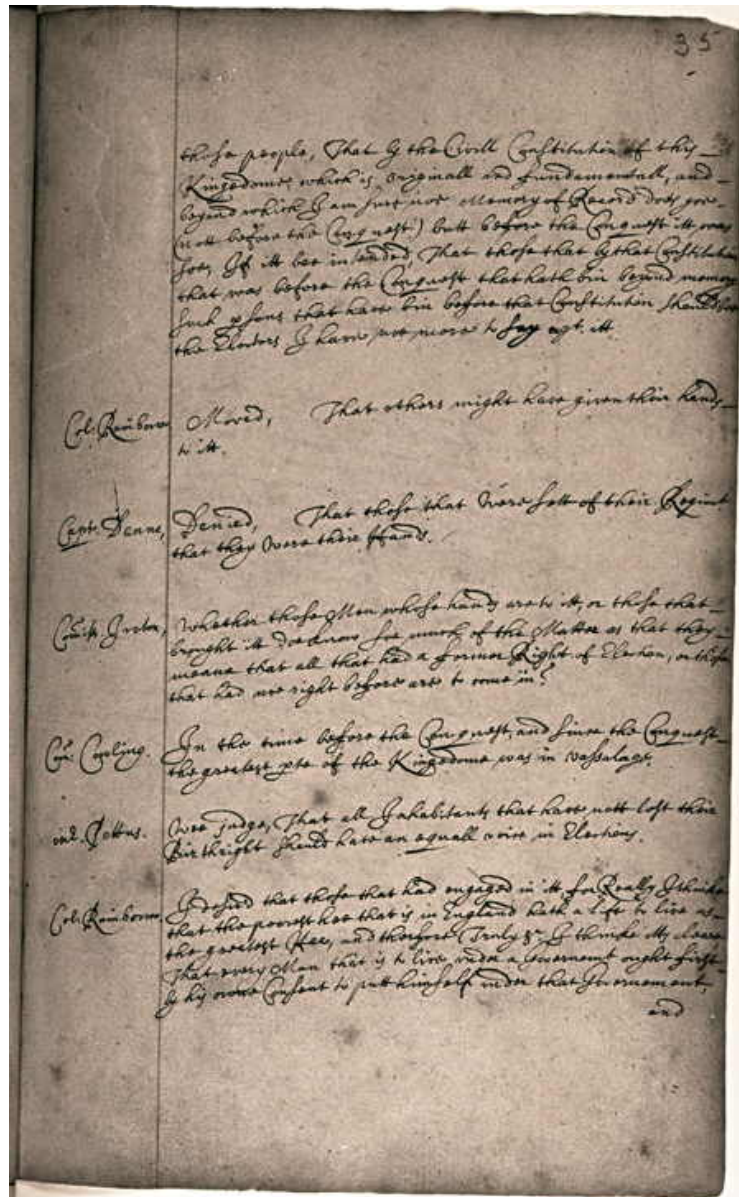


# THE PUTNEY DEBATES

## The General Council of Officers at Putney (Oct.-Nov. 1647)



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The complete text of *The Clarke Papers*, vol. 1 in HTML (<http://davidmhart.com/liberty/Levellers/ClarkePapers/ClarkePapers1-1891.html>).

This text contains the following parts:

1. Discussion of 28 Oct. 1647
2. The Answer of the Agitators read
3. Discussion of 29 Oct. 1647
4. The Paper called The Agreement read
5. Discussion of Saturday 30 Oct. 1647
6. Discussion of 1 Nov. 1647
7. Discussion of 2 Nov. 1647
8. At the Committee of Officers appointed by the General Council (3 Nov. 1647)
9. Discussion of 8 Nov. 1647
10. Desires of the Army
11. Discussion of 9 Nov. 1647
12. Discussion of 11 Nov. 1647

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## Collection

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**Note:** The page numbers refer to the page numbering in the original pamphlet. Sometimes page numbers were missing or there were duplicates. On many occasions the text in the margin notes is unreadable as a result of poor scanning of the original.

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## THE PUTNEY DEBATES (28 OCT. - 11 NOV. 1647)

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### Att the Generall Councill of Officers att Putney. 28 October, 1647.↵

The Officers being mett, first said,

Lieutennant General Cromwell. [321]

That the Meeting was for publike businesses. Those that had anythinge to say concerning the publike businesse might have libertie to speake.

Mr. Edward Sexby.

Mr. Allen, Mr. Lockyer, and my self are three.

They have sent two Souldiers, one of your owne Regiment and one of Col. Whalley's, with two other Gentlemen, Mr. Wildman and Mr. Petty.

Commissary General Ireton.

That hee had nott the paper of what was done uppon all of them.

Itt was referr'd to the Committee, that they should consider of the paper that was printed, "The Case of the Army Stated," and to examine the particulars in itt, and to represent and offer somethinge to this Councill about itt. [322] They were likewise appointed [227] to send for those persons concern'd in the paper. The Committee mett according to appointment that night. Itt was only then Resolv'd on, That there should bee some sent in a freindlie way (nott by command, or summons) to invite some of those Gentlemen to come in with us, I thinke.

Mr. Sexby.

I was desired by the Lieutennant Generall to [let him] know the bottome of their desires. They gave us this answer, that they would willinglie draw them uppe, and represent them unto you. They are come att this time to tender them to your considerations with their resolutions to maintaine them.

Wee have bin by providence putt upon strange thinges, such as the ancientist heere doth scarce remember. The Army acting to these ends, providence hath bin with us, and yett wee have found little [fruit] of our indeavours; and really I thinke all heere both great and small (both Officers and Souldiers), wee may say wee have lean'd on, and gone to Egypt for helpe. The Kingdomes cause requires expedition, and truly our miseries with [those of] our fellow souldiers' cry out for present helpe. I thinke, att this time, this is your businesse, and I thinke itt is in all your hearts to releive the one and satisfie the other. You resolv'd if any thinge [reasonable] should bee propounded to you, you would joyne and goe alonge with us.

The cause of our misery [is] uppon two thinges. We sought to satisfie all men, and itt was well; butt in going [about] to doe itt wee have dissatisfied all men. Wee have labour'd to please a Kinge, and I thinke, except wee goe about to cutt all our throates, [228] wee shall nott please him; and wee have gone to support an house which will prove rotten studds, [323] I meane the Parliament which consists of a Company of rotten Members.

And therefore wee beseech you that you will take these thinges into your consideration.

I shall speake to the Lieut. Generall and Commissary Generall concerning one thinge. Your creditts and reputation hath bin much blasted uppon these two considerations. The one is for seeking to settle this Kingdome in such a way wherein wee thought to have satisfied all men, and wee have dissatisfied them—I meane in relation to the Kinge—The other is in reference to a Parliamencie auctoritie (which most heere would loose their lives for), to see [324] those powers to which wee will subject our selves loyally called. These two things are as I thinke conscientiously the cause of all those blemishes that have bin cast uppon either the one or the other. You are convinc't God will have you to act on, butt [ask] onelie to consider how you shall act, and [take] those [ways] that will secure you and the whole Kingdome. I desire you will consider those thinges that shall bee offer'd to you; and, if you see any thinge of reason, you will joyne with us that the Kingdome may bee eas'd, and our fellow souldiers may bee quieted in spiritt. These thinges I have represented as my thoughts. I desire your pardon.

[229]

Lieut. Generall.

I thinke itt is good for us to proceede to our businesse in some order, and that will bee if wee consider some things that are latelie past. There hath bin a booke printed, called, “The Case of the Armie Stated,” and that hath bin taken into consideration, and there hath bin somewhat drawne uppe by way of exception to thinges contayn'd in that booke; and I suppose there was an Answer brought to that which was taken by way of exception, and yesterday the Gentleman that brought the Answer hee was dealt honestly and plainly withall, and hee was told, that there were new designes a driving, and nothing would bee a clearer discovery of the sincerity of [their] intentions, as their willingnesse that were active to bringe what they had to say to bee judg'd of by the Generall Officers, and by this Generall Councill, that wee might discern what the intentions were. Now itt seemes there bee divers that are come hither to manifest those intentions according to what was offer'd yesterday, and truly I thinke, that the best way of our proceeding will bee to receive what they have to offer. Onely this, Mr. Sexby, you were speaking to us two. [i do not know why you named us two,] except you thinke that wee have done somewhat or acted somewhat different from the sence and resolution of the Generall Councill. Truly, that that you speake to, was the thinges that related to the Kinge and thinges that related to the Parliament; and if there bee a fault I may say itt, and I dare say, itt hath bin the fault of the Generall Councill, and that which you doe speake both in relation to the one and the other, you speake to the Generall Councill I hope, though you nam'd us two, Therefore truly I thinke itt sufficient for us to say, and 'tis that wee say—I can speake for my selfe, lett others speake for them selves—I dare maintaine itt, and I dare avowe I have acted nothing butt what I have done with the publique consent, and approbation and allowance of the Generall Councill. That I dare say for my self, both in relation to the one, and to the other. What I have acted in Parliament in the name of the Councill or of the Army I have [230] had my warrant for from hence. What I have spoken in another capacitie, as a Member of the House, that was free for mee to doe; and I am confident, that I have nott used the name of the Army, or interest of the Army to anythinge butt what I have had allowance from the Generall Councill for, and [what they] thought itt fitt to move the House in. I doe the rather give you this account, because I heare there are some slanderous reports going uppe and downe uppon somewhat that hath bin offer'd to the House of Commons [by me], as being the sence and opinion of this Armie, and in the name of this Army, which, I dare bee confident to speake itt, hath bin as false and slanderous a report as could bee raised of a man. And that was this; That I should say to the Parliament and deliver itt as the desire of this Armie, and the sence of this Armie, that there should bee a second addresse to the Kinge by way of propositions. I dare bee confident to speake itt, what I deliver'd there I deliver'd as my owne sence, and what I deliver'd as my owne sence I am nott ashamed of.

What I deliver'd as your sence, I never deliver'd butt what I had as your sence. [325]

[231]

Col. Rainborow.

For this the Lieutenant Generall was pleas'd to speake of last, [232] itt was moved, that day the propositions were brought in. That itt was carried for making a second addresse to the Kinge, itt was when both the Lieutenant Generall and my selfe were last heere, and where wee broke off heere, and when wee came upon the Bill itt was told us, That the House had carried itt for a second addresse; and therefore the Lieutenant Generall must needes bee cleare of itt. Butt itt was urged in the House that itt was the sence of the Army that itt should bee soe.

Com̃. Gen. Ireton.

I desire nott to speake of these thinges, butt onely to putt thinges into an orderly way, which would lead to what the occasion is that hath brought these Gentlemen hither that are now call'd in; yett I cannott butt speake a worde to that that was last touch't upon.

If I had told any man soe (which I know I did nott) if I did, I did tell him what I thought; and if I thought otherwise of the Army, I protest I should have bin ashamed of the Armie and detested itt; that is, if I had thought the Army had bin of that minde, they would lett those propositions sent from both Kingdomes bee the thinges which should bee [final] whether peace or noe, without any farther offers; and when I doe finde itt, I shall bee asham'd on't, and detest any dayes condescention with itt. And yett for that which Mr. Sexby tells us hath bin one of the great businesses [cast] upon the Lieutenant Generall and my self, I doe detest and defie the thought of that thinge, of any indeavour, or designe, or purpose, or desire to sett uppe the Kinge; and I thinke I have demonstrated, and I hope I shall doe still, [that] itt is the interest of the Kingdome that I have suffer'd for. As for the Parliament too, I thinke those that know the beginniges of these principles, that wee [set forth] in our Declarations of late for clearing and vindicating the Liberties of the people, even in relation to Parliament will have reason [to acquit me]. And whoever doe know how wee were led to the declaring of that point [233] as wee have, as [a fundamental] one, will bee able to acquitt mee that I have bin farre from a designe of setting uppe the persons of these men, or of any men whatsoever to bee our Law Makers. Soe likewise for the Kinge; though I am cleare, as from the other, from setting uppe the person of one or other, yett I shall declare itt againe; I doe nott seeke, or would nott seeke, nor will joyne with them that doe seeke the destruction either of Parliament or Kinge. Neither will I consent with those or concurre with them who will nott attempt all the wayes that are possible to preserve both, and to make good use, and the best use that can bee of both for the Kingdome; and I did nott heare any thinge from that Gentleman (Mr. Sexby) that could induce or incline mee to that resolution. To that point I stand cleare as I have exprest. Butt I shall nott speake any more concerning myself.

The Committee [326] mett att my lodgings assoone as they parted from hence; and the first thinge they resolved on hearing there was a meeting of the Agitators [was, that] though itt was thought fitt by the Generall Councill heere they should bee sent for to the Regiment[s], yett itt was thought fitt to lett them know what the Generall Councill had done, and to goe on in a way that might tend to unities; and [this] being resolved on wee were desired by one of those Gentlemen that were desired to goe, that least they should mistake the matter they went about, itt might bee drawne in writing, and this is itt:

That the Generall Councill, etc. [blank].

This is the substance of what was deliver'd. Mr. Allen, Mr. Lockyer, and Mr. Sexby were sent with itt, and I thinke itt is fitt that the Councill should bee acquainted with the Answer.

Mr. Allen.

As to the Answer itt was short (truly I shall give itt as shorte). [234] Wee gave them the paper, and read itt amongst them, and to my best remembrance they then told us, that they were nott all come together whome itt did concerne, and soe were nott in a capacitie att the present to returne us an Answer; butt that they would take itt into consideration, and would send itt as speedily as might bee. I thinke itt was neare their Sence.

### **The Answer of the Agitators read. [327]**

Coñ. Generall.

Wheras itt was appointed by the Councill and wee of the Committee did accordingly desire, that these Gentlemen, being Members of the Army and engaged with the Army, might have come to communicate with the Generall Councill of the Army and those that were appointed by them for a mutuall satisfaction: by this paper they seeme to bee of a fix't resolution, setting themselves to bee a divided partie or distinct Councill from the Generall Councill of the Army, and [seem to say] that there was nothing to bee done as single persons to declare their dissatisfaction, or the grounds for informing themselves better or us better, butt that they as all the rest should concurre soe as to hold together as a form'd and settled partie distinct and divided from others; and withall seem'd to sett downe these resolutions to [as things] which they expect the compliance of any others, rather then their compliance with others to give satisfaction. Butt itt seemes uppon some thinge that the Lieutenant Generall and some others of that Committee did thinke fitt [to offer] the Gentlemen that brought that paper have bin since induced to descend a little from the heighth, and to send some of them to come as agents particularlie, or Messengers from that Meeting or from that Councill, to heare what wee have to say to there, or to offer somethinge to us relating to the matters in that paper. I beleive there are Gentlemen [328] sent with them that though [235] perhaps the persons of them that are Members of the Army may nott give the passages in itt they may bee better able to observe them; and therefore if you please that they may proceede.

Buffe-Coate.

May itt please your Honour, to give you satisfaccion in that there was such a willingnesse that wee might have a conference, whereuppon I did engage that interest that was in mee that I would procure some to come hither both of the souldiers and of others for assistance; and in order thereunto heere are two souldiers sent from the Agents, and two of our freinds alsoe, and to present this to your considerations, and desire [329] your advice. [we believe that] according to my [330] expectations and your engagement you are resolved every one to purchase our inheritances which have bin lost, and free this Nation from the tyranny that lies uppon us. I question nott butt that itt is all your desires: and for that purpose wee desire to doe nothing butt what wee present to your consideration, and if you conceive itt that itt must bee for us to bee instruments, that wee might shelter our selves like wise men before the Storme comes. Wee desire that all carping uppon words might bee laid aside, and [that you may] fall directly uppon the matter presented to you.

Wee have heere met on purpose [331] according to my Engagement that whatsoever may bee thought to bee necessary for our satisfaction, for the right understanding one of another [may be done] that wee might goe on together. For, though our ends and aimes bee the same, if one thinks this way, another another way—butt that way which is the best for the subject [is] that they [both] may bee hearkned unto.



**The Answer of the Agitators, the 2<sup>d</sup> time read. [332]**

Buffecoate.

I thinke itt will bee strange that wee that are souldiers cannott have them [for] our selves, if nott for the whole Kingedome; and therefore wee beseech you consider of itt.

Lieut. Generall.

These thinges that you have now offered they are new to us; they are thinges that wee have nott att all (att least in this method and thus circumstantially) had any opportunity to consider of them, because they came to us butt thus as you see; this is the first time wee had a view of them.

Truly this paper does containe in itt very great alterations of the very Governement of the Kingedome, alterations from that Governement that itt hath bin under, I beleive I may almost say since itt was a Nation, I say I thinke I may almost say soe, and [237] what the consequences of such an alteration as this would bee, if there were nothing else to be consider'd, wise men and godly men ought to consider. I say if there were nothing else [to be considered] butt the very weight and nature of the thinges contayn'd in this paper. Therefore, although the pretensions in itt, and the expressions in itt are very plausible, and if wee could leape out of one condition into another, that had soe specious thinges in itt as this hath, I suppose there would nott bee much dispute, though perhaps some of these thinges may bee very well disputed—How doe wee know if whilst wee are disputing these thinges another companie of men shall gather together, and they shall putt out a paper as plausible perhaps as this? I doe nott know why itt might nott bee done by that time you have agreed upon this, or gott hands to itt, if that bee the way. And not onely another, and another, butt many of this kinde. And if soe, what doe you thinke the consequence of that would bee? Would itt nott bee confusion? Would itt nott bee utter confusion? Would itt nott make England like the Switzerland Country, one Canton of the Switz against another, and one County against another? I aske you whether itt bee nott fitt for every honest man seriouslie to lay that upon his heart? And if soe, what would that produce butt an absolute desolation—an absolute desolation to the Nation—and wee in the meane time tell the Nation, “It is for your Libertie, ’Tis for your priviledge,” “ ’Tis for your good.” Pray God itt prove soe whatsoever course wee run. Butt truly, I thinke wee are nott onely to consider what the consequences are (if there were nothing else butt this paper), butt wee are to consider the probability of the wayes and meanes to accomplish: that is to say [to consider] whether, [333] according to reason and judgement, the spiritts and temper of the people of this Nation are prepared to receive and goe on alonge with itt, and [whether] those great difficulties [that] lie in our way [are] in a likelihood to bee either overcome or removed. Truly, to anythinge that’s good, there’s noe doubt on [238] itt, objections may bee made and fram’d; butt lett every honest man consider, whether or noe there bee nott very reall objections [to this] in point of difficulty. I know a man may answer all difficulties with faith, and faith will answer all difficulties really where itt is, but [334] wee are very apt all of us to call that faith, that perhaps may bee butt carnall imagination, and carnall reasonings. Give mee leave to say this, There will bee very great mountaines in the way of this, if this were the thinge in present consideration; and therefore wee ought to consider the consequences, and God hath given us our reason that wee may doe this. Itt is nott enough to propose thinges that are good in the end, butt suppose this modell were an excellent modell, and fitt for England, and the Kingedome to receive, itt is our duty as Christians and men to consider consequences, and to consider the way. [335]

Butt really I shall speake to nothing butt that that, as before the Lord, I am perswaded in my heart tends to uniting of us in one to that that God will manifest to us to bee the thinge that hee would have us prosecute; and hee that meetes nott heere with that heart, and dares nott say hee will stand to that, I thinke hee is a deceivour. I say itt to you againe, and I professe unto you, I shall offer nothing to you butt that I thinke in my heart and conscience tends to the uniting of us, and to the begetting a right understanding amonge us, and therefore this is that I would insist uppon, and have itt clear'd amonge us.

Itt is nott enough for us to insist uppon good thinges; that every one would doe—there is nott 40 of us butt wee could prescribe many thinges exceeding plausible, and hardly anythinge worse then our present condition, take itt with all the troubles that are uppon us. Itt is nott enough for us to propose good thinges, butt itt behoves honest men and Christians that really will approve themselves soe before God and men, to see whether or noe they bee in a condition, [to attempt] whether, taking all thinges into consideration, they may honestly indeavour and attempt that that is fairly [239] and plausibly proposed. For my owne parte I know nothing that wee are to consider first butt that, before wee would come to debate the evill or good of this [paper], or to adde to itt or substract from itt; [336] which I am confident, if your hearts bee upright as ours are—and God will bee judge betweene you and us—if wee should come to any thinge, you doe nott bringe this paper with peremptorinesse of minde, butt to receive amendements to have any thinge taken from itt that may bee made apparent by cleare reason to bee inconvenient or dishonest. This ought to bee our consideration and yours, saving [that] in this you have the advantage of us—you that are the souldiers you have nott—butt you that are nott [soldiers] you reckon your selves att a loose and att a liberty, as men that have noe obligation uppon you. Perhaps wee conceive wee have; and therfore this is that I may say—both to those that come with you, and to my fellow officers and all others that heare mee—that it concernes us as wee would approve our selves [as honest men] before God, and before men that are able to judge of us, if wee doe nott make good engagements, if wee doe nott make good that that the world expects wee should make good. I doe nott speake to determine what that is, butt if I bee nott much mistaken wee have in the time of our danger issued out Declarations; wee have bin requir'd by the Parliament, because our Declarations were generall, to declare particularly what wee meant; and having done that how farre that obliges or nott obliges [us] that is by us to bee consider'd, if wee meane honestly and sincerely and to approve our selves to God as honest men. And therfore having heard this paper read, this remaines to us; that wee againe review what wee have engaged in, and what wee have that lies uppon us. Hee that departs from that that is a reall engagement and a reall tye uppon him, I thinke hee transgresses without faith, for faith will beare uppe men in [240] every honest obligation, and God does expect from men the performance of every honest obligation. Therefore I have noe more to say butt this; wee having received your paper shall amongst our selves consider what to doe; and before wee take this into consideration, itt is fitt for us to consider how farre wee are obliged, and how farre wee are free; and I hope wee shall prove our selves honest men where wee are free to tender any thinge to the good of the publique. And this is that I thought good to offer to you uppon this paper.

Mr. Wildman.

Being yesterday att a Meeting where divers Country-Gentlemen, and souldiers and others were, and amongst the rest the Agents of the five Regiments, and having weigh'd their papers, I must freely confesse I did declare my agreement with them. Uppon that they were pleas'd to declare their sence in most particulars of their proceedings to mee, and desir'd mee that I would bee their mouth, and in their names to represent their sence unto you; and uppon that ground I shall speake something in answer to that which your Honour last spake.

I shall nott reply any thinge att present till itt come to bee further debated, either concerning the consequences of what is propounded, or [the contents] of this paper; butt I conceive the cheif weight of your Honour's speech lay in this, that you were first to consider what obligations lay upon you, and how farre you were engaged, before you could consider what was just in this paper now propounded; adding, that God would protect men in keeping honest promises. To that I must only offer this, that according to the best knowledge [I have] of their apprehensions, they doe apprehend that what ever obligation is past must bee consider'd afterwards, when itt is urged whether itt were honest or just or noe; and if [the obligation [337]] were nott just itt doth nott oblige the persons, if itt bee an oath itt self. Butt if, while there [241] is nott soe cleare a light, any person passes an Engagement, itt is judged by them, (and I soe judge itt), to bee an act of honesty for that man to recede from his former judgement, and to abhorre itt. And therefore I conceive the first thinge is to consider the honesty of what is offer'd, otherwise itt cannott bee consider'd of any obligation that doth prepossesse. By the consideration of the justice of what is offer'd that obligation shall appeare whether itt was just or noe. If itt were nott just, I cannott butt bee confident of the searinges of your consciences. I conceive this to bee their sence; and upon this account, upon a more serious review of all Declarations past, they see noe obligations which are just that they contradict by proceeding in this way.

Commissary Gen. Ireton.

Sure this Gentleman hath nott bin acquainted with our Engagements, for hee that will cry out of breach of Engagement in slight and triviall thinges, and thinges necessitated to, that is soe tender of an Engagement as to frame or concurre with this Booke [338] in their insisting upon every punctilio of Engagement, I can hardly thinke that man [339] can bee of that principle that noe Engagement is binding further then that hee thinkes itt just or noe. For itt hintes that, if hee that makes an Engagement (bee itt what itt will bee) have further light that this engagement was nott good or honest, then hee is free from itt. Truly if the sence were putt thus, that a man that findes hee hath entred into an engagement and thinkes that itt was nott a just Engagement, I confesse some thinge might bee said that [such] a man might declare himself for his parte to suffer some penalty upon their persons, or upon their partie. [242] The question is, whether itt bee an Engagement to another partie. Now if a man venture into an Engagement from him [self] to another, and find [340] that Engagement [not] just and honest, hee must apply himself to the other partie, and say "I cannott actively performe itt, I will make you amends as neere as I can." Upon the same ground men are nott obliged to [be obedient to] any auctoritie that is sett uppe, though itt were this auctority that is proposed heere, I am nott engaged to bee soe actively to that auctority. Yett if I have engag'd that they shall binde mee by Law, though afterwards, I finde that they doe require mee to a thinge that is nott just or honest, I am bound soe farre to my Engagement that I must submitt and suffer, though I cannott act and doe that which their Lawes doe impose upon mee. If that caution were putt in where a performance of an Engagement might bee expected from another, and hee could nott doe itt because hee thought itt was nott honest to bee performed; if such a thinge were putt into the case, itt is possible there might bee some reason for itt. Butt to take itt as itt is deliver'd in generall, whatever Engagement wee have entred into, though itt bee a promise of somethinge to another partie, wherin that other partie is concerned, wherin hee hath a benefitt, if wee make itt good, wherin hee hath a prejudice if wee make itt nott good [that we are free to break it if it be not just]: this is a principle that will take away all Commonwealth[s], and will take away the fruite of this Engagement if itt were entred into; and men of this principle would thinke themselves as little as may bee [obliged by any law] if in their apprehensions itt bee nott a good Law. I thinke they would thinke themselves as little obliged to thinke of standing to that auctority [that is proposed in this paper].

Truly Sir I have little to say att the present to that matter of the paper that is tendred to us. I confesse there are plausible thinges in itt, and there are thinges really good in itt, and there are those thinges that I doe with my heart desire, and there are [243] those thinges for the most parte of itt [that] I shall bee soe free as to say, if these Gentlemen, and other Gentlemen that will joyne with them can obtaine, I would nott oppose, I should rejoyce to see obtayn'd. There are those thinges in itt, divers [of them]; and, if wee were as hath bin urged now, free; if wee were first free from consideration of all the dangers and miseries that wee may bringe upon this people, [the danger] that when wee goe to cry out for the libertie of itt wee may nott leave a being [in it], free from all [those] Engagements that doe lie upon us, and that were honest when they were entred into, I should concurre with this paper further then as the case doth stand I can. Butt truly I doe account wee are under Engagements; and I suppose that whatsoever this Gentleman that spoke last doth seeme to deliver to us, holding himself absolved from all Engagements, if hee thinkes itt, yett those men that came with him (that are in the case of the Armie,) [341] hold themselves more obliged; and therefore that they will nott perswade us to lay aside all our former Engagements and Declarations, if there bee any thinge in them, and to concurre in this, if there bee any thinge in itt that is contrary to those Engagements which they call upon us to confirme. Therefore I doe wish that wee may have a consideration of our former Engagements, of thinges which are the Engagements of the Army generallie. Those wee are to take notice of, and sure wee are nott to recede from them till wee are convinct of them that they are unjust. And when wee are convinc't of them that they are unjust, truly yett I must nott fully concurre with that Gentleman's principle, that presently wee are, as hee sayes, absolv'd from them, that wee are nott bound to them, or wee are nott bound to make them good. Yett I should thinke att least, if the breach of that Engagement bee to the prejudice of another whome wee have perswaded to beleive by our Declaring such thinges [so] that wee made them and led them to a confidence of itt, to a dependance upon itt, to [244] a disadvantage to themselves or the loosing of advantages to them, though wee were convinc't they were unjust, and satisfied in this Gentleman's principle, and free, and disengag'd from them, yett wee who made that engagement should nott make itt our act to breake itt. Though wee were convinc't that wee are nott bound to performe itt, yett wee should nott make itt our act to breake [it]. And soe upon the whole matter I speake this to inforce. As upon the particulars of this Agreement; whether they have that goodnesse that they hold forth in shew? or whether are nott some defects in them which are nott seene? that if wee should rest in this Agreement without somethinge more [whether] they would nott deceive us? and whether there bee nott some considerations that would tend to union? And withall [i wish] that wee who are the Armie and are engag'd with publique Declarations may consider how farre those publique Declarations, which wee then thought to bee just, doe oblige, that wee may either resolve to make them good if wee can in honest wayes, or att least nott make itt our worke to breake them. And for this purpose I wish —unlesse the Councill please to meete from time to time, from day to day and to consider itt themselves—to goe over our papers and declarations and take the heads of them, I wish there may bee some specially appointed for itt; and I shall bee very glad if itt may bee soe that I my self may bee none of them.

Col. Rainborow.

I shall crave your pardon if I may speake somethinge freelie, and I thinke itt will bee the last time I shall speake heere, and from such a way that I never look't for. The consideration that I had in this Army and amongst honest men—nott that itt is an addition of honour and profitt to mee butt rather a detriment in both—is the reason that I speake somethinge by way of apologie. I saw this paper first by chance and had noe resolution to have bin att this Councill nor any other since I tooke this imployment upon [245] mee, butt to doe my duty. [342] I mett with a Letter (which truly was soe strange to mee that I have bin a little troubled, and truly I have soe many sparkes of honour and honesty in mee) to lett mee know that my

Regiment should bee imediately disposed from mee. I hope that none in the Army will say butt that I have perform'd my duty, and that with some successe, as well as others. I am loath to leave the Army with whome I will live and die, insomuch that rather then I will loose this Regiment of mine the Parliament shall exclude mee the House, [or] imprison mee; for truly while I am [employed] abroad I will nott bee undone att home. This was itt that call'd mee hither, and nott any thinge of this paper. Butt now I shall speake somethinge of itt.

I shall speake my minde; that whoever hee bee that hath done this hee hath done it with much respect to the Good of his Country. Itt is said there are many plausible thinges in itt. Truly, many thinges have engaged mee, which, if I had nott knowne they should have bin nothing butt Good, I would nott have engag'd in. Itt hath bin said, that if a man bee Engag'd hee must performe his Engagements. I am wholly confident that every honest man is bound in duty to God and his Conscience, lett him bee engag'd in what hee will, to decline itt when hee is engag'd and clearly convinc't to discharge his duty to God as ever hee was for itt; [246] and that I shall make good out of the Scripture, and cleare itt by that if that bee any thinge. There are two objections are made against itt.

The one is Division. Truly I thinke wee are utterly undone if wee devide, butt I hope that honest things have carried us on thus longe, and will keepe us together, and I hope that wee shall nott devide. Another thinge is Difficulties. Oh unhappy men are wee that ever began this warre; if ever wee [had] look't uppon difficulties I doe nott know that ever wee should have look't an enemy in the face. Truly I thinke the Parliament were very indiscreete to contest with the Kinge if they did nott consider first that they should goe through difficulties; and I thinke there was noe man that entred into this warre that did nott engage [to go through difficulties]. And I shall humbly offer unto you—itt may bee the last time I shall offer—itt may bee soe, butt I shall discharge my conscience in itt—itt is this; that truly I thinke that lett the difficulties bee round about you, have you death before you, the sea on each side of you and behinde you, are you convinc't that the thinge is just I thinke you are bound in conscience to carry itt on; and I thinke att the last day itt can never bee answer'd to God that you did nott doe itt. For I thinke itt is a poore service to God and the Kingedome to take their pay and to decline their worke. I heare itt said, "Itt's a huge alteration, itt's a bringing in of New Lawes," and that this Kingedome hath bin under this Governement ever since itt was a Kingdome. If writings bee true there hath bin many scuffinges betweene the honest men of England and those that have tyranniz'd over them; and iff itt bee [true what i have] read, there is none of those just and equitable lawes that the people of England are borne to butt that they are intrenchment altogether. [343] Butt if they were those which the people have bin alwayes under, if the people finde that they are [not] suitable to freemen as they are, I know noe reason [247] should deterre mee, either in what I must answer before God or the world, from indeavouring by all meanes to gaine any thinge that might bee of more advantage to them then the Government under which they live. I doe nott presse that you should goe on with this thinge, for I thinke that every man that would speake to itt will bee lesse able till hee hath some time to consider itt. I doe make itt my Motion, that two or three dayes time may bee sett for every man to consider, and all that is to bee consider'd is the justnesse of the thinge—and if that bee consider'd then all thinges are—that there may bee nothing to deterre us from itt, butt that wee may doe that which is just to the people.

Lieut. Generall.

Truly I am very glad, that this Gentleman that spoke last is heere, and nott sorry for the occasion that brought him hither; because itt argues wee shall enjoy his company longer then I thought wee should have done.

Col. Rainborow.

If I should nott bee kick't out.

Lieut. Generall.

And truly then I thinke itt shall nott bee longe enough. Butt truly I doe nott know what the meaning of that expression is, nor what the meaning of any hatefull worde is heere. For wee are all heere with the same integrity to the publique; and perhaps wee have all of us done our parts nott affrighted with difficulties, one as well as another; and I hope have all purposes henceforward, through the Grace of God, nott resolving in our owne strength, to doe soe still. And therefore truly I thinke all the consideration is, That amongst us wee are almost all souldiers; all considerations [of not fearing difficulties] or wordes of that kinde doe wonderfully please us, all words of courage animate us to carry on our businesse, to doe God's businesse, [and] that which is the will of [248] God. I say itt againe, I doe nott thinke that any man heere wants courage to doe that which becomes an honest man and an Englishman to doe. Butt wee speake as men that desire to have the feare of God before our eyes, and men that may nott resolve to doe that which wee doe in the power of a fleshly strength, butt to lay this as the foundation of all our actions, to doe that which is the will of God. And if any man have a false deceit—on the one hand, deceitfulnesse, that which hee doth nott intend, or a perswasion on the other hand, I thinke hee will nott prosper.

Butt to that which was mov'd by Col. Rainborow, of the objections of difficulty and danger [and] of the consequences, they are nott proposed to any other end, butt [as] thinges fitting consideration, nott forged to deterre from the consideration of the businesse. In the consideration of the thinge that is new to us, and of every thinge that shall bee new that is of such importance as this is, I thinke that hee that wishes the most serious advice to bee taken of such a change as this is,—soe evident and cleare [a change]—who ever offers that there may bee most serious consideration, I thinke hee does nott speake impertinently. And truly itt was offer'd to noe other end then what I speake. I shall say noe more to that.

Butt to the other, concerning Engagements and breaking of them. I doe nott thinke that itt was att all offer'd by any body, that though an Engagement were never soe unrighteous itt ought to bee kept. Noe man offer'd a syllable or tittle [to that purpose]. For certainly itt's an act of duty to breake an unrighteous Engagement; hee that keepees itt does a double sin, in that hee made an unrighteous Engagement, and [in] that he goes about to keepe itt. Butt this was onely offer'd; and I know nott what can bee more fit, that before wee can consider of this [paper] wee labour to know where wee are, and where wee stand. Perhaps wee are uppon Engagements that wee cannott with honesty breake, Butt lett mee tell you this, that hee that speakes to you of Engagements heere, is as free from Engagements to the Kinge as [249] any man in all the world; and I know that [344] if itt were otherwise I believe my future actions would provoke some to declare itt. Butt I thanke God I stand uppon the bottome of my owne innocence in this particular; through the Grace of God I feare nott the face of any man, I doe nott. I say wee are to consider what Engagements wee have made, and if our Engagements have bin unrighteous why should wee nott make itt our indeavours to breake them. Yett if unrighteous Engagements [345] itt is nott a present breach of them unlesse there bee a consideration of circumstances. Circumstances may bee such as I may nott now breake an unrighteous Engagement, or else I may doe that which I did scandalously, if the thinge bee good. [346] If that bee true concerning the breaking of an unrighteous Engagement itt is much more verified concerning Engagements disputable whether they bee righteous or unrighteous. If soe, I am sure itt is fitt wee should dispute [them], and if, when wee have disputed them, wee see the goodnesse of God inlightening us to see our liberties, I thinke wee are to doe what wee can to give satisfaction to men. Butt if itt were soe, as wee made an Engagement in judgement and knowledge, soe wee goe off from itt in judgement and knowledge. Butt there may be just Engagements uppon us such as perhaps itt will bee our duty to keepe; and if soe itt is fitt wee should consider, and all that I said [was] that wee

should consider our Engagements, and there is nothing else offer'd, and therefore what needs anybody be angry or offended. Perhaps we have made such Engagements as may in the matter of them not bind us, in some circumstances they may. Our Engagements are publique Engagements. They are to the Kingdome, and to every one in the Kingdome that could looke upon what we did publicly declare, could read or hear it read. They are to the [250] Parliament, and it is a very fitting thing that we do seriously consider of the things. And shortly this is that I shall offer: that because the Kingdome is in the danger it is in, because the Kingdome is in that condition it is in, and time may be ill spent in debates, and it is necessary for things to be put to an issue, if ever it was necessary in the world it is now, I should desire this may be done.

That this Generall Council may be appointed [to meet] against a very short time, two dayes, Thursday, if you would, against Saturday, or at furthest against Munday: that there might be a Committee out of this Council appointed to debate and consider with those two Gentlemen, and with any others that are not of the Army that they shall bring, and with the Agitators of those five Regiments: that soe there may be a liberall and free debate had amongst us, that we may understand really as before God the bottom of our desires, and that we may seeke God together, and see if God will give us an uniting spirit. Give mee leave to tell it you againe, I am confident there sits not a man in this place that cannot soe freely act with you, but if hee sees that God hath shutt uppe his way that hee cannot doe any service hee will be glad to withdraw himself, and wish you all prosperity in that way as may be good for the Kingdome. [347] And if this heart be in us, as is knowne to God that searches our hearts and tryeth the reins, God will discover whether our hearts be not cleare in this businesse. Therefore I shall move that we may have a Committee amongst our selves [to consider] of the Engagements, and this Committee to dispute things with others, and a short day [to be appointed] for the Generall Council. I doubt not but if in sincerity we are willing to submit to that light that God shall cast in amongst us God will unite us, and make us of one heart and one minde. Doe the plausiblest things you can doe, doe that which hath the most appearance of reason in it that tends to change, at this conjuncture of time you will finde difficulties. But if God satisfie our spirits this will be a ground of confidence to every [251] good man, and hee that goes upon other grounds hee shall fall like a beast. I shall desire this, that you or any other of the Agitators or Gentlemen that can be here will be here, that we may have free discourses amongst our selves of things, and you will be able to satisfie each other. And really, rather then I would have this Kingdome breake in pieces before some company of men be united together to a settlement, I will withdraw my self from the Army tomorrow, and lay downe my Commission; I will perish before I hinder it. [348]

Bedfordshire Man.

May it please your Honour,

I was desired by some of the Agents to accompanie this paper, manifesting my approbation of it after I had heard it read severall times, and they desir'd that it might be offer'd to this Council, for the concurrence of the Council if it might be. I finde that the Engagements of the Army are at present the things which is insisted to be consider'd. I confesse my ignorance in those Engagements, but I apprehend, at least I hope, that those Engagements have given away nothing from the people that is the people's Right. It may be they have promised the King his Right, or any other persons their Right, but noe more. If they have promised more then their Right to any person or persons, and have given away any thing from the people that is their Right, then I conceive they are unjust. And if they are unjust [they should be broken], though I confesse for my owne parte I am very tender of breaking an Engagement when it concernes a particular person—I thinke that a particular person ought rather to sett downe and loose then to breake an Engagement—but if any man

have given away any thinge from another whose Right itt was to one or more whose Right itt was nott, I conceive these men may [break that engagement]—at least many of them thinke themselves [252] bound nott onely to breake this Engagement, butt to place [349] to give every one his due. I conceive that for the substance of the paper itt is the peoples due; and for the change of the Governement which is soe dangerous, I apprehend that there may bee many dangers in itt, and truly I apprehend there may bee more dangers without itt. For I conceive if you keepe the Governement as itt is and bringe in the Kinge, there may bee more dangers then in changing the Governement. Butt however, because from those thinges that I heard of the Agents they conceive that this conjuncture of time may almost destroy them, they have taken uppon them a libertie of acting to higher thinges, as they hope, for the freedome of the Nation, then yett this Generall Councill have acted to. And therefore as their sences I must make this motion; that all those that uppon a due consideration of the thinge doe finde itt to bee just and honest, and doe finde that if they have engaged any thinge to the contrary of this itt is unjust and giving away the people's Rights, I desire that they and all others may have a free libertie of acting to any thinge in this nature, or any other nature, that may bee for the peoples good, by petitioning or otherwise; wherby the fundamentalls for a well-ordered Governement for the people's Rights may bee established. And I shall desire that those that conceive themselves bound uppe would desist, and satisfie themselves in that, and bee noe hinderances to hinder the people in a more perfect way then hath bin [yet] indeavour'd.

Capt. Awdeley.

I suppose you have nott thought fitt, that there should bee a dispute concerning thinges at this time. I desire that other thinges may bee taken into consideration, delayes and debates. Delayes have undone us, and itt must bee a great expedition that must further us, and therefore I desire that there may bee a Committee appointed.

[253]

Lieut. Col. Goffe.

I shall butt humbly take the boldnesse to put you in minde of one thinge which you moved enow. [350] The Motion is, that there might bee a seeking of God in the thinges that now lie before us.

I shall humbly desire, that that Motion may nott die. Itt may bee there are or may bee some particular opinions amonge us concerning the use of ordinances and of publike seeking of God. Noe doubt formes have bin rested uppon too much; butt yett since there are soe many of us that have had soe many and soe large experiences of an extraordinarie manifestation of God's presence, when wee have bin in such extraordinarie wayes mett together, I shall desire that those who are that way [inclined] will take the present opportunity to doe itt. For certainly those thinges that are now presented, as they are, are well accepted by most of us; and though I am nott prepared to say any thinge either consenting or dissenting to the paper, as nott thinking itt wisdome to answer a matter before I have consider'd, yett when I doe consider how much ground there is to conceive there hath bin a withdrawing of the presence of God from us that have mett in this place—I doe nott say a totall withdrawing; I hope God is with us and amongst us. Itt hath bin our trouble night and day that God hath nott bin with us as formerly, as many within us soe without us [have told us], men that were sent from God in an extraordinarie manner to us. I meane [that though] the Ministers may take too much uppon them, yett there have bin those that have preached to us in this place, [in] [351] severall places, wee know very well that they spake to our hearts and consciences, and told us of our wandringes from God, and told us in the name of the Lord, that God would bee with us noe longer then wee were with him. Wee have in some thinges wandred from God, and as wee have heard [254] this from them in this place, soe have wee had itt very



frequently prest upon our spiritts [elsewhere], prest upon us in the Citty and the Country. I speake this to this end, that our hearts may bee deeply and throughly affected with this matter. For if God bee departed from us hee is some where else. Iff wee have nott the will of God in these Councils God may bee found amonge some other Councils. Therefore I say, lett us shew the spiritt of Christians, and lett us nott bee ashamed to declare to all the world, that our Councils, and our wisdom, and our wayes they are nott altogether such as the world hath walked in; butt that wee have had a dependencie upon God, and that our desires are to follow God (though never soe much to our disadvantage in the world) if God may have the glory by itt. And I pray lett us consider this: God does seeme evidently to bee throwing downe the glory of all flesh; the greatest powers in the Kingedome have bin shaken. God hath throwne downe the glory of the Kinge and that partie; hee hath throwne downe a partie in the Citty; I doe nott say, that God will throw us downe—I hope better things—butt hee will have the glory; lett us nott stand upon our glory and reputation in the world. If wee have done some thinges through ignorance, or feare, or unbeleif, in the day of our straights, and could nott give God that glory by beleiving as wee ought to have done, I hope God hath a way for to humble us for that, and to keepe us as instruments in his hand still. There are two wayes that God doth take upon those that walke obstinately against him; if they bee obstinate and continue obstinate hee breakes them in pieces with a rod of iron; if they bee his people and wander from him hee takes that glory from them, and takes itt to himself. I speake itt I hope from a divine impression. If wee would continue to bee instruments in his hand, lett us seriously sett our selves before the Lord, and seeke to him and waite upon him for conviction of spiritts. Itt is nott enough for us to say, “if wee have offended wee will leave the world, wee will goe and confesse to the Lord what wee have done amisse, butt wee will doe noe more soe.” [255] Aaron went uppe to Hur and died, and Moses was favour’d to see the land of Canaan, hee did nott voluntarily lay himself aside. I hope our strayings from God are nott soe great, butt that a conversion and true humiliation may recover us againe; and I desire that wee may bee serious in this, and not despise any other instruments that God will use. God will have his worke done; itt may bee wee thinke wee are the onely instruments that God hath in his hands. I shall onely adde these two thinges. First, that wee bee warie how wee lett forth any thinge against his people, and that which is for the whole Kingedome and Nation. I would move, that wee may nott lett our spiritts act too freely against them till wee have throughly weighed the matter, and considered our own wayes too. The second is to draw us uppe to a serious consideration of the weightiness of the worke that lies before us, and seriously to sett our selves to seeke the Lord; and I wish itt might bee consider’d of a way and manner that itt should be conveniently done, and I thinke to morrow will bee the [best] day.

Lieut Generall.

I know nott what Lieut. Col. Goffe meanes for to morrow for the time of seeking God. I thinke itt will bee requisite that wee doe itt speedily, and doe itt the first thinge, and that wee doe itt as unitedly as wee can, as many of us as well may meete together. For my parte I shall lay aside all businesse for this businesse, either to convince or bee convinc’t as God shall please. I thinke itt would bee good that to morrow morning may bee spent in prayer, and the afternoone might bee the time of our businesse. I doe nott know that these Gentlemen doe assent to itt that to morrow in the afternoone might bee the time.

Lieut. Col. Goffe.

I thinke wee have a great deale of businesse to doe, and wee have bin doing of itt these ten weekes. Itt is an ordinance that [256] God hath blest to this end. I say goe about what you will, for my parte I shall nott thinke any thinge can prosper, unlesse God bee first sought.

If that bee approved of, that to morrow shall bee a time of seeking the Lord, and that the afternoone shall bee the time of businesse, if that doth agree with your opinion and the generall sence, lett that bee first order'd.

Coñ. Gen. Ireton.

That which Lieut. Col. Goffe offer'd hath [made] a very great impression uppon mee; and indeed I must acknowledge to God through him, that, as hee hath severall times spoke in this place, and elsewhere to this purpose, hee hath never spoke butt hee hath touched my heart; and that especially in the point that hee hintes. That one thinge is, that in the time of our straights and difficulties, I thinke wee none of us—I feare wee none of us—I am sure I have nott—walked soe closely with God, and kept soe close with him, [as] to trust wholly uppon him, as nott to bee led too much with considerations of danger and difficulty, and from that consideration to waive some thinges, and perhaps to doe some thinges, that otherwise I should nott have thought fitt to have done. Every one hath a spiritt within him—especially [he] who has that communion indeed with that spirit that is the only searcher of hearts—that can best search out and discover to him the errours of his owne wayes, and of the workings of his owne heart. And though I thinke that publike actinges, publike departings from God are the fruites of unbelief and distrust, and nott honouring God by sanctifying him in our wayes; they doe more publiquely engage God to vindicate his honour by a departing from them that doe soe, and if there bee any such thinge in the Army that is to bee look't uppon with a publike eye in relation to the Army. [352] I thinke the maine thinge is for every one [257] to waite uppon God, for the errours, deceits, and weaknesses of his owne heart, and I pray God to bee present with us in that. Butt withall I would nott have that seasonable and good Motion that hath come from Lieut. Col. Goffe to bee neglected, of a publike seeking of God, and seeking to God, as for other thinges soe especially for the discovery of any publike deserting of God, or dishonouring of him, or declining from him, that does lie as the fault and blemish uppon the Army. Therefore I wish his Motion may bee pursued, that the thinge may bee done, and for point of time as was moved by him. Onely this to the way; I confesse I thinke the best [way] is this, that itt may bee only taken notice of as a thinge by the agreement of this Councill resolv'd on, that tomorrow in the morning, the forenoone wee doe sett aparte, wee doe give uppe from other businesse, for every man to give himself uppe that way, either in private by himself, though I cannott say not in public. For the publike Meeting att the Church, itt were nott amisse that itt may bee thus taken notice of as a time given from other employments for that purpose, and every one as God shall incline their hearts, some in one place, and some another, to imploy themselves that way.

Agreed for the Meeting for Prayer to bee att Mr. Chamberlaine's

Lieut. Gen.

That they should nott meete as two contrary parties, butt as some desirous to satisfie or convince each other.

Mr. Petty.

For my owne parte, I have done as to this businesse what was desired by the Agents that sent mee hither. As for any further [258] Meeting to morrow or any other time I cannott meete uppon the same ground, to meete as for their sence, [but only] to give my owne reason why I doe assent to itt.

Coñ. Ireton.

I should bee sorry, that they should bee soe suddaine to stand uppon themselves.

Mr. Petty.

To procure three, four, or five more or lesse to meete, for my owne parte I am utterly unconcern'd in the businesse.

Buffe-Coate.

I have heere att this day answer'd the expectations, which I engaged to your Honours; which was, that if wee would give a Meeting you should take that as a symptome, or a remarkeable testimonie of our fidelitie. I have discharged that trust reposed in mee. I could nott engage for them. I shall goe on still in that method. I shall engage my deepest interest for any reasonable desires to engage them to come to this.

Lieut. Generall.

I hope wee know God better then to make appearances of Religious Meetings as covers for designs for insinuation amongst you. I desire that God that hath given us some sinceritie will owne us according to his owne goodnesse, and that sincerity that hee hath given us. I dare bee confident to speake itt, that [design] that hath bin amongst us hitherto is to seeke the guidances of God, and to recover that presence of God that seemes to withdraw from us; and our end is to accomplish that worke which may bee for the good of the Kingedome. It seems to us in this as much as anything we are not of a minde, and for our parts wee doe nott desire or offer you to bee with us in our seeking of God further then your owne satisfaccions lead you, butt onely [that] against to-morrow in the afternoone (which will bee design'd for the consideration [259] of these businesses with you) you will doe what you may to have soe many as you shall thinke fitt to see what God will direct you to say to us. Perhaps God may unite us and carry us both one way, that whilst wee are going one way, and you another, wee bee nott both destroyed. This requires spiritt. Itt may bee too soone to say, itt is my present apprehension; I had rather wee should devolve our strength to you then that the Kingedome for our division should suffer losse. [353] For that's in all our hearts, to professe above any thinge that's worldlie, the publike good of the people; and if that bee in our hearts truly, and nakedlie, I am confident itt is a principall that will stand. And therefore I doe desire you, that against to morrow in the afternoone, if you judge itt meete, you will come to us to the Quartermaster Generall's Quarters, and there you will finde us [at prayer], if you will come timely to joyne with us; at your libertie, if afterwards [you wish] to speake with us. [354]

Mr Wildman.

I desire to returne a little to the businesse in hand that was the occasion of these other motions. I could nott butt take some notice of some thinge that did reflect upon the Agents of the five Regiments, in which I could nott butt give a little satisfaction to them; and I shall desire to prosecute a motion or two that hath bin already made. I observ'd that itt was said, that these gentlemen doe insist upon Engagements in "The Case of the Army," and therefore it was said to bee contrary to the principles of the Agents, that an Engagement which was unjust should lawfully bee broken. [355] I shall onely observe this; that though an unjust Engagement when [260] itt appeares unjust may bee broken, yett when two parties engage [each that] the other partie may have satisfaccion, yett because they are mutually engaged each to other one partie that apprehends they are broken [is justified] to complaine of them; and soe itt may bee their case, with which I confesse I made my concurrence. The other is a principle much spreading and much to my trouble, and that is this: that when persons once bee engaged, though the Engagement appeare to bee unjust, yett the person must sett downe and suffer under itt; and that therefore, in case a Parliament, as a true Parliament, doth anythinge unjustly, if wee bee engaged to submitt to the Lawes that they shall make, if they make an unjust law, though they make an unrighteous law, yett wee must sweare obedience.

I confesse to mee this principle is very dangerous, and I speake itt the rather because I see itt spreading abroad in the Army againe. Wheras itt is contrary to what the Army first declar'd: that they stood uppon such principles of right and freedome, and the lawes of nature and nations, wherby men were to preserve themselves though the persons to whome aucthority belong'd should faile in itt, and urged the example of the Scotts, and [that] the Generall that would destroy the Army they might hold his hands; and therefore if any thinge tends to the destruction of a people, because the thinge is absolutely unjust and tends to their destruction, [they may preserve themselves]. [356] I could nott butt speake a worde to that. The motion that I should make uppon that account is this.

[261]

That wheras there must bee a Meeting I could nott finde [but] that they were desirous to give all satisfaccion, and they desire nothing but the union of the Army. Thus farre itt is their sence. That the necessity of the Kingdome for present actinges is such that two or three dayes may loose the Kingdome. I desire in the sight of God to speake plainly: I meane there may bee an agreement betweene the Kinge [and the parliament] by propositions, with a power to hinder the making of any lawes that are good, and the tendring of any good [lawes]. And therefore, because none of the people's greivances are redrest, they doe apprehend that thus a few dayes may bee the losse of the Kingedome. I know it is their sence. That they desire to bee excused that itt might nott bee thought any arrogancie in them, butt they are clearlie satisfied, that the way they proceede in is just, and desire to bee excus'd if they goe on in itt; and yett notwithstanding will give all satisfaccion. And wheras itt is desir'd that Engagements may bee consider'd, I shall desire that onely the justice of the thinge that is proposed may bee consider'd. Whether the chief thinge in the Agreement, the intent of itt, bee nott this, to secure the Rights of the people in their Parliaments, which was declar'd by this Army in the Declaration of the 14th of June to bee absolutely insisted on? I shall make that motion to bee the thinge consider'd: whether the thinge bee just or the people's due, and then there can bee noe Engagement to binde from itt.

[262]

Com̃. Gen. Ireton.

Truly Sir, by what Lieut. Col. Goffe moved I confesse I was soe taken off from all [other] thoughts in this businesse that I did nott thinke of speaking any thinge more. Butt what this Gentleman hath last said hath renewed the occasion, and indeed if I did thinke [357] all that hee hath deliver'd bee truth and innocence—nay, if I did nott thinke that it hath venome and poyson in itt—I would nott speake itt.

First, I cannott butt speake somethinge unto the two particulars that hee holds forth as dangerous thinges,—indeed hee hath cleerlie yoak't them together, when before I was sensible of those principles and how farre they would run together—that is that principle of nott being obliged, by nott regarding what Engagements men have entred into, if in their future apprehensions the thinges they engaged to are unjust; and that principle on the other hand of nott submitting passively for peace sake to that authority wee have engaged to. For hee does hold forth his opinion in those two points to cleare their way; and I must crave leave on my parte to declare [that] my opinion of that Distinction doth lie on the other way. I am farre from holding, that if a man have engag'd himself to a thinge that is nott just—to a thinge that is evill, that is sin if hee doe itt—that that man is still bound to performe what hee hath promised; I am farre from apprehending that. Butt when wee talke of just, itt is nott soe much of what is sinfull before God, which depends uppon many circumstances of indignation to that man and the like, butt itt intends of that which is just according to the foundation of justice betweene man and man. And for my parte I account that the great foundation of

justice between man and man, and that without which I know nothing of justice betwixt man and man—in particular matters I meane, nothing in particular things that can come under humane Engagement one way or other—there is noe other foundation of right I know of, right to one thinge from another man, noe foundation of [263] that justice or that righteousnesse, butt this generall justice, and this generall ground of righteousnesse, that wee should keepe covenant one with another. Covenants freely made, freely entred into, must bee kept one with another. Take away that I doe nott know what ground there is of any thinge you can call any man’s right. I would very faine know what you Gentlemen or any other doe account the right you have to any thinge in England, any thinge of estate, land, or goods that you have, what ground, what right you have to itt? What right hath any man to any thinge if you lay nott that principle, that wee are to keepe covenant? If you will resort onely to the law of Nature, by the law of Nature you have noe more right to this land or any thinge else then I have. I have as much right to take hold of any thinge that is for my sustenance, [to] take hold of any thinge that I have a desire to for my satisfaction as you. Butt heere comes the foundation of all right that I understand to be betwixt men, as to the enjoying of one thinge or nott enjoying of itt; wee are under a contract, wee are under an agreement, and that agreement is what a man has for matter of land that a man hath received by a traduction from his ancestors, which according to the law does fall uppon him to bee his right. [the agreement is] that that hee shall enjoy, hee shall have the property of, the use of, the disposing of, with submission to that generall auctoritie which is agreed uppon amongst us for the preserving of peace, and for the supporting of this law. This I take to bee [the foundation of all right] for matter of land. For matter of goods, that which does fence mee from that [right] which another man may claime by the law of nature of taking my goods, that which makes itt mine really and civillie is the law. That which makes itt unlawfull originally and radically is onely this: because that man is in covenant with mee to live together in peace one with another, and nott to meddle with that which another is posses’t of, butt that each of us should enjoy, and make use of, and dispose of, that which by the course of law is in his possession, and [another] shall nott by violence take itt away from him. This is [264] the foundation of all the right any man has to any thinge butt to his owne person. This is the generall thinge: that wee must keepe covenant one with another when wee have contracted one with another. And if any difference arise among us itt shall bee thus and thus: that I shall nott goe with violence to prejudice another, butt with submission to this way. And therefore when I heare men speake of laying aside all Engagements to [consider only] that wild or vast notion of what in every man’s conception is just or unjust, I am afraid and doe tremble att the boundlesse and endlesse consequences of itt. [358] What you apply this paper to. You say, “If these thinges in this paper, in this Engagement bee just, then,” say you, “never talke of any Engagement, for if any thinge in that Engagement bee against this, your Engagement was unlawfull; consider singly this paper, whether itt bee just.” In what sence doe you thinke this is just? There is a great deale of equivocation [as to] what is just and unjust.

Mr. Wildman.

I suppose you take away the substance of the question. Our [359] [sense] was, that an unjust Engagement is rather to be broken then kept. The Agents thinke that to delay is to dispose their Enemy into such a capacitie as hee may destroy them. I make a question whether any Engagement can bee to an unjust thinge. [if] a man may promise to doe that which is never soe much unjust, a man may promise to breake all Engagements and duties. Butt [i say] this, wee must lay aside the consideration of Engagements, soe as nott to take in that as one ground of what is just or unjust amongst men in this case. I doe apply this to the case in hand: that itt might bee consider’d whether itt bee unjust to bringe in the Kinge in such a way as hee may bee in a capacity to destroy the people. This paper may bee applied to itt.

Coñ. Generall.

You come to itt more particularly then that paper leads. There is a great deale of equivocation in the point of justice, and that I am bound to declare.

Capt. Awdeley.

Mr. Wildman sayes if wee stay butt three dayes before you satisfie one another, and if wee tarry longe the kinge will come and say who will be hang'd first.

Coñ Gen.

Sir, I was saying this; wee shall much deceive our selves, and bee apt to deceive others if wee doe nott consider that there is two parts of justice. There may bee a thinge just that is negatively [so], itt is nott unjust, nott unlawfull—that which is nott unlawfull, that's just to mee to doe if I bee free. Againe there is another sence of just when wee account such a thinge to bee a duty,—nott onely a thinge lawfull “we [360] may doe itt,” but itt's a duty, “you ought to doe itt,”—and there is a great deale of mistake if you confound these two. If I engage my self to a thinge that was in this sence just, that's a thinge lawfull for mee to doe supposing mee free, then I account my Engagement stands good to this. On the other hand, if I engage my self against a thinge which was a duty for mee to doe, which I was bound to doe; or if I engag'd myself to a thinge which was nott lawfull for mee to doe, which I was bound nott to doe, in this sence I doe account this [engagement] unjust. If I doe engage my self to what was unlawfull for mee to engage to, I thinke I am nott then to make good activelie this Engagement. Butt though this bee true, yett the generall end and equitie of Engagements I must regard, and that is the preserving right betwixt men, the nott doing of wronge or hurt to men, one to another. And therefore if [by] that which I engage to, though the thinge bee unlawfull for mee to doe, another man bee prejudict in case I [266] did not perform it—though itt bee a thinge which was [361] unlawfull for mee to doe, yett [if] I did freelie [engage to do it] and I did [engage] uppon a consideration to mee, and that man did beleive mee, and hee suffer'd a prejudice by beleiving—though I bee nott bound by my Engagement to performe itt, [362] yett I am [bound] to regard that justice that lies in the matter of Engagement, soe as to repaire that man by some just way as farre as I can; and hee that doth nott hold this, I doubt whether hee hath any principle of justice, or doing right to any att all in him. That is [if] hee that did nott thinke itt lawfull hath made another man beleive itt to his prejudice and hurt, and [made] another man bee prejudic't and hurt by that, hee that does nott hold that hee is in this case to repaire [it] to that man, and free him from [the prejudice of] itt, I conceive there is noe justice in him. And therefore I wish wee may take notice of this distinction when wee talke of being bound to make good Engagements or nott. This I thinke I can make good in a larger dispute by reason. If the thinges engaged to were lawfull to bee done, or lawfull for mee to engage to, then [i] by my Engagement am [363] bound to [perform] itt. On the other hand if the thinge were nott lawfull for mee to engage, or [if it were] a duty for mee to have done to the contrary, then I am nott bound positively and actively to performe itt. Nay I am bound nott to performe itt, because itt was unlawfull [and] unjust by another Engagement. Butt when I engage to another man, and hee hath a prejudice by beleiving, I nott performing itt, I am bound to repaire that man as much as may bee, and lett the prejudice fall upon my self and nott uppon any other. This I desire wee may take notice of to avoide falacie on that part. For there is an extremity to say on the one hand, that if a man engage what is nott just hee may act against itt soe as to regard noe relation or prejudice. [267] [there's an extremity] for a man to say on the other hand, that whatsoever you engage, though itt bee never soe unjust, you are to stand to itt. One worde more to the other parte which Mr. Wildeman doth hold out as a dangerous principle acting amongst us,

that wee must bee bound to active obedience to any power acting amongst men.

Wildman.

You repeat not the principle right—“To thinke that wee are bound soe absolutely to personall obedience to any Magistrates or personall auctoritie that if they worke to our destruction wee may nott oppose them.”

[Ireton.]

That wee may nott deceive ourselves againe [by arguments] that are fallacious in that kinde I am a little affected to speake in this, because I see that the abuse and misapplication [364] of those things the Army hath declar'd hath led many men into a great and dangerous error and destructive to all humane society. Because the Army hath declar'd, in those cases where the foundation of all that right and libertie of the people is, if they have any, that in these cases they will insist upon that right, and that they will nott suffer that originall and fundamentall right to bee taken away; and because the Army when there hath bin a command of that supream authority the Parliament have nott obeyed itt, butt stood upon itt to have this fundamentall right settled first, and requir'd a rectification of the supream authority of the Kingedome; for a man therefore to inferre [that] upon any particular, you may dispute that authority by what is commanded what is just or unjust, if in your apprehension nott to obey, and soe farre itt is well, and if itt tend to your losse to oppose itt. [365]

[268]

Mr. Wildman.

If itt tend to my Destruction that was the worde I spoke.

Com̃. Gen.

Lett us take heede that wee doe nott maintaine [that] this principle leads to destruction. If the case were soe visible as those cases the Army speaks of, of a Generall's turning the cannon against the Army, the bulke and body of the Army; or [of] a Pylott that sees a rock [and] does by the advantage of the steering [366] putt the shippe upon't; if you could propose cases as evident as these are, there is noe man butt would agree with you. Butt when men will first putt in those termes of destruction, they will imagine any thinge a destruction, if there could bee any thinge better [for them]; and soe itt is very easy and demonstrable that thinges are soe counted abhorred and destructive, that, att the utmost if a man should make itt out by reason, that man [367] would bee in a better condition if itt bee nott done, then if itt bee done. And though I cannott butt subscribe to, that in such a visible way I may hold the hands of those that are in auctority as I may the hands of a mad-man; butt that noe man shall thinke himself [bound] to acquiesce particularly, and to suffer for quietnesse sake rather then to make a disturbance, or to raise a power if hee can to make a disturbance in the State—I doe apprehend and appeale to all men whether there bee nott more follie or destructiveness in the springe of that principle then there can bee in that other principle of holding passive obedience? Now whatsoever wee have declar'd in the Armie [declarations] itt is noe more butt this. The Parliament hath commanded us [to do] this. Wee have said, noe. First wee have insisted upon [the] fundamentall rights of the people. Wee have said wee desire [first] to have the constitution of the supream authority of this Kingedome reduced to that constitution which is due to the people of this Kingedome, and reducing the auctority to this wee will submitt to itt, wee will [269] acquiesce, wee will cast our share into this common bottome; and if itt goe ill with us att one time, itt will goe well att another. The reducing of the supream authority to that constitution, by successe or election as neere as may bee, wee have insisted upon as an essentiall right of the Kingedome; and noe man can accuse the

Armie of disobedience, or holding forth a principle of disobedience upon any other ground.

Lieut. Generall.

Lett mee speake a worde to this businesse. Wee are now upon that businesse which wee spake of consulting with God about, and therefore I judge it altogether unreasonable [368] for us to dispute the meritt of those thinges, unlesse you will make itt the subject of debate before you consider itt among your selves. The businesse of the Engagement[s] lies upon us. They [369] are free in a double respect; they made none, and if they did, then the way out is now; and [it is a way] which all the members of the Army, except they bee sensible of itt [may take], and, att one jumpe, jumpe out of all [engagements], and itt is a very great jumpe I will assure you. As wee professe wee intend to seeke the Lord in the thinge, the less wee speake in itt [now] the better, and the more wee cast ourselves upon God the better.

I shall onelie speake two thinges to Mr. Wildman in order to our Meeting. Mee thoughte hee said if there bee delay hee feares this businesse will bee determined, the propositions will bee sent from the Parliament, and the Parliament and Kinge agree, and soe those Gentlemen that were in that minde to goe on in their way will bee cutt off in point of time to their owne disadvantage. And the other thinge hee said was, that these Gentlemen who have chosen Mr. Wildman, and that other Gentleman, [370] to bee their [270] mouth att this meeting to deliver their mindes, they are upon the matter engaged in what they have resolved upon, and they come as engaged men upon their owne resolution. If that bee soe, I thinke there neither needes consideration of the former, for you will not bee anticipated. If that bee soe, you [can] worke accordingly. And though you [do] meete us, yett having that resolution you cannot bee prevented in your way by any proposition, or any such thinge; though wee should have come hither, and wee should meete to morrow as a company of men that really would bee guided by God. If any come to us to morrow onely to instruct us and teach us, how farre that will consist with the libertie of a free [371] [debate] or an end of satisfaction I referre to every sober spirited man to thinke of and determine. [372] I thinke itt is such a preengagement that there is noe neede of talke of the thinge. And I see then if that bee soe, things are in such an irrevocable way—I will nott call itt desperate—as there is noe hope of accomodation or union, except wee receive the Councils—I will nott call itt the commands —of them that come to us. I desire that wee may rightly understand this thinge. If this bee soe I doe nott understand what the end of the meeting will bee. If this bee nott soe, wee [373] will [not] draw any man from their Engagements further then the Light of God shall draw them from their Engagements; and I thinke, according to your owne principle, if you bee upon any Engagement you are liable to bee convinc't unlesse you bee infallible. If wee may come to an honest and single debate, how wee may all agree in one common way for publique good; if wee [may] meete soe, wee shall meete with a great deale the more comfort, and hopes of a good and happy issue, and understanding of the businesse. Butt if otherwise, I despaire of the Meeting; or att least I would have the Meeting to bee of another notion, a [271] Meeting that did represent the Agitators of five Regiments to give rules to the Councill of Warre. If itt signifie this, for my owne parte I shall bee glad to submitt to itt under this notion. If itt bee a free debate what may bee fitt for us all to doe, with clearnesse and opennesse before the Lord, lett us understand that wee may come and meete soe and in that sincerity. [374] Otherwise I doe verily believe wee shall meete with prejudice, and we shall meete to prejudice—really to the prejudice of the Kingedome, and of the whole Army—if wee bee thus absolutely resolved upon our way and engaged before hand. The Kingedome will see itt is such a reall actuall division as admitts of noe reconciliation, and all those that are enemies to us and freinds to our enemies will have the clearer advantage upon us to putt us into inconveniency. And I desire if there bee any feare of God among us, I desire that wee may declare ourselves freely, that wee doe meete upon these termes.

Col. Rainborow.



I wish, that the Motion of Lieut. Col Goffe might have taken effect, nott only to the time and place for Meeting [but] as hee desir'd. Butt, Sir, since itt is gone thus farre, and since I heare much of fallacie talk't of, I feare itt as much on the one side as the other. Itt is made a wonder [375] of that some Gentlemen without should have principles to breake Engagements, yett [it is made no wonder of] that some Gentlemen within should soe much insist uppon Engagements. I doe nott consider my self as jumping, butt yett I hope when I leape I shall take soe much of God with mee, and soe much of just and right with mee, as I shall jumpe sure. Butt I am more unsatisfied against [another of] those thinges that have bin said, and that is as to another Engagement. For all that hath bin said hath bin [as to engagements] betweene partie and partie, if two men should make an agreement and the like, and there were noe living one amongst another if those Engagements [272] were nott made [good], yett I thinke under favour that some Engagements may bee broke. Noe man that takes a wife butt there is an Engagement, and I thinke that a man ought to keepe itt, yett if another man that had married her before claimes her, hee ought to lett him have her and soe breake the Engagement. Butt whereas it is told us, this engagement is of another nature, [376] that the partie to whome wee make the Engagement relyed uppon [it], and becomes therby prejudic't, [and so] wee ought to take itt rather uppon ourselves then to leave itt uppon them, —this may serve in a particular case, if any men [377] heere will suffer they may; butt if wee will make our selves a third partie, and engage betweene Kinge and Parliament, [it is not a particular case] and I am of that Gentlemans minde that spoke, the Kinges partie would have bin about our eares if wee had nott made some considerations. Heere is the consideration now. As concerning them, doe wee nott engage for the Parliament and for the liberties of the people of England, and doe wee nott engage against itt? Wee have gott the better of them in the feild, butt they shall bee masters of our Houses. Never was Engagements broken more then wee doe. Wee did take uppe Armes with all that tooke parte with the Parliament and wee engag'd with them. [378] For my parte itt may bee thought that I am against the Kinge; I am against him or any power that would destroy Gods people, and I will never bee destroyed till I cannott helpe my self. Is itt nott an argument, if a [273] pylott run his shipp uppon a rock, or [if] a Generall mount his cannon against his Army, hee is to bee resisted? I thinke that this as cleare the very case as any thinge in the world. For clearly the Kinge and his partie could nott have come in uppon those termes that hee is come[to] in [on], if this very Army did nott engage for him; and I verily thinke that the House had nott made another addresse, if itt had nott bin said that itt was the desire of the Army, and the Army were engaged to itt. Therefore I say I hope men will have charitable opinions of other men. For my parte I thinke I shall never doe any thinge against conscience, and I shall have those hopes of others. That which is deare unto mee is my freedome. Itt is that I would enjoy, and I will enjoy if I can. For my owne parte I hope there is noe such distance betwixt these Gentlemen as is imagin'd, butt they will heare reason that may convince them out of itt. I doe verily beleive they are soe farre from a disunion that they will bee advis'd by this Councill in generall, or by any honest man of this Councill in particular. I have nott the same apprehensions that two or three dayes will undoe us, butt I thinke a very little delay will undoe us; and therefore I should onely desire, (itt may bee because I have spoken some other may answer mee) the lesse wee speake itt may bee the better. And as this Agitator whom [379] I never saw before, said that hee will use his interest, I hope that God will doe somethinge in that for our next Meeting to morrow, that when wee doe meete wee shall have a very happy union.

Buffe-coate.

That hee could breake Engagements in case they [were] proved unjust and that itt might [so] appeare to his conscience. That whatsoever hopes or obligations I should bee bound unto, if afterwards God should reveale himself, I would breake itt speedily, if itt were an 100 a day; and in that sence wee deliver'd our sence.

[274]

Mr. Wildman.

Provided, that what is done tends to destruction, either self destruction or to [the destruction of] my neighbour especially. Unlawfull Engagements [are] Engagements against duty, and an Engagement to any person to bring him in such a way as hee may bee enabled to engage, itt is that which may tend to destruction. [380]

Lieut. Generall.

I thinke clearly you were understood to putt itt uppon an issue where there is clearly a case of destruction, publique destruction, and ruine; and I thinke this will bringe itt into consideration whether or noe our Engagements have really in them that that hath publique destruction and ruine necessarily following? or whether or noe wee may nott give way too much to our owne doubts or feares? and the issue will bee [381] whether itt bee lawfull to breake a covenant uppon our owne doubts and feares? I thinke [best] if wee agree to deferre the debate, to nominate a Committee.

Col. Rainborow.

One worde. I am of another opinion. Nott that the Engagements of the Army are look'tt uppon as destructive, butt the nott-performance of the Engagements of the Army is that which is destructive.

Coñ. Ireton.

I thinke Mr. Wildman's conclusion is, that they are destructive because they are destructive to our neighbours.

Mr. Wildman.

That if an Engagement were such itt does nott binde.

[275]

Coñ. Ireton.

Then if itt were a compliance, or such a Meeting nott for a Law butt for satisfaction, since wheras the only ground which the thinge seemes to mee to bee represented that these Gentlemen thinke that there owne agreement is soe cleare, soe infallibly just and right, that. I doe thinke those Gentlemen have nott soe much ground of confidence to each parte of that agreement as itt lies there, that whatever goes about to take itt from them, or whatever does nott agree to itt, is a thinge unlawfull, butt somethinge may bee seene in that if you come, in the Engagement of itt; and therefore in that relation, and nott your owne principalls that you would admitt of soe much conference as to question itt. [382]

Mr. Lockyer.

I have gather'd from two men's mouthes, that destruction is somethinge neere, and the cause of the destruction as they understand is the going of the proposalls to the Kinge. I thinke itt were very necessary that if itt bee true, as is suppos'd, the proposalls may bee brought hither when they doe goe, that wee may see what they are.

Lieut. Generall.

The Question is whether the propositions will save us, or [whether they will] nott destroy us. This discourse concludes nothing.

Capt. Merriman.

One partie feares, That the Kinge will rise by the proposalls, another that hee will loose.

I thinke that most mens eyes are open to see that they are like to prove a broken reede, and that your charriott wheeles doe move heavily, and that this Engagement which is the ground of most of your discourse. [383] You both desire a succession of Parliaments. The fundamentall businesse of itt is the desire of most of this Council, to have this Parliament that itt might nott be perpetuated and I thinke when.

That this Oedipus riddle is un-open'd, and this Gordian knott untied, and the enemies of the same, and the spiritt of God are the same in both, and the principles of both are the same. You have both promised to free the people, which you may doe by taking off tythes and other Antichristian yoakes upon them, and [to] give contents to the souldiers, and I hope that when you meete together itt will bee for good, and not for evill.

Buffe-Coate.

Wheras this Gentleman that wee have requested to come alonge with us hath declar'd some parte of their resolutions with us, and wee are resolved that wee will have the peace of the Kingedome if wee can, and yett notwithstanding if a furtherance [384] for the manner of procuring of itt is what God shall direct unto us, I would nott have you judge that wee will deny that Light, till that you know what wee will doe. Noe man can judge soe of any man. A man cannott bee called to bee [of] a peremptory will or self willed, and [277] and come resolved nolens volens [till you know what he will do]. Wee desire that better thoughts may bee of us.

Lieut. Chillenden.

I hope that these Gentlemen of the Five Regiments their ends are good, and hope their hearts doe tend to peace; and I shall move this, that they would willingly come to morrow, and joyne with us in our Councils together, and alsoe I shall humbly move, That after wee have sought God in the businesse, that God will make itt out to us, to see wherein wee have failed, and that their being with us, and our vigorous proceeding in itt, and these Gentlemen of the five Regiments they will manifest this by a sweete compliance in communicating Councils.

Lieut. Generall.

That which this Gentleman [385] hath moved I like exceeding well; hee hath fully declar'd himself concerning the freedome of their spiritt as to principles. In generall they aime att peace and safetie, and really I am perswaded in my conscience itt is their aime [to act] as may bee most for the good of the people, for really if that bee nott the supream [aim] [386] of us under God, (the good of the people) our principles fall. Now if that bee in your spiritts and our spiritts, itt remaines onely that God shew us the way, and lead us [in] the way, which I hope hee will. And give mee leave [to add] that there may bee some prejudices upon some of your spiritts, and [uppon] such men that doe affect your way, that they may have some jealousies and apprehensions that wee are wedded and glewed to formes of Governement; soe that whatsoever wee may pretend, itt is in vaine for [you] to speake to us, or to hope for any agreement from us to you. And I beleive some such apprehensions as [that we are engaged to] some parte of the Legislative power of the Kingdome, where itt may rest besides in the Commons of the Kingedome. You will finde that wee are [278] farre from being so particularly engaged to anythinge to the prejudice of this—further then the notorious engagements that the world takes notice of—that wee should nott concurre with you that the

foundation and supremacy is in the people, radically in them, and to bee sett downe by them in their representations. [387] And if wee doe soe [concur, we may also concur] for that that does remayne, how wee may run to that end that wee all aime att, and therefore lett us onely name the Committee.

Lieut. Col. Goffe.

You were pleased to say that somethinge which should bee offer'd by these Gentlemen [388] gave you another occasion of the Meeting, if itt were onely design'd to lie uppon you. I hope that you did nott conceive, that any such ground did lie in my brest. I would speake this worde to the quickening of us to a good hope. I am verily perswaded if God carry us out to meete sincerely, as with free spiritts to open ourselves before the Lord, wee may bee found going on according to his will. I desire such prejudices may bee laid aside.

Mr. Allen.

A Meeting is intended to morrow; butt that wee may fully end, I would humbly offer to you whether these Gentlemen have a power to debate; and if they have nott, that they may have recourse to them that sent them, to see what [powers] they will give [them], that wee may offer our reasons and judgement uppon the thinge, and act [389] uppon that principle uppon which wee act. If wee unite and agree to itt, itt will putt on other thinges. An agreement formally [390] made, wee must bee serious in itt, and to that end that wee [279] may have a full debate in itt. Otherwise itt will bee uselesse and endlesse our meeting.

Lieut. Generall.

That Gentleman sayes hee will doe what hee can to draw all or the most of them hither to bee heard to morrow; and I desire Mr. Wildman, that if they have any freinds that are of a loving spiritt, that would contribute to this businesse of a right understanding [they would come with him]. And I say noe more butt this, I pray God judge betweene you and us when wee doe meete, whether wee come with engaged spiritts to uppehold our owne resolutions and opinions, or whether wee shall lay downe ourselves to bee rul'd [by him] and that which hee shall communicate.

Col. Rainborow.

Hee did tell you hee would improve his interest, which is as full satisfaction to what Mr. Allen sayes as could bee, if they shall come nott to doe, butt I hope they will come to full power, nott to debate. I thinke there needes noe more. [391]

**Lieut. Generall.**

Coñ. Generall.  
Col. Rainborow.  
Sir Hardresse Waller.  
Col. Rich.  
Adj. Generall Deane.  
Col. Scrope.  
Col. Thomlinson.  
Col. Overton.

**Col. Okey.**

Col. Tichborne.  
Mr. Sexby.  
Mr. Allen.  
Mr. Lockyer.  
Mr. Clarke.  
Lt. Generall Hammond.  
Mr. Stenson.  
Mr. Underwood.

To conferre with the Agitators of the five regiments, and such gentlemen as shall come with them about the "Agreement" now brought in, and their own declarations and engagements.

[280]

**Att the Meeting of the officers for calling uppon God, according to the  
appointment of the Generall Councill, after some discourses of  
Commissary Cowling, Major White, and others.** ↵

Capt. Clarke.

Wee have bin heere as wee say seekeing of God, though truly hee is nott farre from every one of us; and wee have said in the presence of God, as out of his presence wee cannott goe, that wee have none in heaven in comparison of him, nor none wee have even in earth in comparison of him. I wish our hearts does nott give us the lie, for truly had that bin a truth, I meane a truth in our carriages, wee should nott have bin soe lost this day. Had wee given eare to the inspiring worde of Christ, and had nott given ourselves to the false prophett within us, certainly God would have kindled that light within us, and [we] should have gone [on] and submitted to his will; and should nott have bin troubled or harassed as wee are with troubles and amazements, butt must have gone with God as hee hath allotted to us. What is the reason that wee finde the light and glory of God eclipsed from our eyes this day? Truly wee may finde this silence within us the cause of every evil sought after; [392] and lett us butt search our owne spiritts with patience, and looke by the light [393] of God within us, and wee shall finde that wee have submitted the spiritt of God unto the candle of reason, whereas reason should have bin subservient unto the spiritt of God. Wee are troubled when our owne reasons tell us, that this is the way, and wee are careless to seeke the way, or that true light Christ in us which is the way. Wee are apt to say, all of us, that if wee seeke that [394] first, the later first, the first [395] will nott bee wanting; butt truly, wee have sought the first last, and therefore the first is wanting, and before this light can take place againe that darkenesse [281] must bee removed. And first within us our lust, that candle of reason, [396] which doth seduce and intice us to wander from God, must bee eaten out of us by the spiritt of God, and when there is noe place for lust, there is place enough for the spiritt of God. If wee shall with resolutions and humility of spiritt nott say, butt doe, as the children of Israell used to doe many times when they were in distresse—many times they cryed unto the Lord—if wee shall doe as wee professe before God this day, that is, lay downe our reason, lay downe our goods, lay downe all wee have att the feete of God and lett God worke his will in us that wee may bee buried with God in our spiritts; I doubt nott butt the appearances of God will bee more glorious, and I doubt nott butt there will bee that contentednesse in spiritt. Wee should desire noe way, butt waite which way God will lead us. I say, wee should chuse noe way, butt if the spiritt of God lead us, wee should bee ready to submitt to the will of God. And therfore I desire, that, since this is in order to another meeting in the afternoone, wee may lay downe all att the feete of God, nott following our owne reasons, butt submitting unto that light which is lightened in us by his spirit.

After this Capt. Carter prayed.

Adj. Gen. Deane.

Motion for a Meeting att this place, the Quartermaster Generall's Quarters, to meete Munday, the Councill day, from 8 till 11, to seeke God, &c.

Lieut. Col. Goffe. [397]

That which I must now desire to expresse to you was partly occasioned by the thoughts that I had the last night, as being indeed kept awake with them a good while; and, hearing somethinge that did concurre with itt from one that spake since wee came together, [282] I feele some weight uppon my spiritt to expresse itt to you. That which was spoken enow [was] concerning the conjunction that is betweene Antichrist, or that mistery of iniquity in

the world carried on by men that call themselves [the] church, that [398] certainly it is with the conjunction of men in places of power or authority in the world, with kings and great men. And truly my thoughts were much upon it this night, and it appears to me very clearly from that which God hath set downe in his worde in the Booke of the Revelations,— which is that worde that wee are bid and commanded to study and to looke into, being the worde which God sent by his Angell to John to declare as thinges shortly to bee done. Now certainly this worke of Antichrist hath bin a worke of great standing, and, as it was well observ'd, it hath bin mixt with the church, and men that call themselves the church, the clergie, mixt with men of auctoritie. It is said in the Revelation, that the kinges of the earth should give uppe their power unto the Beast, and the kinges of the earth have given uppe their power to the Pope. Butt some places that have seem'd to deny the Pope's supremacy, yett they have taken upon them that which hath bin equivalent to that which the Pope himself holds forth. Truly I could bringe it to this present Kingedome wherin wee are. 'Tis true the kinges have bin instruments to cast off the Pope's supremacy, butt wee may see if they have nott putt themselves into the same state. [399] Wee may see it in that title which the kinge hath, "Defender of the Faith," butt more especially in that canonicall prayer which the clergie used, "In all causes, and over all persons as well Ecclesiasticall as Civill [supreme]." Certainly, this is a mystery of iniquity. Now Jesus Christ his worke in the last dayes is to destroy this mystery of iniquity; and because it is so interwoven and intwisted in the interest of States, certainly in that overthrow of the mystery of iniquity by Jesus Christ, there must bee great alterations of states. Now the worde doth hold out in the Revelation, that in this worke of Jesus Christ hee shall have a [283] companie of Saints to follow him, such as are chosen, and called, and faithfull. [400] Now it is a scruple amonge the saints, how farre they should use the sworde, yett God hath made use of them in that worke. Many of them have bin employed these five or six yeares. Yett whatsoever God shall employ us in, I could wish this were laid to heart by us, that, as wee would bee called the chosen and faithfull that will follow Christ wheresoever hee goes, lett us tremble att the thought that wee should bee standing in a direct opposition against Jesus Christ in the worke that hee is about. Lett us nott bee twisted amongst such kinde of compartinges where there shall bee a mystery of iniquity sett uppe by outward power, and that wee should bee the instruments of giving any life or strength to that power. And I wish [we may lay this to heart], and I beleive it may somewhat tend to the worke by the way; because wee are to hold out the will of God for the time to come, and to bee humbled for what wee have done against it. Lett us inquire whether some of the actions that wee have done of late, some of the thinges that wee have propounded of late, doe nott crosse the worke of God in these particulars; because in our proposing thinges wee doe indeavour to sett uppe that power which God would nott sett uppe againe. It hath bin hinted already. I meane in our compliance with that partie which God hath ingaged us to destroy. Wee intended nothing butt civility, butt I wish they were nott in some measure compliances; and if I mistake nott there are ways which God hath laid open to us, wherby wee may lay aside that compliance.

Butt this is nott all that I would speake, because God hath called forth my spiritt to unity. What wee doe according to the will of God will nott tend to division. This I speake concerning compliance may bee thought to reflect upon some particular persons more then other some, soe on the other hand I desire to speake somethinge that may concerne some persons that may stand, or att least may seeme to stand, in direct opposition to us; and truly I wish wee may bee very wary what wee doe, and lett [284] us take heede of rejecting any of the saints of God before God rejects them. If God bee pleased to shew any of his servants that hee hath made use of as great instruments in his hand as those that God hath blest in them, that God hath blest them, and this hath bin the greatest instrument of the ruine of sin and corruption in this Army. Lett us bee wary and consider what wee have to doe in that kinde; and I spake this the rather because I was sensible of some personall reflections that did nott argue the workinges of God [so much] as the workinges of passions in us. Now the

worke of the spiritt is, that wee doe pull downe all workes [not] of the spiritt whatsoever; and therefore I desire that as in the presence of God wee may take heede of all things which may tend to dissunion, and that wee may nott despise those who may have some things in their hands to contribute for the worke of God. And there is another thing: if wee have lost the opportunity of appearing against enemies, lett us take heede, when wee bee sensible of God's displeasure, that wee doe nott run before hee bids us goe a 2<sup>d</sup> time. There is a place which is very remarkable, Numbers xiv., where the spies were sent to the Land of Canaan; and when they came back the hearts of the people were discouraged. God was displeas'd att this, and hee discover'd itt in some such way as hee did this day. Uppon a suddaine there was a partie that would goe uppe, and fight against the Amalekites; and att such a time when God would nott have them goe uppe. "Though you did sin against the Lord in nott going att first," sayes Moses, "yett goe nott now uppe, for the Lord is nott amonge you, that yee bee nott smitten before your enemies." [401] Yett they did goe uppe unto the Hill Toppe, and were discomfited. I thinke wee have sinned in that wee did nott shew our courage and faithfulness to God. Lett us nott now in a kinde of heate run uppe and say, "wee will goe now;" because itt may bee there is a better opportunity that God will give us. And that wee may a little helpe us by our owne experiences, lett us remember how [285] God hath dealt with this Army in our late proceedinges. There was some heavinesse in our proceedinges before the Citty, [402] as was thought by some; and itt was said by many, "Goe uppe, Goe uppe quicklie, and doe our worke." Butt lett us remember that God found a better season for us, then if wee had gone att first. Lett us consider whether this bee the best juncture of time for us to declare, and to throw off some of our freinds, when that they would have itt discover'd whether [403] God goes alonge with us. Lett this bee consider'd, that soe wee may bee humbled on the one hand, and breake off all unlawfull compliance with the enemies of God, soe on the other hand wee may stay, and take the company one of another, or rather the presence of God, [alonge with us]. And soe for the worke of the day, I wish there may bee a day of union amongst us; for itt may bee itt is the will of God that wee should waite uppon him therin to see what will bee the issue of a businesse that is now transacted; and if wee can trust God in this strait wee shall see him straight before us, if wee can bee of one minde. I wish this may bee consider'd, and if there be anythinge of God in itt, itt may be received.

Mr. Everard. [404]

This honourable Councill hath given mee great encouragement. Though I have many impediments in my speach, yett I thanke you that you will heare mee speake. I engaged myself yesterday to bringe the men to have a debatac, and for that purpose I have prosecuted these my promises, and I have bin with them as many as I can finde; butt the most of them are dispersed, soe that I lost that opportunity which I would have enjoyed; butt neverthesse I hope you will take itt kindlie, that those that were there are [286] come hither, and those two freinds that were with mee yesterday. Our ends are that wee desire yett once more a compliance in those things that wee propounded to you, butt if itt shall please God to open our eyes that wee can see itt, wee shall comply with you. For our desires are nothing butt (according to our first Declaration.) [405] to follow our worke to deliver the Kingedome from that burthen that lies uppon us. For my parte I am butt a poore man, and unacquainted with the affaires of the Kingedome, yett this message God hath sent mee to you, that there is great expectation of suddaine destruction; and I would bee loath to fill uppe that with words. Wee desire your joync't consent to seeke out some speedy way for the releif of the Kingedome.

Lieut. Generall,

I thinke itt would nott bee amisse that those Gentlemen that are come would draw nigher.

I must offer this to your consideration, whether or noe wee, having sett aparte this morning to seeke God, and to gett such a preparednesse of heart and spiritt as might receive that, that God was minded to have imparted to us, and this having taken uppe all our time, all this day, and itt having bin soe late this last night as indeed itt was when wee brake uppe, and wee having appointed a committee to meete together to consider of that paper, and this Committee having had noe time or opportunity that I know of, nott soe much as a meeting, I make some scruple or doubt whether or noe itt is nott better,—[i know] that danger is imagined [near at hand], and indeed I thinke itt is,—butt bee the danger what itt will, our agreement in the businesse is much more [pressing] then the pressing of any danger, soe by that wee doe nott delay too.—That which I have to offer [is], whether or noe wee are [as] fitt to take uppe such a consideracion of these papers now as wee might bee to-morrow. Perhaps if these Gentlemen, which are butt few, and that Committee should meete together, and spend their time [287] together an houre or two the remainder of this afternoone, and all this company might meete about 9 or 10 a clock att furthest, and they [might] understand one another soe well, as wee might bee prepared for the generall meeting to have a more exact and particular consideracion of thinges then [we can have] by a generall loose debate of thinges, which our Committee or att least many [406] of us have [not] had any, or att least nott many thoughts about.

Col. Rainborow,

Sir. I am sorry that the ill disposition of my body caused mee to goe to London last night, and [hindered me] from coming soe soone this morning as to bee with you in the duty you were about. Butt I hope that which hath bin said att this time, which I hope is a truth and sent from God, will soe worke uppon mee that I shall indeavour att least to carry my self soe that I may use all that interest I have to a right and quick understanding betweene us. And truly, Sir, to that present motion that hath bin made I confesse I have nothing against itt, butt onely the danger that lies uppon us; which truly (if wee may have leave to differ one from another) may in a moment overcome [us]. I hope wee shall all take one worde that was spoken to us by Lieut. Col. Goffe, and I thinke that nothing will conduce soe much [to union as] that wee may have noe personall reflections. I thinke itt would have bin well if the Committee had mett, butt since all this company, or the greatest parte of them that have bin heere, have joyn'd in that duty which was on the former parte of the morning, I thinke there is nott much inconveniency that they may spend the other parte of the day with us. [that] if wee were satisfied ourselves uppon debate, and there should bee one partie, or one sort of men that are of a contrary judgement present, or others that should come over to us, itt would heerafter cost some time to know the reasons of their coming over. Therefore I thinke itt an advantage that it should [288] bee as publique, and as many as may bee present att itt. The debating this thus publicquely may bee an advantage unto us, and if wee finde at [407] after the multitude of people that are heere (that have bin spoken to) if wee finde that inconvenient, I doe nott doubt butt the Committee, when this company breakes uppe, may have two houres time together. Therefore I should desire, that since the Gentlemen and you are mett together to such an end and purpose, that you will follow to that end.

Mr. Everard.

That itt is not [fit] as I conceive to dispute any thing touching particulars, for all as I conceive doe seeke the kingedome's good. Lett us goe about the work, noe question butt we shall goe together. Butt if wee stand disputing the worke, much business will be. I desire this honourable Councill will pardon mee to make out some speedy way for the easing of us. I beseech you that you will let us now consider uppon that. I believe wee shall jumpe all in one with itt. If wee doe nott fall upon some extraordinary wayes between—Some lawes with us that will prick us to the heart, wee must winke att them, nott that I desire that wee should seeke to ruinate any wholesome lawes, butt such as will nott stand with the wholesome peace



of the Kingedome. [408]

Capt. Awdeley.

I shall desire to second that Gentleman's motion. That while wee debate wee doe nothing. I am confident that whilst you are doing you will all agree together, for itt is idlenesse that hath begott this rust, and this gangreene amongst us.

Lieut. Generall.

I thinke itt is true. Lett us bee doing, butt lett us bee united [289] in our doing. If there remayne nothing else butt present action, [409] I thinke wee neede nott bee in Councill heere. Butt if wee doe nott rightly and clearly understand one another before wee come to act, if wee doe nott lay a foundation of action before wee doe act, I doubt whether wee shall act unanimously or noe. And seriously, as before the Lord, I knew noe such end of our speech the last night, and appointing another Meeting, butt in order to a more perfect understanding of one another, what wee should doe, and that wee might bee agreed uppon some principalls of action. And truly if I remember rightly, uppon the delivery of the paper that was yesterday, this was offer'd, that the thinges [that] are now uppon us are thinges of difficulty, the thinges are therfore thinges that doe deserve consideration, because there might bee great weight in the consequences; and itt was then offer'd, and I hope is still soe in all our hearts, that wee are nott troubled with the consideration of the difficulty, nor with the consideration of any thinge butt this; that if wee doe difficult thinges wee may see that the thinges wee doe have the will of God in them, that they are nott onely plausible and good thinges but seasonable and honest thinges fitt for us to doe. And therfore itt was desir'd that wee might consider, before wee could come to these papers, in what condition wee stood in respect of former Engagements, however some may bee satisfied that there lie none uppon us, or none butt such as itt's duty to breake, itt's sin to keepe. Therefore that was yesterday premised [that] there may bee a consideration had of them—and I may speake itt as in the presence of God that I know nothing of any Engagements, butt I would see liberty in any man as I would bee free from bondage to any thinge that should hinder mee from doing my duty—and therfore that was first in consideration. If our obligation bee nothing, or if itt bee weake, I hope itt will receive satisfaction why itt should bee laid aside, that the thinges that wee speake of are nott obliged. And therfore if itt [290] please you I thinke itt will bee good for us to frame our discourse to what wee were, where wee are, what wee are bound to, what wee are free to; and then I make noe question, butt that this may conclude what is betweene these Gentlemen in one afternoone. I doe nott speake this to make obligations more then what they were before; butt as before the Lord. You see what they are, [410] and when wee looke uppon them wee shall see if [411] we have bin in a wronge way, and I hope itt will call uppon us for the more double diligence.

Col. Rainborow.

I shall desire a word or two before that. I did exceedingly mistake myself the last night that uppon what wee say now was determined. [412] I look't uppon the Committee as a Committee to looke over this paper, to see whether itt were a paper that did hold forth justice and righteousnesse, whether itt were a paper that honest men could close with. Butt truly I am of opinion that if wee should spend ten dayes time in going over that Booke, and debate what Engagements wee have broke, or whether wee have broke any or noe, or whether we have kept our Engagements, itt would nott come to the businesse, neither would itt prevent that evill that I thinke will overtake us before wee fall into the right way, [413] unlesse God in abundant manner prevent;—and I could give you reasons for itt which this day I have from very good hands, and which I think is not prudent to declare soe publicly as this is.—Lett us goe the quickest way to worke; and truly, Sir, I have thought that the wounds of the

Kingedome, and the difficulties that wee are falne into, and our cure is become soe great that wee would bee willing all of us to heale the sore, and [not] to skin itt over butt leave itt unwholesome and corrupt att the bottome. [291] Therefore for my parte I doe conclude in my spiritt, for my owne parte I [did] say this yesterday uppon another occasion, I will nott say positively that wee are to take the course prescribed in that paper att present, butt if wee doe nott sett uppon the worke—Since in order to that there is a thinge call'd an Agreement which the people have subscribed, and being that is ready to our hands, I desire that you would reade itt and debate itt, whether itt bee a way to deliver us yett or noe; and if itt bee.... [that you would accept it], and if nott that you would thinke of some other way.

Lieut. Generall.

I shall butt offer this to you. Truly I hope that wee may speake our hearts free lie heere; and I hope that there is nott such an evill amongst us as that wee could or would exercise our witts, or our cunning to vaile over any doublenesse of heart that may possibly bee in us. I hope, having bin in such a presence as wee have bin this day, wee doe nott admitt of such a thought as this into our hearts. And therefore if the speaking of that wee did speake before, and to which I shall speake againe, with submission to all that heare mee — if the declining to consider this paper may have with any man a working [414] uppon his spiritt through any jealousie that itt aimes att delay; truly I can speake itt as before the Lord itt is nott att all in my heart, butt sincerely this is the ground of itt. I know this paper doth contayne many good thinges in itt, butt this is the onely thinge that doth stick with mee, the desiring to know my freedome to this thinge. Though this doth suggest that that may bee the bottome of all our evills—and I will nott say against itt because I doe nott thinke against itt—though this doth suggest the bottome of all our evills, yett for all of us to see our selves free to this [so] as wee may unanimously joyne uppon this, either to agree to this, or to adde more to itt, [or] to alter [it] as wee shall agree, this impediment lies in our [292] way, [even] if every man bee satisfied with itt butt my self. That this is the first thinge that is to bee consider'd, that wee should consider in what condition wee stand to our former obligations, that if wee bee cleare wee may goe off cleare, if nott wee may nott goe on. If I bee nott come off [clear] with what obligations are made, if I bee nott free to act to whatsoever you shall agree uppon, I thinke this is my duty: that I should nott in the least study either to retard your worke or hinder itt, or to act against itt, butt wish you as much successe as if I were free to act with you. I desire wee may view over our obligations and Engagements, that soe wee may bee free [to act together] uppon honest and cleare grounds, if this bee [possible].

My desire — (Col. Rainborow offering to speake.)

Lieut. Gen.

I have butt one worde to prevent you in, and that is for imminent danger. Itt may bee possibly soe [imminent] that [it] may nott admitt of an houres debate, nor nothing of delay. If that bee soe, I thinke that's above all law and rule to us.

Col. Rainborow.

I would offer one worde, for I thinke this will bringe us to noe issue att all. Both yesterday and to-day, and divers times, wee have had cautions given us to have care of divisions. I doe speake itt to avoide devison; that wee may nott att this time consider the Engagements. If you, or any other Gentlemen, are of opinion that you have nott broke them, and then some others are of opinion that you have broke them, wee may fall into contests which may occasion devison. Butt if you reade this, and finde it not against the Engagement, that will bee the worke. If it be nott against the Engagement, you will finde that in itt which you will finde from your Engagements, and I have somethinge to say to the particulars in itt.

[293]

Coñ: Cowling.

I shall onely offer this, the necessity of expedition if the people shall consider the necessities that they and we are in. Wee live now uppon free-quarter, and wee have that against our wills. [415] Those that know what belongs to Armies well know, none are to quarter souldiers, butt those that are within soe many miles; and if soe bee too that the owner of the house should refuse to open his doores wee are prevented to pay our quarters by those that might have supplied us. I have seene this paper, and uppon second reading of itt I sett my hand to itt, that wee may nott lie as drones to devoure their families. I am ready where I am called by my superiours. If nott, the Lord bee mercifull to mee.

Major White. [416]

I should offer one worde to this Councill: I thinke itt is in all our mindes to deliver the Kingdome; if there bee particular engagements wee must lay them downe to lay downe publique good.

Lieut. Generall.

I desire to know what the Gentleman meanes concerning particular Engagements; if hee meanes those that are in this Booke? If those that are in this booke [they are the engagements of the army]. Butt if hee meanes Engagements personall from particular persons, lett every man speake for himselfe. I speake for myself, I disavowe all, and I am free to act, free from any such —

Major White.

I conceive that [if] they bee such as are past by the Representative [417] of the Army, I thinke the Army is bound in conscience to goe on with them.

[294]

Col. Hewson.

All the Engagements that have bin declar'd for have bin by the Representative of the Army, and whether or noe that hath nott bin the cause of this cloude that hanges over our heads. I thinke if wee lay our hands over our hearts wee may nott much mistake itt.

Mr. Pettus.

According to your Honours desires yesterday, I am come in heere to give in my reasons why I doe approve of this paper, this Agreement, [and] to receive reasons why itt should nott bee agreed to. For the particular Engagements of the Army I am ignorant of them, butt, if itt please this Councill to lett this bee read, that either the matter or manner of itt may bee debated; and when any of the matter shall come to touch uppon any Engagement so as to breake any Engagement, that then the Engagement may bee showne; and if that Engagement shall prove just, and this unjust, this must bee rejected, or if this just, and these Engagements unjust [then they must be rejected]. I desire all those that are free from itt in their spiritts may act farther; and those that thinke themselves bound uppe soe [418] to acquiesce in itt, as that they would bee pleased to rest satisfied in the actions of other men that are att libertie to act for the peace and freedome of the Kingedome.

Coñ. Generall.

Truly I would, if I did know of any personall, particular Engagements, if I were personally or particularly engaged myself, which I professe, as in the presence of God, I know nott for myself. [419] I myself am nott under any Engagement in relation to that businesse that the great Question lies upon—I neede nott name itt—more then what all men know that have seene and read, and in the Armie [295] consented to, those thinges that were published. Butt if I were under any particular Engagement, itt should nott att all stand in any other man’s way. If I were under [any particular engagement] I say, that I could bee convinc’t of was ill and unlawfull for mee to enter into, my Engagement should nott stand in any other man’s way that would doe any thinge that I could bee convinc’t of to bee better. And till God hath brought us all to that temper of spiritt that wee can bee contented to bee nothing in our reputations, [in our] esteemes, in our power—truly I may goe a little higher and say, till the reputation and honour of the Army and such thinges become nothing to us, nott soe as to [let] the consideration of them, to stand att all in the way to hinder us from what wee see God calling us to, or to prompt us on to what wee have nott a cleare call from him—we are nott brought to that temper wherin I can expect any renewing of that presence of God that wee have sought. Therefore for my parte I professe first, I desire noe [particular] Engagements [may be considered]. If there were particular Engagements of any particular man whatsoever, as to the leading of the Army one way or other, I desire they may nott bee consider’d; butt lett that man looke to himself for what justice lies upon him, and what justice will follow him. Neither doe I care for the Engagements of the Army soe much for the Engagements [420] sake, butt I looke upon this Army as having carried with itt hitherto the name of God, and having carried with it hitherto the interest of the people of God, and the interest which is God’s interest, the honour of his name, the good, and freedome, and safetie, and happinesse of his people. And for my parte I thinke that itt is that that is the onely thinge for which God hath appeared with us, and led us, and gone before us, and honoured us, and taken delight to worke by us. I say, that very thinge, that wee have carried the name of God, and I hope nott in shew butt in reallity, professing to act, and to worke, as wee have thought in our judgements and consciences, [with] God to lead us; [296] professing to act to those ends that wee have thought to bee answerable and suitable to the minde of God, soe farre as itt hath bin knowne to us. Wee have professed to indeavour to follow the counsell of God, and to have him President in our Councils; and I hope itt hath bin soe in our hearts. That wee have bin ready to follow his guidance; and I know itt hath bin soe in many thinges against our owne reasons, where wee have seene evidently God calling us. That wee have bin carried on with a confidence in him, wee have made him our trust, and wee have held forth his name, and wee have owned his hand towards us. These are the thinges I say which God hath in some degree and measure wrought his people in this Army uppe to, in some degree of sincerity; and this itt is, as I said before, that I account hath bin [the cause] that God hath taken delight in, amongst us, to dwell with us, to bee with us, and to appeare with us, and will manifest his presence to us. And therefore by this meanes, and by that appearance of God amongst us, the name and honour of God, the name and reputation of the people of God, and of that Gospell that they professe, is deeply, and dearly, and nearly concern’d in the good or ill manage of this Army, in their good or ill carriage; and therefore for my parte I professe itt, that’s the onely thinge to mee. [it is] nott to mee soe much as the vainest, or lightest thinge you can imagine, whether there bee a kinge in England, or noe, whether there bee Lords in England or noe. For whatever I finde the worke of God tending to I should desire quietly to submitt to. If God saw itt good to destroy, nott only Kinge and Lords, butt all distinctions of degrees—nay if itt goe further, to destroy all property, that there’s noe such thinge left, that there bee nothing att all of Civill Constitution left in the Kingedome—if I see the hand of God in itt I hope I shall with quietnesse acquiesce, and submitt to itt, and nott resist itt. Butt still I thinke that God certainly will soe leade those that are his, and I hope too hee will soe lead this Army that they may nott incurre sin, or bring scandall upon the name of God, and the [297] name of the people of God that are both soe neerly concern’d in what this Army does. And

therefore itt is my wish, uppon those grounds that I before declar'd which made the consideration of this Army deare and tender to mee, [421] that wee may take heede, [that] wee consider first Engagements, soe farre as they are Engagements publicquely of the Army. I doe nott speake of particular [engagements] I would nott have them consider'd, if there bee any. And secondly I would have us consider of this: that our wayes and workinges and actinges, and the actings of the Army, soe farre as the Councils of those prevaile in itt who have anythinge of the spiritt of Jesus Christ may appeare suitable to that spiritt. And as I would not have this Army in relation to those great concernements (as I said before) the honour of God, and the honour and good name of his people and of religion, as I would nott have itt to incurre the scandall of neglecting Engagements, and laying aside all consideration of Engagements, and of jugling, and deceiving, and deluding the world, making them beleive thinges in times of extreamity which they never meant, soe I would nott have us to give the world occasion to thinke that wee are the disturbers of the peace of mankinde. I say, I would nott give them just occasion to thinke soe; nay I would have them have just cause to thinke that wee seeke peace with all men, and wee seeke the good of all men, and wee seeke the destruction of none that wee can say; and in generall I would wish and study, and that my hearte is bent to, that the Councils of this Army may appeare acted by that wisdom that is from above, which wee know how itt is charact'd. Itt is first pure, and then peaceable, and then gentle, and easie to bee intreated, and wee finde many characters of the same wisdom, and other fruites of the same spiritt that all still run clearlie that way. Therefore I say, I wish that wee may have noe otherwise a consideration of Engagements or any thinge of that nature. That which makes mee presse itt is cheiflie, that consideracion of the concernement of the honour of [298] God and his people in the Army; and as I prize them soe I press [422] that in all things whatsoever, though wee were free and had noe Engagements, we doe act as Christians, as men guided by the spiritt of God, as men having that wisdom [that is] from above, and [is] soe characteriz'd.

To the method of our proceeding. Having exprest what I desire may bee all our cares, I cannott but thinke that this will bee clearest, because I see it is soe much prest and insisted uppon: nott [to go] [423] to read what our Engagements are, butt [to] read the paper that is presented heere, and consider uppon it, what good, and what matter of justice and righteousnesse there is in itt, and whether there bee anythinge of injustice or unrighteousnesse, either in itt self, or in reference to our Engagements. Soe farre I thinke our Engagements ought to bee taken into consideration: that soe farre as wee are engaged to a thinge that was nott unlawfull to engage to, and I should bee sad to thinke them soe, wee should thinke ourselves bound nott to act contrary to those Engagements. And that wee may consider of the particulars of this paper, first, whether they bee good and just, that is, nott ill, nott unjust; and then further to consider whether they bee soe essentially due and right as that they should bee contended for, for then that is some kinde of checke to lesse Engagements; and for such thinges, if wee finde any, light Engagements [may] bee cast off and nott consider'd. [424] Butt if wee finde any matter in them that, though itt bee just, though itt bee good, is nott probable to bee soe beneficiall and advantageous, nott to few, butt to many, that withall wee may consider whether itt bee soe much a duty, and wee bee soe much bound to itt by the thinge itt self as that noe Engagement can take us from itt. And [425] if wee finde any thinges that, if they bee just or good, [are] yett nott soe obligatorie or of [such] necessity to the Kingedome, [but that] the Kingedome may stand without them, then I thinke itt being [so] nott absolutely lawfull to act for them.

[299]

Major Rainborow.

I desire wee may come to that end wee all strive after. I humbly desire you will fall upon that which is the Engagement of all, which is the rights and freedoms of the people, and lett us see how farre wee have made sure to them a right and freedom, and if any thinge bee tendred as to that. And when that Engagement is gone through then lett us consider of those that are of greater weight.

### **The Paper called the Agreement read.** [↩](#)

Afterwards the first Article read by itt self. [\[426\]](#)

Commissary Ireton.

The exception that lies in itt is this. Itt is said: “The people of England” etc..... they are to bee distributed “according to the number of the inhabitants;” and this doth make mee thinke that the meaning is, that every man that is an inhabitant is to bee equally consider’d, and to have an equall voice in the election of [\[300\]](#) the representors, those persons that are for the Generall Representative; and if that bee the meaning then I have somethinge to say against itt. But if itt bee onely that those people, that by the Civill Constitution of this kingedome, which is originall and fundamentall, and beyond which I am sure noe memory of record does goe—(Nott before the Conquest). [\[427\]](#) Butt before the Conquest itt was soe. Iff itt bee intended, that those that by that Constitution that was before the Conquest, that hath bin beyond memory, such persons that have bin before [by] that Constitution [the electors], should be [still] the electors, I have noe more to say against itt.

Col. Rainborow.

Moved, That others might have given their hands to itt.

Capt. Denne.

Denied, That those that were sett of their Regiment that they were their hands.

Commissary Ireton.

Whether those men whose hands are to itt, or those that brought itt, doe know soe much of the matter, as [to know whether] they meane that all that had a former right of election [are to be electors], or [whether] those that had noe right before are to come in?

Commissary Cowling.

In the time before the Conquest, and since the Conquest, the greatest parte of the Kingedome was in vassalage.

Mr. Pettus.

Wee judge that all inhabitants that have nott lost their birthright should have an equall voice in Elections.

Col. Rainborow.

I desir’d that those that had engaged in itt [should speak] for [\[301\]](#) really I thinke that the poorest hee that is in England hath a life to live as the greatest hee; and therefore truly, Sir, I thinke itt’s cleare, that every man that is to live under a Governement ought first by his owne consent to putt himself under that Governement; and I doe thinke that the poorest man in England is nott att all bound in a stricte sence to that Governement that hee hath not had a voice to putt himself under; and I am confident that when I have heard the reasons against itt, somethinge will bee said to answer those reasons, insoemuch that I should doubt whether he [\[428\]](#) was an Englishman or noe that should doubt of these thinges.

That's [the meaning of] this ["according to the number of the inhabitants."]

Give mee leave to tell you, that if you make this the rule I thinke you must flie for refuge to an absolute naturall Right, and you must deny all Civill Right; and I am sure itt will come to that in the consequence. This I perceive is prest as that which is soe essentiall and due,—the right of the people of this Kingedome, and as they are the people of this Kingedome, distinct and devided from other people,—as that wee must for this right lay aside all other considerations; this is soe just, this is soe due, this is soe right to them. And that those that they doe thus chuse must have such a power of binding all, and loosing all, according to those limitations; this is prest, as soe due, and soe just as [it] is argued, that itt is an Engagement paramount [to] all others: and you must for itt lay aside all others; if you have engaged any others you must breake itt. [we must] soe looke uppon these as thus held out to us; soe itt was held out by the Gentleman that brought itt yesterday. For my parte I thinke itt is noe right att all. I thinke that noe person hath a right to an interest or share in the disposing or determining of the affaires of the Kingedome, and in chusing those that shall determine what lawes wee shall bee rul'd [302] by heere, noe person hath a right to this, that hath nott a permanent fixed interest in this Kingedome; and those persons together are properly the Represented of this Kingedome, and consequentlie are to make uppe the Representors of this Kingedome, who taken together doe comprehend whatsoever is of reall or permanent interest in the Kingedome. And I am sure I cannott tell what otherwise any man can say why a forraigner coming in amongst us—or as many as will coming in amongst us, or by force or otherwise setting themselves heere, or att least by our permission having a being heere—why they should nott as well lay claime to itt as any other. Wee talke of birthright. Truly [by] birthright there is thus much claime. Men may justly have by birthright, by their very being borne in England, that wee should nott seclude them out of England, that wee should nott refuse to give them aire, and place, and ground, and the freedome of the high wayes and other thinges, to live amongst us; nott [to] any man that is borne heere, though by his birth there come nothing att all to him that is parte of the permanent interest of this Kingedome. That I thinke is due to a man by birth. Butt that by a man's being borne heere hee shall have a share in that power that shall dispose of the lands heere, and of all thinges heere, I doe nott thinke itt a sufficient ground. I am sure if wee looke uppon that which is the utmost within man's view of what was originally the constitution of this Kingedome, [if wee] looke uppon that which is most radicall and fundamentall, and which if you take away there is noe man hath any land, any goods, [or] any civill interest, that is this: that those that chuse the Representors for the making of Lawes by which this State and Kingedome are to bee govern'd, are the persons who taken together doe comprehend the locall interest of this Kingedome; that is, the persons in whome all land lies, and those in Corporations in whome all trading lies. This is the most fundamentall Constitution of this Kingedome, which if you doe nott allow you allow none att all. This Constitution hath limitted and determined itt that onely those shall have voices in [303] Elections. Itt is true as was said by a Gentleman [429] neere mee, the meanest man in England ought to have [a voice in the election of the government he lives under].... I say this, that those that have the the meanest locall interest, that man that hath butt fourty shillinges a yeare, hee hath as great voice in the Election of a Knight for the shire as hee that hath ten thousand a yeare or more, if hee had never soe much; and therefore there is that regard had to itt. Butt this still the Constitution of this Government hath had an eye to — and what other Governement hath nott an eye to this? Itt doth nott relate to the interest of the Kingedome, if itt doe nott lay the foundation of the power that's given to the Representors in those who have a permanent and a locall interest in the Kingedome, and who taken altogether doe comprehend the whole [interest of this kingdom]. If wee shall goe to take away this fundamentall parte of the civill constitution wee shall plainly goe to take away all property and interest that any man hath, either in land by

inheritance, or in estate by possession, or any thinge else. There is all the reason and justice that can bee if I will come to live in a Kingedome being a forraigner to itt, or live in a Kingedome having noe permanent interest in itt—if I will desire as a stranger, or claime as one freeborne heere, the ayre, the free passage of highwayes, the protection of lawes and all such things, if I will either desire them, or claime them, I (if I have noe permanent interest in that Kingdome), must submitt to those lawes and those rules which those shall choose who taken together doe comprehend the whole interest of the Kingedome. [430]

Col. Rainborow,

Truly, Sir, I am of the same opinion I was; and am resolved to keepe itt till I know reason why I should nott. I confesse my memory is bad, and therfore I am faine to make use of my penne. [304] I remember that in a former speech [431] this Gentleman brought before this, hee was saying, that in some cases hee should nott value whether [there were] a Kinge or noe Kinge, whether Lords or noe Lords, whether a property or noe property. For my parte I differ in that. I doe very much care whether [there be] a Kinge or noe Kinge, Lords or noe Lords, property or noe property; and I thinke iff wee doe nott all take care wee shall all have none of these very shortly. Butt as to this present businesse. I doe heare nothing att all that can convince mee, why any man that is borne in England ought nott to have his voice in Election of Burgesses. Itt is said, that if a man have nott a permanent interest, hee can have noe claime, and wee must bee noe freer then the lawes will lett us to bee, and that there is noe Chronicle will lett us bee freer then that wee enjoy. Something was said to this yesterday. I doe thinke that the maine cause why Almighty God gave men reason, itt was, that they should make use of that reason, and that they should improve itt for that end and purpose that God gave itt them. [432] And truly, I thinke that halfe a loafe is better then none if a man bee an hungry, yett I thinke there is nothing that God hath given a man that any else can take from him. Therfore I say, that either itt must bee the law of God or the law of man that must prohibite the meanest man in the Kingdome to have this benefitt [433] as well as the greatest. I doe nott finde any thinge in the law of God, that a Lord shall chuse 20 Burgesses, and a Gentleman butt two, or a poore man shall chuse none. I finde noe such thinge in the law of nature, nor in the law of nations. Butt I doe finde, that all Englishmen must bee subject to English lawes, and I doe verily beleive, that there is noe man butt will say, that the foundation of all law lies in the people, and if [it [305] lie] in the people, I am to seeke for this exemption. And truly I have thought somethinge [else], in what a miserable distressed condition would many a man that hath fought for the Parliament in this quarrell bee? I will bee bound to say, that many a man whose zeale and affection to God and this Kingedome hath carried him forth in this cause hath soe spent his estate that in the way the State, the Army are going hee shall nott hold uppe his head; and when his estate is lost, and nott worth 40s. a yeare, a man shall nott have any interest; [434] and there are many other wayes by which estates men have doe fall to decay, if that bee the rule which God in his providence does use. A man when hee hath an estate hath an interest in making lawes, when hee hath none, hee hath noe power in itt. Soe that a man cannott loose that which hee hath for the maintenance of his family, butt hee must loose that which God and nature hath given him. Therfore I doe [think] and am still of the same opinion; that every man born in England cannot, ought nott, neither by the law of God nor the law of nature, to bee exempted from the choice of those who are to make lawes, for him to live under, and for him, for ought I know, to loose his life under. Therfore I thinke there can bee noe great sticke in this.

Truly I thinke that there is nott this day raining in England a greater fruite or effect of Tyranny then this very thinge would produce. Truly I know nothing free butt onely the Knight of the shire, nor doe I know any thinge in a Parliamentary way that is cleare from the heighth and fulnesse of Tyranny, but onlie [that]. As for this of Corporations itt is as contrary to freedome as may bee. For, Sir, what is itt? The Kinge hee grants a patent under the Broad-



seale of England to such a Corporation to send Burgesses, hee grants to [such] a Citty to send Burgesses. [435] When a poore, base, Corporation from the Kinge[’s grant] shall send two Burgesses, when 500 men of estate shall nott send one, when those [306] that are to make their lawes are called by the Kinge, or cannott act [but] by such a call, truly I thinke that the people of England have little freedome.

Commissary Gen. Ireton.

I thinke there was nothing that I said to give you occasion to thinke that I did contend for this, that such a Corporation [as that] should have the electing of a man to the Parliament. I think I agreed to this matter, that all should bee equallie distributed. Butt the question is, whether itt should bee distributed to all persons, or whether the same persons that are the electors [now] should bee the Electors still, and itt [be] equallie distributed amongst them. [436] I doe nott see any body else that makes this objection; and if noe body else bee sensible of itt I shall soone have done. Onely I shall a little crave your leave to represent the consequences of itt, and cleare my self from one thinge that was misrepresented by the Gentleman that satt next mee. I thinke if the Gentleman remember himself hee cannott butt remember, that what I said was to this effect: [437] that if I saw the hand of God leading soe farre as to destroy Kinge, and destroy Lords, and destroy property, and [leave] noe such thinge att all amongst us, I should acquiese in itt; and soe I did nott care, if noe Kinge, noe Lords, or noe property, in comparison of the tender care that I have of the honour of God, and of the people of God, whose [good] name is soe much concern’d in this Army. This I did deliver [so] and nott absolutely.

All the maine thinge that I speake for is because I would have an eye to propertie. I hope wee doe nott come to contend for victorie, butt lett every man consider with himself that hee doe nott goe that way to take away all propertie. For heere is the case of the most fundamentall parte of the Constitution of the Kingdome, which if you take away, you take away all by that. Heere are men of this and this qualitie are determined to bee the [307] Electors of men to the Parliament, and they are all those who have any permanent interest in the Kingdome, and who taken together doe comprehend the whole interest of the Kingdome. I meane by permanent, locall, that is nott any where else. As for instance; hee that hath a freehold, and that freehold cannott bee removed out of the Kingdome; and soe there’s a [freeman of a] Corporation, a place which hath the priviledge of a markt and trading, which if you should allow to all places equallie, I doe nott see how you could preserve any peace in the Kingdome, and that is the reason why in the Constitution wee have but some few markt townes. Now those people [that have freeholds] and those that are the freemen of Corporations, were look’t upon by the former Constitution to comprehend the permanent interest of the Kingdom. For [firstly] hee that hath his livelihood by his trade, and by his freedome of trading in such a Corporation which hee cannott exercise in another, hee is tied to that place, his livelihood depends uppon itt. And secondly, that man hath an interest, hath a permanent interest there, uppon which hee may live, and live a freeman without dependance. These Constitutions this Kingdome hath look’t att. Now I wish wee may all consider of what right you will challenge, that all the people should have right to Elections. Is itt by the right of nature? If you will hold forth that as your ground, then I thinke you must deny all property too, and this is my reason. For thus: by that same right of nature, whatever itt bee that you pretend, by which you can say, “one man [438] hath an equall right with another to the chusing of him that shall governe him”—by the same right of nature, hee hath an equal [439] right in any goods hee sees: meate, drinke, cloathes, to take and use them for his sustenance. Hee hath a freedome to the land, [to take] the ground, to exercise itt, till itt; hee hath the [same] freedome to any thinge that any one doth account himself to have any propriety in. Why now I say then, if you, against [308] this most fundamentall parte of [the] civill Constitution (which I have now declar’d), will pleade the law of nature, that a man

should, paramount [to] this, and contrary to this, have a power of chusing those men that shall determine what shall bee law in this state, though he himself have noe permanent interest in the State, [but] whatever interest hee hath hee may carry about with him. If this be allowed, [because by the right of nature], wee are free, wee are equall, one man must have as much voice as another, then shew mee what steppe or difference [there is], why by the same right of necessity to sustaine nature [i may not claim property as well]? Itt is for my better being [i may say], and possibly nott for itt neither, possibly I may nott have soe reall a regard to the peace of the Kingedome as that man who hath a permanent interest in itt. Hee that is heere to day and gone to morrow, I doe nott see that hee hath such a permanent interest. Since you cannott plead to itt by any thing butt the law of nature, [for any thing] but for the end of better being, and [since] that better being is nott certaine, and [what is] more, destructive to another, if uppon these grounds you doe paramount [to] all Constitutions hold uppe this law of nature, I would faine have any man shew mee their bounds, where you will end, and [why you should not] take away all propertie?

Col. Rainborow.

I shall now bee a little more free and open with you then I was before. I wish wee were all true hearted, and that wee did all carry our selves with integritie. If I did mistrust you I would use such asseverations. I thinke itt doth goe on mistrust, and thinges are thought to be matters of reflection that were never intended. For my parte, as I thinke, you forgott something that was in my speech, and you doe nott only your selves beleive that [we] [440] are inclining to anarchy, butt you would make all men [309] beleive that. And Sir, to say because a man pleades, that every man hath a voice [by the right of nature], that therefore itt destroyes [by] the same [argument all property]—that there's a propertie the law of God sayes itt; else why [hath] God made that law, "Thou shalt nott steale?" If I have noe interest in the Kingedome I must suffer by all their lawes bee they right or wronge. I am a poore man, therefore I must bee prest. Nay thus; a Gentleman lives in a country and hath three or fower Lordshippes as some men have—God knowes how they gott them—and when a Parliament is call'd hee must bee a Parliament man; and itt may bee hee sees some poore men, they live neere this man, hee can crush them—I have knowne an evasion to make sure hee hath turned the poore man out of doores; and I would faine know whether the potencie of men doe nott this, and soe keepe them under the greatest tyranny that was thought off in the world. Therefore I thinke that to that itt is fully answered. God hath sett downe that thinge as to propriety with this law of his, "Thou shalt not steale." For my parte I am against any such thought, and as for yourselves I wish you would nott make the world beleive that wee are for anarchy.

Lieut. Generall.

I know nothing butt this, that they that are the most yeilding have the greatest wisdom; butt really, Sir, this is nott right as itt should bee. Noe man sayes that you have a minde to anarchy, butt the consequence of this rule tends to anarchy, must end in anarchy; for where is there any bound or limitt sett if you take away this [limit], that men that have noe interest butt the interest of breathing [shall have no voices in elections]? Therefore I am confident on't wee should nott bee soe hott one with another.

Col. Rainborow.

I know that some particular men wee debate with [believe we] are for anarchy.

[310]

Coñ. Ireton.

I professe I must cleare my selfe as to that point.

I would nott desire, I cannott allow myself, to lay the least scandall upon any body; and truly, for that Gentleman that did take soe much offence, I doe nott knowe why hee should take itt soe. Wee speake to the paper, and to that matter of the paper, nott to persons; and I hope that noe man is soe much engaged to the matter of the paper, I hope our persons, and our hearts, and judgements are not [so] pinn'd to papers, butt that wee are ready to heare what good or ill consequence will flow from itt.

I have, with as much plainesse and clearnesse of reason as I could, shew'd you how I did conceive the doing of this takes away that which is the most originall, the most fundamentall civil Constitution of this Kingedome, and which above all is that Constitution by which I have any propertie. If you will take away that, and sett uppe as a thing paramount whatever a man may claime by the law of nature—though itt bee nott a thinge of necessitie to him for the sustenance of nature—if you doe make this your rule, I desire clearlie to understand where then remains propertie?

Now then, as I say, I would misrepresent nothing; the answer which had any thing of matter in itt, the great and maine answer upon which that which hath bin said against this rests, that seem'd to be: [441] that itt will nott make the breach of propertie: that there is a law, “Thou shalt nott steale.” The same law sayes, “Honour thy Father and Mother”; and that law doth likewise extend to all that are our governours in that place where wee are in. Soe that, by that there is a forbidding of breaking a Civill Law when wee may live quietly under itt, and a Divine Law. Againe itt is said indeed before, that there is noe Law, noe Divine Law, that tells us, that such a Corporation must have the Election of Burgesses, or such a shire, or the like; and soe on the other side if a man were to demonstrate his [right to] propertie by Divine Law, itt would bee very remote. Our property as well as our right of sending Burgesses [311] descends from other thinges. That Divine Law doth nott determine particulars butt generalls, in relation to man and man, and to propertie, and all thinges else; and wee should bee as farre to seeke if wee should goe to prove a property in [a thinge by] Divine Law as to prove that I have an interest in chusing Burgesses of the Parliament by Divine Law. Truly under favour I referre itt to all whether there bee anything of solution to that objection that I made, if itt bee understood,—I submitt itt to any man's judgement.

Col. Rainborow.

To the thinge itt self propertie. I would faine know how itt [442] comes to bee the propertie [of some men, and not of others]. As for estates, and those kinde of thinges, and other thinges that belunge to men, itt will bee granted that they are [443] propertie; butt I deny that that is a propertie, to a Lord, to a Gentleman, to any man more then another in the Kingdome of England. Iff itt bee a propertie, itt is a propertie by a law; neither doe I thinke, that there is very little propertie in this thinge by the law of the land, because I thinke that the law of the land in that thinge is the most tyrannicall law under heaven, and I would faine know what wee have fought for, and this is the old law of England and that which enslaves the people of England that they should bee bound by lawes in which they have noe voice at all. [444] [so with respect to the law which says ‘honour thy father and thy mother.’] The great dispute is who is a right Father and a right Mother. I am bound to know who is my Father and Mother, and I take it in the same sence you doe, I would have a distinction, a character wherby God commands mee to honour [them], and for my parte I looke upon the people of England soe, that wherin they have nott voices in the chusing of their Fathers and Mothers, they are nott bound to that commandement.

[312]

Mr. Pettus.

I desire to adde one worde, concerning the worde Propertie.

Itt is for somethinge that anarchy is soe much talk't of. For my owne parte I cannott beleive in the least that itt can bee clearlie derived from that paper. Tis true, that somewhat may bee derived in the paper against the power of the Kinge, and somewhat against the power of the Lords; and the truth is when I shall see God going about to throw downe Kinge and Lords and propertie then I shall bee contented. Butt I hope that they may live to see the power of the Kinge and the Lords throwne downe, that yett may live to see propertie preserved. And for this of changing the Representative of the Nation, of changing those that chuse the Representative, making of them more full, taking more into the number then formerly, I had verily thought wee had all agreed that more should have chosen, and that all had desir'd a more equall Representation then wee now have. For now those onely chuse who have 40s. freehold. A man may have a lease for 1001 a yeare, a man may have a lease for three lives [but he has no voice]. Butt [as] for this [argument] that itt destroyes all right [to property] that every Englishman that is an inhabitant of England should chuse and have a choice in the Representatives, I suppose itt is [on the contrary] the onely meanes to preserve all propertie. For I judge every man is naturally free; and I judge the reason why men [445] when they were in soe great numbers [chose representatives was] that every man could nott give his voice; and therefore men agreed to come into some forme of Governement that they who were chosen might preserve propertie. I would faine know, if we were to begin a Governement, [whether you would say] 'you have nott 40s. a yeare, therefore you shall not have a voice.' Whereas before there was a Governement every man had such a choice, and afterwards for this very cause they did chuse Representatives, and putt themselves into formes [313] of Governement that they may preserve propertie, and therefore itt is nott to destroy itt [to give every man a choice].

Com. Generall.

I thinke wee shall nott bee soe apt to come to a right understanding in this businesse, if one man, and another man, and another man doe speake their severall thoughts and conceptions to the same purpose, as if wee doe consider where the objection lies, and what the answer is which is made to itt; and therefore I desire wee may doe soe. To that which this Gentleman spake last. The maine thinge that hee seem'd to answer was this: that hee would make itt appeare, that the going about to establish this Governement, [446] [or] such a Governement, is nott a destruction of propertie, nor does nott tend to the destruction of propertie, because the people's falling into a Governement is for the preservation of propertie. What weight there [is in it] lies in this: since there is a falling into a Governement, and Governement is to preserve property, therefore this cannott bee against property. The objection does nott lie in that, the making of itt [447] more equall, butt [in] the introducing of men into an equality of interest in this Governement who have noe property in this Kingedome, or who have noe locall permanent interest in itt. For if I had said, that I would nott wish that wee should have any enlargement att all of the bounds of those that are to bee the Electors, then you might have excepted against itt. Butt [what i said was] that I would nott goe to enlarge itt beyond all bounds: that upon the same ground you may admitt of soe many men from forraigne States as would outvote you. The objection lies still in this. I doe nott meane that I would have itt restrained to that proportion [it is now], butt to restraine itt still to men who have a locall, a permanent interest in the Kingedome, who have such an interest that they may live upon itt as freemen, and who have such an interest as is fix't upon a place, and is nott the same every where equally. If a man bee an [314] inhabitant upon a wrack rent for a yeare, for two yeares, or 20 yeares—you cannott thinke that man hath any fix't or permanent interest—that man if hee pay the rent that his land is worth, and hath noe advantage butt what hee hath by his land, that man is as good a man, may have as much interest, in another Kingedome as heere. I doe nott speake of not [448] enlarging this att

all, butt of keeping this to the most fundamentall Constitution in this Kingedome, that is, that noe person that hath nott a locall and permanent interest in the Kingedome should have an equall dependance in Elections [with those that have]. Butt if you goe beyond this law, if you admitt any man that hath a breath and being, I did shew you how this will destroy propertie. Itt may come to destroy propertie thus: you may have such men chosen or att least the major parte of them [as have no local and permanent interest.] Why may nott those men vote against all propertie? You may admitt strangers by this rule, if you admitt them once to inhabite, and those that have interest in the land may bee voted out of their land. Itt may destroy propertie that way. [449] Butt heere is the rule that you goe by; for that by which you inferre this to bee the right of the people, of every inhabitant, that because man [450] hath such a right in nature, though itt bee nott of necessity for the preserving of his being, therefore you are to overthrow the most fundamentall Constitution for this, by the same rule shew mee why you will nott, by the same right of nature, make use of any thinge that any man hath necessary for the sustenance of men. [451] Shew mee what you will stoppe att, wherin you will fence any man in a property by this rule.

[315]

Col. Rainborow.

I desire to know how this comes to bee a propertie in some men, and nott in others.

Col. Rich.

I confesse [there is weight in] that objection that the Commissary Generall last insisted upon; for you have five to one in this Kingedome that have noe permanent interest. Some men [have] ten, some twenty servants, some more, some lesse. If the Master and servant shall bee equall Electors, then clearlie those that have noe interest in the Kingedome will make itt their interest to chuse those that have noe interest. Itt may happen, that the majority may by law, nott in a confusion, destroy propertie; there may bee a law enacted, that there shall bee an equality of goods and estate. I thinke that either of the extreames may be urg'd to inconveniencie. That is, men that have noe interest as to Estate should have no interest as to Election. Butt there may bee a more equall division and distribution then that hee that hath nothing should have an equall voice; and certainly there may bee some other way thought of that there may bee a Representative of the poore as well as the rich, and nott to exclude all. I remember there were as wee have heard many workinges and revolutions in the Roman Senate; and there was never a confusion that did appeare, and that indeed was come to, till the State came to know this kinde of distribution of Election. That the peoples voices were bought and sold, and that by the poore, and thence itt came that hee that was the richest man, and [a man] of some considerable power amonge the souldiers, and one they resolved on, made himself a perpetuall dictator. And if wee straine too farre to avoide monarchy in Kinges [let us take heed] that wee doe nott call for Emperours to deliver us from more then one Tyrant.

Col. Rainborow.

I should nott have spoken againe. I thinke itt is a fine gilded [316] pill, butt there is much danger and itt may seeme to some, that there is some kinde of remedy, I thinke that wee are better as wee are. That the poore shall chuse many, still the people are in the same case, are over voted still. And therefore truly, Sir, I should desire to goe close to the businesse; and the thinge that I am unsatisfied in is how itt comes about that there is such a propriety in some freeborne Englishmen, and nott [in] others.

Coñ. Cowling.

Whether the younger sonne have nott as much right to the Inheritance as the eldest?

Coñ. Gen. Ireton.

Will you decide itt by the light of nature?

Coñ. Cowling.

Why Election was only 40<sup>s</sup> a yeare, [452] which was more then 40<sup>+</sup>; a yeare now, the reason was [this], that the Commons of England were overpovr'd by the Lords, who had abundance of vassalls, butt that they might still make their lawes good against incroaching prerogatives, therefore they did exclude all slaves. Now the case is nott soe; all slaves have bought their freedoms. They are more free that in the common wealth are more beneficiall. There are men in the country.... there is a tanner in Stanes worth 3000<sup>+</sup>;, and another in Reading worth 3 horseskins.

Coñ. Gen. Ireton.

In the beginning of your speech you seeme to acknowledge [that] by law, by civill Constitution, the propriety of having voices in Election was fixt in certaine persons. Soe then your exception of your argument does nott prove that by civill constitution they have noe such propriety, butt your argument does acknowledge [that] by [317] civil [constitution they have such] propriety. You argue against this law, that this law is nott good.

Mr. Wildman.

Unlesse I bee very much mistaken wee are very much deviated from the first Question. Instead of following the first proposition to inquire what is just, I conceive wee looke to prophesies, and looke to what may bee the event, and judge of the justnesse of a thinge by the consequence. I desire wee may recall [ourselves to the question] whether itt bee right or noe. I conceive all that hath bin said against itt will bee reduc't to this and another reason; that itt is against a fundamentall law, [and] that every person ought to have a permanent interest, because itt is nott fitt that those should chuse Parliaments that have noe lands to bee disposed of by Parliament.

Coñ. Gen. Ireton.

If you will take itt by the way, itt is not fitt [453] that the Representees should chuse the Representors, or the persons who shall make the law in the Kingedome, who have nott a permanent fix't interest in the Kingedome.

Mr. Wildman.

Sir I doe soe take itt; and I conceive that that is brought in for the same reason, that forraigners might come to have a voice in our Elections as well as the native Inhabitants.

Coñ. Ireton.

That is uppon supposition that these [454] should bee all Inhabitants.

Mr. Wildman.

I shall begin with the last first. The case is different from the [318] native Inhabitant and forraigner. If a forraigner shall bee admitted to bee an Inhabitant in the Nation, soe hee will submitt to that forme of Governement as the natives doe, hee hath the same right as the natives, butt in this particular. Our case is to bee consider'd thus, that wee have bin under slavery. That's acknowledged by all. Our very lawes were made by our Conquerours; and wheras itt's spoken much of Chronicles. I conceive there is noe credit to bee given to any of

them; and the reason is because those that were our Lords, and made us their vassalls, would suffer nothing else to be chronicled. Wee are now engaged for our freedome; that's the end of Parliaments, not to constitute what is already according to the just rules of Government. [455] Every person in England hath as cleere a right to Elect his Representative as the greatest person in England. I conceive that's the undeniable maxime of Governement: that all governement is in the free consent of the people. If [so], then upon that account, there is noe person that is under a just Governement, or hath justly his owne, unlesse hee by his owne free consent be putt under that Governement. This hee cannott be unlesse hee be consenting to itt, and therefore according to this maxime there is never a person in England [but ought to have a voice in elections]; if as that Gentleman [456] sayes be true, there are noe lawes that in this strictnesse and rigour of justice [any man is bound to] that are nott made by those who hee doth consent to. And therefore I should humbly move, that if the Question be stated—which would soonest bringe thinges to an issue—itt might rather be this: whether any person can justly be bound by law, who doth nott give his consent that such persons shall make lawes for him?

Com̃. Gen: Ireton.

Lett the Question be soe; whether a man can be bound to any law that hee doth nott consent to? And I shall tell you, that hee [319] may and ought to be [bound to a law] that hee doth nott give a consent to, nor doth nott chuse any [to consent to], and I will make itt cleare. If a forrainger come within this Kingedome, if that stranger will have libertie [to dwell here] who hath noe local interest heere—hee is a man itt's true, hath aire that by nature [457] wee must nott expell our Coasts, give him noe being amongst us, nor kill him because hee comes upon our land, comes uppe our streame, arrives att our shoare. Itt is a peece of hospitality, of humanity, to receive that man amongst us. Butt if that man be received to a being amongst us I thinke that man may very well be content to submitt himself to the law of the land: that is, the law that is made by those people that have a property, a fixt property, in the land. I thinke if any man will receive protection from this people, this man ought to be subject to those lawes, and to be bound by those lawes soe longe as hee continues amongst them, though [neither] hee nor his ancestors, nott any betwixt him and Adam, did ever give concurrence to this Constitution. That is my opinion. A man ought to be subject to a law that did nott give his consent, butt with this reservation, that if this man doe thinke himself unsatisfied to be subject to this law hee may goe into another Kingedome. And soe the same reason doth extend in my understanding to that man that hath noe permanent interest in the Kingedome. If hee hath mony, his monie is as good in another place as heere; hee hath nothing that doth locally fixe him to this Kingedome. If this man will live in this Kingedome or trade amongst us, that man ought to subject himself to the law made by the people who have the interest of this Kingedome in us; and yett I doe acknowledge that which you take to be soe generall a maxime, that in every Kingedome, within every land, the originall of power, of making lawes, of determining what shall be law in the land, does lie in the people that are possess't of the permanent interest in the land. Butt whoever is extraneous to this, that is, as good a man in another land, that man ought to give such a respect to the property of men that live in [320] the land. They doe nott determine [that i shall live in this land], why should I have any interest of determining of what shall be the law of this land? [458]

Major Rainborow.

I thinke if itt can be made to appeare, that itt is a just and reasonable thinge, and that is for the preservation of all the freeborne men, itt ought to be made good unto them. The reason is, that the chief end of this Governement is to preserve persons as well as estates, and if any law shall take hold of my person itt is more deare than my estate.

Col. Rainborow.

I doe very well remember that the Gentleman in the window [459] [said], that if itt were soe there were noe propriety to bee had, because a fifth parte of the poor people [that] are now excluded and would then come in. Soe one on the other side said, that if otherwise then rich men shall bee chosen [there would be no propriety]. Then I say the one parte shall make hewers of wood and drawers of water of the other five, and soe the greatest parte of the Nation bee enslav'd. Truly I thinke wee are still where wee were; and I doe not heare any argument given butt only that itt is the present law of the Kingedome. I say still, what shall become of those many [men] that have laid out themselves for the Parliament of England in this present warre, that have ruined themselves by fighting, by hazarding all they had? They are Englishmen. They have now nothing to say for themselves.

Col. Rich.

I should bee very sorry to speake anythinge heere that should give offence, or that may occasion personall reflections that wee spoke against just now. I did nott urge any thinge soe farre as [321] was represented, and I did nott att all urge that there should bee a consideration [had of rich men only], and that [a] man that is [poor] shall bee without consideration, or that hee deserves to bee made poore and nott to live att all. All that I urged was this, that I thinke itt worthy consideration, whether they should have an equality in their interest. Butt however I thinke wee have bin a great while upon this point, and if wee bee as longe upon all the rest, itt were well if there were noe greater difference then this.

Mr. Peter.

I thinke that this may bee easily agreed on, that is there may bee a way thought of. I thinke you should doe well to sett uppe all night, butt I would faine know whether that will answer the worke of your Meeting. [460] You will be forc't to putt characters upon Electors or Elected, therefore I doe suppose that if there bee any heere that can make uppe a Representative to your minde, the thinge is gain'd. I think three or four might be thought of in this companie. But the question is, whether you can state any one question for the present danger of the Kingedome, if any one question or noe will dispatch the worke.

Sir, I desire that some question may bee stated to finish the present worke to cement us wherin lies the distance, and if the thoughts of the Commonwealth, the people's freedome, I thinke that's soone cured. I desire that all manner of plainesse may bee used that wee may nott goe on with the lapwinge, and carry one another off the nest. There is somethinge else in that must cement us where the awkwardnesse of our spiritts lies.

Col. Rainborow.

For my parte I thinke wee cannott engage one way or other in the Army if wee doe nott thinke of the people's liberties. If wee can agree where the liberty and freedome of the people lies, that will doe all.

[322]

Coñ. Gen. Ireton.

I cannott consent soe farre. As I said before: when I see the hand of God destroying Kinge, and Lords, and Commons too, [or] any foundation of humane Constitution, when I see God hath done itt, I shall I hope comfortably acquiesce in itt. Butt first, I cannott give my consent to itt because itt is nott good. And secondly, as I desire that this Army should have regard to Engagements wherever they are lawfull, soe I would have them have regard to this as well, that they should nott bringe that scandall uppon the name of God, that those that call themselves by that name, those whome God hath own'd and appear'd with—that wee should nott represent ourselves to the world as men soe farre from being of that peaceable spiritt



which is suitable to the Gospell, as wee would have bought peace of the world upon such termes, wee would nott have peace in the world butt upon such termes, as should destroy all propertie. If the principle upon which you move this alteration, or the ground upon which you presse that wee should make this alteration, doe destroy all kinde of property or whatsoever a man hath by humane Constitution [i cannot consent to it]. The law of God doth nott give mee propertie, nor the law of nature, butt propertie is of humane Constitution. I have a propertie and this I shall enjoy. Constitution founds propertie. If either the thinge itt selfe that you presse or the consequence [of] that you presse [do destroy property], though I shall acquiesce in having noe propertie, yett I cannott give my heart or hand to itt; because itt is a thinge evill in ittself and scandalous to the world, and I desire this Army may bee free from both.

Mr. Sexby.

I see that though itt [461] were our end, there is a degeneration from itt. Wee have engaged in this Kingdome and ventur'd our lives, and itt was all for this: to recover our birthrights and priviledges [323] as Englishmen, and by the arguments urged there is none. There are many thousands of us souldiers that have ventur'd our lives; wee have had little propriety in the Kingedome as to our estates, yett wee have had a birthright. Butt itt seemes now except a man hath a fix't estate in this Kingedome, hee hath noe right in this Kingedome. I wonder wee were see much deceived. If wee had nott a right to the Kingedome, wee were meere mercinarie souldiers. There are many in my condition, that have as good a condition [as i have], itt may bee little estate they have att present, and yett they have as much a [birth] right as those two [462] who are their law givers, as any in this place. I shall tell you in a worde my resolution. I am resolved to give my birthright to none. [463] Whatsoever may come in the way, and [whatsoever may] bee thought, I will give itt to none. If this thinge that with soe much pressing after—There was one thinge spoken to this effect—that if the poore and those in lowe condition.... [464] I thinke this was butt a distrust of providence. I doe thinke the poore and meaner of this Kingedome (I speake as in that relation in which wee are) have bin the meanes of the preservation of this Kingedome. I say in their stations, and really I thinke to their utmost possibility; and their lives have nott bin deare for purchasing the good of the Kingdome. Those that act to this end are as free from anarchy or confusion as those that oppose itt, and they have the law of God and the law of their conscience [with them]. Butt truly I shall only summe uppe in this, I desire that wee may nott spend soe much time upon these thinges. Wee must bee plaine. When men come to understand these thinges they will nott loose that which they have contended for. That which I shall beseech you is to come to a determination of this question.

[324]

Coñ. Gen. Ireton.

I am very sorry wee are come to this point, that from reasoning one to another wee should come to expresse our resolutions. I professe for my parte, what I see is good for the Kingdome, and becoming a Christian to contend for, I hope through God I shall have strength and resolution to doe my parte towards itt. And yett I will professe direct contrary in some kinde to what that Gentleman said. [465] For my parte, rather then I will make a disturbance to a good Constitution of a Kingedome wherin I may live in godlinesse, and honesty, and peace and quietnesse, I will parte with a great deale of my birthright. I will parte with my owne property rather then I will bee the man that shall make a disturbance in the Kingedome for my property; and therefore if all the people in this Kingedome, or [the] Representative[s] of them all together, should meete and should give away my propertie I would submitt to itt, I would give it away. Butt that Gentleman, and I thinke every Christian ought to beare that spiritt in him, that hee will nott make a publique disturbance upon a private prejudice [466]

Now lett us consider where our difference lies. Wee all agree that you should have a Representative to governe, [and] this Representative to bee as equall as you can. Butt the question is, whether this distribution can bee made to all persons equallie, or whether equallie amongst those that have the interest of England in them. That which I have declar'd [is] my opinion [still]. I thinke wee ought to keepe to that [constitution which we have now], both because itt is a civill Constitution, itt is the most fundamentall Constitution that wee have, and [because] there is soe much justice, and reason, and prudence [in it], as I dare confidently undertake to demonstrate, that there are many more evils that will follow in case you doe alter, then there can in the standing of itt. Butt I say butt this in the generall, that I doe wish [325] that they that talke of birthrights—wee any of us when wee talke of birthrights—would consider what really our birthright is.

If a man mean [467] by birthright, whatsoever hee can challenge by the law of nature, suppose there were noe Constitution att all, supposing noe Civill law and Civill Constitution—that that I am to contend for against Constitution, you leave noe property, nor noe foundation for any man to enjoy any thinge. Butt if you call that your birthrights which is the most fundamentall parte of your Constitution, then lett him perish that goes about to hinder you or any man of the least parte of your birthright, or will doe itt. Butt if you will lay aside the most fundamentall Constitution, which is as good for ought you can discerne as anythinge you can propose—att least itt is a Constitution, and I will give you consequence for consequence of good uppon Constitution as you for your birthright [468]—and if you meerlie uppon pretence of a birthright, of the right of nature, which is onely true as for your better being; if you will uppon that ground pretend, that this Constitution, the most fundamentall Constitution, the thinge that hath reason and equity in itt shall nott stand in your way, [it] is the same principle to mee say I, [as if] but for your better satisfaction you shall take hold of any thinge that a man calls his owne,

Col. Rainborow.

Sir I see, that itt is impossible to have liberty butt all propertie must be taken away. If itt be laid downe for a rule, and if you will say itt, itt must bee soe. Butt I would faine know what the souldier hath [469] fought for all this while? Hee hath fought to inslave himself, to give power to men of riches, men of estates, to make him a perpetuall slave. Wee doe finde in all presses that goe forth none must bee pres't that are freehold men. When these [326] Gentlemen fall out amonge themselves they shall presse the poore shrubs [470] to come and kill them.

Coñ. Gen. Ireton.

I confesse I see soe much right in the businesse that I am nott easily satisfied with flourishes. If you will lay the stresse of the businesse [not] uppon the consideration of reason, or right relating to humane constitution, or anything of that nature, butt will putt itt uppon consequences, I see enough to say, that to my apprehensions I can shew you greater ill consequences to follow uppon that alteration which you would have by extending [voices] to all that have a being in this Kingedome then by this a great deale. That is a particular ill consequence. This is a generall ill consequence, and that is as great as this or any else; though I thinke you will see that the validity of that argument must be [471] that for one ill lies uppon that which now is, I can shew you a thousand uppon this. Give mee leave [to say] butt this one worde. I tell you what the souldier of the Kingedome hath fought for. First, the danger that wee stood in was, that one man's will must bee a law. The people of the Kingedome must have this right att least, that they should nott bee concluded [but] by the Representative of those that had the interest of the Kingedome. Some [472] men fought in this, because they were imediately concern'd and engag'd in itt. Other men who had noe other interest in the Kingedome butt this, that they should have the benefitt of those lawes

made by the Representative, yett [fought] that they should have the benefitt of this Representative. They thought itt was better to bee concluded by the common consent of those that were fix't men and settled men that had the interest of this Kingedome [in them], and from that way [said they] I shall know a law and have a certainty. Every man that was borne in itt that hath a [327] freedome is a denizon, hee was capable of trading to gett money and to gett estates by, and therefore this man I thinke had a great deale of reason to build uppe such a foundation of interest to himself: that is, that the will of one man should nott bee a law, butt that the law of this Kingedome should bee by a choice of persons to represent, and that choice to bee made by the generality of the Kingedome. Heere was a right that induced men to fight, and those men that had this interest, though this bee nott the utmost interest that other men have, yett they had some interest. Now why wee should goe to pleade whatsoever wee can challenge by the right of nature against whatsoever any man can challenge by Constitution? [473] I doe nott see where that man will stoppe as to point of property that hee shall nott use that right hee hath by the law of nature against that Constitution. I desire any man to shew mee where there is a difference. I have bin answer'd "now wee see libertie cannott stand without [destroying] propertie." Libertie may bee had and property nott bee destroyed. First, the libertie of all those that have the permanent interest in the Kingedome, that is provided for; and in a generall sence libertie cannott bee provided for if property bee preserved; for if propertie bee preserved—that I am nott to meddle with such a man's estate, his meate, his drinke, his apparell, or other goods—then the right of nature destroys libertie. By the right of nature I am to have sustenance rather then perish, yett property destroyes it for a man to have by the right [474] of nature, suppose there bee noe humane Constitution.

Mr. Peter.

I will minde you of one thinge. That uppon the will of one man abusing us, and soe forth.—Soe that I professe to you for my parte. I hope itt is nott denied by any man, that any wise discreete [328] man that hath preserved England or the Governement of itt—I doe say still under favour there is a way to cure all this debate—I thinke they will desire noe more libertie —If there were time to dispute itt—I thinke hee would bee satisfied, and all will bee satisfied and if the safetie of the Army bee in danger—For my parte I am cleare the point of Election should bee amended. [475]

Lieut. Generall.

I confesse I was most dissatisfied with that I heard Mr. Sexby speake of any man heere, because itt did savour soe much of will. Butt I desire that all of us may decline that, and if wee meete heere really to agree to that which was for the safetie of the Kingdome, lett us nott spend soe much time in such debates as these are, but lett us apply ourselves to such thinges as are conclusive, and that shall bee this: Everybodie heere would bee willing, that the Representative might bee mended, that is, itt might bee better then itt is. Perhaps itt may bee offer'd in that paper too lamely. If the thinge bee insisted uppon too limited, why perhaps there are a very considerable parte of copyholders by inheritance that ought to have a voice, and there may bee somewhat too reflects uppon the generality of the people. [476] If wee thinke to bringe itt to an issue this way I know our debates are endlesse; and I thinke if you doe [desire to] bringe this to a result itt were well if wee may butt resolve uppon a Committee. [477] I say itt againe, [329] if I cannott bee satisfied to goe soe farre as these Gentlemen that bringe this paper, I professe I shall freely and willinglie withdrawe myself, and I hope to doe itt in such a manner that the Army shall see that I shall by my withdrawing satisfy the interest of the Army, the publique interest of the Kingedome, and those ends these men aime att.

Col. Rainborow.

If these men must bee advanced and other men sett under foote, I am nott satisfied if their rules must bee observed, and other men that are in aucthority doe nott know how this can stand together. [478] I wonder how that should bee thought wilfulnesse in one man that is reason in another; for I confesse I have nott heard any thinge that doth satisfie mee, and though I have nott soe much wisdom or notions in my head, I have soe many that I could tell an hundred to the ruine of the people. I am nott at all against a Committee's meeting; and as you say, for my parte I shall bee ready, if I see the way that I am going and the thinge that I could insist on will destroy the Kingdome, I shall withdraw it as soon as any, and I thinke every Christian ought to do the same; [479] and therfore till I see that I shall use all the meanes, and I thinke itt is noe fault in any man [to refuse] to sell that which is his birthright.

Mr. Sexby.

I desire to speake a few words. I am sorry that my zeale to what I apprehend is good should bee soe ill resented. I am nott sorry to see that which I apprehend is truth, butt I am sorry the Lord hath darkened some soe much as nott to see itt, and that is in short [this]. Doe you [not] thinke itt were a sad and miserable condition that wee have fought all this time for nothing? All heere both great and small doe thinke that wee fought for something. I [330] confesse many of us fought for those ends which wee since saw was nott that which caused us to goe through difficulties and straightes to venture all in the shippe with you. Itt had bin good in you to have advertis'd us of itt, and I beleive you would have fewer under your command to have commanded. Butt if this bee the businesse, that an estate doth make men capable to chuse those that shall represent them—itt is noe matter which way they gett it, they are capable—I thinke there are many that have nott estates that in honesty have as much right in the freedome [of] their choice [480] as any that have great estates. Truly, Sir, [481] [as for] your putting off this question and coming to some other; I dare say, and I dare appeale to all of them, that they cannott settle uppon any other untill this bee done. Itt was the ground that wee tooke uppe armes, and itt is the ground which wee shall maintaine. Concerning my making rents and divisions in this way—as a particular, if I were butt soe, I could lie downe and be troden there. [but] truly I am sent by a Regiment. If I should nott speake, guilt shall lie uppon mee, and I thinke I were a Covenant breaker. I doe nott know how wee have [been] answer'd in our Arguments, and I conceive wee shall nott accomplish them [482] to the Kingdome when wee deny them to our selves. I shall bee loath to make a rent and division, butt, for my owne parte, unlesse I see this putt to a question, I despaire of an issue.

Capt. Clarke. [483]

The first thing that I shall desire was, and is, this; that there might bee a temperature and moderation of spiritt within us; that wee should speak with moderation, nott with such reflection as was boulted one from another; butt soe speake and soe heare as that which may bee the droppinges of love from one another to another's [331] hearts. Another word I have to say is, the grand question of all is, whether or noe itt bee the property of every individuall person in the Kingdome to have a vote in election[s]; and the ground [on which it is claimed] is the law of nature, which for my parte I thinke to bee that law which is the ground of all Constitutions. Yett really properties are the foundation of Constitutions, for if soe bee there were noe property, that the law of nature does give a principall [for every man] to have a property of what hee has or may have which is nott another man's propertie. This is the ground of meum and tuum. Now there may bee inconveniencies on both hands butt nott soe great freedome. The greater freedome as I conceive that all may have whatsoever. And if itt come to passe that there bee a difference, and that the one doth oppose the other, then nothing can decide itt butt the sword which is the wrath of God.

Capt. Audeley.

I see you have a longe dispute, that you doe intend to dispute heere till the 10th of March. I see both att a stand, and if wee dispute heere both are lost. You [484] have brought us into a faire passe, and the Kingdome into a faire passe, for if your reasons are nott satisfied, and wee doe nott fetch all our waters from your wells you threaten to withdraw your selves. I could wish according to our severall protestations wee might sett downe quietly, and there throw downe our selves where wee see reason. I could wish wee might all rise, and goe to our duties, and see our worke in hand.

Lieut. Generall.

Really for my owne parte I must needes say whilest wee say wee would nott make reflections wee doe make reflections; and if I had nott come hither with a free heart to doe that that I was perswaded in my conscience is my duty I should a thousand [332] times rather have kept myself away. For I doe thinke I had brought uppon myself the greatest sin that I was [ever] guilty of, if I should have come to have stood before God in that former duty, and if [i should not persevere in] that my saying which I did say [to you before], and shall persevere to say, that I cannott against my conscience doe anythinge. They that have stood soe much for libertie of conscience, if they will nott grant that libertie to every man, butt say itt is a deserting I know nott what—if that bee denied mee I thinke there is nott that equality that [is] profest to bee amongst us. [485] I said this, and I say noe more that make your businesses as well as you can, wee might bringe thinges to an understanding, itt was to bee brought to a faire composure, and when you have said, if you should putt this paper to the question without any qualifications I doubt whether itt would passe soe freely, if wee would have noe difference wee ought to putt itt, and lett me speake clearlie and freeilie, I have heard other Gentlemen doe the like, I have nott heard the Commissary Generall answer'd, nott in a parte to my knowledge, nott in a tittle, if therefore when I see there is an extremitie of difference betweene you, to the end itt may bee brought neerer to a generall satisfaction, and if this bee thought a deserting of that interest, if there can bee anythinge more sharpely said, I will nott give itt an ill worde. Though wee should bee satisfied in our consciences in what wee doe, wee are told wee purpose to leave the Armie, or to leave our commands as if wee tooke uppon us to doe itt in matter of will. I did heare [333] some Gentlemen speake more of will then anythinge that was spoken this way, for more was spoken by way of will then of satisfaction, and if there bee nott a more equality in our mindes I can butt greive for itt, I must doe noe more.

Coñ. Gen. Ireton,

I should nott speake, butt reflections, as if wee who have led men into Engagements and services had divided from them because wee did nott concurre with them, doe necessitate, doe call uppon us to vindicate ourselves. I will aske that Gentleman [486] that spoke, whome I love in my heart, whether when they drew out to serve the Parliament in the beginning, when they engag'd with the Army att New Markett, [487] whether then they thought of any more interest or right in the Kingdome then this? Whether they did thinke, that they should have as great interest in Parliament men as freeholders had? Or whether from the beginning wee did nott engage for the liberty of Parliaments, [488] and that wee should bee concluded by the lawes that such did make. Unlesse somebody did make you beleive before now that you should have an equall interest in the Kingedome, unlesse somebody doe make that to bee beleived, there is noe reason to blame men for leading [you] soe farre as they have done; and if any man was farre enough from such an apprehension that man hath nott bin deceiv'd. And truly, I shall say butt this worde more for my self in this businesse, because the whole objection seemes to bee prest to mee, and maintain'd by mee. I will not arrogate that I was the first man that putt the Army uppon the thought either of successive Parliaments or more equall Parliaments; yett there are some heere that know who they were putt us uppon that foundation of libertie of putting a period to this Parliament, that wee might have successive

Parliaments, and that there might bee a more equall distribution of Elections. There are many heere [334] [489] that know who were the first movers of that businesse in the Army. I shall nott arrogate that, butt I can argue this with a cleare conscience: that noe man hath prosecuted that with more earnestnesse, and will stand to that interest more than I doe, of having Parliaments successive and nott perpetuall, and the distributions of itt [more equal]. Butt notwithstanding my opinion stands good, that itt ought to bee a distribution amongst the fix't and settled people of this Nation. Itt's more prudent and safe, and more uppon this ground of right for itt: itt is the fundamentall Constitution of this Kingedome now, and that which you take away for matter of wilfulnesse. Notwithstanding [as for] this universall conclusion, that all inhabitants [shall have voices], as it stands [in the agreement], I must declare that though I cannott yett bee satisfied, yett for my parte I shall acquiesce. I will nott make a distraction in this Army. Though I have a property in being, one of those that should bee an Elector, though I have an interest in the birthright, yet I will rather loose that birthright, and that interest then I will make itt my businesse [to oppose], if I see butt the generality of those whome I have reason to thinke honest men, and conscientious men, and godly men to carry them another way. I will nott oppose though I bee nott satisfied to joyne with them. And I desire [to say this], I am agreed with you if you insist uppon a more equall distribution of Elections; I will agree with you, nott onely to dispute for itt, butt to fight for itt and contend for itt. Thus farre I shall agree with you. On the other hand those who differ their termes, I will not agree with you except you goe farther. Thus farre I can goe with you, I will goe with you as farre as I can. If you will appoint a committee to consider of some of that, soe as you preserve the equitable part of that, who are like to be freemen, and men not given uppe to the wills of others, keeping to the latitude which is the equity of Constitution, I will goe with you as farre as [335] I can. I will sit downe, I will not make any disturbance amongst you. [490]

Col. Rainborow.

If I do speak my soul and conscience I doe thinke that there is not an objection made butt that itt hath bin answer'd, butt the speeches are soe longe. I am sorry for some passion and some reflections, and I could wish where itt is most taken the cause had nott bin given. Itt is a fundamentall Constitution of the Kingedome there—I would faine know whether the choise of Burgesses in Corporations should nott bee alter'd. The end wherfore I speake is onely this, you [491] thinke wee shall bee worse then wee are, if wee come to a conclusion by a vote. If itt bee putt to the question wee shall all know one another's minde. If itt bee determined and the resolutions knowne, wee shall take such a course as to putt itt in execution. This Gentleman [492] sayes if hee cannott goe hee will sitt still. Hee thinke hee hath a full libertie, wee thinke wee have nott. There is a great deale of difference betweene us two. If a man hath all hee doth desire, [he may wish to sit still]; butt [if] I thinke I have nothing att all of what I fought for, I doe nott thinke the argument holds that I must desist as well as hee.

Mr. Pettus.

The rich would very unwillinglie bee concluded by the poore; and there is as much reason, and indeed noe reason that the rich should conclude the poore as the poore the rich. There should bee an equall share in both. I understood your Engagement was, that [336] you would use all your indeavours for the liberties of the people, that they should bee secur'd. If there is a Constitution that the people are not free that should bee annull'd. Butt this Constitution doth nott make people free, that Constitution which is now sette uppe is a Constitution of 40s. a yeare.

Lieut. Generall.

Heere's the mistake, [the whole question is] whether that's the better Constitution in that paper, [493] or that which is. Butt if you will goe uppon such a ground as that although a better Constitution was offer'd for the removing of the worse, yett some Gentlemen are resolved to stick to the worse, there might bee a great deale of prejudice uppon such an apprehension. I thinke you are by this time satisfied, that itt is a cleare mistake; for itt is a dispute [494] whether or noe this bee better; nay, whether itt bee nott destructive to the Kingedome.

Mr. Pettus.

[495] I desire to speake one worde to this businesse, because I doe nott know whether my occasions will suffer mee to attend itt any longer. The great reason that I have heard is [that this is] the Constitution of the Kingdome, the utmost Constitution of itt; and if wee destroy this Constitution there is noe propertie. I suppose that itt were very dangerous if Constitutions should tie uppe all men in this nature.

Com. Ireton.

First the thinge itt self were dangerous if itt were settled to destroy propertie. Butt I say the principle that leads to this is destructive to propertie; for by the same reason that you will alter [337] this Constitution meerly that there's a greater Constitution by nature—by the same reason, by the law of nature, there is a greater liberty to the use of other men's goods which that property barres you of; and I would faine have any man shew mee why I should destroy that libertie, which the freeholders and Burgers in Corporations have in chusing Burgesses—that which [if] you take away you leave noe Constitution—and this because there is a greater freedome due to mee by the law of nature—more then that I should take another man's goods because the law of nature does allow me.

Col. Rainborow.

I would grant somethinge that the Commissary Generall sayes. But whether this bee a just propriety, the propriety sayes that 40<sup>s</sup>. a yeare inables a man to elect [496] —If itt were stated to that, nothing would conduce soe much whether some men doe agree or noe.

Capt. Rolfe.

I conceive that as wee are mett heere, there are one or two thinges mainly to be prosecuted by us; that is especially unities, [the] preservation of unity in the Army; and soe likewise to putt ourselves into a capacity therby to doe good to the Kingedome. Therefore I shall desire, that there may bee a tender consideration had of that which is soe much urged, in that of an equall as well as of a free Representative. I shall desire that [there may bee] some thoughts of a medium or a composure, in relation to servants or to forraigners, or such others as shall bee agreed uppon. I say then I conceive, excepting those, there may bee a very equitable sence resented to us from that offer in our owne Declarations wherin wee doe offer the common good of all, unlesse they have made any shippewrack or losse of itt. [497]

[338]

Lieut. Chillenden.

In the beginning of this discourse there were overtures made of imminent danger. This way wee have taken this afternoone is nott the way to prevent itt. I should humbly move that wee should putt a speedy end to this businesse, and that not onely to this maine question of the paper, butt alsoe that, according to the Lieutenant Generall's motion, a Committee may be chosen seriously to consider the thinges in that paper, and compare them with divers thinges in our Declarations and Engagements; that soe as wee have all profest to lay downe ourselves

before God—If wee take this course of debating uppon one question a whole afternoone, if the danger bee soe neere as itt is supposed itt were the ready way to bringe us into itt. [i desire] that thinges may bee putt into a speedy dispatch.

Capt. Clarke.

I presume that the great stick heere is this: that if every one shall have his propriety itt does bereave the Kingedome of itt's principall, fundamentall Constitution that itt hath. I presume that all people and all nations whatsoever have a liberty and power to alter and change their Constitutions, if they finde them to bee weake and infirme. Now if the people of England shall finde this weaknesse in their Constitution they may change itt if they please. Another thinge is this. If the light [498] of nature bee onely [followed] in this, itt may destroy the propriety which every man can call his owne. The reason is this, because this principall and light of nature doth give all men their owne. As for example the clothes uppon my back because they are nott another man's. If every man hath this propriety of Election to chuse those whom [they think fit], you feare [it] may begett inconveniences. I doe [339] nott conceive that any thinge may bee soe nicely and preciselie done, butt that itt may admitt of inconveniencie. If itt bee in that wherin itt is now there may those inconveniencies rise from them. For my part I know nothing butt the want of love in itt, and the sword must decide itt. I shall desire before the question bee stated itt may bee moderated as for forraigners. [499]

Sir Hardresse Waller.

This was that I was saying, I confesse I have nott spoken yett, and having heard so many speake I was willing to bee silent that I might learne too. Itt is nott easy for us to say when this dispute will have an end; butt I thinke itt is easie to say when the Kingedome will have an end. If wee doe nott breath out ourselves wee shall bee kick't and spurn'd of all the world. I would faine know how farre the question will decide itt, for certainly wee must nott expect while wee have tabernacles heere to bee all of one minde. If it bee to bee decided by a question, and all parties are satisfied in that, I thinke the sooner you hasten to itt the better. If otherwise we shall needlessly discover our dividing opinion, which as longe as itt may bee avoided I desire itt may. Therefore I desire to have a period [put to this debate].

Capt. Awdeley.

I chanc't to speake a worde or two. Truly there was more offence taken att itt. For my parte I spoke against every man living,—nott onely against your self [500] and the Commissary, butt [against] every man that would dispute till wee have our throates cutt—and therefore I desire I may not lie in any prejudice before your persons. I professe, if soe bee there were none butt you and the Commissary Generall alone to maintain that argument, I would [340] die in any place in England, in asserting that itt is the right of every free borne man to elect, according to the rule, Quod omnibus spectat, ab omnibus tractari debet, that which concernes all ought to bee debated by all. Hee knew noe reason why that law should oblige when hee himself had noe finger in appointing the lawgiver.

Capt. Byshopp.

You have mett heere this day to see if God would shew you any way wherin you might joynctlie preserve the Kingedome from itt's destruction, which you all apprehend to bee att the doore. God is please'd nott to come in to you. There is a Gentleman, Mr. Saltmarsh, [501] did desire what hee has wrote may bee read to the Generall Councill. If God doe manifest any thinge by him I thinke itt ought to bee heard.

Commissary Generall.



That you will alter that Constitution in my apprehension, from a better to a worse, from a just to a thing that is lesse juste, and I will nott repeate the reasons of that butt referre to what I have declar'd before. To mee, if there were nothing butt this, that there is a Constitution, and that Constitution which is the very last Constitution, which if you take away you leave nothing of Constitution, and consequently nothing of right or propertie, [it would be enough]. I would nott goe to alter that, though a man could propound that which in some respects might bee better, unlesse itt could bee demonstrated to mee that this were unlawfull, or that this were destructive. Truly therefore I say for my parte, to goe on a suddaine to make such a limitation as that [to inhabitants] in generall—if you doe extend the latitude [of it so far] that any man shall have a voice in Election who has nott that interest in this Kingedome that is permanent and fix'd, who hath nott that interest [341] uppon which hee may have his [502] freedome in this Kingedome without dependance, you will putt itt into the hands of men to chuse, [instead] of men to preserve their libertie, [men] who will give itt away.

I am confident our discontent and dissatisfaction, if ever they doe well, they doe in this. If there bee any thing att all that is a foundation of libertie itt is this, that those who shall chuse the law makers shall bee men freed from dependance uppon others. I have a thing putt into my heart which I cannott butt speake. I professe I am afraid, that if wee, from such apprehensions as these are of an imaginable right of nature opposite to Constitution—if wee will uppon this businesse of that enlargement contend and hazard the breaking of peace, I am afraid wee shall finde the hand of God will follow itt. I thinke if wee from imagination and conceits will goe about to hazard the peace of the Kingdome, to alter the Constitution in such a point, wee shall see that that libertie which wee soe much talke of and [have so much] contended for shall bee nothing att all by this our contending for itt, by putting itt into the hands of those men that will give itt away when they have itt. [503]

Lieut. Generall.

If wee should goe about to alter these thinges. I doe nott thinke that wee are bound to fight for every particular proposition. Servants while servants are nott included. Then you agree that hee that receives almes is to bee excluded.

Lieut. Col. Reade.

I suppose itt's concluded by all, that the chusing of Representatives is a priviledge; now I see noe reason why any [504] man that is a [342] native ought to bee excluded that priviledge, unless from voluntarie servitude.

Mr. Pettus.

I conceive the reason why wee would exclude apprentices, or servants, or those that take almes, is because they depend uppon the will of other men and should bee afraid to displease [them]. For servants and apprentices, they are included in their masters, and soe for those that receive almes from doore to doore; butt if there bee any generall way taken for those that are nott [so] bound [to the will of other men] itt would doe well.

Mr. Everard. [505]

I being sent from the Agents of the five regiments with an answer unto a writing, the Committee was very desirous to inquire into the depth of our intentions. Those things that they had there manifested in the paper I did declare, and what I did understand as a particular person. It was the Lieutenant General's desire for an understanding with us, presuming those things I did declare did tend to unity; "and if soe [said he] you will lett it appeare by coming unto us." [506] Wee have gone thus farre, wee have had two or three meetinges to declare

and hold forth whatt itt is wee stand upon. [wee stand upon] the principles of unity and freedome. Wee have declar'd in what wee conceive these principles doe lie. I shall nott name them all because they are knowne unto you. Now in the progresse of these disputes and debates wee finde that the time spends, and noe question butt our adversaries are harder att worke then wee are. I heard (butt I had noe such testimonie as I could take hold of) that there are meetings daily and contrivances against us. Now for our parts I hope you will nott say all is yours, butt wee have nakedlie and freelie unbosom'd [343] ourselves unto you. Though those thinges have startled many att the first view, yett wee finde there is good hopes. Wee have fix't our resolutions, and wee are determin'd, and wee want nothing butt that only God will direct us to what is just and right. Butt I understand, that [in] all these debates if wee shall agree upon any one thinge, [to say] "this is our freedome," "this is our libertie," "this liberty and freedome wee are debarr'd of and wee are bereav'd of all those comforts," [that even] in case wee should finde out half a hundred of these, yett the maine businesse is how wee should finde them, and how wee should come by them. Is there any liberties that wee finde ourselves deprived of—if wee have greivances lett us see who are the hinderances, and when wee have pitched upon that way—I conceive—I speake humbly in this, one thinge that I conceive myself as a particular person—that these delays, these disputes will prove little encouragement. Itt was told mee by [one of] these Gentlemen that hee had great jealousies that wee would nott come to the triall of our spiritts, and that perhaps there might happen [to be] another designe in hand. I said to his Honour againe, if they would nott come to the light I would judge they had the workes of darkenesse in hand. Now as they told mee againe on the other hand, when itt was questioned by Col. Hewson, on the other hand they told mee that these Gentlemen, nott naming any particular persons, they will hold you in hand, and keepe you in debate and dispute till you and wee [shall] all come to ruine. Now I stood as a moderator betweene these thinges. When I heard the Lieutennant Generall speake I was mervailously taken uppe with the plainesse of the carriage. I said, "I will bringe them to you," "you shall see if there hearts bee soe; for my parte I see nothing butt plainesse and uprightnesse of heart made manifest unto you." I will nott judge nor draw any longe discourses upon our disputes this day. Wee may differ in one thinge, that you conceive this debating and disputations will doe the worke, [we conceive] wee must putt ourselves into the former priviledges which wee want.

[344]

Sir Hardresse Waller.

I thinke this Gentleman hath dealt very ingenuously and plainly with us, I pray God wee may doe soe too, and I for one will doe itt. I thinke our disputings will not doe the thinge. I thinke if we doe make itt our resolution that wee doe hold itt forth to all powers, Parliament or Kinge, or whoever they are, to lett them know that these are our rights, and if wee have them nott, wee must get them the best way wee can.

Lieut. Generall.

I thinke you say very well, and my freind att my back, [507] hee tells mee that [there] are great feares abroad, and they talke of some thinges such as are nott onely specious to take a great many people with, butt reall, and substantiall, and such as are comprehensive of that that hath the good of the Kingedome in it. Truly if there bee never soe much desire of carrying on these thinges [together], never soe much desire of conjunction, yett if there bee not libertie of speech to come to a right understanding of thinges, I thinke itt shall bee all one as if there were noe desire att all to meete. I may say itt with truth that I verily beleive there is as much reallity and heartinesse amongst us [as amongst you] to come to a right understanding, and to accord with that that hath the settlement of the Kingdome in itt. Though when itt comes to particulars wee may differ in the way, yett I know nothing butt that

every honest man will goe as farre as his conscience will lett him, and hee that will goe farther I thinke hee will fall back. And I thinke when that principle is written in the hearts of us, and when there is nott hypocrisie in our dealinges, wee must all of us resolve uppon this, that 'tis God that perswades the heart; if there be a doubt of sincerity, itt's the Devill that created that effect; and 'tis God that gives uprightnesse, and I hope with such an heart that wee have all met withall; if wee [345] have not, God finde him out that came without itt; for my parte I doe itt.

Com. Generall.

When you have done this according to the number of inhabitants, doe you not thinke itt is very variable, for the number will change every day? I would have us fall to somethinge that is practicable with as little paines and dissatisfaction as may bee. I remember, that in the proposalls that went out in the name of the Army itt is propounded as a rule to bee distributed according to the rates that the Counties beare in the [burdens of the] Kingedome; and remember then you have a rule, and though this be not a rule of exactnesse, yett there was something of equality in itt, and itt was a certaine rule where all are agreed, and therefore wee should come to some settling. Now I doe nott understand wherin the advantage does lie from a suddaine danger, uppon a thinge that will continue soe long, and will continue soe uncertaine as this is. [508]

Sir Hardresse Waller.

'Tis thought there's imminent danger; I hope to God we shall bee soe ready to agree for the future that wee shall all agree for the present to rise as one man if the danger bee such, for itt is an impossibility to have a remedy in this. The paper sayes, that this Parliament is to continue a yeare, butt will the great burthen of the people be ever satisfied with papers [whilst] you eate and feede uppon them? I shall be glad, that [if] there bee nott any present danger, you will thinke of some way to ease the burthen that wee may take a course [to do it]; and when wee have satisfied the people that wee doe really intend the good of the Kingdome [they will believe us]—Otherwise if the four Evangelists were heere and lay free quarter uppon them, they will not believe you.

[346]

Col. Rainborow.

Moved,

That the Army might bee called to a Rendezvous, and thinges settled.

Com̃. Ireton.

Wee are called back to Engagements. I thinke the Engagements wee have made and published, and all the Engagements of all sorts, have bin better kept by those that did nott soe much cry out for itt then by those that doe; and if you will [have itt] in plaine termes, better kept then by those that have brought this paper. Give mee leave to tell you that in one point, in the Engagement of the Army not to devide, I am sure that hee that understands the Engagement of the Army nott to devide or disband, [as meaning] that wee are nott to devide for quarters for the ease of the country, or the satisfaction of service—hee that does understand itt in that sence, I am nott capable of his understanding. [509] [347] There was another sence in itt, and that is, that wee should nott suffer ourselves to bee torne into peeces—such a dividing as [that] is really a disbanding, and for my parte I doe nott know what disbanding is if nott that deviding. [i say that] the subscribers of this paper, the authours of that Booke that is called, 'The Case of the Armie,' I say that they have gone the way of disbanding. Disbanding of an Army is nott parting in a place, for if that bee soe, did not wee

att that night disband to severall quarters? Did wee nott then send severall Regiments—Col. Scroope’s Regiment into the West [510] —wee know where itt was first—Col. Horton’s Regiment into Wales for preventing of insurrection there—Col. Lambert’s [and] Col. Lilburne’s Regiment[s] then sent downe for strenghtning such a place as Yorke. And yett the authours of that paper, and the subscribers of them—for I cannott thinke the authours and subscribers all one—we all know, and they may know, that there’s noe parte of the Army is dispersed to quarters further then that. Wherupon that outcrie is [made]. They goe to scandalise [us as breakers of the engagement not to disband or divide]. [511] Butt hee that will goe to understand this to bee a deviding that wee engaged against, hee lookes att the name, and nott att the thinge. That deviding which is a disbanding [is] that [348] deviding which makes noe Army, and that dissolving of that order and government which is essentiall to an Army as life is to a man—which if it be taken away I thinke that such a companie are noe more an armie than a rotten carcass is a man—and [it is] those [who have done this] that have gone to devide the Armie. And what else is there in this paper [but] that we have acted soe vigorously for [already? we proposed that this parliament should end within a year at most]; they doe not propose that this Parliament should end till the beginning of September. When all comes upon the matter itt is but a criticall difference, and the very substance of that we have declared before. For my part I professe it seriously that we shall find in the issue that the principall of that division, of [that] disbanding is noe more then this, whether such or such [men] shall have the managing of the businesse. I say plainly the way [they have taken] hath bin the way of disunion and division, and [the dissolution] of that order and Government by which wee shall bee enabled to act, and that by the deviding from that generall Councill, wherein wee have all engaged we should bee concluded, and the endeavouring to draw the soldiers to run this way; and I shall appeale to all men whether there can bee any breach of the Army higher then that breach wee have now spoken of. [as for] that word “deviding the Army,” let it bee judged whether [when we said] wee will nott divide [but] with such [and such] satisfaction, whether that deviding were nott more truly and properlie this deviding in every man’s heart wherin wee doe goe apart one from another, and consequently [whether] those that have gone this way have nott broke the Engagement; [and] whether that [other deviding] were a deviding, [or] a keeping of the Engagement: and those that doe judge the one I doe nott thinke that wee have bin fairely dealt with. [512]

[349]

Col. Rainborow,

I doe nott make any great wonder that this Gentleman hath sence above all men in the world, butt for these thinges hee is the man that hath undertaken them all. I say this Gentleman hath the advantage of us, hee hath drawne uppe the most parte of them; and why may hee nott keepe a sence that wee doe nott know of? If this Gentleman had declar’d to us att first that this was the sence of the Armie in deviding, and itt was meant that men should nott devide in opinions—To mee that is a mistery. Itt is a huge reflection, a taxing of persons, and because I will avoide further reflections, I shall say noe more.

Agitator,

Wheras you say the Agents did itt, [it was] the souldiers did putt the Agents upon these meetinges. Itt was the dissatisfactions that were in the Army which provoak’t, which occasion’d those Meetinges, which you suppose tends soe much to deviding; and the reasons of such dissatisfactions are because those whome they had to trust to act for them were nott true to them.

Comm. Gen.

If this bee all the effect of your meetings to agree upon this paper, there is butt one thing in this that hath nott bin insisted upon and propounded by the Army heertofore all alonge. [513] Heere [514] itt is putt according to the number of inhabitants; there according to the taxes. This sayes a period att such a day, the last of September, the other sayes a period within a yeare att most. The Agreement says that these have the power of making law, and determining what is law without the consent of [350] another. [515] 'Tis true the "Proposals" said nott that, and for my parte, if any man will putt that to the question whether wee shall concurre with itt I am in the same minde, [516] if you putt itt in any other hands then those that are freemen; butt if you shall putt the question, and with that limitation that hath bin all alonge acknowledged by the Parliament, till wee can acquitt ourselves justly from any Engagement old or new that wee stand in to preserve the person of the Kinge, the persons of Lords, and their rights soe farre as they are consistent with the common right, [517] till that bee done I thinke there is reason that exception should continue which hath bin all alonge, that is, where the safetie of the Kingdome is concern'd, this they seeme to hold out. But where I see thinges would nott doe reall mischief I would hold to positive constitution. I would neither bee thought to bee a wronge doer or disturber; soe longe as I can with safetie continue a constitution I will doe itt. [518] And therefore where I finde that the safetie of the Kingdome is nott concern'd, I would nott for every trifling [cause] make that this shall bee a law, though neither the Lords who have a claime to itt nor the Kinge who hath a claime to itt will consent. Butt where this is concern'd [519] —Uppon the whole matter lett men butt consider those that have thus gone away to devide from the Army. [351] Admitt that this Agreement of the people bee the advantage, itt may bee wee shall agree to that without any limitation. I doe agree, that the Kinge is bound by his oath att his coronation to agree to the law that the Commons shall chuse without Lords or any body else. If I can agree any further that if the Kinge doe nott confirme with his authority the lawes that the people shall chuse, wee know what will follow. [520]

Mr. Pettus.

I had the happinesse sometimes to bee att the debate of the Proposals, and my opinion was then as itt is now, against the Kinges vote and the Lords. Butt nott soe as I doe desire, [521] since itt hath pleased God to raise a companie of men that doe stand uppe for the power of the House of Commons, which is the Representative of the people, and deny the negative voice of King and Lords. For my parte I was much unknowne to any of them, butt only as I heard their principles, and hearing their principles I cannott butt joyne with them in my judgement, for I thinke itt is reasonable. That all lawes are made by their consent, [522] wheras you seeme to make the Kinge and Lords soe light a thinge as that itt may bee to the destruction of the Kingdome to throwe them out, and without prejudice [to keep them in]. For my parte I cannott butt thinke that both the power of Kinge and Lords was ever a branch of [352] Tyranny, and if ever a people shall free themselves from Tyranny, certainly itt is after 7 yeares warre and fighting for their libertie. For my parte, [i think that] if the Constitution of this Kingdome shall bee established as formerly, itt might rivett Tyranny into this Kingdome more strongly then before. For when the people shall heare that for 7 yeares together the people were plundered, and [that] after they had overcome the Kinge, and kept the Kinge under restraint, att last the Kinge comes in, then itt will rivett the Kinges interest; and soe when any men shall indeavour to free themselves from Tyranny wee may doe them mischief and noe good. I thinke itt's most just and equall, since a number of men have declar'd against itt, they should bee encouraged in itt, and nott discouraged; and I finde by the Councill that their thoughts are the same against the Kinge and Lords, and if soe bee that a power may bee raised to doe that itt would doe well.

Mr. Wildman.

Truly, Sir, I being desired by the Agents yesterday to appeare att Councill or Committees either, att that time, I suppose I may bee bold to make knowne what I know of their sence, and a little to vindicate them in their way of proceeding, and to shew the necessity of this way of proceeding that they have entred uppon. Truly, Sir, as to breaking of Engagements: the Agents doe declare their principle, that whensoever any Engagement cannott bee kept justly they must breake that Engagement. Now though itt's urg'd they ought to condescend to what the Generall Councill doe [resolve], I conceive itt's true [only] soe longe as itt is for their safetie. I conceive [itt's] just and righteous for them to stand uppe for some more speedy vigorous actinges. I conceive itt's noe more then what the Army did when the Parliament did nott only delay deliverance butt oppos'd itt; and I conceive this way of their appearing hath nott appear'd to bee in the least way anythinge tending to devisiion, since they proceede to cleare the rights of the people; and soe [353] longe as they proceede uppon those righteous principles [for which we first engaged], [523] itt cannott bee laid to their charge that they are deviders. And though itt bee declared [that they ought to stand only as souldiers and not as englishmen], that the malice of the enemies would have bereaved you of your liberties as Englishmen; therefore as Englishmen they are deeply concerned to regard the due observation of their rights, [and have the same right to declare their apprehensions] as I, or any Commoner, have right to propound to the Kingedome my conceptions what is fitt for the good of the Kingedome. Wheras itt is objected, how will itt appear that their proceedings shall tend for the good of the Kingedome? The matter is different. Wheras itt was said before itt was propounded, there must bee an ende to the Parliament, an equality as to Elections—I finde itt to bee their minds—When they came there, they found many aversions from matters that they ought to stand to as souldiers, and nott as Englishmen, and therfore I find it. Concerning the matter of the thinge, I conceive it to bee a very vast difference in the whole matter of proposalls. The foundation of slavery was rivetted more strongly then before. As where the militia is instated in the Kinge and Lords, [524] and nott in the Commons, there is a foundation of a future quarrell constantlie laid. However the maine thing was that they found by the proposalls propounded the right of the Militia was acknowledged to bee in the Kinge, before any redresse of any one of the people's greivances or any one of their burthens; and [the king was] soe to bee brought in as [354] with a negative voice, wherby the people and Army that have fought against him when hee had propounded such thinges [525] —And finding [this] they perceived they were as they thought in a sad case, for they thought, hee coming in thus with a negative, the Parliament are butt as soe many cyphers, soe many round O<sup>s</sup>; for if the Kinge would nott doe itt hee might chuse, “Sic volo, sic jubeo,” &c., and soe the corrupt party of the Kingedome must bee soe settled in the Kinge. The godly people are turn'd over and trampled uppon already in the most places of the Kingedome. I speake butt the words of the agents, and I finde this to bee their thoughts. Butt wheras itt is said, “how will this paper provide for anythinge for that purpose?” I say, that this paper doth lay downe the foundations of freedome for all manner of people. Itt doth lay the foundations of souldiers [freedom], wheras they found a great uncertainty in the proposalls: that they should goe to the Kinge for an act of indempnity, and thus the Kinge might command his Judges to hange them uppe for what they did in the warres; because the present Constitution being left as itt was, nothing was law butt what the Kinge sign'd, and nott any ordnance of Parliament. And considering this, they thought itt should bee by an Agreement with the people, wherby a rule betweene the Parliament and the people might bee sett, that soe they might bee destroyed neither by the Kinge's Prerogative, nor Parliament's priviledges. [355] They [526] are nott bound to bee subject to the lawes as other men, [that is] why men cannott recover their estates. They thought there must bee a necessity of a rule betweene the Parliament and the people, soe that the Parliament should know what they were intrusted to, and what they were nott; and that there might bee noe doubt of the Parliament's power to lay foundations for future quarrells. [527] The Parliament shall nott meddle with a souldier after indempnity. Itt is agreed amongst the people, wheras betweene a Parliament and Kinge—if the Kinge were

nott under restraint—should make an Act of Indemnity—wheras another Parliament cannott alter this—That these foundations might bee established. [356] That there might bee noe dispute betweene Lords and Commons, butt these thinges being settled, there should bee noe more disputes, butt that the Parliament should redresse the peoples grievances, wheras now all are troubled with Kinge’s interests almost. And besides if this were settled, the Parliament should be free from those temptations—which for my owne parte I doe suppose to bee a truth, that this very Parliament, by the Kinge’s voice in this very Parliament may destroy—wheras now they shall bee free from temptations and the Kinge cannott have an influence upon them as hee hath. [528]

Com̃. Gen. Ireton.

Gentlemen, I thinke there is noe man is able to give a better account of the sence of the Agents; hee hath spoke soe much as they have in their Booke and soe readily and therefore I see hee is very well able to give their sence. I wish their sences had nott bin prejudiciall to other men’s sences; butt I feare as itt will prove really prejudiciall to the Kingedome, how plausible soever it seemes to bee carried. That paper of the Case of the Armie doth soe abuse the Generall and Generall Councill of the Armie, that such and such thinges have bin done that made them doe thus and thus. First as to the materiall points of the paper. As to the businesse of the Lords you know the way wee were then in admitted noe other. [529] This Gentleman that speakes heere, and the other gentleman that spake before, when wee were att Reading framing the [357] proposalls did nott thinke of this way. I am sure they did not thinke of this way; and according to the best judgments of those that were intrusted by the Generall Councill to drawe uppe the prosposalls, itt was carried by a question clearlie, that wee should nott. In these proposalls our businesse was to sett forth particulars; wee had sett forth generall Declarations, which did come to as much in effect in this [530] The thinge then proposed was, that wee should nott take away the power of the Lords in this Kingedome, and itt was concluded that in the proposalls. Butt as to the Kinge wee were clear. There is nott one thinge in the proposalls, nor in what wee declar’d, that doth give the Kinge any negative voice; and therefore that’s parte of the scandall amongst others. Wee doe not give the Kinge any negative, wee doe butt take the Kinge as a man with whome wee have bin att a difference, wee propound termes of peace. Wee doe nott demand that hee shall have noe Negative, butt wee doe nott say that hee shall have any. There’s another thinge that wee have, as they say, gone from our Engagements in our Declarations in. [they say] that in the proposalls we goe to establish the [358] Kinge’s Rights before [taking away] the peoples Greivances. [531] In our Generall Declarations wee first desire a purging of this Parliament, a period [to be set for] this Parliament, and provision for the certainty of future Parliaments; and if the Kinge shall agree in these thinges and what [things] else the Parliament shall propound that are necessary for the safetie of the Kingedome, then wee desire his Rights may bee consider’d soe farre as may consist with the Rights of the people. Wee did soe [speak] in the Declarations, and you shall see what wee did in the proposalls. In the proposalls, [we put first] thinges that are essentiall to peace, and itt distinguishes those from the things that conduce to our better being, and thinges that lay foundations of an hopefull Constitution in the future. When those are past, then they say, ‘that these thinges having the Kinge’s concurrence wee desire that his Right may bee consider’d.’ There were many other greivances and particular matters which wee did nott thinke soe necessary that they should precede the settling of a peace, which is the greatest greivance of the Kingdome. Our way was to take away that [first]. Then itt says there, [after] propounding what thinges wee thought in our judgements are to bee essentiall and necessary to peace, ‘yet wee desire that the Parliament would loose noe time from the consideration of them.’ [532] These Gentlemen [359] would say now wee have gone from our Declarations, that wee propose the settling of the Kinge [first, because] itt stands before those Greivances. Wee say those Greivances are nott soe necessary, as that the remedying of them should bee before the settling of the peace

of the Kingedome. What wee thought in our consciences to bee essentiall to the peace of the Kingedome wee did putt preceding to the consideration of the Kinge's personall Right; and the concurrence of [the king to] those is a condition without which wee cannott have any Right att all, and without [which] there can bee noe peace, and [we] have named [it] before the consideration of the Kinge's Rights in the setling of a peace, as a thinge necessary to the constitution of a peace. That therefore [to say] wee should preferre the Kinge's Rights before a generall good, was as unworthy and as unchristian an injury as ever was done [by any] to men that were in society with them, and meerly equivocation. Butt itt was told you, that the Generall Councill hath seemed to doe soe and soe, to putt the souldiers out of the way. Itt is suggested, that the Engagement is broken by our deviding to quarters; and whether that bee broken or nott in other things, itt is said, that the Generall Councill hath broken the Engagement in this; that wheras before wee were nott a mercinarie Army, now wee are. Lett any man butt speake what hath given the occasion of that. Itt hath bin pres't by some men that wee should [not] have subjected [our propositions] to the Parliament, and wee would stand to the propositions [360] whatever they were; butt the sence of the Generall Councill was this, that, as they had sent their propositions to the Parliament, they would see what the Parliament would doe before they would conclude what themselves would doe; and that there was respect [to be had] to that which wee have hitherto accounted the fundamentall Councill of the Kingedome. [533] If all the people to a man had subscribed to this [agreement] [534] then there would bee some security to itt, because noe man would oppose; butt otherwise our concurrence amongst ourselves is noe more then our saying our selves wee will bee indemnified. Our Indemnity must bee to somethinge that att least wee will uppehold, and wee see wee cannott hold to bee a conclusive authority of the Kingedome. For that [charge] of going to the Kinge for Indemnity, wee propose an Act of oblivion onely for the Kinges partie; wee propose for ourselves an Act of Indemnity and Justification. Is this the asking of a pardon? Lett us resort to the first petition of the Army wherin wee all were engag'd once, which wee made the basis of all our proceedings. In that wee say, that [wee wish] an ordinance might bee past to which the Royall Assent might bee desired; butt wee have [since] declar'd, that if the Royall Assent [361] could nott be had, wee should account the aucthority of the Parliament valid without itt. [535] Wee have desired in the Generall Councill, that for security for arreares wee might have the Royall Assent; and lett mee tell you though I shall bee content to loose my arreares to see the Kingedome have itt's libertie— and if any man can doe itt unlesse itt bee by putting our libertie into the hands of those that will give itt away when they have done. Butt I say that I doe thinke that true in this, whoever talk't either of the indeavours of the souldiers, or of any other Indempnity by the sworde in their hands, is [for] the perpetuating of combustions, soe that worde cannott take place, and does nott suppose the setling of a peace, and by that aucthority which hath bin here by the legislative power of the Kingedome; and hee that expects to have the arreares of the souldiers soe, I thinke hee does butt deceive himself. [536] For my owne parte I would give uppe my arreares, and for my parte loose my arreares, if wee have nott settlement; noe arreares or want of Indempnity, nor any thinge in the world shall satisfie mee to have a peace uppon any termes, wherin that which is really the Right of this Nation is nott as farre provided for as can bee provided for by men. I could tell you many other particulars wherin there are divers grosse injuries done to the Generall and Generall Councill, and such a wronge as is nott fitt to bee done amonge Christians, and soe wronge, and soe false that I cannott thinke that they have gone soe farre in itt.

[362]

Mr. Wildman.



I doe nott know what reason you have to suppose I should bee soe well acquainted with the Case of the Armie, and the thinges proposed [in it]. I conceive them to bee very good and just. Butt for that which I give as their sence, which you are pleased to say are scandalls cast upon the Army, that you propounded to bringe in the Kinge with his negative voice. The legislative power had bin acknowledged [hitherto] to bee in the Kinge with Lords and Commons, whereas you do now say the legislative power to be partly in him. Then considering that, I doe humbly propound to your consideration, [that] when you restraine the Kinges Negative in one particular, which is in restrayning unequall distributions, and say directly in these very words [the king] “shall bee restored to his personall Rights,” you doe now say the Legislative power to bee now partly in him. And therefore I conceive if I have any reason the Kinge is proposed to bee brought in with his Negative voice. [537] And wheras you say itt is a scandall for [us to say that you propose] the Kinge to come in with his personall Rights [before the grievances of the people are redressed, it is said in the proposals] that the Kinge consenting to those thinges the Kinge [is] to bee restored to all his personall Rights.

There’s his Restoration. Nott a bare consideration what his [363] Rights are before the peoples Greivances [are considered], butt a Restoration to his personall Rights these thinges being done. Is nott the Parliament to loose their Rights? And for that of [asking the king’s consent to an act of] Indempnity, I doe nott say itt was an asking of the Kinge pardon; itt is rendring us uppe, [because the king is under constraint], and therefore itt is null in Law.

Saturday, 30 October, 1647.

### **Att the Committee of Officers att the Quartermaster Generalls.**

Present.

#### **Lieut. Generall.**

Commissary Generall.  
Col. Rainborow.  
Sir Hardresse Waller.  
Col. Lilburne.  
Col. Rich.  
Lieutennant Col. Goffe.  
Major Rainborow.  
Capt. Clarke.

#### **Capt. Merriman.**

Lieut. Col. Cobbett.  
Lieut. Chillenden.  
Mr. Allen.  
Mr. Walley.  
Mr. Sexby.  
Mr. Whiting.  
Mr. Gayes.  
Mr. Andrewes.

To consider of the papers of the Armie, and the paper of the People’s Agreement, and to collect and prepare somewhat to bee insisted upon and adheer’d unto for settling the Kingedome, and to cleare our proceedinges hitherto.

Putney, October 30, 1647.

### **Att the Committee of Officers appointed to consider of the Agreement, and compare itt with Declarations.**

Agreed,

1. That there bee a period sett to this Parliament to end and bee [364] dissolved on the first day of September next ensuing att the furthest.

2. That secure provision may bee made for the succession, constitution, and clearing the power of Parliaments in future, as followeth:

- 1. For the certainty of their succession, that Parliaments shall biennially meete on the

first Thursday in Aprill every second yeare from and after the ending of this Parliament, with such provision for the certainty therof as shall bee found needfull before the ending of this Parliament. The place of Meeting for each succeeding Parliament to bee where the Parliament last preceding shall appoint, unlesse the Council of State heerafter mencioned, during the intervall shall finde emergent cause to alter the place, and in such case the Meeting for the next Parliament to bee where the Council shall appoint, provided, that notice bee given therof to all the severall Divisions of the Kingdome for which Members are to bee chosen att least 30 dayes before the time of Meeting.

- 2. For the certainty of their sitting, That each Bienniall Parliament shall certainly continue to sitt untill the last day of September next ensuing after the meeting therof, unlesse adjourn'd or dissolv'd sooner by their owne consent, butt uppon the said last day of September to dissolve of course.

3. That this Parliament and each succeeding Parliament, att or before Adjournement or Dissolution therof, shall or may appoint a Committee or Councell of State, and such other Committees to continue during the intervall with such powers as they shall finde needfull for such ends and purposes as are in these articles referr'd and left unto them.

4. That in the intervalls betwixt Bienniall Parliaments the [365] Kinge, without the advice and consent of the Council of State may nott call a Parliament extraordinary; butt uppon the advice of the Council of State, and uppon their warrant for that purpose a Parliament extraordinary shall be called, provided, that itt meete above 70 dayes before the next Bienniall day, and shall dissolve of course att least 40 dayes before the same, soe as the course of Bienniall Elections may never bee interrupted. Other circumstances about the manner and way of calling such Parliaments extraordinary are to bee sett downe by this Parliament before the ende thereof.

5. For the Constitution of future Parliaments.

- 1. That the Election of Members for the House of Commons in succeeding Parliaments shall bee distributed to all Counties, or other partes or Devisions of the Kingdome, according to some rule of equality of proportion, soe as to render the House of Commons as neere as may bee an equall Representative of the whole body of the people that are to Elect; and in order therunto, that all obstructions to the freedome and equalitie of their choice, either by petitions or charters or other prerogative grants, bee removed, and the circumstances of number, place, and manner for more equall distributions bee sett downe by the Commons in this present parliament before the end therof; and what they shall order therein, as alsoe what they or the Commons in succeeding Parliaments shall from time to time further order or sett downe, for reducing the said Elections to more and more perfection of equality in distribution therof, freedome in the Election, order and regularity in the proceeding therof, and certainty in the returnes, shall bee lawes in full force to those purposes. [538]
- 2. That the qualifications of the people that shall have voices in the Elections, as alsoe of those that shall bee capable of being [366] Elected, bee determined by the Commons in this present Parliament before the end therof, soe as to give as much inlargement to Common freedome as may bee, with a due regard had to the equality [539] and end of the present Constitution in that point; wherin wee desire itt may bee provided, that all freeborne Englishmen, or persons made free denizons of England, who have served the Parliament in the late warre for the liberties of the Kingdome, and were in the service before the 14th of June 1645, or have voluntarily assisted the Parliament in the said warre with mony, plate, horse, or Armes lent uppon the Parliament's propositions for that purpose, brought in theruppon before the [540] day of 1642, shall uppon such certificates therof as by the Commons in this present Parment shall bee determined

sufficient, or upon other sufficient evidence of the said service or assistance, bee admitted to have voices in the said elections for the respective Counties or Divisions wherein they shall inhabite, although they should nott in other respects bee within the qualifications to bee sett downe as aforesaid; as alsoe that itt bee provided, that noe person who for delinquencie in the late warre or otherwise hath forfeited or shall forfeite his said freedome, and is or shall bee soe adjudged by the Commons in Parliament, either by particular judgement or otherwise, or according to generall rules or law for that purpose, whiles hee standeth or shall stand soe adjudged and nott restor'd, shall bee admitted to have any voice in the said Elections or bee capable of being elected. And for that purpose, that itt bee provided either by law or judgement in this present Parliament, that noe person whatsoever who hath bin in hostility against the Parliament in the late warre shall bee capable of having a voice [367] or being elected in the said Elections or to vote or sitt as a Member or Assistant in either House of Parliament untill the 2<sup>d</sup> Bienniall Parliament bee past.

- 3. That noe Peers made since the 21st day of May, 1642, or heerafter to bee made, shall bee admitted or capable to sitt or vote in Parliament without consent of both Houses.

6. For clearing of the power of Parliament in future and the interest of the people therein.

[541]

Putney, 1 November, 1647.

[542]

### **Att the Generall Council of the Army.**↩

Lieut. Generall.

The Lieutenant Generall first moved, that every one might speake their experiences as the issue of what God had given in answer to their prayers.

Capt. Allen. [543]

Made a speech, expressing what experiences hee had received from himself, and from divers other godly people: that the worke that was before them was to take away the Negative voice of the Kinge and Lords.

A report from Col. Lambert's Regiment that two Horsemen, Agitators, came and perswaded them to send new Agitators, for that the Officers had broken their Engagements.

[368]

Capt. Carter [544]

Exprest his experiences; that hee found nott any inclination in his heart as formerly to pray for the kinge, that God would make him yett a Blessing to the kingdome.

Coñ. Cowling.

Made a speech expressing, that the sworde was the onelie thinge that had from time to time recover'd our Rightes, and which hee ever read in the Worde of God had recover'd the Rights of the people: that our ancestors had still recover'd their liberties from the Danes and Normans by the sworde, when they were under such a slaverie that an Englishman was as hatefull then as an Irishman is now, and what an honour those that were noblemen thought itt to marry their daughters to, or to marry the daughters of any cookes or bakers of the Normans.

That hee never observed that the recovery of our liberties which wee had before the Normans was the occasion of our taking uppe armes, or the maine quarrell; and that the Norman Lawes are nott slaverie introduced uppon us, but an augmentation of our slaverie before. Therefore I doubt for those reasons I have given you what was by some offer'd was not of God.

Lieut Generall.

To that which hath bin moved concerning the Negative vote, or thinges which have bin deliver'd in papers, and otherwise may present a reall pleasing. I doe nott say that they have all pleas'd, for I thinke that the Kinge is Kinge by contract, and I shall say, [369] as Christ said, "Lett him that is without sin cast the first stone;" and minde that worde of bearing one with another, itt was taught us to day. If wee had carried itt on in the Parliament and by our power without any thinges laid on [us of] that kinde, soe that wee could say that wee were without transgression, I should then say itt were just to cutt off transgressors; butt considering that wee are in our owne actions failing in many particulars, I thinke there is much necessity of pardoning of transgressors.

For the actions that are to bee done, and those that must doe them. I thinke itt is their proper place to conforme to the Parliament that first gave them their being; and I thinke itt is considerable [546] whether they doe contrive to suppress the power by that power or noe. If they doe continue to suppress them how they can take the determination of commanding men, conducting men, quartering men, keeping guards, without an authority otherwise then from themselves, I am ignorant of. And therefore I thinke there is much [need] in the Army to conforme to those thinges that are within their spheare. For those thinges that have bin done in the Army, as this of the Case of the Army truly Stated. There is much in itt usefull, and to bee condescended to; butt I am nott satisfied how farre wee shall presse [it]. Either they are a Parliament or noe Parliament. If they bee noe Parliament they are nothing, and wee are nothing likewise. If they bee a Parliament wee are to offer itt to itt. If I could see a visible presence of the people, either by subscriptions, or number [i should be satisfied with it]; for in the Governement of Nations that which is to bee look't after is the affections of the people, and that I finde which satisfies my conscience in the present thinge.

[Consider the case of the Jews]. They were first [divided into] families where they lived, and had heads of families [to govern [370] them], and they were [next] under judges, and [then] they were under Kinges. When they came to desire a Kinge they had a Kinge, first Elective, and secondly by succession. In all these kindes of Governement they were happy and contented. If you make the best of itt, if you should change the Governement to the best of itt, itt is butt a morall thinge. Itt is butt as Paul sayes "Drosse and dunge in comparison of Christ;" [547] and why wee shall soe farre contest for temporall thinges, that if wee cannott have [548] this freedome wee will venture life and livelihood for itt. When every man shall come to this condition I thinke the State will come to desolation. Therefore the considering of what is fitt for the Kingedome does belonge to the Parliament—well composed in their creation and election—how farre I shall leave itt to the Parliament to offer itt. There may bee care—That the elections or formes of Parliament are very illegall, as I could name butt one for a Corporation to chuse two. I shall desire, that there may bee a forme for the electing of Purliaments. And another thinge as the perpetuity of the Parliament [549] that there is noe assurance to the people, butt that itt is perpetuall, which does [not] satisfie the Kingedome; and for other thinges that are to the Kinge's Negative vote as may cast you off wholly, itt hath bin the resolution of the Parliament and of the Army—If there bee a possibility of the Parliament's offering those thinges unto the Kinge that may secure us I thinke there is much may bee said for the[ir] doing of itt.

[371]

As for the present condition of the Army I shall speake somethinge of itt. For the conduct of the Army I perceive there are severall Declarations from the Army and dissobligations to the Generalls orders by calling Randezvous and otherwise. I must confesse I have a Commission from the Generall and I understand that I am to doe by itt. I shall conforme to him according to the rules and discipline of warre, and according to those rules I ought to bee conformable; and therefore I conceive itt is nott in the power of any particular men or any particular man in the Army to call a Randezvouz of a troope, or Regiment, or [in the] least [550] to disoblige the Armie from those commands of the Generall. This way is destructive to the Armie and to every particular man in the Armie. I have bin inform'd by some of the Kinge's partie, that if they give us rope enough we will hange ourselves. [we shall hang ourselves], if wee doe not conforme to the rules of warre, and therefore I shall move what wee shall center uppon. If itt have butt the face of auctority, if itt bee butt an hare swimming over the Thames, hee will take hold of itt rather then lett itt goe. [551]

Lieut. Chillenden.

That God hitherto hath bin pleased to shew us many mercies. The relation of God's providence in bringing us from our march to London.

Mr. Allen.

On Friday was a day for to seeke God for direction in this worke, [372] and uppon Saturday many were giving in their thoughts concerning what God had given in to them to speake, as to a cure for a dying Kingdome. Truly amongst the rest my thoughts were att worke. Providentially, my thoughts were cast uppon one thinge which I had often seene before, yett if prosecuted may bee the meanes of an happy union amongst us. That which I hinte att, and which I spoke to was, the Case of the Armie Stated. I doe perceive, that there is either a reall or an apprehensive—or rather a missapprehensive dissunion amongst us; and truly in my heart there was somethinge providentially laid for a uniting, and that in that passage that those Agentes—att that very time of dissenting from us and when they were ripping uppe our faults to open view—came in the issue to lay us down [as] a rule, and that was [a thing] which before had bin laid downe as a rule, and we and they were to act according to itt; butt being laid downe by them againe I thinke itt is a twofold corde that cannott easily bee broken. They doe referre us to our three Declarations, that of 14 June, 21 of June, 18 of August; and their desires are, that those might bee look't uppon, and adheered unto; and if they bee our desires and their desires that wee should walke uppe to them, I thinke this will putt the businesse to a very faire issue. I did looke over for my parte all thinges [contained] in those three Declarations, and therefore I humbly desire that whatsoever there is in those Declarations we should persist in, wee may intend and pursue, as tending to that end wee all aime att, namelie the Kingdomes good. [552]

Lieut. Col. Jubbes. [553]

Truly I doe nott know how to distinguish whether the spiritt of [373] God lives in mee, or noe, butt by mercy, love, and peace; and on the contrary whether the spirit of Antichrist lives in mee, butt by envy, malice, and warre. I am altogether against a warre if there may bee a composure [so] that the Englishman may have his priviledges; I have a commission ready to deliver uppe whensoever I shall bee call'd.

Queries wherein Lieut. Col. Jubbes desireth satisfaction for the preventing of the effusion of blood.

1. Whether or noe the Parliament may yett be purged of all such Members as assented to the late insurreccions and treason of the City, and still continue a House?

2. If itt may bee purged and an House still remayning, whether the major parte of the remainder bee such persons as are desirous of giving satisfaction to our or the Kingdome's just desires?

3. If the 2<sup>d</sup> bee assented unto, that they are such persons, whether then they may nott satisfie our just desires, and declare the Kinge guilty of all the bloudshed, vast expence of treasure, and ruine that hath bin occasioned by all the warres both of England and Ireland, and then for that hee is the Kinge of Scotland, and alsoe of Ireland as well as England, that therefore to receive him as Kinge againe for avoiding further warres?

4. Whether if the Parliament may adjourne and dissolve when in their discretions they shall finde cause or nott before—as att this present, even by law, God hath order'd itt—they may nott then reject the Kinge's Act of Oblivion, and take unto themselves that godly resolution to doe that justice unto the Kingdome which now they dare nott doe?

[374]

Col. Rainborow.

Mov'd that the papers of the Committee might bee read.

Lieut. Col. Goffe.

I thinke that motion which was made by the Lieutennant Generall should nott die, butt that itt should have some issue. I thinke itt is a vaine thinge to seeke God if wee doe nott hearken after his answer, and somethinge that was spoken by the Lieutennant Generall moves mee to speake att this time, and that was uppon this ground. Itt was concluded by the Lieutennant Generall uppon what was spoken by one heere, that that was nott the minde of God that was spoken by him. I could wish wee might bee warie of such expressions. “There was a lying spiritt in the mouth of Ahab's Prophetts. Hee speakes falselie to us in the name of the Lord.” [554] I doe not speake this, that this was the minde of the Lord in any thinge; yett wee may nott breake abruptly of that what one spoke was the minde of the Lord, yett wee must consider whether somethinge was nott spoken by others which may bee the minde of the Lord. Truly I am very tender in this thinge; if wee shall waite for God, and if God shall speake to us [and we not hearken], wee shall bringe much evill uppon ourselves. God hath spoken in severall ages in sundry wayes. Then they sent to a Prophet, and hee comes and tells them uppon his bare worde, and hee tells them that hee received such a message from the Lord. Butt God hath [now] putt us uppon such a course which I cannott butt reverence, and God does nott now speake by one particular man, butt in every one of our hearts; and certainly if itt were a dangerous thinge to refuse a message that came from one man to many, itt is a more dangerous thinge to refuse what comes from God, being spoke by many to us. I shall adde this, that itt seemes to mee evident and cleare, that this hath bin a voice from heaven to us, that wee have sinn'd against the Lord in tampering with his enemies; and itt hath soe wrought [375] with mee that [though] I cannott run præcipitately to worke, yett I dare nott open my mouth for the benefitt or uppeholding that power. I thinke that hath bin the voice of God, and whatsoever was contradicted was our præcipitate running on, our taking hold of an opportunity before itt was given; [555] and therefore I desire wee may nott præcipitately run on, butt waite uppon God, and that in the issue wee may [556] see [if] God hath [not] spoken to us; and if the Lord hath spoken to us I pray God keepe us from that sin that wee doe nott hearken to the voice of the Lord.

Lieut. Generall.

I shall nott be unwilling to heare God speaking in any; butt I thinke that God may [as well] bee heard speaking in that which is to bee read [557] as otherwise.

Butt I shall speake a worde in that which Lieut. Col. Goffe said because itt seemes to come as a reproof to mee, and I shall bee willing to receive a reproof when itt shall bee in love, and shall bee [so] given. That which hee speakes was, that at such a Meeting as this wee should waite uppon God, and [hearken to] the voice of God speaking in any of us. I confesse itt is an high duty, butt when any thinge is spoken [as from god] I thinke the rule is, Lett the rest judge! [558] Itt is left to mee to judge for my owne satisfaction, and the satisfaction of others, whether itt bee of the Lord or nott, and I doe noe more. I doe nott judge conclusively, negatively, that itt was nott of the Lord, butt I doe desire to submitt itt to all your judgements whether itt was of the Lord or noe? I did offer some reasons which did satisfie mee, I know nott whether I did others. If in those thinges wee doe speake, and pretend to speake from God, there bee mistakes of fact—if there bee a mistake in the thinge, in the reason of the thinge—truly [376] I thinke itt is free for mee to shew both the one, and the other if I can. Nay, I thinke itt is my duty to doe itt: for noe man receives any thinge in the name of the Lord further then [to] the light of his conscience appeares. I can say in the next place—and I can say itt heartily and freely as to the matter he speakes—I must confesse I have noe prejudice, nott the least thought of prejudice, uppon that ground—I speake itt truly as before the Lord—butt this I thinke; that itt is noe evill advertisement to wish us in our speeches of righteousnesse and justice to referre us to any engagements that are upon us, and [it is] that which I have learn't [559] in all [our] debates. I have still desir'd wee should consider, where wee are, and what engagements are uppon us, and how wee ought to goe off as becomes Christians. This is all that I aim'd att and I doe aime att. I must confesse I had a mervailous reverence and awe uppon my spiritt when we came to speake. [we said], lett us speake one to another what God hath spoken to us; and as I said before I cannott say that I have recived any thinge that I can speake as in the name of the Lord—nott that I can say that any body did speake that which was untrue in the name of the Lord—butt uppon this ground, that when wee say wee speake in the name of the Lord itt is of an high nature.

Lieutenant Col. Goffe made an apologie for what hee had said before.

Mr. Allen.

My desire is to see thinges putt to an issue. Men have bin declaring their thoughts, and truly I would crave libertie to declare mine. The difference betweene us I thinke is in the interest of Kinge and Lords, some declaring against the name and title of Kinge and Lords. For my parte [i think] clearly, according to what wee have engag'd wee stand bound; and I thinke wee should bee look't uppon as persons nott fitt to bee [377] called Christians, if wee doe nott worke up to them. As first, concerning the Kinge. You say you will sett uppe the Kinge as farre as may bee consistent with, and nott prejudiciall to the liberties of the Kingedome; and really I am of that minde [too]. If the setting uppe of him bee nott consistent with them, and prejudiciall to them, then downe with him; butt if hee may bee soe sett uppe—which I thinke hee may—[then set him up], and itt is not our judgement onely, butt [that] of those that sett forth the Case of the Army.

Col. Rainborow.

Tooke occasion to take notice as if what Mr. Allen spoke did reflect upon himself or some other there, as if they were against the name of Kinge and Lords.

Mr. Sexby.

Truly I must bee bold to offer this one worde unto you. Truly heere was somewhat spoke of the workings and actinges of God within them, I shall speake a worde of that. The Lord hath putt you into a state, or att least [suffered you] to run you[rselfes] into such a one, that you know nott where you are. You are in a wildernesse condition. Some actinges amonge us singly and joyntlie that are the cause of itt. Truly I would intreate you to weigh that. Wee finde in the worde of God “I would heale Babylon, butt shee would nott bee healed.” [560] I thinke that wee have gone about to heale Babylon when shee would nott. Wee have gone about to wash a Blackamore, to wash him white, which hee will nott. I think wee are going about to sette uppe the power which God will destroy. Wee are going about to sett uppe the power of Kinges, some parte of itt, which God will destroy; and which will bee butt as a burthensome stone that whosoever shall fall uppon itt, itt will destroy him. [561] I shall propose this to your [378] Honours, to weigh the grounds, whether they bee right, and then you shall bee led in pleasant pathes by still waters, and shall nott bee offended. I thinke this is the reason of the straights that are in hand.

Lieut. Gen.

I thinke wee should nott lett goe that motion which Lieut. Col. Goffe made, and soe I cannott butt renew that caution that wee should take heede what wee speake in the name of the Lord. As for what that Gentleman spoke last (butt it was with too much confidence) I cannott conceive that hee altogether meant itt. I would wee should all take heede of mentioning our owne thoughts and conceptions with that which is of God. What this Gentleman told us [was] that which [he conceived] was our great fault. Hee alludes to such a place of Scripture. “Wee would have heal’d Babylon, butt shee would nott.” The Gentleman applied itt to us, as that we had bin men that would have heal’d Babylon, and God would nott have had her heal’d. Truly though that bee nott the intent of that Scripture, yett I thinke itt is true, that whosoever would have gone about to heale Babylon when God had determined [to destroy her] hee does fight against God, because God will nott have her heal’d. Indeed when wee are convinc’t that itt is Babylon wee are going about to heale, I thinke itt’s fitt wee should then give over our healing; and yett certainly in generall itt is nott evill to desire an healing. Butt since I heare noe man offering nothing to speake to us as a particular dictate from God, I shall desire to speake a word or two. [562] I should desire to draw to some conclusion of that expectation of ours. Truly, as Lieut. Col. Goffe said, God hath in severall ages used severall dispensations, and yett some dispensations more eminently in one age then another. I am one of those whose heart God hath drawne out to waite for some extraordinary dispensations, according to those [379] promises that hee hath held forth of thinges to bee accomplished in the later time, and I cannott butt thinke that God is beginning of them. Yett certainly [we do well to take heed], uppon the same ground that wee finde in the Epistle of Peter, where hee speakes of the Scriptures, as “a more sure word of Prophecy” then their testimonies was, to which, says hee, you doe well to take heede, as a light shining in a dark place. [563] If, when wee want particular and extraordinary impressions, wee shall either altogether sitt still because wee have them nott, and nott follow that light that wee have; or shall goe against, or short of that light that wee have, uppon the imaginary apprehension of such divine impressions and divine discoveries in particular thinges—which are nott soe divine as to carry their evidence with them to the conviction of those that have the spiritt of God within them—I thinke wee shall bee justly under a condemnation. Truly wee have heard many speaking to us; and I cannott butt thinke that in many of those thinges God hath spoke to us. I cannott butt thinke that in most that have spoke there hath bin some thinge of God made forth to us; and yett there hath bin severall contradictions in what hath bin spoken. Butt certainly God is nott the Authour of contradictions. The contradictions are nott soe much in the end as in the way. I cannott see butt that wee all speake to the same end, and the mistakes are onely in the way. The end is to deliver this Nation from oppression and slavery, to accomplish that worke that God hath carried us on in, to establish our hopes of an end of



justice and righteousnesse in itt. Wee agree thus farre. I thinke wee may goe thus farre farther, that wee all apprehend danger from the person of the Kinge, and from the Lords. All that have spoke have agreed in this too; though the Gentleman in the windowe [564] when hee spoke [of] sett[ing] uppe, if hee should declare itt, did nott meane all that that worde might importe. I thinke that seemes to bee generall amonge us all, that if itt were free before us [380] whether wee should sett uppe one or other, there is nott any intention of any in the Army, of any of us, to sett uppe the one [or the other]. I doe to my best observation finde an unanimity amongst us all, that wee would sett uppe neither. [565] Thus farre I finde us to bee agreed, and thus farre as wee sre agreed I thinke itt is of God. Butt there are circumstances in which wee differ as in relation to this. I must further tell you, that as wee doe nott make itt our businesse or intention to sett uppe the one or the other, soe neither is itt [our intention] to preserve the one or the other, with a visible danger and destruction to the people and the publike interest. Soe that that parte of difference that seemes to bee among us is whether there can bee a preservation [of them with safety to the kingdom]. First of all, on the one parte, there is this apprehension: that wee cannott with justice and righteousnesse att the present destroy, or goe about to destroy, or take away, or [altogether] lay aside both, or all the interest they have in the publike affaires of the Kingdome; and those that doe soe apprehend would straine somethinge in point of security, would rather leave some hazard—or att least, if they see that they may consist without any considerable hazard to the interest of the Kingdome, doe soe farre [wish] to preserve them. On the other hand, those who differ from this, I doe take itt in the most candid apprehension that they seeme to run [566] thus: that there is nott any safetie or security to the libertie of the Kingedome, and to [the] publike interest, if you doe retaine these at all; and therfore they thinke this is a consideration to them paramount [to] the consideration of particular obligations of justice, or matter of right or due towards Kinge or Lords. Truly I thinke itt hath pleased God to lead mee to a true and clear stating our agreement, and our difference; and if this bee soe wee are the better prepared to goe [on]. If this bee nott soe, I shall desire that any one that hath heard mee [will] declare [it], if hee doe thinke that the thinge is [381] mistated as to our agreement or difference; and I shall goe on, onely in a worde or two to conclude that wee have bin about. As to the dispensations of God itt was more particular in the time of the law [of moses than in the time of the law] written in our hearts, that worde within us, the minde of Christ; [567] and truly when wee have noe other more particular impression of the power of God going forth with itt I thinke that this law and this [word] speaking [within us]—which truly is in every man who hath the spiritt of God—wee are to have a regard to; and this to mee seemes to bee very cleare what wee are to judge of the apprehensions of men to particular cases, whether itt bee of God or noe. When itt doth nott carry itt evidence of the power of God with itt to convince us clearlie, our best way is to judge the conformity or disformity of [it with] the law written within us, which is the law of the spiritt of God, the minde of God, the minde of Christ. As was well said by Lieut. Col. Jubbs, for my parte I doe nott know any outward evidence of what procedes from the spiritt of God more cleare then this, the appearance of meeknesse, and gentlenesse, and mercy, and patience, and forbearance, and love, and a desire to doe good to all, and to destroy none that can bee sav'd; [568] and as he said of the spiritt of malice, and envy, and thinges of that nature, I cannot but take that to bee contrary to this law. For my parte I say where I doe see this, where I doe see men speaking according to that law, which I am sure is the law of the spiritt of life—And I thinke there is this radically in that heart where there is such a law as leads us against all opposition. On the other hand, I thinke that hee that would decline the doing of justice—where there is noe place for mercy—and the exercise of the wayes of force—for the saftie of the Kingedome where there is noe other way to save itt—and would decline these out of the [382] apprehensions of danger and difficulties in itt, hee that leads that way on the other hand doth truly lead us from that which is the law of the spiritt of Life, the law written in our hearts. And truly having thus declared what wee may apprehend of all that hath bin said, I shall wish that wee may goe on to our businesse;

and I shall onely adde severall cautions on the one hand, and the other.

I could wish that none of those whose apprehensions run on the other hand, that there can bee noe safetie in a consistencie with the person of the Kinge or the Lords, or their having the least interest in the publique affaires of the Kingedome, I doe wish them that they will take heede of that which some men are apt to bee carried away by, [that is] apprehensions that God will destroy these persons or that power; for that they may mistake in. And though [i] my selfe doe concurre with them, and perhaps concurre with them uppon some ground that God will doe soe, yett lett us, [not] make those thinges to bee our rule which wee cannott soe clearlie know to bee the minde of God. I meane in particular thinges lett us nott make those our rules, “that this is to bee done, [this] is the minde of God, wee muste worke to itt.” [569] Att least [let] those to whome this is nott made cleare, though they doe thinke itt probable that God will destroy them, yett lett them make this rule to themselves, though God have a purpose to destroy them, and though I should finde a desire to destroy them—though a Christian spiritt can hardly finde itt for itt self—yett God can doe itt without necessitating us to doe a thinge which is scandalous, or sinne, or which would bringe a dishonour to his name; and therefore let those that are of that minde waite uppon God for such a way when the thinge may bee done without sin, and without scandall too. Surely what God would have us doe hee does nott desire wee should steppe out of the way for itt. This is the caution, on the one hand that wee doe noe [383] wronge to one or other, and that wee abstaine from all appearance of wronge, and for that purpose avoide the bringing of a scandall to the name of God, and to his people uppon whome his name is call’d. On the other hand, I have butt this to say: that those who doe apprehend obligations lying uppon them—either by a generall duty or particularly in relation to the thinges that wee have declar’d, a duty of justice, or a duty in regard of that Engagement—that they would clearlie come to this resolution, that if they found in their judgements and consciences that those Engagements lead to anything which really cannott consist with the libertie and safetie and publique interest of this Nation, they would account the Generall [duty] paramount [to] the other, soe farre as nott to oppose any other that would doe better for the Nation then they will doe. If wee doe act according to that minde and that spiritt, and that law which I have before spoken of, and in these particular cases do [570] take these two cautions, God will lead us to what shall bee his way, as many of us as hee shall incline their mindes to, and the rest in their way in a due time.

Capt. Byshopp.

I shall desire to speake one word and that breiffie. What’s the reason that wee are distracted in Councill, and that wee cannott as formerly preserve the Kingedome from that dying condition in which itt is? After many inquiries in my spirit I finde this answer, and the answer which is to many Christians besides amongst us. I say [it is] a compliance to preserve that Man of Bloud, and those principles of tyranny which God from Heaven by his many successes hath manifestly declar’d against, and which I am confident may bee our destruction [if they be preserved]. I say nott [this] in respect of any particular persons. I onely speake this [as] what is uppon my spiritt, because I see you are uppon inquiry what God hath given in to any one which may tend to the preservation of the Kingedome. [571]

[384]

Mr. Wildman.

I observe that the worke hath bin to inquire what hath bin the minde of God, and every one speakes what is given in to his spiritt. I desire as much as is possible to reverence whatsoever hath the spiritt or image of God uppon itt. Whatever another man hath received from the spiritt, that man cannott demonstrate to mee butt by some other way then meerlie relating to mee that which hee conceives to bee the minde of God. Itt is beyond the power of

the reason of all the men on earth to demonstrate the Scriptures to bee the Scriptures written by the spirit of God; butt itt must bee the spirit of faith that must make him believe whatsoever may bee spoken in spirituall matters; yett in civill matters wee cannott finde anythinge in the worde of God what is fitt to bee done in civill matters. I conceive that onely is of God that does appeare to bee like unto God, justice and mercy, to bee meeke and peaceable. I should desire therefore that wee might proceede onelie in that way. If itt please this honourable Councill to consider what is justice and what is mercy, and what is good, and I cannott butt conclude that that is of God. Otherwise I cannott thinke that any one doth speake from God when hee sayes what hee speakes is of God.

Butt to the matter in hand, I am clearly of opinion with that Gentleman that spake last save one, that itt is nott of God [to decline the doing of justice] where there is noe way left of mercy; and I could much concurre that itt is very questionable whether there bee a way left for mercy uppon that person that wee now insist uppon. Whether itt is demonstrable by reason or justice [that it is right] to punish with death those that according to his command doe make warre, or those that doe butt hold compliance with them, and then [to say] that there is a way left for mercy for him who was the great actor of this, and who was the great contriver of all? Butt I confesse because itt is in civill matters I would much decline that, and rather looke to what is safetie, what the minde doth dictate from safetie, what is the safetie I [385] know itt cannott bee the minde of God to goe contrary to; butt for what particulars that Gentleman speakes of the differences betweene us, I thinke they are soe many as nott easily to bee reckoned uppe. That which hee instanc't was that some did desire to preserve the person of the Kinge and person of the Lords, soe farre as itt was [consistent] with the safetie or the good of the Kingedome, and other persons doe conceive, that the preservation of the Kinge or Lords was inconsistent with the people's safetie, and that law to bee paramount all.

Coñ. Ireton. [572]

Sir, I did not speake of the destroying of the Kinge and Lords—I have nott heard any man charge all the Lords soe as to deserve a punishment—but [of] a reserving to them any interest att all in the publique affaires of the Kingdome.

Mr. Wildman.

Then Sir, as I conceive, you were saying the difference was this: that some persons were of opinion that the preservation of the power of Kinge and Lords was paramount to all considerations, and might keepe them from any giving them what was due and right.

Coñ. Ireton.

I said, that some men did apprehend, that there might be an interest given to them with safetie to the Kingdome, others doe thinke, that noe parte of their interest could bee given without destruction to the Kingedome.

[386]

Mr. Wildman.

For the matter of stating the thinge in difference, I thinke that the person of Kinge and Lords are nott soe joyn'd together by any; for as your self said, none have any exception against the persons of the Lords or name of Lords. The difference is whether wee should alter the old foundations of our Governement soe as to give to Kinge and Lords that which they could never claime before. Whereas itt's said, that those that dissent [573] looke after alteration of Governement, I doe rather thinke that those that doe dissent doe indeavour to alter the foundation of our Governement, and that I shall demonstrate thus. According to the Kinges oath hee is to grant such lawes as the people shall chuse, and therefore I conceive

they are called lawes before they come to him. They are called lawes that hee must confirme, and soe they are lawes before they come to him. [574] To give the Kinge a legislative power is contrary to his owne oath att his Coronation, and itt is the like to give a power to the Kinge by his negative voice to deny all lawes. And for the Lords, seeing the foundation of all justice is the election of the people, itt is unjust they should have that power.

Therefore I conceive the difference only is this, whether this power should bee given to the King and Lords or noe?

For the later parte of that noble Gentleman's wordes this may bee said to them, whether this consideration to give them [575] what is their due right may [not] bee paramount to all engagements?

Com̃. Ireton.

The Question is nott whether this should bee given to Kinge and Lords, or noe, but the Question is, whether that interest that they have in this, (if they have any) whether itt should bee now positively insisted uppon to bee clearly taken away.

[387]

Mr. Wildman.

Sir, I suppose that the interest they have if they have any—if (for that supposition is very well put in)—for (as I said before) I conceive that neither Kinge, nor Lords according to the foundation of Governement ever had a right.

Com̃. Ireton.

I spake itt to you, and those that are of your minde, if you were satisfied nott to have an exception. [576]

Mr. Wildeman.

Then I say the whole tenour of the propositions or proposalls must bee alter'd, if any thing bee in them [allowing the king a negative voice]. I conceive that not to expresse it because it hath bin usurp't is to confirme his usurpation of itt. [577] For many yeares this hath bin usurp't. Now, if after God hath given us the victory over them wee shall nott declare against them, wee give noe security for the peoples libertie.

Com. Ireton.

You speake parte to the point of justice and parte to the point of safetie. To the point of justice you seeme to speake this; that by the fundamentall constitutions of this Kingedome, neither Kinge nor Lords have rightfully a negative voice; and therefore to take itt away or to cleare itt that they have none is butt justice. I thinke that is itt, that [by] the fundamentall constitution, neither of them [have a negative voice].

You seeme to argue onely from the Kinges oath, and then you conclude, if as appears by that they had itt nott before, though wee all bee satisfied wee would say nothing to give them itt, yett if wee doe nott expreslie take itt away, nay if wee doe send itt to any of them—wee doe leave to them a power to assent or dissent, and give them that which wee had before. Soe you well remember that that which [388] you argue of the Kinge's Oath, and I know for my owne parte noe other [evidence] then an old Statute or two cited in the Declaration [578] wherin the Commons declare—

I remember I spoke itt, and I speake itt againe, and that that is the intent I doe verily beleive: that the originall sence and intention of the Oath of the Kinge's which is published in that Declaration of the Commons was, and is, and ought to bee, that the Kinge ought to confirme those lawes that the Commons chuse. Now whether this Kinge bee soe bound by his Oath, as that hee breakes his Oath if hee doe not confirme every law that they seeke, I conceive that depends uppon what hee did verily at his coronation make his Oath; butt I thinke that in the sence and intention of the people of the Kingedome their intention was that hee should confirme all the lawes that they should chuse. Butt you must take notice, that the Oath doth take them [as] lawes before hee should make them; itt calls them lawes, the lawes in Election, Quas vulgus elegerit. The Kinge promises that hee will by his aucthority confirme those lawes that the people shall chuse, soe that this shoves clearly what use in the constitution of the Kingedome they made of the Kinge in the Commonwealth. The Commons are to chuse the lawes and the Kinge to confirme, they had this trust to the Kinge would confirme what they should chuse, and hee confirming them they were firme lawes. I doe really believe, that this was the Agreement that the people of England made with their Kinges; that is, they would have him give his consent to what lawes they should chuse and soe to have that implicite use. Butt this is most apparent, both by the Oath ittself, and by all the practice since—the sending of lawes to the Kinge—by all that itt is apparent, that they had some relation to the Kinge and to his consent in the making of a law. [579] This I am sure, if itt [389] were never soe cleare in the Constitution that they were good lawes without itt, yett this is cleare—if that were true in the originall Constitution of this Kingedome this is cleare—that they have [been] sent still to him to bee confirm'd; as the word was to bee confirm'd or corroborated, Leges quas vulgus elegerit corroborandas.

I thinke if wee doe [take into] account all the sending of lawes heeretofore to bee corroborated by him, and if his denying of some of them—nott absolutely denying butt advising—if these have nott at all prejudic't [the right of] the people against his Negative voice, soe the sending of propositions now for his assent cannott prejudice the right of the people more then all their sending [laws to him] before. If wee should putt itt to the Kinge as his act—The Parliament have declar'd itt and asserted itt, that itt is their right that the Kinge ought nott to deny any [laws they offer to him]; itt is his Oath. They have gone thus much farther, that if hee did not confirme them they were lawes without him. Uppon this there hath bin a warre made. They have gone to make all lawes and ordinances that were needfull for the management of the affaires of the Kingedome without the Kinge. Itt is now come to a period. Soe that De facto itt is thus, they have made lawes, and held them forth to the Kingedome [as laws]. Now if the Kinge by his act doe confirme what the Parliament have done, and condemne all that have bin against the Parliament, whether hee doe nott acknowledge to all posteritie, that in case of safety, when the Parliament doth adidge the safetie of the Kingedome to bee concern'd they are to make a law without him? For my parte I thinke there can bee nothing more cleare then this is. For my owne particular I doe apprehend that there is that generall right [in the parliament] that the lawes [it shall pass] ought to bee confirm'd [by the king]; it [580] is my thoughts, that without anythinge of the Kinge's Declaration to that purpose, in point of safetie where they cannott dispense with the suspending of the Kinge, they are a law without him. This the Parliament [390] hath declar'd, and this is asserted in all the Declarations that have bin sent out, and [this is] the ground that I have proceeded [on] in those proposalls of the Armie. That “in a case of safetie” was provided for in those matters that I have spoke of. I account them materially and essentially provided for in those; [581] and if I had nott, for my parte I should never have rested or bin satisfied in that point, and in other points there might have bin a dispensation with a suspending. Notwithstanding the liberty of the Kingedome hath bin provided for in this, that there should nott bee any thinge done or lawes made without the consent of the people. [582]

Capt. Awdeley.

I thinke if soe bee that this business of the Negative voice bee all the dispute, wee shall all agree in itt; for itt appear'd by what you spake the other night that hee ought to have his Negative voice taken away.

Col. Hewson.

The Scotts have made provision, that hee should have noe Negative voice among them, and why should nott wee make the same provision with them?

Co<sup>m</sup>. Ireton.

Those things that the Committee did prepare and they proceeded in last night will almost end us this dispute. Wheras itt [391] was desired that we should take into consideration the severall Heads to bee insisted upon as fundamentall lawes that wee must stand [to] for the establishing of the Kingdome—They are still [things held to be necessary] in relation to the security of the Kingdome.

The Proposall read. [583]

Col. Rainborow.

That some things in the Agreement were granted there.

To Debate whether or noe when the Commons Representative doe declare a law itt ought nott to passe without the Kinge's consent. [584]

Co<sup>m</sup>. Ireton.

Truly this is all; whether honour, title, estate, liberty, or life, [if] the Commons have a minde to take itt away by a law [they can do so]; soe that to say you are contented to leave them all, this [negative] being taken away, is as much as to say you are to allow them nothing. Consider how much of this dispute is saved, [by] this that is read to you. It gives the negative voice to the people, noe lawes can bee made without their consent. And secondly itt takes away the negative voice of the Lords and of the Kinge too, as to what concernes the people; for itt says that the Commons of England shall bee bound by what judgements and alsoe [by] what orders, ordinances, or lawes shall bee made for that purpose by them; and all that followes for the King or Lords is this, that the Lords or King are nott bound by that law they passe for their owne persons or estates as the Commons are, unlesse they consent to itt. Therefore what is there wanting for the good or safety of the Commons of England? [585]

[392]

Col. Rainborow.

That if the Negative voice bee taken away, then if the Kinge or Lords were taking courses destructive how should they bee prevented?

Co<sup>m</sup>. Generall.

Itt is further provided if they will meddle in any other offices, as Officers of Justice or Ministers of State in this Kingdome, then they likewise are soe farre subject to the Judgement of the House of Commons. If they onely stand as single men, their personall interest and the like [is secured], and the right of being only judged by their peeres, and [586] their individuall persons [are not bound] by any law that they doe nott consent to.

Col. Rainborow.

If the Lords should joyne together by their interest in the Kingedome, and should act against the Commons, then the Commons had noe way to helpe themselves.

Co<sup>m</sup>. Ireton.

Iff itt come to a breach of the peace itt will come to breake some law. That a Lord is subject to the common law. The Lords heertofo<sup>r</sup>e [587] [as] to the breaches of peace have bin subject to the common law; only for the matter of fact, whether guilty or nott guilty of the breach of such a law, they must bee tryed by their Peeres. Wee have stood very much for ourselves that wee should bee judged by our Peeres, and by our fellow Commoners; I would faine know this, how wee can take away that right of Peeres to bee tryed by their Peeres when that itt is a point of right for the Commons to bee tryed by their Peeres. [588]

[393]

Col. Rainborow.

That the lawes that binde the Commons are exclusive to the Lords.

Com. Ireton.

I would faine know this whether the High Sheriff in every County of the Kingedome [may not apprehend a lord who breake the peace], and I am sure the law hath provided for the keeping of the peace. I know that there is noe law butt the chief justice of the Kinge's Bench, nay the Sheriff of a County, nay the Constable of any towne may seize upon him.

Col. Rainborow.

If a Petty Constable or Sheriff shall apprehend a Peere of the Kingedome, whether hee can answer itt?

Com. Ireton.

That if a Lord shall bee accused, and by a Jury found guilty, hee will expect to bee tryed by his Peeres.

Mr. Wildman.

I would proceede to the thinges in hand. Though I protest I would nott widen a difference, yett I conceive the difference is as wide as ever; for in what's there provided the interest of the Kinge and Lords is given away which the Lord by a Judgement from heaven hath laid aside. [589] I conceive [that in] this [article] concerning the succession of Parliaments [it] is proposed positively that itt shall bee as Trienniall Parliaments were. [590]

Com. Ireton.

You did in your way propose a certainty or nott; if you did nott propose itt how farre— That which you propose is, the people [394] shall meete; you neither say where nor when. Wee say [with such provision] for the certainty of itt [as in the late act made for trienniall parliaments]. That Act tells you particularly; butt because you must make a new provision for itt, since you must make a New Division and distribution of the Kingedome and a New Circuite, therefore itt sayes, “with such further provision as shall bee made for reducement [of it] to a certainty.” [591]

Col. Rainborow.

That hee does take exception att [the provision] that noe man should bee chosen that hath nott 20<sup>li</sup> a yeare.

Com Ireton.

If Mr. Wildman thinke fitt to [let me] goe on without taking an advantage to every particular as itt is read, [he may shew afterwards] what they are that doe render these propositions soe destructive, and give the King and Lords such an interest as they never had before, if hee will take them uppon his memory, and by the way. I hope Mr. Wildman will nott offer such an assertion butt hee hath arguments to make itt good.

Mr. Wildman.

I onely affirme that itt doth establish the Kinge's and Lords' interest surer than before.

Com, Ireton.

Wee doe agree that all the Commons of England are bound, [by whatever laws the house of commons shall pass;] butt the Kinge and Lords as to their persons are nott bound; butt if any of them bee an officer or Minister of State then hee is to bee subject [to the judgment of the house of commons].

[395]

Col. Rainborow.

How does itt reach the Kinge and nott a Lord?

Com. Ireton.

Every Lord is nott a Minister of Justice, butt if there bee any other difference they are tryed by their Peeres.

Col. Rainborow.

Itt is offer'd to make them capable of being chosen.

Com. Ireton.

Every Baron by the other exception may bee chosen.

Col. Rainborow.

Is itt nott soe in Scotland?

Com. Ireton.

In Scotland every Lord hath his place as Burgesse. [592]

Col. Rainborow.

Why should nott the Lords have the same priviledge? [593]

Com. Ireton.

I should thinke that [w]as the directest interest to the Kingedome in the world, for that for soe many persons to bee the permanent interest in the House, every two yeares—

[396]

Col. Titchburne. [594]



I was speaking to this of the Negative. I doe remember on Saturday last wee were att this pitch, and there I did leave itt; itt did concurre with my sence, and that was this: that all the power of making lawes should bee in those that the people should chuse, the Kinge and Lords should serve onely to this end, that lawes should bee presented to them, that if they would doe the Commons that right as to confirme those lawes they should doe itt; butt if they should nott thinke fitt to signe them, itt should begett a review of that by the House of Commons; and if after a review the House of Commons did declare that was for the safetie of the people, though neither Kinge nor Lords did subscribe, yett itt was a standing and binding law; and therefore wee shall nott neede to feare to take a shadow when they can doe us little hurt. This was what I did then suppose agreed uppon.

Co<sup>m</sup>. Ireton.

'Tis true, Saturday night wee were thinking of that, butt wee [397] had an eye to that of safetie, that is provided for by the Commons. Noe mony can bee raised, noe warre raised, butt by those that the Commons shall chuse. Butt that which was questioned in the name the safety and securing of safety that thought itt fitt that they should have a liberty to preserve one another, and soe wee thought to putt itt to consideration. That the Commons should make soe much use of the Lords in all affaires, they might occasion a review, butt if the Commons should uppon that review thinke itt fitt, itt should bee look't uppon as a law; but instead of that the Committee voted last night—That whether the Commons of England should bee bound by all the lawes past in the House of Commons, or whether itt should bee valid in the case of safetie, that which you speake of will follow. If there doe butt continue such a thinge as Lords, and they doe nott sitt joynctlie with the House of Commons, then the Lords will agree, or otherwise the Commons will doe itt presently themselves. [595]

[398]

Col. Rainborow.

If they bee injur'd they have nott a remedy.

Co<sup>m</sup>. Ireton.

That's all that can bee said. The Question is whether there bee soe much neede of giving them a power to preserve themselves against the injuries of the Commons. They are nott capable of Judgement as to their persons unlesse itt bee as they are Officers of State. Onely the truth of itt is, there is this seemes to bee taken away [by taking away their judicial power]. If a man doe come and violently fall uppon them in the Court, or doe any such thinge, they have noe power to preserve themselves, and all their way will bee to complaine to the House of Commons. [596]

Mr. Wildman.

I conceive that whilstt wee thus run into such particulars there is very little probability of coming to satisfaction. The case as there itt is stated in the Agreement is generall; and itt will never satisfie the godly people in the Kingedome unlesse that all Governement bee in the Commons, and freely. Truly I conceive that according to what is there propounded the power of the House of Commons is much lessen'd—from what itt is of right, nott [from] what itt is now by usurpation of Kinge and Lords. Wheras itt's said, that noe law shall bee made without the consent of the Commons, itt doth suppose some other law makers besides the Representative of the Commons. Wheras itt is said, that the Lords in some cases should sitt as an House of Parliament to consent to lawes, doth give them that power which they never had before the Warres; for as your self said of the Kinge's Oath, itt sayes, that the King shall consent to such lawes as the people shall chuse, butt the Lords have noe power. If there bee a

liberty to the Kinge to [399] give them a title of honour they ought to bee under all lawes, and soe they ought to concerne them as well as all others; which I conceive is diminished in those particulars. Besides the generall current of the whole offer runs that nothing shall bee declar'd against that usurpation in the Kinge formerly, nor in the Lords formerly, and soe itt remaines perpetually dubious. They shall say, though itt does nott concerne mee in my private yett itt does in my politique; and noe law can bee made butt itt must bee sent to the Kinge and Lords, and that must occasion a review; and soe they must have recourse to the unrighteous for righteousnesse, and soe longe as itt is nott clearly declar'd that hee hath noe power to deny itt, and that they neede nott addresse themselves to him, the Kingedome cannott bee in safetie, butt his owne partie may gett uppe, and doe what hee will. [597]

Coñ. Ireton.

This businesse is much heightned. That I doe nott know by all that hath bin said that the Kinge or Lords are more fastened then before. Wee heere talke of lawes by ancient Constitution, and by usurpation, and yett I doe nott finde that the gentleman that speakes of them doth shew [any evidence] what was the ancient Constitution, nor of [that] usurpation, butt onely [the evidence] of the Kinge's Oath; and that is drawne as taking itt for granted that by ancient Constitution there were lawes without the Kinge's consent. For that [question of the oath] I did before cleare [it] sufficiently by comparing that with other evidence; for if wee could look uppon that as an evidence paramount to all, that needed nott bee soe much insisted uppon. If this Gentleman can finde noe law in being in this Kingedome which hath nott Lords to itt, and Kinge to itt, expreslie, and, "Bee itt ordain'd by the Kinge, Lords, and Commons"—if itt alwayes have gone soe, and [400] noe interruption and noe memory of any kinde of proceeding to the contrarie, but that all lawes past by the Commons have bin sent to the Lords for their concurrence—The Lords have [made amendments and] sent downe [to the commons] for their concurrence, they have had conferences, and when they could nott agree, the Commons have lett itt rest and nott insisted uppon itt. Wee must look uppon these together with that testimonie of the Kinge's Oath as evidences of what is Constitution. But, wheras those other things that are numerous and cleare evidences doth in expresse termes relate to the Lords, when I doe consider the consequences of that Oath, I doe conclude either that the word 'vulgus' is concluded [598] to comprehend all Lords and Commons; or else itt is thus, that the two great powers of this Kingedome are divided betwixt the Lords and Commons; and itt is most probable to mee that itt was soe. That the judiciall power was in the Lords principally, and the House of Commons yett to have their concurrences, the Legislative power principally in the Commons, and the Lords' concurrences in practice to bee desired. Itt is a cleare and knowne thinge, that by the Constitution of the Kingedome, the House of Commons cannot make [599] an Oath, butt if they will have an Oath given they must resort to the Lords. Besides all the Judges of Common Law in the Kingedome sitt as assistants to the Lords. Uppon this the practice hath bin that in any private cause wherin unjust sentence hath bin past in another court a Writt of Errour may bee judg'd there. [600] Itt is beyond all record or memory. Soe that these two powers of the Legislative power and the judiciall have bin exercised betweene both Lords and Commons, and none of them to exercise the one or the other without mutuall consent. I desire this Gentleman, or any other that argues uppon the other parte [to] that wee are uppon—unlesse they [401] will produce some kinde of evidence of history uppon record by law—that they will forbear arguments of that nature, calling such thinges usurpations from Constitution or from right, and insist uppon thinges of common safetie as supposing noe constitution att all. [601]

Coñ. Cowling.

Contrary to Resolution I must now speake, whether itt bee from the Lord, or noe I know nott. What foundation had the Commons of England to sitting (being 200 yeares in sitting), for in Kinge Henry the third's time when Magna Charta was finished (which by computation

was 200 yeares) and this was granted to the Lords Spirituall [and] Temporall, and Edward the sonne was called to bee a witnesse, but when the Lords saw that they were nott stronge enough to sitt in that magnificence the Commons were drawne in, and that in that law the Kinges Oath should come in. Now had itt nott bin a fundamentall law the Commons should nott have bin drawne uppe, butt that they did drive uppe is cleare, and what will become of us if wee drive uppe to noe other purpose butt to support a Norman prerogative? The Lord knoweth, nott I.

Co<sup>m</sup>. Ireton.

I thought this Gentleman had had some answer to this matter of History. As to the Norman Conquest, if subjection to a kinge bee a tyranny, [we had a king before the norman conquest]; the Question was betweene him and the Conquerour who had the right of the Crowne, soe as wee should nott seeme to derive all our tyranny from the Norman Conquest. [602] I cannott butt wonder att the strange inferences that are made. Hee tells us, that there is noe memory of the Commons having any interest in the Legislative power till Edward the First's time; and then [that] the Lords Spirituall and Temporall they found themselves not strong enough in King Henry the Third's time, and therfore they brought [402] them in; and yett would certainly have us to beleive, that the Commons had all the right before [the conquest].

Co<sup>m</sup>. Cowling.

In Alfred's time, the Commons had all the power, and the Kinge hang'd 43 in one yeare. [603]

Col. Rainborow.

That the Commissary Generall is willing to lay that of Constitution aside, and that of Custome aside, and to consider the equality and reasonableness of the thinge, and nott to stand uppon Constitution, which wee have broken againe and againe. I doe nott finde in all the reading that I have done, I doe nott know that ever the Commons made warre with the Kinge, the Barons did.

That besides the Oath hee found, that one of the maine Articles against Richard the Second [was], that hee did nott concurre with and agree uppon those wholesome lawes were offer'd him by the Commons for the safety of the people. [604] If that were soe great a right as did depose him, itt is in the Kingdome [still], and therfore lett us goe to the justice of the thinge. That justice and reason doth nott give to the major parte....

Co<sup>m</sup>. Ireton.

You would have us lay aside arguments of Constitution, and yett you have brought the strongest that may bee. I have seene the Articles of Richard the Second, and itt is strange that the Parliament should nott insist uppon that.

Col. Rainborow.

That is nott the thinge that I would consider of.

Co<sup>m</sup>. Ireton.

I suppose noe man will make a Question, that that may bee [403] justice and equity uppon noe Constitution, which is nott justice and equitie uppon a Constitution. As for instance in the matter of a common &c.

I wish butt this, that wee may have a regard to safetie—safetie to our persons, safetie to our estates, safetie to our libertie. Lett's have that as the law paramount, and then lett us regard positive constitution as farre as itt can stand with safetie to these. Now therefore, thus for my parte I confesse itt, if I should have ever given a consent in my heart to propound any thinge that did nott consist with this, with regard to any Constitution whatsoever—butt for my parte I cannott see that any thinge butt safetie is provided for. Wheras Mr. Wildman sayes, that many godly men would nott bee satisfied with this that wee have read—which amounts to this: that the Commons have power to make lawes for all the Commons of England, that onely the person of the Kinge and persons of the Lords with their estates as persons are freed from them—I doe nott see they [605] are satisfied with anythinge without having a power over other men's liberties.

Mr. Wildman.

Wheras you are pleased to say I produced noe other evidence, Col. Rainborow brought another, because you did confesse the Lords had noe other power in making lawes.

Com̃. Ireton.

I never confest itt in my life, [otherwise] then [by] the recitation of that Oath “which the people shall chuse.”

Mr. Wildman.

I could wish wee should have recourse to principles and maximes of just Governement [instead of arguments of safety] which are as loose as can bee. [606]

[404]

Com̃. Ireton.

The Governement of Kinges or of Lords is as just as any in the world, is the justest Governement in the world. “Volenti non fit injuria.” Men cannott wronge themselves willinglie, and if they will agree to make a Kinge, and his heires, there's noe injustice. They may either make itt hereditary or elective. They may give him an absolute power or a limited power. Heere hath bin Agreements of the people that have agreed with this. There hath bin such an Agreement when the people have fought for their libertie, and have established the Kinge againe.

Mr. Wildman.

'Twas their superstition to have such an opinion of a Great Man. [607]

Com. Ireton.

Any man that makes a bargaine, and does finde afterwards 'tis for the worse, yett is bound to stand to itt.

Mr. Wildman.

They were couzen'd as wee are like to bee.

Com. Ireton.

I would nott have you talke of principles of juste Governement when you hold that all Governements that are sett uppe by consent are just. [argue instead that] such or such a way that can consist with the libertie of the people. Then wee shall goe to cleare reason. That's one maxime, that all Governement must bee for the safetie of the people.

Col. Titchborne.

Lett us keepe to that businesse of safetie. 'Tis upon the matter [405] solee in the people. [by] what hath bin propos'd in that I give Kinge and Lords [opportunity] to doe mee a curtesie if they will— [608]

Mr. Wildman.

Noe Curtesie.

Col. Titchborne.

Itt is onely an opportunity—and shew themselves as willing as the Commons. Lett us nott fight with shadowes.

Com. Ireton.

Wee doe nott know what opportunity God will give us. [609] If God will destroy Kinge or Lords hee can doe itt without cur or your wronge doing. If you take away all power from them, which this clearlie does, butt [do nott] take away all kinde of destruction of them from other men, then you doe them wronge too. Their having a [security from] destruction from other men cannott doe us wronge. That you can doe to the utmost for the[ir] safetie is this, that a Lord or Kinge may preserve his owne person or estate free from the Commons. Now whether this can bee destructive to the Commons that soe few men should bee distinct from a law made by the Commons, especially when wee have lawes made as to the preserving of the peace of the Kingdome and preserving every man in his right? The King and Lords are suable, impleadable in any Court. The Kinge may bee sued and tryed by a Jury, and a Lord may bee sued and tryed per Pares onely, a Knight by Esquires. What needes more where there are such lawes already that the Kinge and Lords are soe bound?

Mr. Wildman.

I conceive that the difference does not lie heere, butt whether [406] the Kinge shall soe come in, that the Parliament must make their addresses themselves unto him for [the confirmation of] every thinge they passe. Whether itt bee a shadow or noe, I thinke itt is a substance when nothing shall bee made but by addresse to the Kinge. This will bee very shamefull in future Chronicles, that after soe much bloud there should bee noe better an issue for the Commons.

Coñ. Ireton.

Doe you thinke wee have nott lawes good enough for the securing of [the] rights [of the commons?]

Mr. Wildman.

I thinke [that] according to the letter of the law, if the King will [he may] kill mee by law. Aske any lawiers of itt; by the letter of the present law hee may kill mee, and 40 more, and noe law call him to account for itt. [610]

Coñ. Ireton.

I thinke noe man will thinke itt, that when the Kinge stands thus bound with soe many Laws [611] about him, and all the Commons of England bound to obey what law [the house of commons] doe make, lett any man guesse whether the Kinge, as hee is a single person, will hazard himself to kill this, or that, or any other man.

Mr. Wildman.

Itt will bee thought boldnesse in mee [not] to agree. If God will open your hearts to provide soe that the Kinge may nott doe mee injury I shall bee glad of itt. If nott, I am butt a single man, I shall venture myself and [my] share in the common bottome.

Resolved, That the Councill bee adjourned till to-morrow and soe from day to day till the proposalls bee all debated, and the same Committee to meete againe.

[407]

November 2, 1647

### Att the Meeting of the Committee.↵

Resolved,

1. That the power of this and all succeeding Representatives of the Commons in Parliament doth extend on the behelf and as to the whole interest of all the Commons of England to the enacting, Nemine contradicente. altering, and repealing of lawes, to the conclusive exposition and Declaration of law, and to finall [612] judgement without further appeale, and generally to all thinges concerning the Commonwealth whatsoever is nott by the represented reserved to themselves as is heerafter expressed.

2. That noe law shall bee repealed, nor any new law or ordinance made to bind the Commons of England, Agreed. nor any Parliamentary Judgement, triall, order, or other proceeding valid against any Commoner, Major Corbett; [613] noe. without the particular concurrence and consent of the [408] House of Commons, except in case of actuall violence or affront done by a Commoner to the House of Peeres as a Court; and in that case noe further proceeding to bee valid, butt by the House of Commons, saving to the securing or imprisoning of the offender's person till hee can bee tryed.

3. That noe Commoner of England shall be exempt from butt shall bee subject to and concluded by the power and judgement of the House of Commons without further appeale, Agreed. as alsoe to and by all such orders, ordinances, and lawes, or expositions and Declarations of law, Nemine contradicente. as shall bee made, past, and insisted on by that House, except in such fundamentall thinges as are by the people electing generally reserved to themselves, as is heerafter expressed.

4. That noe person whatsoever being an officer of Justice or Minister of State shall bee exempt from, Agreed. butt shall bee accountable and subject to the same power and judgement of the House of Commons for any mal-administration of his place to the hurt or damage of the Commonwealth; Nemine contradicente. butt the persons of peeres, otherwise then in such capacity as aforesaid, shall bee tryed and judged onely by their Peeres.

Agreed. 5. That noe person whatsoever soe adjudged by Parliament as before shall bee capable of protection or pardon from the Kinge, or to have their fines remitted, without the advice or consent of Parliament, Nemine contradicente. nor such fines to bee disposed of otherwise then by the same judgement, advice, or consent shall bee directed.

[409]

Agreed. 6. That in all Elections of Representatives for the people these thinges following are by the people electing reserved to themselves, and soe generally to bee understood, to witt: Nemine contradicente.

1. Matters of Religion and the wayes of God's worshippe, as to any positive compulsion there, are nott intrusted to any humane power.
2. That the matter of impresting or constraining any free commoner of England to serve

in the warres, any further or otherwise then for the imediate defence of this Kingdome and keeping the peace within itt, is likewise reserved.

3. That noe Commoner bee henceforth questioned for any thinge said or done in reference to or prosecution of the late warre or publique contests within this Kingdome, otherwise then by the judgement or with the concurrence of the present House of Commons, or in execution or prosecution of such judgement.
4. That the matter and effect of the preceding Articles, To witt, First, Concerning the certaine succession of Bienniall Parliaments. [614] Then the 2<sup>d</sup> Concerning the certainty of their sitting. Likewise the matter of the 6th, and the particulars under itt concerning the clearing of the power of Parliaments in future as to the interest of the people therin, and soe much of the intent of the 5th as concernes the equall distributing of future Representatives, are reserved by the people represented as their fundamentall rights nott to bee given away or abrogated by their Representatives.

Added to the Committee.

Lt. Col. Salmon.

Com̃. Cowling.

Cornett Wallis.

[410]

That the said Committee shall prepare such other particulars to bee presented to the Parliament as they shall finde necessary in relation to our former Declarations, and likewise to prepare a Declaration to bee sent with them to the Parliament and Kingedome, to bee tendred to this generall Council for their consideration att the next Meeting.

And if there appeare any likelihood, that the Parliaments propositions for peace may bee sent to the Kinge before the said Declaration and particulars can bee sent from the Army to the Parliament, then the said Committee are to move the Generall that the Parliament in the name of this Council may bee desired to suspend the sending of their propositions to the King untill some thinges that wee have to offer shall bee tendred to them, which wee hold essentiall to the liberty and peace of this Kingedome.

Putney, 3<sup>o</sup> Novemb. 1647.

### **Att the Committee of Officers appointed by the Generall Council.** [↩](#)

A story about the Generall wearing the Kinge's Colours.

The souldiers saying, Lett my Collonell bee for the Devill an hee will, I will bee for the Kinge. [615]

400 of Col. Lilburne's Regiment declar'd for the Kinge, upon their coming back to Dunstable offer'd the Countrymen their armes, and they would take clubs, and bringe the Kinge to [411] Whitehall. They would see what their Officers would doe, and then they would carry the Kinge away.

Debate concerning the Militia. [616]

That the Terme bee ten yeares, and the Declaratorie lawes to take place from thence.

Tythes nott to bee paid, but either a Land-rate to bee made in lieu of them, or sold att 14 yeares purchase for the use of the State, and they to make provision for the Ministers. [617]

The Lieut. Generall.

Spoke much to expresse the danger of their principles who had sought to deuide the Army. That the first particular of that which they call'd The Agreement of the People did tend very much to Anarchy, that all those who are in the Kingedome should have a voice in electing Representatives.

Capt. Bray.

Made a longe speech to take off what the Lieut. General said, and that what hee call'd Anarchy was for propriety. [619]

[412]

Lieut. Generall.

Moved to putt itt to the Question,

Whether that the Officers and Agitators bee sent to their Quarters, yea, or noe.

Resolved upon the Question,

That the Generall Council doth humbly advise his Excellency, that in regard the Generall shortly intends a Rendezvous of the Army, and forasmuch as many distempers are reported to bee in the severall Regiments whereby much dissatisfaccion is given both to the Parliament and Kingdome through some misrepresentacions; to the end a right understanding may bee had, and the souldiers quieted, in order to their obedience to his Excellency for the service of the Parliament and Kingedome, itt is thought fitt to desire his Excellency that for a time the said Officers and Agitators [413] resort to their severall commands and Regiments, to the ends aforesaid, there to reside untill the said Rendezvous bee over, and untill his Excellency shall see cause to call them together againe according to the Engagement. [620]

**Lieut. Generall.**

Co m̃. Gen. Ireton.  
Sir Hardresse Waller.  
Col. Okey.  
Col. Tichborne.  
Col. Hewson.  
Commissary Stane.  
Scoutmaster General [watson].  
Col. Rich.

**Mr. Allen.**

Capt. Clarke.  
Mr. Lockyer.  
Capt. Deane.  
Col. Thomlinson.  
Lt. Col. Goffe.  
Major Rainborow.  
Lt. Col. Cowell.  
Co m̃. Cowling.

This Committee to drawe uppe instructions for what shall bee offer'd to the Regiments att the Rendezvous, to consider of the late lettre sent to the Parliament, and what shall bee thought fitt further to bee propos'd to them. [621]

**[Desires of the Army.]↩**

1. Itt is desired, That six weekes pay if possibly itt may bee, if nott a monthes pay, bee presently sent downe to the Army.

2. That the arreares may bee voted to bee paid out of the remainder of Byshopps lands, Deanes and Chapters lands, to bee sold in the same manner as the Byshopps lands, reserving a competencie for those that have a legall interest therin, and have nott forfeited the same by



delinquencie, and two thirds out of [414] delinquents compositions who have nott yett compounded and out of forrest lands.

3. Wee desire, that the House will bee pleased either to make provision, that when this monthes pay is out there shall bee constant pay to inable the souldiers to avoide the oppressing of the people by free quarter (then which nothing is more greivous unto us), or if the Parliament does finde the Countries will nott soe readily bringe in their monies wee shall undertake, if inabled therunto, soe to dispose of the Army and of the severall counties as that the monies shall be raised and the people punctually satisfied for their quarters, provided that there may be an increase of the said tax to an hundred thousand pounds a month for the payment of this Army, and the other forces concern'd in the Kingedome, and those that are to goe for Ireland, and the disbanding of those that bee supernumerary, untill the Parliament shall otherwise provide by excise or otherwise for easing the said taxes.

4. Lastly, wee declare that if this course bee taken, that as wee have engaged that none shall uppon paine of death take any thinge from any inhabitant in this Kingedome against his will, wherin wee shall bee punctuall and positive, soe alsoe wee shall give assurance that noe man shall bee forc't to bee quarter'd uppon against his consent, provided there may bee an allowance for lodging, firing, and candle, or the owners uppon whose houses quarters are assigned to bee had in other places to bee allowed to those that shall quarter.

Putney, 9 November, 1647.

### **Generall Council.**[↩](#)

The Generall present.

This Committee is to take into consideration, the Engagement, [415] Declarations, and papers of the Armie, and uppon them to collect a summarie of those thinges that concerne the good of the Kingedome, the liberties of the people, and interests of the army, and further to consider the Case of the Army stated, and a paper commonly call'd The Agreement of the People, and to consider how farre any thinge contain'd in the same are consistent with the said Engagements and Declarations and Interests aforesaid.

This summarie soe concluded by the major parte of the Committee to bee represented to the Generall. [\[622\]](#)

**CORNETT WALLIS .**

CAPT . LEIGH .  
 LT . GENERALL .  
 COM . GENERALL .  
 LT . CHILLENDE .  
 SIR HARDRESSE  
 WALLER .  
 CAPT . CARTER .  
 CORNETT TRACY .  
 COL . RICH .  
 LT . COL . GOFFE .  
 COL . THOMLINSON .  
 CAPT . DEANE .  
 CAPT . DISNEY .  
 LT . COL . COBBETT .  
 CAPT . ALLEN .  
 COL . OVERTON .  
 MR . COLBRON .  
 MAJOR BETHELL .  
 CAPT . WATSON .  
 MR . UNDERWOOD .

**COL . TITCHBORNE .**

MR . WILDMAN .  
 COM . COWLING .  
 Added since.  
 MAJOR SAUNDERS .  
 COL . HARRISON .  
 CAPT . SPENCER .  
 MAJOR RAINBOROW .  
 MAJOR BERRY .  
 COL . RAINBOROW .  
 CAPT . PALMER .  
 LT . COL . ASHFEILD .  
 The place.  
 Quartermaster Generall's Quarters.

Adjourned till Thursday come fortnight att the Headquarters.  
[\[623\]](#)

[416]

If any by that letter bearing date 5th of November doe make any construction as if wee intended that wee were against the Parliaments sending propositions to the Kinge, Wee doe heerby declare, That itt was noe part of our intentions in the said letter, but that the same is utterly a mistake of our intention and meaning therin, our intentions being only to assert the freedome of Parliament. [\[624\]](#)

**LIEUT . GENERALL .**

SCOUT MASTER GENERALL .  
 COL . RICH .  
 COL . HEWSON .  
 COL . THOMLINSON .  
 SIR HARDRESSE WALLER .  
 COL . TITCHBORNE .  
 COL . OKEY .  
 DR . STANE .  
 MAJOR AXTELL .  
 LT . SCOTTEN .  
 COM . COWLING .  
 LT . COL . COBBETT .  
 MAJOR COBBETT .  
 MAJOR BERRY .  
 QUARTER MASTER GENERALL  
 GROSVENOR .  
 COL . TWISLETON .  
 COL . OVERTON .  
 CAPT . MICHILL .  
 CAPT . YOUNGE .

**COL . BARKESTEAD .**

CAPT . CARTER .  
 CAPT . PRICE .  
 CAPT . BYSHOPP .  
 MR . ALLEN .  
 MAJOR BETHELL .  
 LT . COL . BOWEN .  
 MR . WHITING .  
 MR . LOCKYER .  
 ADJ . GEN . BURY .  
 COR . WALLIS .  
 LT . COL . ASHFEILD .  
 LT . CHILLENDE .  
 MR . EYTON .  
 LT . COL . JUBBS .  
 CAPT . COX .  
 MAJOR ABBOTT .  
 MR . CLARKE .  
 CAPT . DISNEY . [\[625\]](#)  
 CAPT . ALLEN .

[417]

Putney, 11 November, 1647

**Att the 2<sup>d</sup> Meeting of the Committee of Officers appointed by the  
Generall Council.**[↩](#)

Col. Harrison.

Made a narration concerning some thinges that lay uppon his spiritt in relation to the Kinge, Lords, and the Reserve. That the Kinge was a Man of Bloud, and therefore the Engagement taken off, and that they were to prosecute him. That if the Lords had right to have a Negative voice hee would nott goe against itt, butt iff nott, if they had usurp't [it] an 100, 200, or 1000 yeares, the greater was the wronge, and they to bee debarr' of that power.

Lt. Generall.

Answer'd him by putting severall cases in which merther was nott to bee punished. As in the case if a man that had kill'd his sonne should gett into a garrison, whether hee might raise warre, or nott give conditions to that place. Stated the case of David uppon Joab's killing of Abner, that hee spar'd him uppon two prudentiall grounds: one that hee would nott hazard the spilling of more bloud in regard the sons of Zeroiah were too hard for him.

Com. Generall.

Answer'd in the same case, and further urg'd this that wee are nott to sin, or to goe in any unlawfull way to doe that which is for bringing a delinquent to Judgement.

[418]

Lieut. Generall.

That wee doe the worke when itt is disputable, and the worke of others to doe itt, if itt bee as an absolute and indisputable duty for us to doe itt.

The Generall.

That wee doe butt secure the Kinge in the right of another, and that itt became them for to order thinges concerninge him. [\[626\]](#)

Coñ. Cowling.

Itt was his usurping power in the law that would have ruin'd us, and doe butt destroy that and lett his person alone, wee care nott for itt.

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## Endnotes

[321] Fairfax was not present, “being not well, and at Turnham Green” (Rushworth, viii. 857).

[322] “The case of the Army truly stated, together with the mischiefes and dangers that are imminent, and some suitable remedies, and humbly proposed by the Agents of five Regiments of Horse, to the respective Regiments and the whole Army.” This paper (filling twenty pages of a quarto pamphlet) is dated Guildford, October 9, 1647, and signed by agents representing the regiments of Cromwell, Ireton, Fleetwood, Rich and Whalley. It is accompanied by a letter from the agent to Fairfax, dated October 15, and was presented to the General on October 18. It is stated on the last page that “Upon the presentation to, and serious perusal thereof by his Excellency, the sum of his answer was to this effect. That he judged their intentions were honest, and desired that everyone of publique spirit would be acting for the publique, and that for his part he had freely ventured his life for common right and freedome, and should freely engage it againe, adding further that he thought it meet it should be presented to the Generall Councill.” See also Rushworth, viii., 845, 849, 850, 857. In the meeting of the General Council of the Army on October 22 the paper was discussed, and a committee appointed to meet the next day, to consider the case of the Army and present their conclusions to the next General Council on October 28. In the meantime the agitators put forth a new paper vindicating themselves from the charge of dividing the Army. (Rushworth, viii., 845, 849, 850, 856, 857; Godwin, *Commonwealth*, ii. 445-451).

[323] “Studds,” *i.e.* the upright in a lath and plaster wall. Halliwell quotes the following passage from Harrison’s *England*. “Our houses are commonly strong and well timbered, so as in many places there are not above four, six, or nine inches between stud and stud.”

Major Francis White had used a similar metaphor in describing the intended agreement with the King. “Being at the convention, I spoke some words which gave distrust, that they were repairing an old house, and that when they were laying the top stone it would fall about their ears.”

The Copy of a Letter sent to his Excellency Sir T. Fairfax, by Francis White, Nov. 1647. British Museum, E. 413, 17.

[324] MS. “bee.”

[325] This must refer to the debate of September 23, 1647, on which day the House of Commons resolved “that the House will once again make application to the King, for those things which the Houses shall judge necessary for the welfare and safety of the Kingdom.” (*Commons’ Journals*, v. 314.) Cromwell and Rainborough were both present on September 22, when the question of “the whole matter concerning the King was discussed in a Committee of the whole House, and they told against each other on the proposal to resolve the House into a Committee for that purpose. (*Ib.* v. 312.) September 23 was a Thursday, on which day the general council of the Army usually met, which explains the absence of Cromwell and Rainborough. Of Cromwell’s speeches in this debate news-letters give the only record. One of September 27 (*Clarendon MS.* 2602) says “The last week his Majesty’s answers to the propositions being considered of in the House was voted to be a denial, and that the King’s drift therein was to put a difference between the Parliament and the Army, and between the English and Scottish nation; whereupon a sharp debate grew whether the King should be sent unto any more, or whether they should forthwith proceed to the settlement of the kingdom; to the latter

most of the orators inclined, and in likelihood would have led the house that way, but that it was opposed by Cromwell and Ireton, who said it was no fit time to proceed with such vigour, the King having gotten so great a reputation in the Army, and therefore advised them to proceed in a way towards the satisfaction of the kingdom and army; and so they went to review the propositions, having first voted that they should be carried to the King as ordinances, not as propositions. There have been in the prosecution of this business some desperate motions; as, that the King, in regard that many who give him ill counsel and are professed enemies to the Parliament resort unto him, should be restrained; that they should think no more of the King, but proceed as if there were no such thing in the world; for that he is always an impediment to all good resolutions; some calling him Ahab, others Coloquintida. But all those speeches have been stopped by Cromwell and Ireton, whose civilities are visible, but the reality of their intentions not clearly discerned.”

Sir Edward Ford writes on 28 September: “It was moved earnestly in the House that the malignants might be removed from Court, and also that the King might be removed further off from the headquarters because of the confluence of people to him..... might beget an ill influence and danger in the Army, but it was opposed by Cromwell and Ireton; of late they have spoken much in the King’s behalf, seconded by young Harry Vane, Mr. Solicitor, and Mr. Fiennes. Cromwell, applying himself to the Speaker, told him that it was worth his consideration, how that there was a party in the army labouring for the King, and a great one; how the City was endeavouring underhand to get another party in the Army; and that there was a third party who was little dreamt of, that were endeavouring to have no other power to rule but the sword.” ( *Clarendon MS.*, 2604.) A news-letter addressed to Sir Richard Leveson, September 27, 1647, adds: “There has been snapping lately in the House between some of the root-and-branch men and the officers of the Army that are members. Ireton, moving the Army’s proposals might be considered there, and sent to the King, gave occasion to one Scot (an insolent fellow and enemy to the proposals, as all of that spirit are) to let the House know there had been underhand treaties between the officers of the Army and the King, to which end Ashburnham and Sir John Berkeley were continually at the head-quarters, agents for the King, which he desired might be examined; to which Cromwell by way of reply took occasion to vindicate his own innocency and to declare his readiness to obey the Parliament’s commands, but if the House should think fit to examine that business, he desired it might be examined withal, which members of the House had been at headquarters likewise, endeavouring to debauch the Army and seduce them from their principles” ( *Fifth Report of Hist. MSS. Comm.* p. 173; cf. p. 179.) Scot was arrested by Fairfax on November 15, 1647, for inciting the soldiers to mutiny at the rendezvous at Corkbush-field, near Ware, for which he was suspended from sitting in the House of Commons. (Rushworth, viii. 875; *Commons’ Journals*, v. 362.) He was member for Aldborough in Yorkshire, and should be distinguished from Thomas Scot, the regicide, member for Aylesbury Scot, the leveller, died in January, 1648. ( *Cal. Clarendon Papers*, i. 408.) It is probable that he was a royalist agent. ( *Clarendon MS.* 2,534.)

[326] A brief account of the proceedings of the Committee is given in Rushworth, viii., 849, 850.

[327] A portion of an answer of the agitators to the charge of attempting to divide the Army is given by Rushworth, viii., 857.

[328] Wildman and Petty.

[329] MS. “desiring.”

[330] MS. “your expectations and my engagements.”

[331] MS., two lines below, gives “we have here men on purpose.”

[332] The answer of the agitators here mentioned is evidently the document known as “the Agreement of the People,” as the contents of Cromwell’s speech prove, and the reference made to it by name by Ireton on p. 244. It is printed in Rushworth, viii., 859. It demands, (1) Equal electoral districts. (2) The dissolution of the Long Parliament on September 30, 1648. (3) Biennial Parliaments to be elected every March and sit for five months. (4) The limitation of the powers of future parliaments so as to guarantee complete toleration; a full indemnity for acts done during the late public differences, and good and equal laws. In one point it attacks the privileges of the peerage, demanding “That in all laws made, or to be made, every person may be bound alike, and that tenure, estates, charter, degree, birth, or place, do not confer any exception from the ordinary course of legal proceedings, whereunto others are subjected.” In conclusion it protests against the proposed treaty with the King. “These things we declare to be our native rights, and therefore are agreed and resolved to maintain them with our utmost possibilities, against all opposition whatsoever; being compelled thereunto, not only by the examples of our ancestors, whose blood was often spent in vain for the recovery of their freedoms, suffering themselves, through fraudulent accommodations, to be still deluded of the fruit of their victory, but also by our own woful experience, who having long expected, and dearly earned the establishment of those certain rules of government, are yet made to depend for the settlement of our peace and freedom upon him that intended our bondage, and brought a cruel war upon us.”

[333] MS. “that.”

[334] MS. “and.”

[335] Clause transposed.

[336] May be paraphrased, “which paper I am confident if your hearts be upright as ours you do not bring with peremptoriness of mind, etc.” The words “if we should come to anything” seem to belong to the previous clause.

[337] MS. “it.”

[338] The text should probably run, “as to concur with the framers of this book.”

[339] In “The Case of the Army” it was asserted “that the Army’s Engagement, Representations, Declarations, and Remonstrances, and promises in them contained, are declined, and more and more dayly broken, and not only in some smaller matters wherein the Army and Kingdom are not neerly concerned, but in divers particulars of dangerous consequence to the Army and the whole nation.” Ten points in which these engagements had been broken were then enumerated.

[340] MS. “finding.”

[341] *i.e.*, “The soldier agitators contrasted with those who did not belong to the Army.”

[342] Rainborowe had been added to the Committee of the Navy on 9 September, 1647, and appointed Vice-Admiral on September 27. (*Commons’ Journals*, v., 297, 318.) On October 2 the Commons voted that he should be at once despatched to sea, and on October 8 that he should be commander-in-chief of the ships appointed for the winter guard. (*Ibid.*, 324, 328.) On September 29 the committee of general officers voted that Deane should succeed to the command of Rainborowe’s regiment when the latter went to

sea, which seems to be one of the causes of the discontent shown in Rainborowe's speech. Cromwell and Rainborowe had before this fallen out on the question of treating with the King. A news-letter of September 20 (*Clarendon MS.* 2577) says, "The Parliament is not well pleased with the Army's proposals, and the Army is as much displeas'd with them for disliking them; and upon Thursday last there was a resolution amongst them to send to the Houses that they should treat with the King upon the proposals. High language pass'd at the Council of War between Cromwell and Rainsborough, so high that Rainsborough told him that one of them must not live."

[343] *i.e.*, "All the good laws we now enjoy were innovations once, and intrenchments on the rights of the King or the Lords."

[344] MS. "itt."

[345] *i.e.*, "if our engagements are unrighteous."

[346] Perhaps Cromwell means "though the engagement may be unrighteous, and it may be good in the abstract to break it, circumstances may render it scandalous to do so now."

[347] Clause transposed.

[348] Cromwell's dread of division is commented on in Berkeley's *Memoirs, Masere's Tracts*, i., 364.

[349] The sense requires, "to replace it by a new engagement."

[350] *enow*. Halliwell gives "*enow*" as meaning even now and "*anowe*" as "now."

[351] Goffe perhaps was referring to what took place on October 7, when the Council "gave audience to an High German, who pretended to be a prophet, and would prescribe a way for the settling of a firm and lasting peace." Rushworth, viii. 836.

[352] The sentence should probably read thus: "Public departings from God (if there be any such thing in the Army that is to be looked upon with a public eye in relation to the Army) are the fruits of unbelief and distrust; and though I think that public actings (*i.e.* public prayer meetings) do more publicly engage God to vindicate his honour by a departing from them that do so, still I think the main thing is," etc.

[353] After Cromwell quitted the Parliament, says Berkeley, "his chief dependence was on the Army, which he endeavoured by all means to keep in unity; and if he could not bring it to his sense, he, rather than suffer any division in it, went over himself and carried his friends with him into that way which the Army did choose." *Masere's Tracts*, p. 364.

[354] In this speech of Cromwell's the position of several clauses has been altered with a view to clearing the sense.

[355] The two halves of this sentence have been transposed.

[356] Wildman refers to the principles laid down in the *Declaration of the Army*, of June 14, 1647.

"And truly such Kingdoms as have, according both to the Law of Nature and Nations, appear'd to the vindication and defence of their just Rights and Liberties, have proceeded much higher; as our Brethren of Scotland, who, in the first beginning of these late Differences, associated in Covenant, from the very same Grounds and Principles (having no visible Form either of Parliament or King to countenance them;) and as they were therein justified and protected by their own and this Kingdom also, so we justly shall expect to be.

“We need not mention the States of the Netherlands, the Portugals, and others, all proceeding from the same Principles of Right and Freedom: And accordingly the Parliament hath declared it no resistance of Magistracy, to side with the just Principles and the Law of Nature and Nations, being that Law upon which we have assisted you. And that the Soldiery may lawfully hold the hands of the General, who will turn his cannon against his Army, on purpose to destroy them; the Seamen the hands of the Pilot, who wilfully runs the Ship upon a Rock (as our Brethren of Scotland argued). And such were the proceedings of our Ancestors of famous Memory, to the purchasing of such Rights and Liberties as they have enjoyed, through the Price of their Blood, and we (both by that, and the later Blood of our dear Friends and Fellow-Soldiers, with the hazard of our own) do now lay claim to.” Rushworth, vii., 565.

[357] MS. “I thinke if.”

[358] M.S. “What you apply to this paper.”

[359] MS. “ours.”

[360] MS. “hee.”

[361] “nott” is here omitted, and the words “in case I did not perform it” are transposed from four lines below.

[362] MS. “though I bee bound by my engagement nott to perform itt.”

[363] MS. “are.”

[364] Clause transferred from the line below.

[365] Past amending.

[366] MS. “stearne.”

[367] MS. “men.”

[368] Transferred from a lower line.

[369] “They,” *i.e.* the representatives of the five regiments and the agents of the Londoners.

[370] “Petty.”

[371] MS. “the liberty of a free liberty.”

[372] The last two words transferred from three lines before.

[373] MS. “that they,” *i.e.* Cromwell and the Council. The reporter changes into oratio obliqua for a moment.

[374] Four words transferred from the previous line.

[375] MS. “noe wonder.”

[376] MS. “butt this engagement is of another nature, but wheras it is told.”

[377] MS. “man.”

[378] Rainborow’s argument may be thus paraphrased, though his actual words are hopelessly confused:



“I am of that gentleman’s mind that said the king’s party would have been about our ears if we had not made some considerations as concerning them, some engagement in their favour. This is the consideration, the concession we made in favour of the King’s party. Did we not at first engage for the Parliament and for the liberties of the people, and against the King’s party? Now though we have beaten them in the field they are by this proposed agreement to be made masters of our houses. By this new unlawful engagement we have broken our original engagements to the people and all who sided with the Parliament.”

[379] MS. “whence.”

[380] Perhaps “to engage us to that which may tend to the destruction of others.”

[381] Four words transferred from two lines below.

[382] The report is so fragmentary that it is difficult to follow Ireton’s argument. It seems to me to be this. “If your compliance to the meeting we desire means a meeting for mutual satisfaction and not one in which you are to give us the law, we ought to discuss then the question whether our engagements are of the kind you say. But it seems to me that the only ground on which you base your demands is that your ‘Agreement’ is so clear, so just, and so right that there is no need to discuss it. However, if you will come to the meeting, we shall be able to examine into your ‘Agreement,’ and therefore I hope you will come and allow us to discuss it.”

[383] Merriman’s argument seems to be something like this:

“And I think that when this Oedipus riddle is unopened and this Gordian knot untied, you will find that as to this engagement, which is the ground of most of your discourse, the fundamental business of it is the desire of most of this Council. You both desire a succession of Parliaments, and to have this Parliament that it might not be perpetuated, and the principles of both are the same, and the spirit of God the same in both, and the enemies of both the same. You have both promised to free the people, etc.” “Engagement” seems to be a mistake for “Agreement.”

[384] Probably should be “further answer” or “further guidance.”

[385] *i.e.* “Buffcoat.”

[386] MS. good.

[387] Some people believe we are engaged to maintain the authority of the House of Lords.

Waller asserts that Cromwell and Ireton privately entered into an engagement to maintain the rights of the House of Lords in August, 1647, when the nine Lords joined the Army. *Vindication*, p. 192.

[388] Clause transposed.

[389] Agree?

[390] MS. “formerly.”

[391] May be paraphrased: “I hope they will come, if they shall come, with full power not to debate only but to do.”

[392] Clause transferred from three lines above.

[393] MS. “candle.”

[394] *i.e.* “the way.”

- [395] *i. e.* “the light.”
- [396] M.S. “that candle of reason, and that first within us our lust.”
- [397] Goffe was one of the most enthusiastic of the Army leaders, and resembled the Fifth Monarchy men in his views.
- [398] MS. “yett.”
- [399] *i. e.* “into the place of the Pope.”
- [400] See Revelation, chaps. xvii., xviii., xix., xx., especially chap. xvii., verses 13, 14.
- [401] Numbers, xiv., 41, 42.
- [402] Goffe refers to the debate of July 16, pp. 176-211.
- [403] MS. “that.”
- [404] Everard was evidently the trooper before referred to as “buff-coat.” Robert Everard of Cromwell’s regiment was one of the signatories of the “Letter to the freeborn people of England,” published with the agreement. There were several Everards in the Army, v. *Reliquiae Baxterianae*, p. 78.
- [405] The Army’s Declaration of June 14, 1647.
- [406] MS. “any.”
- [407] MS. “that.”
- [408] In the MS. Everard’s speech is extremely confused, as fragments of different sentences are mixed together. Three clauses have been moved.
- [409] The MS. inserts after “action,” “I meane doing in that kind, doing in that sort,” and after “heere,” “such kind of action, action of that nature.”
- [410] Cromwell at this point seems to have produced the book of *Army Declarations*, printed by Matthew Simmons in September, 1647.
- [411] MS. “that.”
- [412] *i. e.* “that which you say now was then determined upon.”
- [413] Transferred from two lines below.
- [414] MS. “worke.”
- [415] See the *Case of the Army Truly Stated*, p. 9.
- [416] Can hardly be Major Francis White, as he had been expelled from the Council.
- [417] The Representative of the Army, *i. e.*, the General Council established in pursuance of the Engagement of June 5, 1647, consisting of those general officers who had concurred in that engagement together with two commission officers and two privates for each regiment.
- [418] MS. “soe as to acquiesce in it.”
- [419] MS. “for I know nott myself.”
- [420] MS. “Armie’s.”

[421] Two lines moved from the previous sentence, and several words omitted.

[422] MS. “prize all wheresoever.”

[423] MS. “going.”

[424] The last sixteen words are transferred from six lines lower.

[425] MS. “but.”

[426] The first article is, “That the people of England, being at this day very unequally distributed by Counties, Cities, and Burroughs, for the election of their Deputies in Parliament ought to be more indifferently proportioned, according to the number of the Inhabitants; the circumstances whereof, for number, place, and manner, are to be set down before the end of this present Parliament.”

The supporters of the Agreement, as the debate shows, advocated manhood suffrage. Ireton however, and those responsible for the “Heads of the Proposals of the Army,” published in August, had merely advocated more equal electoral districts.

“That the Elections of the Commons for succeeding Parliaments may be distributed to all counties, or other parts or divisions of the Kingdom, according to some rule of equality or proportion, so as all Counties may have a number of Parliament Members allowed to their choice, proportionable to the respective rates they bear in the common charges and burthens of the Kingdome, or according to some other rule of equalitie or proportion, to render the House of Commons as near as may be an equall representative of the whole; and in order thereunto, that a present consideration be had to take off the Elections of Burgesses for poor, decayed, or inconsiderable townes, and to give some present addition to the number of Parliament Members for great counties, that have now less than their due proportion, to bring all at present, as neer as may be, to such a rule of proportion as aforesaid.”

[427] I take these words to be the remark of some interruptor, probably Cowling.

[428] MS. “I.”

[429] Rainborow.

[430] *i. e.*, “the laws and rule of those;” or possibly “the laws and rule which those shall choose who taken together,” etc.

[431] p. 296.

[432] A vote, the right of exercising his reason by electing a representative.

[433] Rainborow’s argument seems to be, “God gave man reason that he might use it, and though the poorest man may have no property yet he has his reason and he was meant to use it. It may be a small right but it is something, and you are not justified in taking from him any right God has given him.” See the same argument stated by the agitators. *Case of the Army stated*, p. 21.

[434] Any fixed interest to entitle him to a vote.

[435] The position of the last two sentences has been altered.

[436] See p. 299; and also the note.

[437] See p. 296.

[438] MS. “a man.”

[439] MS. “the same.”

[440] MS. “men.”

[441] The order of the first few sentences of this speech has been changed.

[442] *i. e.* “The franchise,” see pp. 315, 316.

[443] MS. “itt is.”

[444] This part of Rainborow’s speech is too fragmentary to follow his arguments, but his two speeches on pp. 315, 316, supplement it.

[445] MS. “the man when they are.”

[446] The constitution proposed in the “Agreement of the People.”

[447] *i. e.* “The franchise.”

[448] MS. “an.”

[449] The passage may be thus paraphrased: “But here is the great objection to the rule that you go by. By that rule by which you infer this to be the right of the people, of every inhabitant, you infer also that because every man hath such a right in nature—though it be not of necessity for the preserving of his life—that therefore you are to overthrow the most fundamental constitution of the kingdom for it. Now show me why, by the same rule, by the same right of nature, you will not claim the use of anything any man hath that is necessary for the sustenance of men.”

[450] MS. “this man.”

[451] MS. “mee.”

[452] *i. e.* “Limited to possessors of freeholds worth 40 *s.* a year. Cowling is giving his theory of the object of the statute of Henry VI. limiting the franchise to persons having free land or tenement to the value of 40 *s.* by the year.”

[453] The word “fitt” should perhaps be “fixt.” “It is now fixed that the electors must not choose men to make laws who have no permanent interest in the kingdom.”

[454] These, *i. e.* “these foreigners.”

[455] Should be, “to constitute, *i. e.* to legislate, according to the just ends of government, not simply to maintain what is already established.”

[456] “That gentleman,” *i. e.* Rainborow, see p. 304.

[457] Probably should be “hath a right by nature that.” But see p. 303.

[458] The meaning apparently is, “Why should I have any interest in determining what the law of a land shall be, if I am not obliged to live under it.”

[459] Colonel Rich, p. 315.

[460] The position of these two clauses has been changed, but the latter part of the speech seems hopelessly confused.

[461] “Itt,” possibly means “the liberty of the people,” referring to Rainborow’s speech.

- [462] “Those two,” *i. e.* Cromwell and Ireton.
- [463] If this Agreement be not accepted I will still not give up my birthright.
- [464] Probably refers to the speech of Colonel Rich, that poor voters would sell their votes, or otherwise destroy the kingdom.
- [465] *i. e.* Sexby.
- [466] MS., “every christian spirit ought to bear that, to carry that.”
- [467] MS. “men.”
- [468] Clause transposed from two lines above.
- [469] MS. “all the souldiers have.”
- [470] Possibly a reference to the parable of Jotham, Judges, ix. Or perhaps one should read “scrub.”
- [471] MS. “lie.”
- [472] MS. “soe.”
- [473] May be paraphrased, “Now let any man shew me why, if we should go to plead, &c., we should stop there?”
- [474] MS. “light.”
- [475] Only the first words of some sentences out of the speech of Hugh Peters are here given. He suggests apparently an arrangement such as the one finally accepted, by which men who had assisted the Parliament should be given votes. Cromwell takes up the suggestion of a compromise, and develops it rather further, proposing the extension of the franchise to copyholders by inheritance.
- [476] Perhaps in that paper (*i. e.* in the “Hheads of the Proposals,” *i.*, § 5) the amendment of the representative may be offered too lamely, and there may be some reflection upon the generality of the people, if the franchise be insisted upon to be limited to the present voters. “Why perhaps there are a considerable number of copyholders by inheritance that ought to have votes,” etc. “This paper” referred to on p. 329 is the “Agreement.”
- [477] Clause transferred from the last lines of the speech.
- [478] Rainborow directly attacks Cromwell and Ireton. His words seem to mean: “If their rules must be observed, if these men must be advanced and other men that are in authority set under foot, I am not satisfied, and I do not see how this council can hold together.”
- [479] Clause transferred from two lines above.
- [480] MS. “in the freedome their choice as free.”
- [481] To Cromwell.
- [482] *i. e.* our promises, our engagements.
- [483] Compare Clarke’s speech on p. 339, which appears to be merely a second version of this.

[484] “You” refers to “both,” *i. e.* Cromwell and Ireton on the one hand, and Sexby and Wildman on the other, *vide* pp. 329, 330, 335.

[485] Compare with these remarks about freedom of conscience a similar passage in Cromwell’s third speech in Carlyle’s *Cromwell*. The remainder of this speech is simply a chaos of detached phrases from different sentences. The argument seems to be, “If you claim liberty to follow your consciences, but will not grant me liberty to follow mine, there is no equality between us. Though we conscientiously believe that under certain circumstances we ought to resign our commands, you taunt us as if we were following our wills instead of our consciences, and accuse us of deserting the cause. Can anything be more harshly said?” In answer to Sexby’s demand for an immediate vote (pp. 324, 330) Cromwell again proposes (as on p. 328) that the question should be referred to a committee to try to make a fair compromise.

[486] Rainborowe.

[487] June 5, 1647.

[488] See the Army’s Declaration of June 14, 1647.

[489] See the Army Declaration of June 14, and the “Heads of the Proposals of the Army,” § 1.

[490] The last ten lines of Ireton’s speech are too confused for amendment. They may perhaps be paraphrased thus: “If you will appoint a committee to consider of some more equal distribution of that—so as you preserve the equitable part of that—keeping the franchise to men who are likely to be independent and not given up to the wills of others—thus far I shall agree with you. On the other hand, to those who say ‘I will not go with you except you go further,’ I answer, ‘I will go with you as far as I can, and when I can go no further I will sit down; I will not make any disturbance among you.’”

[491] *i. e.* Cromwell.

[492] *i. e.* Ireton.

[493] “This,” *i. e.* the constitution in that paper, in the “Agreement of the People.”

[494] *i. e.* “it is disputable.”

[495] *i. e.* “The constitution proposed by the ‘Agreement,’ if it were actually established.”

[496] *i. e.* “Whether this be a just constitution which says that 40<sup>s</sup> a year property enables a man to elect? If the question were stated so, etc.”

[497] See the Engagement of June 5, 1647, which concludes: “We shall study to promote such an establishment of common and equal right and freedom to the whole, as all might equally partake of, but those that do, by denying the same to others, or otherwise, render themselves incapable thereof.”

[498] I should suggest here “right of nature,” and “principle of the right of nature.”

[499] I take this speech of Clarke’s to be merely a second version of the speech on p. 330, not a new speech. It will be observed that Waller does not answer Clarke but Chillenden.

[500] To Cromwell, who was presiding in the absence of Fairfax.

[501] Rushworth, vii., 913, 944.

[502] MS. "leave this."

[503] Compare the reasons against the "Bill for a new Representative," given in Cromwell's first speech in Carlyle's *Cromwell*. In this paragraph the position of several clauses has been altered.

[504] MS. "every."

[505] *Vide* pp. 226, 233, 258, 276, 285, 288.

[506] The clauses making up these three sentences have been transposed. Lines 15-30 on p. 343, "It was told mee... manifest unto you," seem properly to belong to this portion of the speech.

[507] Everard.

[508] On the rule referred to, see "Heads of the Proposals of the Army," i. § 5.

[509] The Army in their Engagement of June 5 declared that they would not disband till they had such satisfaction for their grievances and desires as soldiers and such security for their rights as private men as should appear sufficient to the General Council of the Army then established. "Without such satisfaction and security we shall not willingly disband, nor divide, nor suffer ourselves to be disbanded or divided" (Rushworth, vi., 512). On this subject the following observations are made in the *Case of the Army stated*, p. 2.

"That the Armie's Engagement, Representations, Declarations, and Remonstrances, and promises in them contained, are declined, and more and more dayly broken, and not only in some smaller matters wherein the Armie and the Kingdome are not so neerly concerned, but in divers particulars of dangerous consequence to the Army and the whole Nation, as,

"First, In the Engagement, page five, the Army promised every Member thereof each to other, and to the Parliament and Kingdome, that they would neither disband nor divide, nor suffer themselves to be disbanded or divided untill satisfaction should be given to the Army in relation to their grievances and desires; and securitie that neither the Army nor the free borne people of *England*, should remaine subiect to such injuries, oppression, and abuse, as the corrupt party in the Parliament then had attempted against them.

"Secondly, The Traine of Artillery is now to be disbanded, before satisfaction of securitie is given to the whole Army in relation to themselves, or other the free borne people, either in respect to their grievances or desires. And when the strength or sinews of the Army be broken, what effectual good can be secured for themselves or the people in case of opposition.

"Thirdly, The Army is divided into quarters so farre distant that one part is in no capabilitie to give timely assistance to another, if any designe should be to disband any part by violence sodainly, although neither our grievances nor desires as Soldiers or Commoners are redressed or answered. And as we conceive this dividing of the Army before satisfaction on securitie as aforesaid, to be contrary to the Armies intention in their Engagement, at the said Rendezvous, so we conceive it hath from that time given all the advantage to the enemies, to band and designe against the Armie, whereby not only pay hath been kept from the Soldiers, and securitie for areers prevented, but the kingdom was indangered to have beenimbroyled in blood, and the settlement of the peace and freedome of the Nation, hath been thus long delayed."

[510] Scroope's Regiment had been at Holdenby, where a part of it was employed in guarding the King.

[511] MS. "they goe to scandalise an engagement or to devise."

[512] Throughout this speech of Ireton's the sentences in the MS. are so broken and confused that much re-arrangement was necessary to make the sense intelligible. Compare the "Remonstrance of his Excellency, Sir Thomas Fairfax, and the Council of War, concerning the late discontent and distraction in the Army" (November 14, 1647). It was evidently based on this speech and was probably drawn up by Ireton.

[513] Ireton compares "the Heads of the Proposals of the Army," published Aug. 1, 1647, with "the Agreement of the People," first as to the basis to be taken in the equalisation of the constituencies, secondly as to the date to be fixed for the dissolution of Parliament, thirdly as to the question of the powers of the House of Commons.

[514] *i. e.* the Agreement.

[515] Clause 4 of the Agreement: "That the powers of this and all future representatives of this Nation, is inferior only to those who chuse them, without the consent or concurrence of any other person or persons" (*i. e.* King or Lords).

[516] May be paraphrased: "If any man will put it to the question whether we shall concur with that, I am willing to concur with it, provided you put the question with that limitation that hath bin all along acknowledged by the Parliament, that is where the safetie of the kingdom is concerned. Till we can acquit ourselves justly from any engagement, new or old, that we stand in to preserve the persons and rights of the King and Lords so far as they are consistent with the common right—till that be done I think there is reason that exception should continue." The rest is too chaotic.

[517] In the Declaration of June 14 the words used are, "so far as may consist with the right and freedom of the subject and the security of the same for the future."

[518] The position of this clause has been altered.

[519] "I do agree," etc., as on p. 351.

[520] The controversy between the King and Parliament as to the meaning of the King's Coronation Oath had been very bitter in 1642. It then turned chiefly on the interpretation of the word "elegerit."

The Levellers now sought to interpret the oath so as to deny the legislative power of the House of Lords. Wildman in criticising the "Proposals," complains:

"A restriction to their usurpation of a negative voice to all the resolutions of the Commons, is not once named, or intimated; although Ireton himself hath confessed in their counsels, that the King by his oath is obliged to confirm such laws as the Commons should chuse; the word 'Vulgus' in the King's oath, signifying people, or folke, excludes the Lords totally from any right to intermeddle in the making of laws" (*Putney Projects*, p. 41).

[521] *i. e.* "I did not then desire it so much as I do now."

[522] *i. e.* The consent of the King and the Lords is now necessary to the making of all laws.

[523] The three passages given in brackets are supplied from the *Case of the Army*, p. 20.

[524] Compare Wildman's *Putney Projects*, p. 40: "Although the Lords are the very offspring of the King's corrupt will; and were never so honoured by the people, as to have a trust committed to them to represent any county; yet those Proposals invest them with the highest authority only because of the King's Patten. (1.) The Proposals allow them a power over the Militia, coordinate, and coequal, to the representative of all the nation, the



Commons in Parliament; thus in the first and second property of the Second Proposal, the power of the Militia, etc. for ten years, to be disposed of by the Lords and Commons.”

[525] The *Case of the Army*, p. 6, observes:—

“In the declaration of June 14, p. 10, as in all other Remonstrances and Declarations, it was desired, that the rights and liberties of the people might be secured, before the King’s businesse should be considered. But now the grievances of the people are propounded to be considered after the restoring him to that legall power, and that in such a way according to the proposalls, viz. with a negative voice, that the people that have purchased by blood what was their right, of which the King endeavoured to deprive them, should yet solely depend on his will for their relief in their grievances and oppressions; and in like manner the security for the Armie’s arrears is proposed to be considered after the businesse of the Kinge be determined.”

The same view is expressed in Wildman’s *Putney Projects*, 1647, pp. 22, 23. As Ireton points out, Wildman was probably the author of the *Case of the Army*.

[526] This refers to Parliamentary privilege, which is aimed at in the fourth clause in the Agreement: “That in all lawes made or to be made every person may be bound alike, and that no tenure, estate, charter, degree, birth, or place, doe conferre any exemption from the ordinary course of legal proceedings whereunto others are subjected.” This is explained to mean, “That whereas now severall persons are by an usurped power exalted above the law and protected from due process at law, viz, Lords as Peers, although legally indebted, may not be touched with an arrest, nor be made subject to the censure of the law; whereby they have made little conscience when they have got men’s estates in their hands, to return the same, but have stood upon their prerogative and thereby been protected, to the utter ruin and undoing of many of the free people of England.” *The Grand Designe*, 1647, by John Harris.

[527] See the Letter of the Agitators, “For the noble and highly honoured, the Free born people of England,” appended to the “Agreement of the People.”

“We have therefore inserted it into this Agreement, that no person shall be questionable for anything done, in relation to the late publike differences, after the dissolution of this present Parliament, further then in execution of their judgment; that thereby all may be secure from all sufferings for what they have done, and not liable hereafter to be troubled or punished by the judgment of another Parliament, which may be to their ruine, unlesse this Agreement be joyned in, whereby any acts of indempnite or oblivion shall be made unalterable, and you and your posterities be secure. But if any shall inquire why we should desire to joyn in an Agreement with the People, to declare these to be our native Rights, and not rather petition to the Parliament for them; the reason is evident: No Act of Parliament is or can be unalterable, and so cannot be sufficient security to save you or us harmlesse from what another Parliament may determine, if it should be corrupted; and besides Parliaments are to receive the extent of their power and trust from those that betrusted them; and therefore the people are to declare what their power or trust is, which is the intent of this Agreement.”

[528] Wildman’s argument is given in the *Case of the Army*, p. 12.

“The Armies and their assistants’ indempnity is propounded to receive its strength from the King’s consent; whereas not only his signing of or consent to any act is wholly null and void in law because he is under restraint and our indemnity will be insufficient if it shall depend in the least on his confirmation.” He proceeds to argue that an act of indemnity passed by one Parliament might be repealed by another, “whereas another

Parliament cannot alter this.” Moreover, this very Parliament might be so corrupted by the King as to nullify an act of indemnity passed by it.

[529] From 1645 onwards the legislative and judicial powers of the House of Lords had been subject to constant attacks. Edwards, in the third part of his *Gangraena*, 1646, pp. 148, 196—200, collects a number of the utterances of the Levellers and Sectaries against the House of Lords. “The speeches and writings of the Sectaries against the House of Peers within this last six months or thereabouts are fearful and strange, tending apparently to the total overthrow of the House of Peers and of having any Lords in this kingdom, denying them all legislative and judicial power, and giving it all to the House of Commons, or rather to that beast with many heads, the common people.” The leaders of this attack were John Lilburne and Richard Overton. See *An Alarum to the House of Lords*, 1646, and Overton’s *An Arrow against all Tyrants and Tyranny shot from the prison of Newgate into the Prerogative Bowels of the Arbitrary House of Lords*. On three separate occasions the privileges of the House of Lords seem to have been guaranteed: in 1645, on the passing of the self-denying ordinance (Rushworth, vi., 14); and in the summer of 1647 (*Vindication of Sir William Waller*, pp. 192-6); in January, 1648, after the passing of the vote of no further addresses to the King (Rushworth, vii, 967).

[530] The text may be paraphrased thus:

“According to the best judgments of those that were entrusted to draw up the Proposals it was decided that we should not take away the power of the Lords in this kingdom, and it was so concluded in the Proposals. That in the Proposals our business was to set forth particulars. We had set forth general declarations which had come to much the same thing.”

[531] In the Declaration of June 14, it is said:

“These things we desire may be provided for by Bill or Ordinance of Parliament to which the royall assent may be desired. When his Majesty in these things, and what else shall be proposed by the Parliament, necessary for securing the Rights and Liberties of the people, and for settling the Militia and peace of the Kingdom shall have given his concurrence to put them past dispute, we shall then desire that the Rights of his Majestie and his Posterity may be considered of, and settled in all things, so farre as may consist with the Right and Freedom of the Subject and with the security of the same for the future.”

In the Proposals, § xiv., it is demanded

“That (the things heretofore proposed, being provided for settling and securing the rights, liberties, peace and safety of the kingdom) His Majestie’s person, his Queen, and royall issue, may be restored to a condition of safety, honour and freedom in this nation, without diminution to their personal rights, or further limitation to the exercise of the regal power than according to the particulars aforegoing.”

[532] After Clause xvi., the Proposals continue: “Next to the proposalls aforesaid for the present settling of a peace, wee shall desire that no time may be lost by the Parliament for despatch of other things tending to the welfare, ease and just satisfaction of the Kingdom.” A number of grievances are then specially enumerated In the Declaration of Aug. 2, special attention is called to this distinction. “To these proposalls which we here first tender as necessary to a peace... we cannot but add the further expression of our desires in some other particulars, which, though not so essential to peace, as necessarily to precede the settling of it, yet being matters of very public, and (most of them) of general grievance to the kingdom: we shall desire, that (the Parliament being set free) no

time may be lost for a speedy consideration of them, so as the former things for the present settling of peace be not delayed thereby.”

[533] The charges referred to are shown by the following passages from the *Case of the Army*.

“The whole intent of the Engagement and the equitable sense of it hath been perverted openly by affirming and by sinister means making seeming determinations in the Council that the Army was not to insist upon or demand any security for their own or other the freeborn people’s freedoms or rights, though they might propound anything to the Parliament’s consideration; and according to that high breach of their engagement their actions have been regulated, and nothing that was declared formerly to be insisted upon hath been resolutely adhered to, or claimed as the Armie’s or the people’s due.”(p. 3.)

“In the Declaration of June 14, it is declared that the Army took up arms in judgement and conscience for the people’s just rights and liberties, and not as mercenary soldiers, hired to serve an arbitrary power of the State. But the strength of the endeavours of many hath been, and are now, spent to persuade the soldiers and agitators, that they stand as soldiers only to serve the State, and may not as free Commons claim their right and freedom as due to them.” (p. 4.)

[534] Heads of the Proposals Articles, vi., xvi.

[535] Ireton refers first to the petition of the Army drawn up in March, 1647; secondly, to the desires of the Army in relation to themselves as soldiers, September 21, 1647. (*Book of Army Declarations*, p. 160.)

[536] This passage may be thus paraphrased: “I think it is true in this, that whoever talks of the soldiers endeavouring to secure themselves by the swords in their hands, or any other indemnity to be obtained by force, is for the perpetuating of combustions. Talk of that kind is inconsistent with a settlement, and does not suppose a settlement by the authority that has been hitherto acknowledged by us, by the legislative authority of the kingdom. Anyone who expects to get the arrears of the soldiers paid except through Parliament and through such a general settlement deceives himself. For my part, if I am to choose between the payment of my arrears, and the general settlement of the kingdom I would rather lose my arrears.”

[537] “Let the seventh particular in the first proposal be compared with the fourteenth proposall. In the seventh particular it is proposed ‘that the orders and rules set down by the Commons in Parliament, for the freedom of election of Members and the right constitution of their own house, be as laws,’ thus restraining the King’s negative voice only in that one particular. And in the fourteenth proposal it is expressly desired, ‘that there might be no further limitation to the exercise of the regall power, than according to the foregoing particular’ ” (*Putney Projects*, p. 32). Wildman also complains that “When the proposalls were first composed there was a small restriction of the King’s negative voice; it was agreed to be proposed that whatever bill should be propounded by two immediate succeeding parliaments should stand in full force and effect as any other law, though the King should refuse to consent” (p. 14). He states that Ireton and Cromwell to please the King expunged this restriction. The position of two clauses in Wildman’s speech has been altered.

[538] This stipulation occurs also in the “Heads of the Proposals,” (i. § 7), but is not so clearly stated.

[539] Perhaps this word should be “equity,” see p. 334.

- [540] Probably before 29th November, 1642, when an ordinance was passed for assessing those who had not voluntarily contributed. The third clause of the Agreement of the People (Jan. 1649) suggests May, 1643.
- [541] The substance of the remaining articles is given later, pp. 407, 408.
- [542] Monday, November 1. See Rushworth, iv., part 2, p. 859.
- [543] Francis Allen of Ingoldsby's regiment; Major Allen of Berkshire, Thurloe, iv., 285.
- [544] John Carter of Hewson's regiment.
- [545] Henry Lilburne, Lieutenant-Colonel of the regiment of his brother, Robert Lilburne, turned Royalist in 1648, and was killed at the re-capture of Tynemouth Castle, August 11, 1648.
- [546] Considerable, *i. e.* "to be considered of." The sense seems to be: "I think they ought to consider whether they intend to suppress the royalists(?) by the power of the Parliament."
- [547] Philippians iii., 8.
- [548] MS. "yett if wee cannot have."
- [549] Cromwell's argument may be thus summed up: "Leave the settlement of government to Parliament, but provide that Parliament be rightly constituted. There may be care taken that future Parliaments be well composed as to their creation and election. Elections to Parliament are sometimes illegal, as for instance for corporations to choose two. I shall desire that there may be a form for the electing of Parliament. Another thing to be provided against is the perpetuity of the same Parliament, there is no security at present that it shall not be perpetual." The policy advocated is that set forth in the Army Declaration of June 14. Compare Cromwell's remarks on pp. 328, 336.
- [550] MS. "att least."
- [551] Cromwell's general meaning is plain enough, though the illustration he uses is difficult to understand. The Army, he argues, must have some civil authority to support it, therefore it ought to own the authority of the Parliament. He would lay hold of any commission from Parliament, any simulacrum of authority, anything that came from Westminster, from the other side of the Thames. Possibly the illustration was suggested by the story of the multitude of rats swimming over the Tweed, which is told in a newsletter of September, 1647. (*Clarendon, State Papers, II., Appendix, xxxix.*)
- [552] "We propound: that whatsoever was proposed to be insisted on, either in the Declaration of June the 14, or the Remonstrance of June 23, and in the Remonstrance from Kingston, August 18, be adhered to resolvedly, so as not to recede from these desires, untill they be thoroughly and effectually answered." *Case of the Army*, p. 14. On Allen, see Appendix B.
- [553] John Jubbes, Lieutenant-Colonel of Hewson's regiment, see p. 21. He drew up in the next year, an "Agreement of the People" of his own, entitled "*Proposals for Peace and Freedom;*" and was probably the author of a second pamphlet called "*A Plea for Moderation in the Transactions of the Army, or weighty Observations upon the late Proposals for Peace presented by the City of London to Comm. Gen. Ireton.* By Veritie Victor, gent., 1648.
- [554] I. Kings, xxii. 22; Jeremiah, xliii. 2.

[555] Cf. p. 284.

[556] MS. “that in the issue wee may not see that God hath spoken to us.”

[557] The papers of the committee, which Rainborow had just moved to have read.

[558] I. Corinthians, xiv. 29.

[559] “learnt,” *i. e.* taught.

[560] Jeremiah, li., 9; xij., 23.

[561] Zechariah, xii., 3. Matthew, xxi., 44.

[562] Several words transposed.

[563] The Second Epistle of Peter, i. 19.

[564] Allen.

[565] *i. e.* “neither King nor Lords.”

[566] *i. e.* “argue.”

[567] Hebrews, viii., 10; I. Corinthians, ii., 16. So Cromwell elsewhere observes of certain things that they are “written in better books than those of paper; written, I am persuaded, in the heart of every good man.” Carlyle’s *Cromwell*, Speech II.

[568] Compare Speech I. in Carlyle’s *Cromwell*.

[569] Cf. Cromwell’s speech on p. 185.

[570] MS. “to.”

[571] The position of several clauses has been altered.

[572] Wildman spoke in answer to the gentleman “who spoke last save one,” referring obviously to the long speech here attributed to Cromwell. The difficulty is that Ireton hereupon answers Wildman as if he were the speaker referred to. On the other hand the MS. distinctly attributes the speech to Cromwell, and in many points it is distinctly Cromwellian in style and ideas. Possibly the two brief speeches on this page should be attributed to Cromwell instead of Ireton.

[573] Apparently means those who subscribe the “Agreement of the People” as opposed to the officers who dissent from it. For the first “dissent,” “assent” should probably be substituted.

[574] The position of this clause has been changed.

[575] “Them” *i. e.* “the people.”

[576] Ireton says he made the exception to satisfy Wildman and his friends, not because he had any doubts of the fact himself.

[577] As the power has been usurped, not expressly to take it away is to confirm it.

[578] Remonstrance of May 26, 1642, and the King’s answer: see Clarendon, *Rebellion*, v. 224-229, 292-305. See pp. 351, 399. The first part of this sentence seems to be really an interpolation of Wildman’s: “Sir, you very well remember that which you argued of the King’s oath,” referring to Ireton’s speech on p. 351.

[579] Several words omitted.

[580] MS. "that."

[581] Ireton seems to refer to the first thirteen articles of the "Heads of the Proposals," which contained the things "necessary for settling and securing the rights, liberties, peace and safety of the kingdom," the granting of which was to precede the King's restoration to his personal rights. This plan of taking away the King's veto with respect to certain specified subjects seems to have been substituted by Ireton for the scheme of giving him a merely suspensive veto which was suggested in the first draft of the "Proposals." See "*Putney Projects*," p. 15.

[582] See p. 407, resolution 2.

[583] See p. 407.

[584] See articles 1 and 2, p. 407.

[585] See article 4, p. 407.

[586] MS. "onely."

[587] MS. "heertofore have bin subject to the breaches of the peace, have bin subject to the common law."

[588] Position of several clauses altered.

[589] The position of several words has been altered.

[590] For Wildman's criticisms see *Putney Projects*, p. 26; and the "Heads of Proposals" I. 1.

[591] Ireton again refers to the "Agreement of the People," Clause 3, and compares it with the first two clauses of the "Proposals of the Army."

[592] Unfortunately the article concerning the qualifications of persons to be elected Members of Parliament is not given, but it seems from this debate and from p. 394 that a member was to possess a property qualification of £20 a year, and that a peer might sit in the Lower House if elected, as indeed subsequently took place under the Commonwealth.

[593] Rainborow asks why the Lords and Commons should not sit together, in one House; and Ireton replies that it would be dangerous to admit so large a permanent element. See p. 397. The position of this question and answer has been changed. In the MS. they follow Ireton's answer about the trial of Lords by their Peers.

[594] Robert Titchburne had been appointed by Fairfax, Lieutenant of the Tower, in place of Colonel Francis West (Rushworth, vii. 761). A contemporary thus speaks of Titchburne: "I will not call him Colonel, his commission being illegal, and he fitter for a warm bed than to command a regiment or citadel; one that not above a month before he was chosen Lieutenant of the Tower held an opinion that it was not lawful for men to fight or kill men, [not] thinking that fighting would be in fashion again. And indeed when he was first made Lieutenant-Colonel of the Auxiliaries in London, if he durst have marched down only for a guard of three or four pieces of battery to Basinghouse before it was fortified, he had saved many a thousand men's lives; but he loved then nothing tending to fighting, and therefore he discouraged his soldiers and took a journey himself under a colour to Brainford, and then came home in triumph that he might pray that the walls of Basinghouse might fall down like the walls of Jericho..... But Colonel West is faithful, honest and valiant, and one that stood as well to his, regiment as he hath done since to his

principles: witness Gloucester expedition, where if the Newbery ground could speak, it would say his body was turned into a rock in the face of his enemy.” ( *The Honest Citizen or Faithful Counsellor to the City of London*, p. 7). Titchburne was one of the Sheriffs in 1650, and Lord Mayor in 1656. Noble gives an account of Titchburne in his “ *Lives of the Regicides*, ” ii. 272. See also Heath’s *Chronicle*, ed. 1663, p. 309.

[595] The absence of the text of the article discussed, and the defects of the report make it difficult to decide the exact question at issue, but it seems to be this. On Saturday, October 30, the Committee had agreed to give the Lords a suspensive veto. Then, apparently at Ireton’s instigation, they decided that the Lords should possess no veto of any kind with respect to laws where the Commons declared the safety of the kingdom to be concerned. Instead of that they should possess, in case of laws affecting their persons and estates merely, a power of exempting themselves from the operation of such laws, and so securing their personal rights, by refusing their consent. Thus, instead of a general suspensive veto they would get a simple power of nullifying certain particular laws so far as they affected themselves. Ireton’s speech is very confused, but may be thus paraphrased and re-arranged: “ ’Tis true on Saturday night we thought of that, viz., that the Commons should make so much use of the Lords in all affairs that their refusal to pass a law should occasion a review, but that if the Commons should after that review think fit to persist, it should be looked upon as a law without the consent of the Lords: but that resolution was questioned in the name of safety. Instead of that the Committee voted last night, that the Lords should have a liberty to preserve one another, and we thought fit to submit a provision for that to your consideration. We had an eye also to that point of the safety of the kingdom. It is provided for in the clauses respecting the rights of the Commons, etc.”

[596] See, 407, resolution 2.

[597] For Wildman’s general views on the rights of the Lords as affected by the “Heads of the Proposals” see *Putney Projects*. He now criticises article 2 on p. 407.

[598] MS. “included.”

[599] MS. “take.”

[600] MS. “heere.” The position of several phrases in this sentence has been altered.

[601] Order of words in this sentence changed.

[602] Order of clauses in this sentence changed.

[603] Cowling probably refers to the story of King Alfred, “who caused 44 Justices in one year to be hanged as murderers for their false judgments.” Andrew Horne’s *Mirror of Justice*, translated by W. H., 1646, p. 239.

[604] Rainborow appears to be wrong; see Stubbs, *Constitutional History*, vol. ii. § 269. and *Old Parliamentary History*, ii., pp. 12-29.

[605] “They,” *i. e.* Mr. Wildman’s godly men.

[606] Ireton’s previous speech supplies the words given in brackets, and his speech on p. 404 shows that Wildman proceeded to argue that the first maxim of just government was that all governments rested on the consent of the people; but the people never set up King or Lords, therefore the government of King and Lords was unjust.

[607] The order of these two interpolations of Wildman’s has been changed.

[608] Titchborne argues thus: The right of making laws is expressly stated to be solely in the House of Commons. The formality of sending them to the King and Lords for their consent means nothing. Their consent is not necessary.

[609] I take this first sentence to be really another interpolation of Wildman's, and the rest of the speech Ireton's reply to it.

[610] Compare *Putney Projects*, pp. 19, 34.

[611] MS. "Lords."

[612] MS. "small."

[613] Major John Cobbett of Skippon's regiment, probably opposed the vote on the grounds stated by Wildman on p. 398. A pamphlet quotes "the saying of Ireton to honest Major Cobbett of Snowhill, who, for joyning with the agents of the Army, asked him if he were not deluded in his understanding, in joyning with the giddy-headed souldiers, and advised him not to run against the interest of himselfe and the officers" (*The Hunting of the Foxes, etc., Somers Tracts*, ed. Scott vi., 52). Cobbett seems to have been concerned in the mutiny at Ware; was tried by court martial at Windsor in January, 1648, and sentenced to be cashiered (Rushworth, vii., 937, 940). Like others then sentenced he was forgiven and sent back to his regiment, then at Newcastle, and distinguished himself by his gallantry at the re-capture of Tynemouth Castle, August 11, 1648 (Rushworth, vii., 1226; *The Second Part of England's New Chains Discovered*, 1649, pp. 7, 11). He was made Adjutant-General of the Foot to the Army which invaded Scotland in July, 1650 (*Cromwelliana*, p. 84). After the battle of Worcester he was selected to bear Cromwell's despatch to the Parliament, with the commendation "that the person who is the bearer hereof was equal in the performance of his duty to most that served you that day" (Carlyle's *Cromwell*, Letter clxxxiii). Cobbett made a relation, and produced "a collar of SS., which was the King of Scots', and his garter, which the said Major Cobbett took in his quarters at Worcester." He was voted a gratuity of £100, and an annuity of £100 from forfeited lands in Scotland (*Commons' Journals*, vii., 13, 191). He seems to have died a Lieutenant-Colonel in 1656 (*Cal. State Papers, Dom.*, 1656-7, pp. 249, 301). He should be distinguished from Major Robert Cobbett, another leveller, who ended by becoming a contractor for army-clothing (*Cal. State Papers, Dom.* 1657-8, p. 118; Lilburne's *Legal Fundamental Liberties*, 1649, p. 40), and from the better known Colonel Ralph Cobbett.

[614] The propositions referred to are summarised by Rushworth, vii., 861.

[615] A newsletter in the *Clarendon Papers* (vol. ii., Appendix, xlix.) says under Nov. 15: "On Thursday last Sir Thomas Fairfax's regiment of foot were drawn to a rendezvous: and one White, the Major of the regiment, told the soldiers that the kingdom must be under another government (which he said, to see how they would like it). Whereupon the whole regiment threw up their hats and cried, 'A King, a King.' And thereupon White got to his horse and made some haste out of the field."

[616] Rushworth gives the result of the debate concerning the Militia.

[617] Compare Rushworth, vii., 862.

[618] On the proceedings of the Council of the Army between Nov. 3 and Monday, Nov. 8, see Appendix E.

[619] William Bray, Capt.-Lieutenant in Col. Robert Lilburne's regiment of foot, was a personage of some importance amongst the Levellers. In the mutiny of that regiment at Ware on Nov. 15, 1647. Bray was the only officer above the rank of a lieutenant who



stayed with the soldiers. He was arrested on the charge of having led the regiment to rendezvous contrary to orders (Rushworth, vii., 875; *Old Parliamentary History*, xvi., 434). Bray's own account of his conduct, as delivered to the council of war which tried him, is printed in a pamphlet called *The Discoverer*, pt. 2, p. 52, 1649. He was tried by court martial at Windsor, Dec. 1647, and finally on submitting and acknowledging his error dismissed, and sent back to his regiment (Rushworth, vii., 922, 937, 940, 943). Owing, as he states, to the hostility of his lieut-col., Henry Lilburne, he was again suspended from his command. In the summer of 1648 he raised a troop of volunteers in Kent to serve against the royalists, and attached it to the regiment of Col. John Reynolds. In March, 1649, he was expelled from the General Council of the Army and deprived of his command. On March 19 he presented to the House of Commons a printed statement of his grievances, entitled, "An Appeal in the humble claim of justice against Thomas Lord Fairfax," etc., which was voted scandalous and seditious, and Bray committed to Windsor Castle, during the pleasure of the House ( *Commons' Journals*, vi., 167; " *Appeal*, " pp. 11-15). He remained a prisoner at Windsor and Wallingford till Oct. 9, 1651 ( *Commons' Journals*, vii., 31; *Cal. State Papers, Dom.*, 1651, p. 353). Two letters from Bray to Lenthal, petitioning for his release, are amongst the *Tanner MSS.*, lvi., 62; liii., 82; see also Cary's *Memorials of the Civil War*, ii., 141. and *The Englishman's Fundamental Appeal; or the Third humble petition and address of Capt. William Bray*, 1659. The first use Bray made of his freedom was to interrupt the proceedings of the Commissioners of Berkshire for underletting the estates of delinquents ( *Tanner MSS.*, lv., 110). In 1659 he published a pamphlet entitled, "A plea for the people's Good Old Cause," and was recommended for employment as a sufferer for the true interest of the Commonwealth ( *Cal. State Papers, Dom.*, p. 249).

[620] This resolution is given in Rushworth, vi., 866.

[621] See "A remonstrance from his Excellency Sir Thomas Fairfax and his Council of War concerning the late discontent and distraction in the Army, etc., November 14, 1647" ( *Old Parliamentary History*, xvi., 340.) The engagement given at the end was evidently drawn up by this Committee.

These requests were accompanied by a letter from Sir Thomas Fairfax to the Speaker dated November 8, the original of which is in the *Tanner MSS.*, vol. lviii., f. 570. It is printed by Cary ( *Memorials of the Civil War*, i., 356), and also by Rushworth. vii., 867, and was read in the House of Commons on November 9 ( *Commons' Journals*, v., 353). The last lines of the 4th desire should probably run "to be allowed to those that shall quarter in other places, or the owners upon whose houses quarters are assigned to be had."

[622] See Rushworth, vi., 868, where this sentence continues "to the Generall for his order to communicate the same to the several regiments at their respective rendezvous."

[623] Met November 25th, at Windsor.

[624] The letter referred to is printed in Appendix E.

[625] The letter of the Agitators to their regiments, quoted in Appendix E., continues as follows, referring apparently to the meeting of November 9:

"The next day they still waved and refused the free debate of the aforesaid Question, and dissolved this Council for above a fortnight; and for a time resolved they would only prepare some faire Propositions to the Army, and about Arrears and pay, and sent to the Parliament for a moneths pay against a Rendezvous; But they declared they would divide the Army into three parts, to Rendezvous severally: and all this appears to be only to draw off the Army

from joyning together to settle those cleere foundations of Freedome propounded to you, and to procure your rights as you are Souldiers effectually, without any more delusions.”

[626] MS. “them.”