

POLITICS AND GOVERNMENT IN DERBYSHIRE

1640-1660

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ABBREVIATIONS

Add. mss.	Additional Manuscripts in the British Library
B.L.	British Library
C.C.A.M.	Calendar of the Committee for the Advance of Money
C.C.C.	Calendar of the Committee for Compounding
C.C.S.P.	Calendar of the Clarendon State Papers
C.S.P.D.	Calendar of State Papers, Domestic
C.S.P.V.	Calendar of State Papers, Venetian
C.J.	Journal of the House of Commons
D.A.J.	Derbyshire Archaeological Journal
D.R.O.	Derbyshire Record Office
E.H.R.	English Historical Review
Gell mss.	Manuscripts in the Chandos-Pole-Gell Collection in the Derbyshire Record Office
Harl. mss.	Harleian Manuscripts in the British Library
H.M.C.	Historical Manuscripts Commission
L.J.	Journal of the House of Lords
P.R.O.	Public Record Office
T.S.P.	Thurloe State Papers

SUMMARY

Politics and Government in Derbyshire 1640-1660

The thesis opens with a description of the geography, economy and society in Derbyshire. Within this framework are traced the lines of religious and political allegiances amongst the gentry on the eve of the civil war. The breakdown in relations between Charles I and his subjects caused by the Crown's ship money and militia policies, was by no means irrevocable. Rifts arose out of the failure, between 1640 and 1642, of King and Parliament to agree. Sir John Gell emerged as the dominant figure in Derbyshire, steering the county into the parliamentary fold, but as the war lengthened he became disillusioned with the radical postures assumed by the leadership at Westminster. Radical-moderate alignments in Derbyshire, however, were not clear cut; they became blurred by factional struggles and personality conflicts which affected county government and the administration of taxation.

Following the end of hostilities in 1646 the radicalisation of politics was reflected in Derbyshire in the rise to power of men coming from a low socio-economic background. Frightened by independency, the major gentry fell away. Sir John Gell, in particular, forms an important case-study in political retreat. The county's traditional rulers remained in eclipse after 1649, despite Cromwell's search for settlement. Royalist and republican activity and constant changes in government personnel added to the feelings of insecurity.

The re-establishment of the monarchy was the only way to restore confidence and authority. Ironically, it took a republican, Thomas Sanders, to swing Derbyshire behind the restoration. But old enmities were not forgotten in the euphoria of Charles II's return; grievances survived to undermine the political stability of the nation in the late seventeenth century.

Lynn Beale.



Thomas Cox, Magna Britannia (London, 1770).

INTRODUCTION

Lying in the shadow of the Pennines, Derbyshire is triangular, stretching some fifty five miles from north to south and thirty five miles at its widest point. Situated in the middle of England the county is surrounded by Yorkshire, Nottinghamshire, Leicestershire, Staffordshire, Cheshire and Lancashire. Derbyshire has a diverse landscape. In the north west mountains and moorland dominate the skyline, while further south craggs and escarpments alternate with green fertile valleys. These, in turn, give way to a countryside which undulates, mellows and flattens to form part of the Midland Plain: here the most prominent feature is the River Trent.

In the first half of the seventeenth century Derbyshire was on none of the main routes to the north although carriers came from London twice weekly to three centres: Ashbourne, Derby and Tideswell.¹ The Derwent was only navigable south of Derby and the Trent to Nottingham. In 1638 Charles 1 showed a passing interest in a project to link the Derwent to the Trent but nothing materialised.² For much of the winter internal

¹ J. A. Chartres, 'Road Carrying in England in the Seventeenth Century: myth and reality', Economic History Review, second series, vol. 30, (February 1977), p. 90.

² T. S. Willan, River Navigation in England 1600-1750 (London, 1936), p. 146; F. Nixon, The Industrial Archaeology of Derbyshire (Newton Abbot, 1969), p. 139.

communications were hampered by snow falling on the High Peak and swollen rivers which often burst their banks.

Contemporary travellers found much of the county's landscape unattractive: for instance, in 1726, Daniel Defoe described the High Peak as "the most desolate, wild and abandoned country in all England." He was appalled to find nestled in the mountains the "most beautiful palace in the world" (Chatsworth House, the seat of the earls of Devonshire) and quite unable to conceive,

That any man who had a genius suitable to so magnificent a design, who could lay out the plan for such a house, and had a fund to support the charge, would build it in such a place where the mountains insult the clouds, intercept the sun and would threaten, were earthquakes frequent here, to bury the very towns, much more the house, in their ruins. "

Illustrating in verse the "Miracles of the Peak", Thomas Hobbes was more impressed, calling the High Peak the "English Alps".¹

According to William Camden, north east Derbyshire was "compassed in with craggas and rockes".² Deep, well drained valleys growing luscious grass cut into the stone. Similar features were observed on the west side of the county by Defoe. "However rugged the hills were", he wrote, "the vales were everywhere fruitful, well inhabited,

¹ D. Defoe, A Tour thro' the whole Island of Great Britain (London, 1927) vol. 2, p. 583; Thomas Hobbes, De Mirabilibus Pecci (London, 1683).

² W. Camden, Britannia (London, 1637), vol. 2, p. 556.

the markets well-supplied and the provisions extraordinary good."¹ South of Derby, four rivers have their course: the Erewash which forms a natural boundary with Nottinghamshire; the Dove which flows along the border with Staffordshire; the Trent which runs east-west and the Derwent which runs through the middle of the county.

The rivers easily became raging torrents. An account by Defoe of the scene he found at Doveridge, near to Uttoxeter, illustrates the problems of flooding which were endemic in this area.

"We had pleasure to see the River [Dove] drowning the low grounds by a sudden shower and hastening to the Trent with a most outrageous stream, in which there being no great diversion, and travelling being not very safe in a rainy season, we omitted seeing Ashbourne and Uttoxeter."

Defoe also found the Derwent a "frightful creature when the hills load her current with water."² But the most severe barrier to communication in the south was the River Trent. It was only bridged at two places: at Swarkeston and at Burton on the border with Staffordshire. The Trent separated most of the hundred of Repton and Gresley from the rest of the county.

Any estimate of the population of Derbyshire in 1640 is at best tentative. A religious census ordered by Henry Compton, Bishop of London, in 1676 showed

¹ Defoe, A Tour, vol. 2, p. 565.

² Defoe, A Tour, vol. 2, p. 564; Hobbes, Mirabilibus.

48,657 men and women over the age of sixteen living in the county.¹ The census of conformists, papists and non-conformists was incomplete and therefore a total figure, which comprises children, must be somewhere in the region of 81,000.² A figure of 45,000 has been suggested for 1640³ but the Compton statistics are a more realistic indication of the population in the middle of the seventeenth century.

The major urban centres in Derbyshire were Derby and Chesterfield. Derby stands on the River Derwent from which the town contracted its name. Camden described Derby as "a proper town . . . not without good trade and resort."⁴ Some years later, Defoe regarded it as

"Fine, beautiful and pleasant . . . populous, well built, [with] five parishes, a large market place, a fine town house and very handsome streets."

He made an interesting observation about the social character of the town which may be as true for the seventeenth century as for the early eighteenth.

¹ J. C. Cox, 'A Religious Census of Derby 1676', D.A.J., vol. 7 (1885), p. 31-36.

² W. G. Hoskins, Local History in England (London, 1959), p. 147.

³ A. M. Norton-Thorpe, 'The Gentry of Derbyshire 1640-1660' (Leicester University M.A. thesis, 1971), p. 17.

Camden, Britannia, vol. 2, p. 554.

Derby, Defoe continued, was a

"town of gentry, rather than of trade . . . it had more families of gentlemen in it than is usual in towns so remote, and therefore here is a great deal of good and some gay company. Perhaps the rather because the Peak being so near and taking up the larger part of the county, and being so inhospitable, so rugged and so wild a place, the gentry choose to reside at Derby rather than upon their estates."

Derby was famous for its malt which when brewed, Camden thought, produced the "best nappy ale" in the county;² this opinion was shared by Defoe.³ In the late middle ages Derby acted as a market for the lead industry but by the seventeenth century it had lost much of the trade to Chesterfield.⁴ The town had a population of between three and four thousand⁵ yet it had little political status until 1637, when Charles 1 granted a

¹ Defoe, A Tour, vol. 2, pp. 562-563.

² Camden, Britannia, vol. 2, p. 554.

³ Defoe, A Tour, vol. 2, p. 564.

⁴ I. S. W. Blanchard, 'Economic Change in Derbyshire in the Late Middle Ages 1272-1540' (London University Ph.D. thesis, 1967), pp. 315-321. A. Raistrick and B. Jennings, A History of Lead Mining in the Pennines (London, 1965), pp. 267-269.

⁵ S. Glover, County of Derby (Derby, 1831), vol. 1, p. 437.

new charter replacing burgesses with a mayor and corporation.¹

At the beginning of the eighteenth century, Defoe described Chesterfield as

" a handsome, populous town, well built and well inhabited, not withstanding it stands in the farthest part of this rocky county . . . There is, however, nothing remarkable in this town but a free school, and a very good market, well stored with provisions: for here is little² or no manufacture. "

Chesterfield's prestige, as Defoe noted, depended on its market and especially on its position as a centre for the iron, coal and lead industries. Lead was bought by the Hull merchants at Chesterfield and then it was transported by pony to Bawtry on the River Idle, a tributary of the Trent, and so to Hull.³ In 1640 the population of Chesterfield was in excess of 2000. In 1598 Queen Elizabeth had granted the town a new charter which entrusted the government to a mayor, aldermen and common counsellors.⁴

In comparison to many other counties between 1500 and 1640, Derbyshire had few market towns; only ten in

¹ Morton-Thorpe, 'Gentry of Derbyshire', pp. 11-12.

² Defoe, A Tour, vol. 2, p. 587.

³ Blanchard, 'Economic Change', pp. 356-363; Raistrick and Jennings, Lead Mining in the Pennines, p. 269.

⁴ Glover, Derby, vol. 2, pp. 293-300.

all.¹ There were none in the hundreds of Appletree or Repton and Gresley and in both areas the population depended on Ashbourne and Derby. Effectively, Derby served the entire south east. Its nearest rival was Alfreton, fourteen miles away to the north. The market at Alfreton also drew on a large part of the surrounding countryside relatively free from competitors. Equally Wirksworth was well situated. According to Defoe, Wirksworth was a

"large, well frequented market town, and market towns being very thin placed in this part of the county, they have the better trade; the people generally coming twelve or fifteen miles . . . though there is no very great trade to this town but what relates to the lead works."²

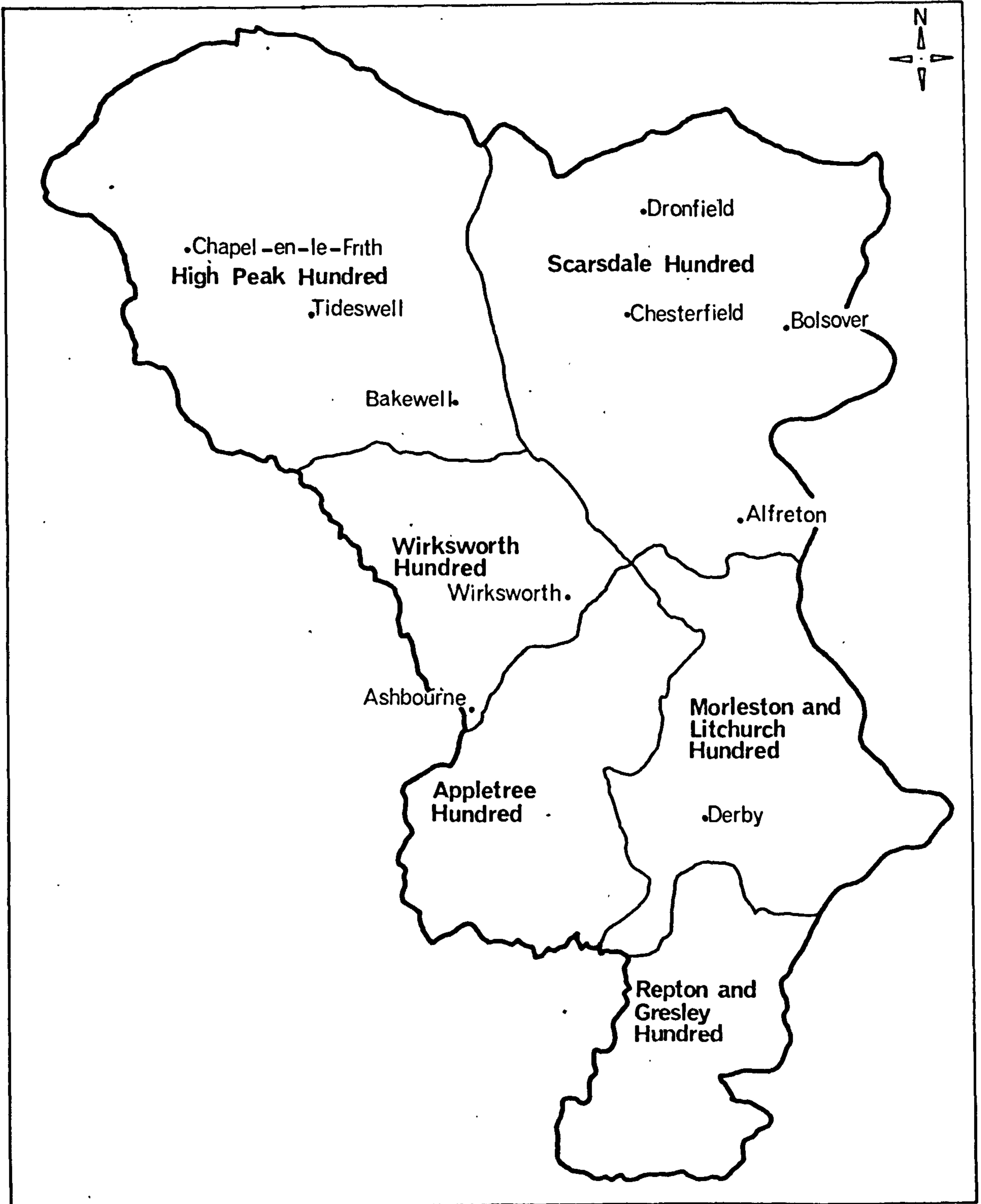
Many of Derbyshire's medieval markets, like Pleasley, Higham, Ripley and Ilkeston, located on the border with Nottinghamshire and Leicestershire, had decayed.³ In the sixteenth and early seventeenth centuries the competition between the close lying markets at Chesterfield, Bolsover and Dronfield may have begun to have a deleterious effect on the two smaller towns.⁴ Of the markets in the

¹ J. Thirsk (ed.), The Agrarian History of England and Wales (Cambridge, 1967), vol. 4, pp. 473-474.

² Defoe, A Tour, vol. 2, p. 563.

³ B. E. Coates, 'The Origin and Distribution of Markets and Fairs in Medieval Derbyshire', D.A.J. vol. 85 (1965), pp. 96-107.

⁴ Thirsk, Agrarian History, pp. 466-589.



The Hundreds and Market Towns of Derbyshire, 1640

High Peak, Bakewell, Chapel-en-le-Frith and Tideswell, only the latter had been a medieval creation. By the turn of the century, the supremacy of Tideswell had become challenged by Bakewell; it was "the best town in the north west side of the Peak", commented Defoe.¹

In the seventeenth century pasture farming predominated in the north and west of Derbyshire. Sheep were reared on the moorlands. Here the soil and climate were unsuitable for any arable produce other than oats, but an inquiry into the extent of enclosures in the High Peak in 1631 found that more and more land was being put under the plough. Population increase was probably the reason for this development. Cattle rearing was confined to the valleys of the Derwent and Dove. The main areas of arable farming were Scarsdale and the Midland Plain. Oats and peas were the major crops, yet the county never grew enough corn and barley to satisfy the local demand for bread and beer.² Land ownership was the gentry's primary source of wealth. The largest landowners were, of course, the aristocracy: the Earl of Devonshire, the Earl of Newcastle, who had estates in the north east, and the Earl of Rutland were the richest men. But amongst the most wealthy gentry landowners were the Cokes of Melbourne, the Harpurs of

¹ Defoe, A Tour, vol. 2, p. 586.

² Thirsk, Agrarian History, pp. 4, 99-109; E. Kerridge, The Agricultural Revolution (London, 1967), pp. 165-169.

Swarkeston, the Eyres of Hassop and the Curzons of Kedleston.¹

Apart from the land, mining was an important supplement to the incomes of many gentry. Seams of coal and iron followed the line of the River Rother and beyond to Ilkeston.² Coal mining had few entrepreneurs of gentry status: Sir John Frescheville of Staveley was the only figure of social and political standing in the county.³ There were also investors in the iron industry: for example, Sir George Sitwell of Renishaw, near Eckington, established a furnace at Foxbrooke in 1652. By 1662 he had developed slitting mills at Renishaw and was casting cannon.⁴ But it was through the mining, smelting and selling of lead that many families made their fortunes.

In the seventeenth century lead ore was found in a limestone area located running south east from Castleton to Wirksworth.⁵ Contemporary accounts of the leadmining industry afford the modern reader striking visual images of seventeenth century conditions. For instance, Daniel Defoe had the good fortune to chance upon an entrance into

¹ S. C. Newton, 'The Gentry of Derbyshire in the Seventeenth Century', D.A.J., vol. 86 (1966) pp. 1-29; C.C.C. pt. 2, pt. 3, passim.

² Nixon, Industrial Archaeology, p. 19.

³ Newton, 'Gentry of Derbyshire', D.A.J. (1966), p. 2.

⁴ Nixon, Industrial Archaeology, pp. 49, 55.

⁵ N. Kirkham, Derbyshire Leadmining (Truro, 1968), p. 15.

a mine where he was

"agreeably surprised with seeing a hand, and then an arm, and quickly after a head, thrust up out of the very groove . . . The man was a most uncouth spectacle; he was cloathed all in leather, had a cap of the same without brims, and tools in a little basket . . . not one of the names of which we could understand but by the help of an interpreter. Nor indeed could we understand any of the man's discourse so as to make out a whole sentence; and yet the man was pretty free of his tongue too. For his person, he was as a skeleton, pale as a dead corps, his hair and beard a deep black, his flesh lank and . . . something of the colour of the lead itself; and being very tall and lean he look'd like an inhabitant of the dark regions below and who just ascended into the world of light."

Defoe was so moved by the spectacle, "to reflect how much we had to acknowledge to our maker, that we were not appointed to get our bread thus . . ." ¹ Camden was also impressed, though less with the miners involved in the industry, than with the smelting mills in Crich and Wirksworth.

"When the westerne winde beginnes to blow (which winde above all others they have by experience found to hold longest) they melt with mighty great fires of wood into lead, in troughes or trenches which they digge of purpose for it to runne into and so make it up into sowes." ²

Lead had been mined in Derbyshire since the first and second centuries A.D. and by the sixteenth and seventeenth centuries half the national production came

¹ Defoe, A Tour, vol. 2, pp. 570-572.

² Camden, Britannia, vol. 2, p. 556.

from the county.¹ During this period, most of the larger veins nearer to the surface had been exhausted, but drainage techniques had improved which allowed mines to be driven beneath the water table.² The major investors in lead were the Earl of Rutland, who owned smelting mills, Sir John Gell of Hopton and Sir Francis Leake of Sutton, who owned mines and held the tithe ore in several parishes. For many men such as Gervase Bennett of Snelston, Edward Manlove of Ashbourne, John Mundy of Markeaton and Rowland Eyre of Hassop, lead formed a significant part of their livelihood and rivalry could be fierce. For example the Cavendishes brought successful suits against the Leakes and the Eyres.³

The Barmaster and the Barmote court, over which a jury of twenty four miners presided, decided all questions

¹ Raistrick and Jennings, Lead Mining in the Pennines, ch. 1; J. R. Dias, 'Politics and Administration in Nottinghamshire and Derbyshire 1590-1640' (Oxford University D. Phil. thesis, 1967), p. 10.

² Nixon, Industrial Archaeology, pp. 42-46.

³ Dias, 'Politics and Administration', pp. 414-423; N. Kirkham, 'The Leake Family in the Civil War', Derbyshire Miscellany, vol. 7, pt. 1, (spring 1974), pp. 1-9; R. Meredith, 'The Eyres of Hassop: A Gentry Family, their rise and recusancy 1470-1640' (Sheffield University M.A. thesis, 1962), ch. 6; Newton, 'Gentry of Derbyshire', D.A.J. (1966), pp. 3, 19.

relating to the sinking and ownership of mines and to the payment of tithes, lot and cope. Law was based on custom and long usage and, in fact, it was not until 1653 that the first printed regulations appeared (written in verse by Edward Manlove).¹ Disputes between miners and the holders of liberties were frequent. During the 1630s Sir Robert Heath and Sir Cornelius Vermuyden engaged in a lengthy suit to drain Dovegang rake; an action which provoked the resistance of miners whose jobs were placed in jeopardy.² The main cause of conflict, however, concerned the payment of duties. The payment of lot, which was calculated as a fraction of the dressed ore, gave a miner "egress and ingress" from the highways into his mine. Cope brought the right to smelt the ore in lieu of the owners' right to it. A long campaign conducted by the miners against lot and cope was brought to fruition in 1642 when Charles I consented to the abolition of the duties.³

The King's anxiousness to win military support was probably the main reason behind his consent to the

¹ Kirkham, Derbyshire Leadmining, pp. 32-52; Glover, Derby, vol. 1, appendix p. 3: The Liberties and Customs of the Lead Mines . . . by Edward Manlove.

² Dias, 'Politics and Administration', pp. 423-432; F. N. Fisher, 'Sir Cornelius Vermuyden and the Dovegang Mine', D.A.J. vol. 25 (1952), pp. 74-118.

³ Kirkham, Derbyshire Leadmining, pp. 102-112.

abolition of lot and cope. Certainly, this was the case in his later decision to discontinue tithes. Placed into the hands of lay men at the Reformation, tithes had roused greater resentment among miners than lot and cope. Whereas, the miners argued, through the payment of the latter they received something in return, the payment of tithes gained them nothing at all. The issue had fomented during the past hundred years.¹ But in August 1642, a petition of "Poor distressed miners in the county of Derby" made a request to Charles for relief, in return for which they promised him that they would enlist in his army. Charles replied with an order that all those appearing at Nottingham by September 10th would be acquitted and the order was repeated again when he passed through the county in September. In an account made in 1649 Thomas Bushell, Master Warden of the royal mines, claimed £500 expenses for his part in raising 1000 Derbyshire miners for the King's lifeguard and conducting them to Shrewsbury. Bushell also stated that 3000 miners were discouraged from entering the King's service by an order of Parliament.² Bushell's figures seem to be an exaggeration: in any case the miners, as a whole, were not men to be bribed by either side. Their main consideration was to minimise the impact of war on their

¹ Ibid.

² B. L. Harl. mss, 6833, f. 58; The Reliquary, vol. 14 (1873-1874), p. 187; vol. 23 (1882-1883), pp. 113-115.

livelihood even to the extent of completely disregarding what was militarily possible and petitioning the Earl of Newcastle, in February 1642/3, to allow them the free passage of lead carriers to Hull and Newcastle. Not surprisingly their request was met with a blunt refusal.¹

Administratively, Derbyshire was divided into six hundreds: Repton and Gresley, Morleston and Litchurch, Appletree, Scarsdale, Wirksworth, and High Peak. Apart from Morleston and Litchurch, and Scarsdale, the county lay under the jurisdiction of the duchy of Lancaster; Wirksworth depended on the honour of Castle Donnington in Leicestershire, while the hundred of Appletree formed part of the honour of Tutbury.² Ecclesiastically, Derbyshire was in the diocese of Coventry and Lichfield.³ During the seventeenth century it became customary to hold two quarter sessions at Derby, one at Chesterfield

¹ B. L. E90(3), Certain Informations, February 13-20, 1642/3; B. L. E90(12), Special Passages, February 14-21, 1642/3.

² C. Black, 'The Administration and Parliamentary Representation of Nottinghamshire and Derbyshire 1529-1558' (London University Ph.D. thesis, 1966), pp. 158-163.

³ R. M. O'Day, 'Clerical Patronage and Recruitment in the Elizabethan and Early Stuart periods with special reference to the Diocese of Coventry and Lichfield' (London University Ph.D. thesis, 1972).

and one at Bakevell or occasionally Wirksworth.¹ At the end of the 1650s the inadequacy of Derby's medieval town hall, as a sessions building for the county, led to the construction of that "fine town house" remarked on by Defoe.²

The possession of local government office was the accolade striven for by the gentry: it offered them political power and social influence within the county with, perhaps, the prospect of recognition by the court. The political and social character of provincial England varied. There were counties, like Lancashire, which were dominated by a single family. Other counties, like Somerset and Leicestershire, became an arena for the rivalry of two or more families. Kent society reflected the supremacy of a core of indigenous gentry families, whilst in Sussex a carefully woven web of marriages linked most of the gentry together.³ For the most part, the leading gentry of Derbyshire in 1640 were relatively new entrants to positions of power and influence. Many of

¹ J. C. Cox, Three Centuries of Derbyshire Annals (London, 1890), vol. 1, pp. 7, 12.

² Cox, Annals, p. 12; D.R.O. Gell mss, 60/3; Defoe, A Tour, vol. 2, p. 563.

³ A. M. Everitt, The Community of Kent and the Great Rebellion (Leicester, 1966), pp. 33-45; A. M. Everitt, 'The Local Community and the Great Rebellion', Historical Association (1969); T. G. Barnes, Somerset 1625-1640 (London, 1961) passim; A. J. Fletcher, A County Community at Peace and War: Sussex 1600-1660 (London, 1975) pp. 44-54.

the families which had been prominent during the sixteenth century had faded by the seventeenth: between 1625 and 1640, a total of twenty eight men were appointed to the bench for the first time, half of whom came from families without previous experience in local government. Therefore, on the eve of the civil war, many important men such as Sir John Coke junior, Sir John Gell, Sir John Harpur of Swarkeston, Sir John Frescheville of Staveley and Sir George Gresley, had risen to occupy powerful positions in the last fifty years and some at least in the last ten.¹

This may have given some edge to gentry factionalism. For instance the Cokes of Melbourne, whose prestige was tied to Sir John senior's appointment as secretary to the King, and the Harpurs of Swarkeston were involved in a struggle to establish their influence in south Derbyshire. But instability at the highest levels of county society was further aggravated by the dissolution of the Shrewsbury inheritance in 1616: a whole network of loyalties, which the Talbots had cultivated with the local gentry, broke up. Thereafter, there was a contest for aristocratic hegemony between the earls of Devonshire and Rutland with a new set of alliances being carefully nurtured. In the orbit of the earls of Devonshire circled the Harpurs, Freschevilles and Willoughbys.² Yet the weakness of both Devonshire's and Rutland's hold on the county was

¹ Dias, 'Politics and Administration', pp. 74-89, 402-412.

² Ibid.

made apparent in 1642 when they both failed to rally the gentry behind them.

The condition of the elite had a crucial bearing on the manner in which Derbyshire entered the civil war: the absence of aristocratic leadership and resolve among leading gentry figures allowed one of the county's aspiring gentry to take the initiative. Sir John Gell made his bid for power in the 1630s, when his investments in the lead industry had made him a rich man. In 1632 he and his brother, Thomas, were appointed receivers for the honour of Tutbury. Three years later, Gell was made sheriff, responsible for the collection of money on the second ship money writ; twelve months later he became a magistrate and in 1638 the Earl of Newcastle appointed him a deputy lieutenant. In 1642 Gell was made a baronet.¹ By most standards Sir John Gell's advancement was meteoric, although in the case of Derbyshire, it was not so exceptional, (Sir John Coke junior progressed equally quickly).² But where Gell differed from his contemporaries was in his ambitious, energetic and even ruthless pursuit of power. His grasp of opportunity made him temperamentally suited to rise to the crisis of 1642.

Cousinage could be pivotal to political and social activity. For example, in Sussex "to some extent

¹ Newton, 'Gentry of Derbyshire', D.A.J. (1966), pp. 21-22.

² Norton-Thorpe, 'Gentry of Derbyshire', p. 84; Dias, 'Politics and Administration', p. 404.

at least it guided and determined men's loyalties."¹ But lineal ties, laboriously traced, cannot always be taken as a guarantee of political unanimity unless substantiated by other evidence. The only suggestive bonds of kinship and friendship influencing civil war allegiances in Derbyshire concern Sir John Gell. He was joined in the parliamentary camp by his son John, his brother, Thomas, his step-brother, Sir John Curzon, his sons-in-law, Henry Wigfall and John Wigley and his friend Sir George Gresley. The shortage of other examples may be owing to documentary limitations. But the weakness of patronage links may also have a bearing. Allegiance was determined by many factors, not least commitment to political and religious principle which could swing whole families into the parliamentary or royalist fold, or, equally split families like the Eyres and the Cokes. Constitutional crisis and civil war challenged traditional patterns of behaviour as nothing had done before.

Derbyshire had a large catholic community of about three hundred families:² according to the sessional presentments of recusants in 1634, 158 were living in the High Peak, 69 were resident in Scarsdale hundred, 53 in Appletree and 33 in Morleston and Litchurch. The constables of Wirksworth and Repton

¹ Fletcher, Sussex, p. 48.

² J. C. Cox, 'The Recusants of Derbyshire', D.A.J. vol. 9 (1888), pp. 56-70; W. A. Carrington, 'List of Recusants in the Peak of Derbyshire 1616', D.A.J. vol. 16 (1894), pp. 140-151.

and Gresley hundreds made blank returns.¹ In Derbyshire, catholicism was a feature of the "dark corners of the land".² In particular, there were certain areas where there was a heavy density of catholics; Longford was one. But the most important was Hathersage where, between 1592 and 1604, sixty five people were indentified as recusant. The role of the local catholic gentry, such as the Eyres of Hassop in the case of Hathersage, was crucial in determining the catholicism of a district. At Norbury, where forty five recusants were found, the catholic Fitzherberts were the residentsquires. During the 1630s Jesuits moved regularly between several families: the Eyres of Highfield, the Foljambes of Barlborough, the Powtrells of Stanley Grange and the Hunlokes of Wingerworth.³

In parts of Derbyshire and especially in the High Peak, there was a puritan tradition. In places like Bakewell and Tideswell where there were a large number of catholics, preachers such as John Rowlandson, minister of Bakewell, Charles Broxholme, minister of Buxton and Immanuel Bourne, rector of Ashover were fervent

¹ Victoria County History of Derbyshire, vol. 2, p. 27.

² J. Bossy, The English Catholic Community, 1570-1850 (London, 1975), p. 79.

³ Bossy, Catholic Community, p. 175; Meredith, 'The Eyres of Hassop', ch. 6; Morton-Thorpe, 'Gentry of Derbyshire', pp. 140-142.

propagators of the Bible.¹ Immanuel Bourne, who was instituted at Ashover in 1621 without submitting to the thirty nine articles, was one of the most militant puritan preachers in Derbyshire during the 1620s and 1630s. In April 1639 he arranged a fast day in his parish for which he was fined by the High Commission.² Other clerics, for example, Anthony Mellor, curate of Sheldon and later Taddington, Robert Craven, curate of Longstone and Thomas Stanley, vicar of Ashford-in-the-Water, were also prime movers behind the puritan movement in the county.³ They gave support to clandestine lay meetings: Charles Broxholme was hauled before the Bishop in January 1638/9 for "haveing a conventicle".⁴ Ministers were similarly behind the organisation of larger assemblies which met regularly at Chesterfield.⁵ People were drawn to these meetings from miles around. Mistress Shawe was one who had had a puritan upbringing. Born in the parish of Brampton, two miles from Chesterfield,

"She began to look after heaven and godliness botimes she first sought God's kingdom, and gave her first fruits to God, which her father joyfully observing, would usually call her forth to read chapters, and good sermon books, at evenings to the family, and

¹ J. M. Brentnall, William Bagshaw (London, 1970), pp. 4-5, 21, 23.

² O'Day, 'Clerical Patronage', pp. 316-318.

³ Brentnall, Bagshawe, p. 7

Dias, 'Politics and Administration', p. 316.

⁵ O'Day, 'Clerical Patronage', pp. 316-318.

question her about the sermons that they and she had heard, and other points of religion."

Mistress Shawe was "remembered" for

". . . her constant coming every Lord's day from Culthorpe Hall to Chesterfield, (which was two good miles) to partake of worthy Mr Wainwright's ministry, and was neither detained by the scorching heat in summer, nor yet deterred by the coldnesse of the winter; she had resolved to take God's kingdome by force and violence." ¹

In comparison to the clerical puritan movement, gentry attachment to puritanism was weak. Not many of the county's leading gentry entered the war on Parliament's side² and after the restoration only three men who had been parliamentarians - John Gell junior, Sir John Curzon and Sir Samuel Sleight - were described in a census of loyalty to the regime as presbyterians.³ Also, though the presbyterian classis at Wirksworth was one of the most developed systems in existence during the 1650s, it had no gentry members.⁴ However, where puritan gentry can be identified it seems clear that

¹ J. Shawe, Mistress Shawe's Tombstone (London, 1658), Testimony of Nicholas Heathcote and pp. 32-33.

² Glover, Derby, vol. 1, appendix pp. 67-73: Account by Sir George Gresley.

³ Nowton, 'Gentry of Derbyshire', D.A.J. (1966), pp. 6-8.

⁴ J. C. Cox, 'The Minute Book of the Wirksworth Classis 1651-1658', D.A.J. vol. 2 (1880), pp. 135-222.

they were involved in the patronage of puritan ministers. When, in 1639, Sir John Coke senior looked for a replacement for the living at Melbourne, he scanned a wide area to find a suitable minister of staunchly Calvinist views. He was anxious not to draw the attention of the ecclesiastical authorities to his new appointment, Richard Lowe, and in a letter to his son on January 2 1639/40, advised him

" . . . not to cry him [Lowe] up to loud, that the eyes of our churchmen be not cast upon him, who cannot incline any confidence to those that go not in their idol way."

Laudianism was given a hostile reception and there was deep felt resentment against anything which smacked of popish innovation.² At Morton parish church, when ministers placed the altar in the nave and railed it off from the congregation, the parishioners complained to the Bishop.³ But Laud's injunctions were, in this instance, adhered to. An even more demonstrable outburst of anti Laudianism occurred in March 1639 when 3000 people attended a service at All Saints in Derby, in which the prayer book was not used.⁴

The enmities caused by Charles I's ill-conceived policies were serious threats to the unity of the county:

¹ O'Day, 'Clerical Patronage', pp. 157, 171-177.

² Brentnall, Bagshawe, p. 7.

³ Canon Prior, 'The Spatemans of Roadnook', D.A.J. vol. 37 (1915), p. 44.

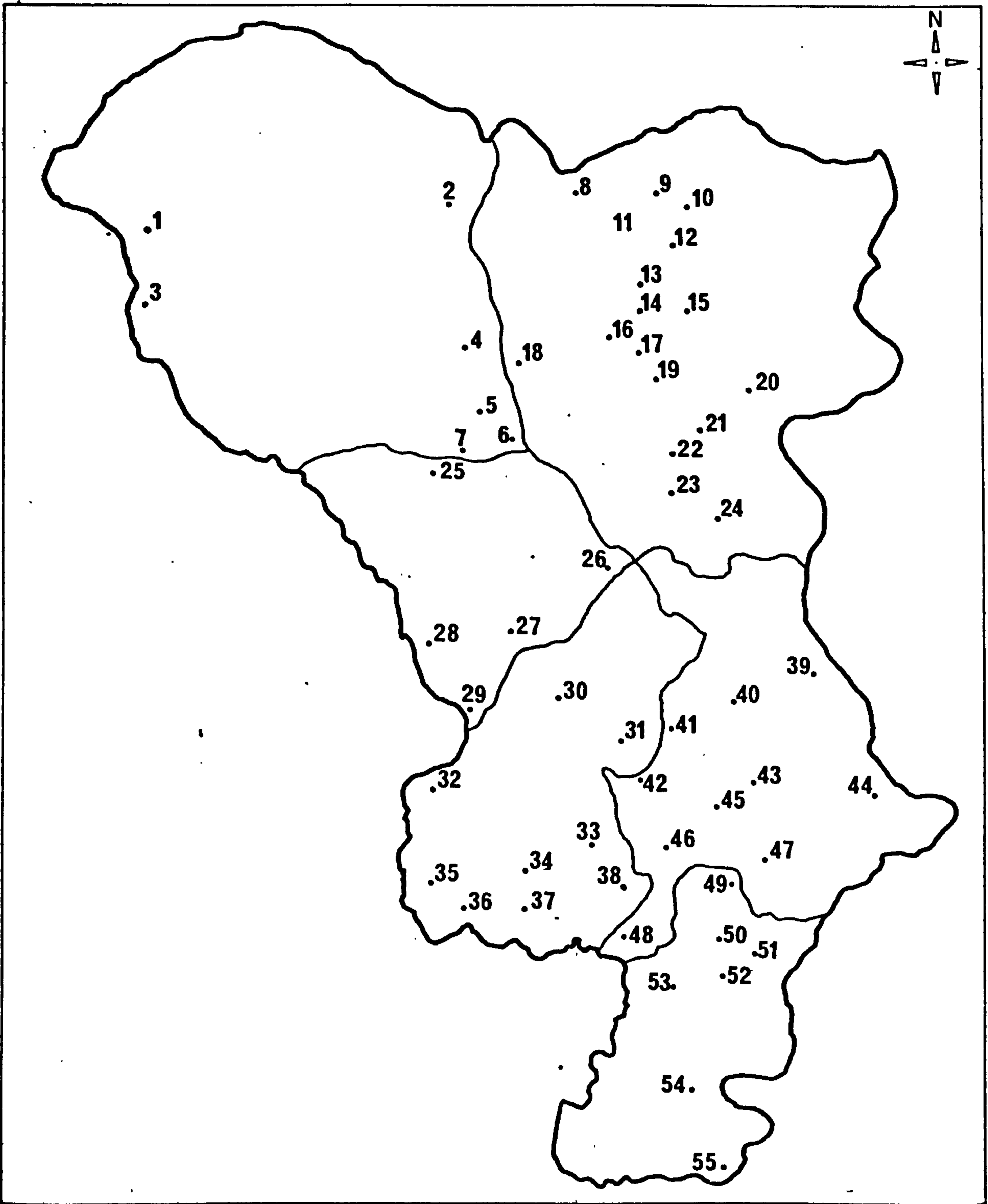
⁴ C.S.P.D. 1638-1639, p. 631; March 31 1639.

but the major challenge to concord arose out of the crisis of 1640-1642. These years were a watershed for the Derbyshire gentry: added to the strains of social and political instability were even greater strains caused by constitutional crisis and the question of obedience to an anointed monarch. Eventually the division of the county between King and Parliament shattered traditional loyalties towards family, friends and neighbours and, moreover, destroyed the insularity of the county community. In the course of time, as the war lengthened, the gentry were toppled from their customary positions as local leaders by men of lower social status, and the bench and the lieutenancy were subordinated to a new administrative apparatus. The whole fabric of county government and society was turned upside down.

War and revolution had monumental repercussions on the position of the county as an agency of government. The time-honoured quasi-independence of the local communities was confronted by a new philosophy; that of the nation-state. Central government assumed a new vision of its relationship with the provinces: more powerful, more efficient and more interventionist in local affairs, ranging over local government organisation and the appointment of personnel, taxation, the church and its ministers, and political conformity. Even the moral rectitude of the population did not escape attention. National goals were propounded to take precedence over particular interests.

In the end, shirking a role which had subjugated

its distinctive character and separate concerns to the national interest, the county balked, resisted and finally guaranteed a return to the status quo. The gentry, the old pro-war elite, were the key to the restoration of Charles II; a government deprived as it was, in 1659, of the tacit acceptance let alone the active support of the nation's wealthiest and most influential men was bound to fall.



The Principal Men and their Residences 1640-1660

The Principal Men and theirResidences 1640-1660Key

<u>No.</u>	<u>Men</u>		<u>Residence</u>
1	Ashenurst	P	Beard
2	Fitzherbert	R	Padley
3	Shallcross	R	Shawcrosse
4	Eyre	R	Hassop
5	Manners, Earl of Rutland	P	Haddon
6	Sacheverell	R	Snitterton
7	Buxton	P	Alport
8	Pegge	P	Beauchief
9	Sitwell; Wigfall	P,P	Eckington
10	Rhodes	P	Barlborough
11	Frescheville	R	Staveley
12	Fanshawe	P	Holmesfield
13	Bullock	R	Unstone
14	Foljambe		Walton
15	Leake, Lord Deincourt	R	Sutton
16	Clarke	P	Brampton
17	Whittington	P	Chesterfield
18	Cavendish, Earl of Devonshire	R	Chatsworth
19	Hunloke	R	Wingerworth
20	Ferrers	P	Heath
21	Spateman	P	Roadnook
22	Revell	P	Ogston
23	Willoughby		Brackenfield
24	Morewood	P	Alfreton
25	Fulwood; Wigley	R,P	Middleton
26	Lowe	R	Aldervasley
27	Gell	P	Hopton
28	Fitzherbert	R	Tissington
29	Cokayne; Manlove	R,P	Ashbourne
30	Kniveton	R	Mercaston
31	Curzon	P	Kedleston

The Principal Men and their Residences 1640-1660Key cont.

<u>No.</u>	<u>Men</u>		<u>Residence</u>
32	Fitzherbert	R	Norbury
33	Coke		Trusley
34	Merry	R	Barton Blount
35	Milward	R	Eaton
36	Vernon	R	Sudbury
37	Agard		Foston
38	Sleigh	P	Ash
39	Leech	P	Shipley
40	Sacheverell	R	Morley
41	Sanders; Barton	P,P	Little Ireton
42	Mundy	P	Mackworth
43	Willimot	P	Chaddesdon
44	Willoughby		Risley
45	Allestry; Hallows; Dalton; Mellor	P,P,P,P	Derby
46	Bennett	P	Little Over
47	Stanhope	R	Elvaston
48	Every	R	Egginton
49	Harpur	R	Swarkeston
50	Burdett	P	Foremark
51	Coke; Greenwood	P,P	Melbourne
52	Harpur	R	Calke
53	Stanhope, Earl of Chesterfield	R	Bretby
54	Gresley	P	Gresley
55	Abney	P	Measham

P = Parliamentarian

R = Royalist

CHAPTER 1

The County and Caroline Government

Derbyshire's response to the personal rule of Charles 1 may best be examined by taking two case studies of central government policy - ship money and the war against the Scots. The success of Charles' measures depended on winning, if not the active support of his subjects, then at least their passive acceptance. The complaint and even flagrant defiance which Charles provoked showed how far he had miscalculated the sensibilities of the nation. In the seventeenth century the relationship between the centre and the provinces rested on weak foundations:

". . . the will of the central government depended for its execution on the voluntary co-operation of a hierarchy of part-time unpaid officials: Lord Lieutenants and Deputy Lieutenants, Sheriffs, Justices of the Peace, High and Petty Constables, Overseers of the Poor, and Churchwardens. Without their co-operation the central government was helpless."

Charles' financial and military expedients placed too heavy a burden on local government machinery: driven by an unyielding taskmaster, the pressure of implementing unpopular policies proved too much of a strain.

In some counties, like Kent and Somerset,² the

¹ G. E. Aylmer, The King's Servants (London, 1961), p. 7.

² T. G. Barnes, Somerset 1625-1640 (London, 1961), p. 309; A. M. Everitt, The Community of Kent and the Great Rebellion (Leicester, 1966), pp. 63-69.

inertia of the administration and the hostility of the population towards the King and his ministers was marked. But in Derbyshire, people, even in opposition, seemed reticent. Moreover, the county's sheriffs, the magistracy and the lieutenancy achieved remarkable results in fulfilling their orders. On the eve of the Long Parliament Derbyshire's obedience towards the King was relatively unimpaired.

Ship Money

As an attempt to replenish an empty treasury, ship money has been described as a "resounding success"¹ yet, at the same time, as "foolhardy".² Why ship money was such a brilliant fiscal expedient and why, in the long run, it became a major political miscalculation is a problem which may be resolved by looking at the methods of assessment which were adopted by the sheriffs. But inextricably linked to the manner in which the tax was apportioned was the use the sheriff made of his office in order to harness local government to the levying and collection of ship money.

On August 12 1635 John Gell, the sheriff with responsibility for the first ship money writ imposed on the inland counties, received his instructions.³ He

¹ A. J. Fletcher, A County Community in Peace and War: Sussex 1600-1660 (London, 1975), p. 205.

² Barnes, Somerset, p. 203.

³ D. R. O. Gell mss, 58/31: Privy Council to John Gell, August 12 1635.

was informed that Derbyshire was rated at £3,500 of which £120 was to be paid by Derby and £50 by Chesterfield.

Gell was told to use the land-scot as a guide for making his assessments on individuals and it was impressed upon him that,

" . . . these rates wee wish to be observed rather than anie difference of opinion amongst you of the corporacons, or between you of the corporacons and the sheriff of the countie should retard the service."

Absolutely explicit in their orders so far, the Privy Council executed an immediate volte-face,

" . . . howbeit, wee are so farre content to give way to your judgements who are upon the place . . ."

Gell was advised to take special notice where,

" . . . there shall happen to be anie men of abilitie, by reason of gainful trades, great stockes of money or other p[er]sonal estate who p[er]chance have either noe or little land and consequently in an ordinarie land-scot would pay nothing or verrie little . . . and that monies that shalbe levied upon such may be applyed to the sparing or easing of such as being either of weake estate, or charged with manie children or great debts."

The letter of instruction was quite contradictory: it stressed the need for uniformity whilst also allowing the sheriff the use of his discretion if the need arose. The expressed intention of the Privy Council, "that all things should be done with as much equalitie and iustice as is possible", could hardly have been better arranged to create confusion.¹ If a precedent for rating was to be applied, land-scot was an especially awkward one to

¹ Barnes, Somerset, ch. 8.

use: it did not encompass personal property, nor was it lenient to those in financial distress. But it so transpired that, from county to county, sheriffs adopted a wide variety of "common payments" upon which to base their ship money assessments.

In Sussex, the sheriffs employed poor-rates and purveyance¹ and in Cheshire they consulted the mise-roll which was the basis of rates for many local purposes such as bridge repairs, poor relief and other charitable uses.² In Somerset sheriffs resorted to a peculiar local anomaly: the Hinton rate of 1569 which had been used for raising soldiers for service in Ireland.³ John Gell was clearly perplexed as to which "common payment" he should follow. From jottings and arithmetical calculations in his hand, it is apparent that he searched his father's accounts concerning the family estate and decided he would use a poundage valuation.⁴ Assessment according to the monetary worth of the land was much fairer than assessment by acreage or yardlands as occurred in Sussex because it did not penalise the owner of poor soil.⁵ Gell, however, wanted reassurance and he asked Sir John Coke senior what rates he should use, but Coke was unclear himself:

¹ Fletcher, Su. ex., p. 205.

² J. S. Morrill, Cheshire 1630-1660 (London, 1974), p. 28.

³ Barnes, Somerset, pp. 213-214.

⁴ D. R. O. Gell mss, 46/22: Old rates or assessments for Hopton and Carsington.

⁵ Fletcher, Sussex, pp. 205-206.

"All I can advise you", Coke replied, "is to proceed without delay according to the King's writt and instructions of the Lords . . . you will hardly avoid censure if you suffer either Derby or any other of qualitie soever to free themselves from your power."¹

Sir John Curzon, shoriff responsible for the ship money writ of 1637, apportioned his levies "after the rate of trained soldiers"² - that is the rate for the maintenance of the magazine and for the payment of the muster-master. But discontent was stirred up, in May 1638, by Mr. Woolhouse of Glapwell who alleged that in being rated at £5, he was being over-charged. Curzon replied that Woolhouse had paid £10 or £12 in 1635.³ In fact Curzon was wrong because Woolhouse had paid £8.⁴ What this incident shows is that Curzon had used a completely different system of rating to Gell's and, moreover, was ill informed about the assessments of his predecessors. Following an inquiry into Woolhouse's complaint, conducted by the Earl of Newcastle, it was recommended that there was,

¹ D. R. O. Gell mss, 56/27: Sir John Coke to John Gell, September 15 1635.

² P. R. O. SP16/392/31, ii: Earl of Newcastle to Privy Council, June 1638; P. R. O. SP16/392/31, i: deputy lieutenants to Earl of Newcastle, May 20 1638.

³ C.S.P.D. 1637-1638, p. 412.

⁴ D. R. O. Gell mss, 28/6: John Gell's ship money ratings.

" . . . noe necessitie that all the levies . . . should bee regulated by the trayned soldier, there beinge severall charges in the countye raysed by other rules." ¹

Clearly there was no attempt to define a means of assessment. Goll and the sheriff in 1639, John Agard, used one method, probably the poundage rate² and Curzon adopted the rate for trained soldiers. Because of a lack of evidence, it is not known how John Harpur sheriff in 1636, and John Shallcross sheriff in 1638, calculated their assessments. The most important factor, however, was that variations in rating did provoke disputes from outraged taxpayers who resented being charged differently every year.

The survival of John Goll's shrievalty papers allows some insight into the way ship money was rated and collected. Having received the ship money writ in August 1635, Goll ordered the petty constables to supply him with names of those individuals most able to pay: by the end of the month the constables had made their returns.³ Studies of Somerset and Sussex have shown that the sheriffs apportioned the charges amongst the towns and villages but that the rates on individuals were fixed by

¹ P. R. O. SP16 22/31, 111 Earl of Newcastle to Privy Council, June 1 1638.

² D. R. O. Goll mss, 23/6: John Goll's ship money ratings; 31/33(g): A note of the hundreds . . . as they . . . have . . . paid the ship monies, 1640.

³ D. R. O. Goll mss, 31/87.

the local constables.¹ This is probably true for Derbyshire except that Gell, quite definitely, assessed the gentry himself. Approximately ninety five knights, gentlemen and esquires were singled out and paid £957.19.0 of the £3,500 levied on the county.²

The evidence for Derbyshire does not support J. T. Cliffe's conclusion that ship money was not a heavy tax on the landed classes.³ Individual assessments in 1635 could be high: for example, John Harpur of Swarkeston and John Manners of Haddon, the future eighth Earl of Rutland, both paid £48. Sir Henry Willoughby of Risley paid £36. Thirty three men paid either £12 or £24.⁴ If these sums are compared with the rate of £8 which Sir Thomas Pelham - one of the Sussex elite - paid,⁵ then it becomes quite apparent that the financial burden placed on the Derbyshire gentry was an extremely large one. Certainly, the gentry were rated much higher for ship money than for subsidies. For one quarter of the subsidy granted by Parliament in 1641 Harpur paid £20, Willoughby paid £15 and Sir John Stanhope, whose ship money

¹ Barnes, Somerset, p. 212; Fletcher, Sussex, p. 207.

² D. R. O. Gell mss, 28/6.

³ J. T. Cliffe, The Yorkshire Gentry (London, 1969), pp. 141-142.

⁴ D. R. O. Gell mss, 28/6.

⁵ Fletcher, Sussex, p. 206.

assessment was £24, paid only £4.¹

The nobility of Derbyshire were rated separately: in 1635 and 1639 their total contribution amounted to £120. The clergy were assessed as laymen and paid collectively in 1635 and 1639, £108.10.6. and £82.19.7. in 1636.² A dispute over the assessment made on Richard Lowe, rector of Eckington, caused the intervention of the Earl of Manchester. Lowe alleged that he was rated at £17 in 1635, which Manchester conceived was a fourth part of the £50 levied on the parish and a sixth part of the entire clergy total.

"This proportion seemeth very strange", he informed Gell, "and not ackording to the directions sent unto you that all respect should bee shewn unto ye clergy."³

Manchester's intervention was decisive and Lowe's assessment was reduced to £7.⁴ Gell, it seems, had been too severe with some ministers when he had raised the clerical contribution from £90 to £108.10.6.⁵

¹ P. R. O. E179/93/366; E179/93/368: 1641 subsidy; Statutes of the Realm (London, 1819), vol. 5, pp. 58-59.

² D. R. O. Gell mss, 28/6; 31/33(g); P. R. O. SP16/348/54 I: Account book of John Harpur; SP16/316/11: Gell to Privy Council, March 14 1635/36.

³ D. R. O. Gell mss, 28/6: Manchester to Gell, November 25 1635.

⁴ D. R. O. Gell mss, 28/6.

⁵ P. R. O. SP16/316/11: Gell to Privy Council, March 14 1635/36.

Two account books kept by John Gell, one roughly compiled, the other painstakingly neat, show that for the purpose of rating, Derbyshire was divided into the six hundreds and the parishes into alphabetical order. In the rough schedule the assessment on the parishes was noted together with the contributions from laymen and clerics. Having assembled this information, at the end of September 1635, Gell ordered the local constables to collect the money and to pay it into the hundredal treasuries by October 21st. Three of the treasuries are noted as lying at Bakewell in the High Peak, at Chesterfield in the hundred of Scarsdale and at Wirksworth in the hundred of that name. The treasuries were supervised by the high constables who bore responsibility for conveying the money to the sheriff. The second account book differs from the first in that gentry contributions are not listed but become subsumed in the parish total. This book is a final record of receipt. The extent of the financial burden placed on the hundreds by ship money may be suggested by further comparison with the 1641 subsidy. For half of the subsidy, collected in 1642, the hundred of Repton and Gresley paid £155.16.0. Under the ship money levy of 1635, the hundred paid £442.8.0.²

The ship money ratings apportioned on the hundreds

¹ D. R. O. Gell mss, 28/6.

² P. R. O. E179/93/366; E179/93/370; 1641 subsidy; D. R. O. Gell mss, 28/6; Statutes of the Realm, vol. 5, pp. 58-59.

survive for 1635, 1636 and 1639. (See appendix 1). John Agard, sheriff in 1639, closely followed the scheme of assessment adopted by John Gell. John Harpur, on the other hand, shifted the assessments around. In 1635, Ashford in the High Peak paid £30. Twelve months later the parish was rated at £52.16.0. Generally, however, variations in assessments on towns and villages were small. The measure of difference between sheriffs lay in the extent of their supervision: whereas Gell assumed a great deal of responsibility for rating, Harpur placed a heavier reliance on local assessors.¹

"The whole responsibility [for ship money] was thrown on the sheriff and, in years to come, the council was never backward in reminding him of it." Barnes' evaluation of the role of the shrievalty in Somerset has been shown to be true of other counties.² But the nexus of local government officials involved in the levying and collecting of ship money expanded beyond the sheriff, high constables and petty constables. J. S. Morrill, in his study of Cheshire, alluded to the importance of the justices of the peace: their customary duty of supervising the collectors of ordinary taxes also encompassed ship money.³ J.P.s sometimes had a prominent

¹ D. R. O. Gell mss, 28/6; 31/33(g); P. R. O. SP16/348/54 I.

² Barnes, Somerset, pp. 203-243; Everitt, Kent, pp. 63-69; Fletcher, Sussex, pp. 206-209; Cliffe, Yorkshire, ch. 9.

³ Morrill, Cheshire, p. 10.

role to play particularly when the sheriff got into difficulties in collecting ship money.¹ The petition of Robert Ridgeway, Ralph Fernely and other inhabitants of Bowden Middlecale complained, in 1636, that the late constable, Francis Ayre, had collected £6 more than had been levied on the parish. The petitioners were granted an inquiry under the jurisdiction of Sir John Fitzherbert of Tissington and Sir Francis Coke. However, Ayre, for some obscure reason, doubted Fitzherbert's impartiality and persuaded Coke to replace him with John Gell and Sir John Fitzherbert of Norbury. Ayre won Coke's sympathy: as Sir Francis explained to his brother,

". . . one Ridgeway doth persecute him
for gathering some little money more. 2
They are rich and he is poor."

Certainly if Ayre's testimony is to be believed, it appears that he had been threatened by the population of Bowden Middlecale.³ There is no record of the verdict made in the case, but the incident shows that the sheriffs were not isolated figures because of the novel responsibility they had over ship money: on occasions justices were told to mediate by the Privy Council. It was more infrequent for a lord lieutenant to intervene in the affairs of the sheriff but in 1638, the complaints of Mr Woolhouse about his assessment caused a breakdown in Curzon's authority. This time the Privy Council ordered

¹ Barnes, Somerset, p. 240.

² H. M. C. Cowper mss, pt. 2, p. 170: Sir Francis Coke to Sir John Coke senior, November 30 1637.

³ P. R. O. SP/16/341/21: Petition of Francis Ayre.

William, Earl of Newcastle to investigate the dispute.¹

From these two examples alone, it can be seen that one of the main causes of opposition to ship money lay in accusations of over-rating. The contradictory instructions to the sheriff, to enlist the precedent of common payments whilst not neglecting to use his own judgement, were a recipe for endless wrangles. John Gell regularly used his discretionary powers: he spared the town of Chesterfield £10 of the £50 levied on it² and on March 14 1635/36 he informed the Council,

"I have had a speciall care that the poorer sorte have paid nothinge at all; and those that were either in debt or had charge of children have paid to their owne desire, or any other that either came or sent unto me were abated." 3

But if the sheriff knew what he was doing in regard to assessments, his subordinates had great difficulty in applying the criteria at grass-roots level. Petty constable Ralph Atkinson solicited the advice of the high constable about the rating of sixteen shillings on Stephen Mellor,

¹ P. R. O. SP16/392/31 I: William, Earl of Newcastle to Privy Council, June 7 1638; P. R. O. SP16/392/31 II: deputy lieutenants to Newcastle, May 20 1638.

² C. S. P. D. 1636-1637, pp. 287-288: Petition of the inhabitants of Chesterfield.

³ P. R. O. SP16/316/11: Gell to Privy Council, March 14 1635/36.

" . . . who hath nothings but upon a rack rent and a verrie small stock . . . They make there cessment by land which is verrie hard for poor tenants. I praye you advise him some cause for his releefe."¹

Apart from the individual complainant, disputes between parishes also occasioned problems for the sheriff. In January 1637/38 John Harpur was asked by the Privy Council to intervene in an argument between the parishes of Willesley and Raunson. Willesley and Raunson had been rated together at £17.12.0 but Willesley had contrived to apportion a quarter of the sum onto their neighbours, whereas Raunson had previously paid a sixth part.² The necessity to iron out complaints of this kind absorbed much of the sheriffs' time and placed them in politically delicate situations. But, it was the relationship between the sheriffs and the towns of Derby and Chesterfield which was the most critical.

The likelihood of friction developing with the borough towns had been perceived by the Privy Council from the start. In their letter of instruction to John Gell they wrote,

" . . . wee having informed ourselves the best wee may of the present condicon of the corporate townes and what proportion of that charge each of them is fitt to beare, doe conceive that the towne of Derby may well beare

¹ D. R. O. Gell mss, 28/6.

² P. R. O. SP16/343/7: Privy Council to John Harpur, January 12 1637/38.

one hundred and twenty pounds, the
borough of Chesterfield fiftie
pounds." 1

The ship money writ required Gell to wait thirty days to enable the towns to apportion the charge: if it was not done, the sheriff was then allowed to intervene.² By defining the relationship between the shrievalty and the corporations, the Privy Council clearly hoped to avert a clash. But Gell took very seriously his discretionary powers and insisted on the right to decide the contribution Derby should make. Gell asserted that his personal knowledge alone led him to believe that "there be manie very rich men in that towne" who could well afford more than £120. His investigations found that Derby usually paid "the twentieth part of all payments" in the county.³ Furthermore, Secretary Coke admitted that the recommendation of the Privy Council was,

" . . . not so strict and binding . . .
there was a course left how ye same
might bee amended if yow upon the
place should find cause." 4

Gell concluded that Derby could pay at least £200 or

¹ D. R. O. Gell mss, 58/31: Privy Council to John Gell, August 12 1635.

² D. R. O. Gell mss, 66/2(b).

³ P. R. O. SP16/297/34: Gell to Secretary Coke, September 11 1635.

⁴ D. R. O. Gell mss, 56/27: Coke to Gell, September 21 1635

even £300 and as a result of his initiative the Privy Council raised the town's assessment to £175.¹ But the sheriff had alienated the corporation: Gell informed Secretary Coke on September 11 1635 that Derby

" . . . will neither suffer me to be present at their assessments (though I conceive both by the writt and their honours instructions I ought to be . . .) neither have I anie thinge to doe with them, nor anie authoritie to receive any monies from them as they pretend." ²

Because of Gell's high-handed behaviour, Derby's relationship with future sheriffs remained fractious. In the years following, the corporation frequently made known their dissatisfaction with the rating apportioned to the town. A petition in the autumn of 1637 claimed that Derby had paid £175 on the second ship money writ "with much difficultie in regard of the greate unequall and unwarranted burden which the late sheriff Mr. Gell thrust upon us."³ Clearly Gell was made the scapegoat for a continuation of the £175 levy. In a letter of January 22 1637/38, the corporation argued that they were under "much pressure and hardship as well in regard of our present and longe continued affliction with the plague."⁴ This time the town was granted a reduction of

¹ P. R. O. SP16/297/34: Gell to Coke, September 11 1635;

² P. R. O. SP16/297/34.

³ P. R. O. SP16/345/25: Petition from Derby, 1637.

⁴ P. R. O. SP16/379/49: Petition from Derby, January 22 1637/38.

the rate to £120 on the third writ.¹ But, it appears that in September 1638 the Mayor suspected that the Privy Council's leniency would expire if a fourth ship money writ should be issued. In an attempt to pre-empt that event he petitioned the Council,

" . . . to take our poor town into consideration if there be any further occasion for ship money . . . The inequality of the assessment whereby £175 is imposed upon this town is so great, that I presume the like is not elsewhere." 2

In November 1638, however, ship money assessments were reduced throughout the country.³

As ship money took on the form of a regular imposition, opposition to it rose: disputes over rating continued unabated but more deliberate incidents of obstructionism emerged. One case of resistance in 1635, however, is significant because it involved one of the gentry in a suit which lasted for some six years. Sir John Stanhope of Elvaston, was assessed at £24 but refused to comply because he said he "had not monie to pay the said tax." The sheriff, John Gell, ordered the bailiffs to distrain Stanhope's cattle, as he was bound to do under the terms of his authority. It was at this point that the manner

¹ C. S. P. D. 1638-1639, pp. 30-31: Petition of Henry Mellor, September 26 1638.

² Ibid.

³ M. D. Gordon, 'The Collection of Ship Money in the Reign of Charles I', Royal Historical Society Transactions, third series, vol. 4 (1910), p. 143.

in which Gell dealt with Stanhope caused the situation to deteriorate. The first distraint only raised £16 and it was thought that the livestock fetched less than it should have done because Gell,

" . . . starved Sir John Stanhope's cattle in the pound, and would not suffer any one to relieve them there, because that worthy gentleman stood out against that unjust payment."

Gell's behaviour was clearly provocative and when his bailiffs returned to execute a second distraint to raise the residue of £24, Stanhope's stewards forcibly resisted them.¹ The Privy Council showed themselves determined to uphold the authority of their local officials and the impact of Stanhope's request for reparation, as Secretary Nicholas noted down, was "nil".² In January 1636/37 Philip Stanhope, Earl of Chesterfield, entered into a bond guaranteeing his brother's conformity.³

In the spring of 1638 Sir John Stanhope died.⁴ His widow, Mary, nursed the family's grievance until the advent of the Long Parliament gave her an opportunity to press a petition of complaint. It is from this petition that the details of the case emerge. Mary Stanhope claimed that Gell's proceedings were not only "rigourous" but "illegal". She was convinced that Gell had borne "malice" towards her husband and that he ought to make

¹ D. R. O. Gell mss, 56/6: The humble petition of . . . Mary Stanhope.

² C. S. P. D. 1635, p. 599.

³ C. S. P. D. 1636-1637, pp. 338-339.

⁴ D. R. O. D518M/F16: Will of Sir John Stanhope.

"reparacon".¹ John Gell had undoubtedly been ruthless in his pursuit of the defaulting gentleman, but the view Parliament took of the matter - which was to do nothing about it - is probably a good indication of their disapproval of a petition which was revengeful and vindictive. For instance, Mary also alleged that Gell

". . . did much overtaxe not onely your petitioner's husband but divers others and thereby raised 200 pounds more at least than he had direcon to doe which he hath ever since kept to his owne use."²

It does not appear, however, that Gell used his position deliberately to make financial gain. In his final account he was £184.15.6. over the sum assessed³ on the county but on March 14 1635/36 he wrote to the Privy Council that "there will be some surplusage in my hands which muste accordinge to their Lordshipps directions be distributed backe againe."⁴

The primary significance of Mary Stanhope's petition lies in its declaration that ship money was "illegal and unreasonable".⁵ Bearing in mind that the petition must be dated late 1640/41, the contention is not a surprising one. But it may be that political principle was at the core of Sir John's opposition in 1635: his claims to poverty do not accord with his later will.⁶

¹ D. R. O. Gell mss, 56/6.

² Ibid.

³ D. R. O. Gell mss, 28/6.

⁴ D. R. O. Gell mss, 31/33(m).

⁵ D. R. O. Gell mss, 56/6.

⁶ D. R. O. D518M/F16.

If this is the case, then a political stand taken at such an early date is noteworthy. On the whole, however, political principle was not manifestly behind the opposition to ship money in Derbyshire. It was the financial burden which was considered too onerous.

During Gell's shrievalty there were other people who refused or were unable to pay ship money. For example, Paul Fletcher was distrained for the sum of twelve shillings.¹ On November 17, 1635, James Foljambe, high constable for the hundred of Appletree, reported to Gell that

" . . . haveinge formerlie sente both to the clergiem and constables within my division . . . that were behinde in the payment of their monyes imposed upon them . . . they are verie slacke and negligente in the payment thereof. So that there is noe wayes to come by your monyes yet unpaide but to sende presentlie to distrayne them."

The constable advised Gell to be firm with the recalcitrant: "you must be certen in this resolucon without alteracon otherwyse you will occasion your selfe endless trouble."²

John Gell and his successor, John Harpur, both succeeded in collecting the ship money rated on Derbyshire, but Harpur was also handicapped by opposition. The corporation of Chesterfield disputed their assessment of £50 by arguing that in Nottinghamshire, Retford, only a

¹ D. R. O. Gell mss, 60/78(h): R. Taylor to Gell, December 4 1635.

² D. R. O. Gell mss, 41/31(e).

slightly larger town, paid £30.¹ By February 27 1636/37 Harpur informed the Privy Council that he still had £100 to collect

"... in regard of the povertie of the parties; cannot without great pressure be presently leyed nor the rate of some improprie by this and some other things for the present be distrayned for because the owners thereof reside not in the county."

There was no remedy for absenteeism but Harpur was mindful of his powers over those still living in Derbyshire and he begged the assistance of the Council "should he meet with an absolute refusal to pay." By this time Harpur was impatient to rid himself of the responsibility for ship money and he took the unusual step of paying the residue out of his own pocket. Whether "in his desire for expediting the service" he ever collected the money owing to him is not clear.²

Following the arrival of the third ship money writ levied on the inland counties, protest in Derbyshire mounted. The recognition that ship money was becoming an annual tax was probably at the heart of the county's hostility. Moreover, a tax which was specifically earmarked for the navy was hardly likely to commend itself to a county so far from the sea. On March 16 1637/38 Sir John Curzon explained that diffidence in paying ship

¹ C. S. P., D., 1636-1637, pp. 287-288: Petition of the inhabitants of Chesterfield.

² P. R. O. SP16/348/51: Harpur to Privy Council, February 27 1636/37.

money emanated from a "pretended want of money". The temper of his countrymen was such that he "thought it a better course awhile to forbear them than to incense a multitude."¹ Curzon's progress in collecting the money was slow: by August 1638, through the use of distraint, he had gathered only half of the £3,500 assessed on Derbyshire. Those whose goods had been impounded and sold adopted a curious line of resistance;

"... they will not take the surplusage of the moneys . . . that their goods were sold for", Curzon explained to the Privy Council, "but [they] threaten us ² hard."

Curzon's fears of open resistance were echoed in September 1638 by Henry Mellor, Mayor of Derby, who asked Secretary Coke to send a serjeant at arms to coerce the refractory in Derby.³

In order to supervise the sheriffs more closely, in January 1636/37 the Privy Council had demanded fortnightly accounts.⁴ It was bound to put additional pressure on to men who were already harassed, because they were in arrears. Curzon, who was £80 short in January 1638/39, was forced to prevaricate with his superiors.

"I shall be diligent where I can meet with any distress and pay it in with all speed. I am likewise required for non-payment of the whole sum by the

¹ C. S. P. D. 1637-1638, pp. 327-328.

² C. S. P. D. 1637-1638, p. 597.

³ C. S. P. D. 1638-1639, p. 30.

⁴ Barnes, Somerset, p. 208.

beginning of Candlemass term to appear at the council board . . . to give an account."

But Curzon sought to escape the journey to London by playing off his shrievalty duties against his lieutenancy duties, "in regard of H. M. employment here, the training of souldiers, which I am likewise required to attend."¹

Ship money brought odium upon the office of sheriff: men who had been appointed tried to wriggle out of doing their term. William Raylton avoided the office in Yorkshire in 1638, assisted by the influence of Thomas Wentworth and Sir John Coke senior.² Sir William Boteler also contrived to secure Robert Chernock's father from the Bedfordshire shrievalty only to find himself appointed.³ In Derbyshire Sir Andrew Kniveton was "pricked" as Curzon's successor but he found it more expedient to sue out his patent. Finding an alternative posed the Privy Council with a difficult problem. Sir Henry Willoughby was momentarily considered but his reputation as a dandy and womaniser did not endear him to Lord Keeper Coventry, who believed that Willoughby lacked discretion, a quality which was thought "very capable of that office in these

¹ C. S. P. D. 1638-1639, p. 297: Curzon to Nicholas, January 1638/39.

² Cliffe, Yorkshire, pp. 250-255.

³ F. G. & M. Emmison, 'The Ship Money Papers of Henry Chester and Sir William Boteler 1637-1639', Bedfordshire Historical Record Society, vol. 18 (1936), pp. 43-48.

times." In the end the shrievalty fell to the luckless John Shallcross.¹

For the ship money writ of November 1638 Derbyshire was ordered to pay £1,300. The reduction of the ratings on all counties represented a diplomatic gesture by a government only too anxious to calm the troubled waters of discontent. The palliative probably came too late. Curzon, who was still chasing his arrears when Shallcross was appointed, received a petition from the Mayor of Derby in September 1638, appealing for some relief from the £120 levied on the town. Only £60 had so far been paid under the 1637 writ: "the greatest part of the rest is taxed upon men of the best abilitie", Curzon was informed, "and . . . many of them have refused." A subsequent petition from the town drew attention to the problem of basing the assessment on the precedent of the trained bands,

" . . . many of our burgesses have been taxed in this service treble to gentlemen and others equall in estates with them."

Derby clearly had difficulty in paying ship money: opposition was quite apparent but also an outbreak of the plague meant that

" . . . the meaner sort have lost all the benefit of their trades and those of abillitie have spent above £200

¹ C. S. P. D. 1638-1639, pp. 126-127: Lord Keeper Nicholas to Secretary Windebank, November 7 1638.

towards reliefe of the rest,
whereby our said towne is much
impoverished."

Derby's inability to pay may well be an unusual case where excuses really had some foundation.

In March 1639 John Shallcross reported to Secretary Nicholas that, "the borough towns of Derby and Chesterfield had paid nothing of the £81 assessed upon them" in the 1638 writ. His letter, however, was equivocal. Having collected only £200, Shallcross excused his performance "by reason of the death of some of the constables [and] others going forth of their offices." He claimed that there was "no great opposition only the country's poverty", yet he stated that "several gentlemen refuse payment." Shallcross named "Mr Greisley" who had threatened to sue him if he attempted to distrain.² It is likely that the gentleman was Sir Georgy Gresley of Drakeelow who had been assessed at £24 in 1635;³ no other members of the family appear in Gell's account book. Sir George had opposed the forced loan in 1625 and was thus not unacquainted with opposition to the crown but, it is also possible

¹ P. R. O. SP16/399/16 I: Petition from Henry Mellor, September 26 1638; P. R. O. SP16/399/16 II: Petition of the Bayliffs and Burgesses.

² C. S. P. D. 1638-1639, p. 619; C. S. P. D. 1636-1637, p. 291.

³ D. R. O. Gell mss, 28/6.

that his financial position contributed to his political discontent.¹

Shallcross' report of widespread gentry resistance to ship money is a clear indication of the gulf that was opening between the King and his subjects. But the certificate of John Agard, sheriff responsible for the final ship money writ, exemplifies how far the government's fiscal policy had collapsed by the spring of 1640. Of the £3,500 assessed on the county, by June 1640, Agard had collected £500, "with greate labor and importunity."

"The towne of Derbye . . . I have demanded severall tymes but can receive non of the money nor anye accoumpt touching it onely this answer that they are and willbe answerable for it themselves and that it belongs not to the sheriffe to meddle within their corporacon. I find such opposition . . . in the greatest part of the countye that since the dissolution of the last Parliament they doe not forbear to dare me and bid me distrayne at my perill; giving forthe threateninge words against me and many of them refusinge so much as to appeare upon anye warrants to give anye answer unto me or to assist mee to make their assessments." 2

By 1640 ship money had foundered against the weight of opposition and obstructionism. (See appendix 2 for ship

¹ J. R. Dias, 'Politics and Administration in Nottinghamshire and Derbyshire 1590-1640', (Oxford University D. Phil.thesis, 1973) p. 437; 'The Gresleys of Drakelow', William Salt Archaeological Society, new series, vol. 1 (1898), pp. 80-84.

² P. R. O. SP16/456/28: certificate of John Agard, June 1640.

money arrears). Derby and Chesterfield had resisted to the end, owing between them £500 over the writs of 1637, 1638 and 1639. Derby's resistance centred on the defence of its privileges - the right to apportion and collect taxation. But there is also reason to believe that major figures on the corporation - merchants and gentry - were prominent defaulters.

In 1640 Sir John Curzon still had £27.5.0. to collect, yet in comparison to the performance of many sheriffs responsible for the 1637 writ, he had done remarkably well. For example, of three counties which, like Derbyshire, were assessed at £3500, Herefordshire had £1069.13.6. uncollected, Oxfordshire had £553.1.0. and Surrey had £233.16.5. outstanding.¹ On the 1638 writ John Shallcross was £300 short. Again, in comparison to Oxfordshire which was rated at £1,300 but had nearly £700 uncollected, Derbyshire is seen to be less recalcitrant than other counties. John Agard remained £3000 in arrears but the failure to collect on the 1639 writ was general. On the whole, over the five ship money writs, Derbyshire was one of the counties which honoured the greatest proportion of their assessments.²

Dulstrode Whitelocke claimed that the "knowing gentry", the county governors, were behind the opposition to ship money and studies of the gentry in Kent and

¹ M. D. Gordon, 'Collection of Ship Money', Royal Historical Society Transactions (1910), pp. 156-162.

² Ibid.

Somerset seem to bear out Whitelocke's assertion.¹ Sir John Stanhope of Elvaston and Sir George Gresley of Drakelow appear to fall into the same pattern. There were also other gentlemen in Derbyshire who were noted for their resistance to ship money. But the opposition in the county does not seem to have been pivotal to the gentry and nothing that has so far been discovered points to the gentry assuming leadership of the opposition. There is no evidence to suppose that there was a core of opposition leaders: no peer or gentlemen of outstanding local prestige arose of the stature of the Earl of Warwick or Sir Robert Helip's.² The ingredients of opposition in Derbyshire were disparate and disorganised and, unlike those in Kent, ran vertically down the social structure.³

Ship money aroused hostility because it was a more regular form of taxation and more financially onerous than traditional levies like subsidies. For the remoter inland counties ship money must have seemed ridiculously irrelevant. Fanned by Hampden's judgement opposition rose: the ill-feeling caused by the trial of Hampden, even amongst normally conservative men, may be illustrated in the words of Sir John Coke junior, who thought retrospectively in 1642 that the "judgement of ship money

¹ Whitelocke, Memorials (1853), pp. 69-70; Everitt, Kent, pp. 63-64; Barnes, Somerset, pp. 203-243.

² Barnes, Somerset, pp. 203-243; C. V. Wedgwood, The King's Peace 1637-1641 (London, 1955), p. 168.

³ Everitt, Kent, pp. 63-64.

transcended all that Strafford ever did."¹

The framework in which ship money was levied and collected was yeast to discontent: a uniform system of rating was never realised and the sheriff was never given proper legislative backing.² But despite the unparalleled burden placed on the office of sheriff, the shrievalty in Derbyshire was not incompetent. The efforts of individuals can be favourably compared to the slackness of Sir Edward Bishop of Sussex;³ John Gell's conscientiousness and efficiency were exemplary. However, after 1637 the ability of the sheriffs to sustain their authority was eroded by the unpopular business of coercing the recalcitrant. Gell probably rendered himself specially obnoxious to his countrymen because of his high-handedness; Curzon showed dogged determination. But the other sheriffs were gradually overwhelmed by the resistance they met.

Between 1635 and 1640, the shrievalty was a thankless task. For example, Gell's reputation never fully recovered from the smears of the Stanhope case.⁴ In the face of the hostility of friends and neighbours it is not entirely surprising that Shallcross prevaricated

¹ H. M. C. Cowper mss, pt. 2, pp. 314-315; May 14 1642.

² Barnes, Somerset, p. 237.

³ Fletcher, Sussex, p. 207.

⁴ L. Hutchinson, Memoirs of Colonel Hutchinson (ed.), C. H. Firth (London, 1906), p. 101, appendix 6, pp. 395-397.

with his superiors. The government's policy of endowing sheriffs with sole responsibility for ship money placed them in an untenable position, but the final irony for the sheriff came with a House of Commons hot on the trail of illegal taxation. On December 5 1640, the Commons established a committee to inquire into the conduct of individual sheriffs. John Buxton, sheriff of Norfolk in 1638, was not the only one who in Thomas Knyvett's opinion was "much affray'd his turne of being question'd for shipp-money will come."¹

The Militia

When Charles 1 went to war with the Scottish Covenanters in 1638 the Derbyshire militia was relatively well trained and armed with modern equipment. The drive for an "exact militia" during the 1620s was more or less sustained under the personal rule despite a relaxation in central government supervision. There may have been a slight decline in standards as occurred in Lancashire, Cheshire and Sussex,² but Barnes' description of a

¹ B. Schofield (ed.), The Knyvett Letters (London, 1949), pp. 96-97.

² D. P. Carter, 'The Exact Militia in Lancashire 1625-1640', Northern History, vol. 11 (1975), pp. 87-106; G. P. Higgins, 'The Government of Early Stuart Cheshire', Northern History, vol. 12 (1976), pp. 43-46; Fletcher, Sussex, p. 184.

Somerset militia in torpor and decay cannot be generally applied.¹ In Derbyshire during the 1630s the militia, under the charge of the lord lieutenant, William, Earl of Newcastle, had been mustered every year except in 1637.² Therefore, when William Cavendish, third Earl of Devonshire, succeeded to the lieutenantancy in November 1638, his predecessor's conscientiousness placed him in a strong position to meet the demands of war.³

Devonshire, however, had problems of his own. Although he was a natural successor to the lord lieutenantancy because of his family's intermarriage with the earls of Shrewsbury, he could not assume that the county gentry would defer to him. This was owing to his youth and governmental inexperience: he was only twenty-one in 1638 and had been a minor in the care of the Earl of Newcastle since his father's death ten years previously.⁴ In comparison, Devonshire's rivals for local ascendancy - John Manners, who was to become the eighth Earl of Rutland on March 29 1642, and John Coke junior, the eldest son of the secretary to Charles 1 - were both aged thirty two in 1638 and possessed a mature acquaintance with county government as justices of the peace and deputy lieutenants.⁵

¹ Barnes, Somerset, ch. 9.

² B. L. Add. mss, 6702, ff. 116-121; C. S. P. D. 1629-1631, p. 346; C. S. P. D. 1631-1633, pp. 163, 431; C. S. P. D. 1633-1634, p. 281; C. S. P. D. 1636-1637, p. 163.

³ D. N. B.

⁴ Dias, 'Politics and Administration', pp. 346, 464.

⁵ D. N. B.; Dias, 'Politics and Administration', pp. 96, 336.

His appointment to the lord lieutenancy must have seemed an ideal opportunity to Devonshire to assert his influence in Derbyshire and impress his masters in London. The energy, enthusiasm and diligence which he brought to bear on his office was partly a response to the local power struggle. Unfortunately for Devonshire, his efforts were frustrated by the discontent and even outright hostility which the King's militia policies provoked: the lieutenancy became the hated instrument of an unpopular war.

By an order of December 8 1638 the lord lieutenant was instructed to train, arm and exercise the militia. Devonshire acted quickly and reported to the Council on January 1, 1638/39 that the trained bands had been mustered and that preparations were in hand for further musters to be held in January, February and March.¹ It is illustrative of Devonshire's confidence and determination that he had managed to organise and execute a muster within twenty three days of receiving the Council's directive and, moreover, that he sought to cajole men to appear at these highly unpopular gatherings during four consecutive months in the middle of winter. (See Appendix 4 for the December muster). Owing to the inclement weather and to the distance involved in travelling, it seems unlikely that Derbyshire's entire militia was assembled together in one place. The December muster had followed swiftly on the heels of a muster of the trained soldiers of the hundreds of High Peak, Scarsdale and parts of

¹ C. S. P. D., 1638-1639, pp. 154-155, 179, 286.

Wirksworth which had been ordered by the Earl of Newcastle in September.¹ These men were apparently not called upon again in December. Probably, Devonshire envisaged dividing the county into two or three regions for the purposes of mustering.

The lord lieutenant's first review revealed deficiencies in the standard and quota of arms:

" . . . the private arms wherewith every man of ability is charged in this county . . . are somewhat more in number than the arms of the Trayned soldiers." 2

It was not unusual for members of the militia to report without muskets or pikes and sometimes the weapons they brought were anachronistic or broken.³ But significantly, in the case of Derbyshire, it was the gentry who had been negligent in providing weapons. Consequently, Devonshire commanded that the bias must be remedied by February.⁴ Certainly by November 1639 there was a marked improvement: the ratio of weapons to the trained soldier was virtually one hundred percent although the gentry still showed a

¹ B. L. Add. mss, 6702, ff. 116-121; C. S. P. D. 1638-1639, p. 286.

² P. R. O. SP16/409/1: Devonshire to the Privy Council, January 1 1638/39.

³ L. Boynton, The Elizabethan Militia 1558-1638 (London, 1967), pp. 255-269, 294.

⁴ P. R. O. SP16/409/1.

poorer performance: of 940 men only 46% had weapons.¹
 (See appendix 4 and 5). The disappointing response from
 people most expected to provide readily for the King's
 service was a result of the repeal, in 1603, of the
 1558 statute for taking musters and keeping horses. There-
 fore, there was no legal basis for the enforcement of
 military obligations and by 1640 the absence of statutory
 sanction was being evoked as a justification for evasion.
 The failure to modernise guns was exacerbated by Charles'
 insistence on granting a monopoly to certain
 armourers² whilst, to make matters worse, Derbyshire's
 own magazine had been empty since 1626.³

The Privy Council, however, seemed well pleased with
 Devonshire's initial reaction to their orders of December
 1638. His muster roll was,

" . . . a very perfect and exact account
 of your lordships care in performance
 of the late directions of this board
 . . . And as wee are glad to understand
 that the men and armes in that county
 are [in] see good state and order . . .
 whereof wee have rarely receaved so
 exquisite and satisfactory account." ⁴

This was high praise indeed and Devonshire must have felt
 extremely pleased with himself.

¹ P. R. O. SP17/case E, no. 14: Muster Roll of the
 Trained Bands, November 17 1639.

² Boynton, Elizabethan Militia, pp. 209, 232-233; C. S.
P. D. 1638-1639, p. 373.

³ P. R. O. SP16/409/1.

⁴ Privy Council Registers in Facsimile (London, 1967),
 vol. 5, p. 20.

Included in the order of December 8th was a further injunction for the completion of a roll of all able bodied men between the ages of sixteen and sixty, over and above those already enrolled in the trained bands.¹ These men were to form a reserve to the militia.² The roll may also have had an incidental use in fulfilling the order of March 15, 1638/39 in which Devonshire was told to raise two hundred foot soldiers with

"... an especiall care had in the choyce of the men, that they be of able bodyes and of yeares meet for this employment and well clothed. But none of the said men are to be taken out of the said trayned bands."³

The roll of able bodied men is a remarkable testimony to the lord lieutenant's personal drive and administrative capability in that within one month of receiving the order, the roll was complete.⁴ It is also an excellent example of how the various agencies of local government were harnessed towards the project. The roll comprises

17,308 names listed under the hundreds and the county-town, subdivided into parishes. It appears that the petty constables were responsible for transmitting a census of eligible names from each parish to the high constables of each hundred; the hundredal total was then conveyed to the lord lieutenant. Generally, the names

¹ C. S. P. D. 1638-1639, pp. 154-155.

² Barnes, Somerset, p. 147.

³ Privy Council Registers in Facsimile, vol. 5, pp. 161-163.

⁴ P. R. O. SP16/405: Roll of able bodied men, December 1638.

were of those below the social category of gentlemen but, where there are instances of gentlemen being included it was presumably because they had no obligations towards the trained bands.

The muster roll of November 7 1639 reveals a similar organisational pattern: the trained soldiers are listed under the parish of their residence to produce a figure for each hundred. Four hundred men comprised the trained bands which made the county's forces one of the smallest in the country. A company of 940 men were drawn from the ranks of the gentry and freeholders who had to provide their own arms. (See appendix 3, 4 and 5).

The deputy lieutenants bore a heavy responsibility in supervising the militia, so much so that the Council thought fit, in April 1639, to remind Devonshire to

". . . be carefull to have such deputy lieutenants resideing constantly there, for whose care, diligence and sufficientcy in the execution of their places and doeing his Matie service they will be answerable."

In the management of the militia, the relationship between the lord lieutenant and his deputies was critical.³ In Derbyshire, Devonshire seems to have asserted his authority quickly: the deputies responded conscientiously to their orders and there is no sign of lethargy, incompetence and

¹ P. R. O. SP17/case E, no. 14: Muster roll, November 7 1639; Higgins, 'Government of Cheshire', Northern History, vol. 12 (1976), p. 45.

² Privy Council Registers in Facsimile, vol. 5, p. 261.

³ Fletcher, Sussex, p. 175.

disputation amongst them which undermined the work of those in Somerset.¹ There were times when the deputy lieutenants were overworked especially because many of them were justices or sheriffs. Curzon, for instance, wrote to the Council in January 1638/39 of his inability to journey to London to make an account of ship money because he was wanted for a muster.² The county governors co-operated because, before 1640, apart from mustering and training the militia, central government had made no demands to send contingents of impressed men to the field. There is no indication whether the order of March 15 1638/39 requesting the drafting of two hundred men was ever carried out;³ if it was, the Pacification of Berwick nullified the efforts of the lieutenancy anyway.

In January 1639/40 the King increased his resolve to force the Scots into submission. On the 2nd, Devonshire received an order from the Council of War to press four hundred foot soldiers and to send them to a rendezvous at York by May 25th. From York they were to march to Grimsby on June 5th and from there to be transported by ship to Berwick on June 10th.⁴ By May 22nd the forces had been raised but Devonshire's prompt action was

¹ Barnes, Somerset, ch. 9.

² C. S. P. D. 1638-1639, p. 297.

³ Privy Council Registers in Facsimile, vol. 5, pp. 161-163.

⁴ C. S. P. D. 1639-1640, pp. 295-296; Privy Council Registers in Facsimile, vol. 9, p. 397.

frustrated by central government indecision.¹ Reversing its previous policy the government directed, on May 6th, that the soldiers were to be at the rendezvous by June 1st and to remain at the charge of the county for a further ten days.² But on May 25th, yet another order told the lord lieutenant that the men were not to be sent to York until July 20th.³ Constant delay showed how meaningless were the government's promises to keep expenses down.⁴ Meanwhile, the cost to the county in May reached £800⁵ and by July it had risen to £3000.⁶ By the middle of the summer the financial burden of maintaining the militia had become a major grievance in many counties.⁷

The government resorted to threats and exhortations in order to stem the rising tide of opposition. People who refused to pay coat and conduct money were warned that they would be hauled before the council-board for their contempt.⁸ But provincial feeling remained hostile: in

¹ C. S. P. D. 1640, p. 202.

² C. S. P. D. 1640, pp. 121-122.

³ C. S. P. D. 1640, pp. 213-214.

⁴ H. M. C. Cowper mas, pt. 2, p. 252; C. S. P. D. 1640, p. 249.

⁵ C. S. P. D. 1640, p. 202.

⁶ C. S. P. D. 1640, p. 488.

⁷ D. P. Carter, 'Exact Militia', Northern History, vol. 11 (1975), p. 105; Barnes, Somerset, p. 275.

⁸ C. S. P. D. 1640, p. 249.

face of the parliamentary opposition manifested against the King's military policies in April 1640, the government attempted to reduce attendance in the Commons by reminding M.P.s of their duties as deputy lieutenants and suggesting that they return to their constituencies to raise new levies.¹ Devonshire too realised that his deputies were displaying a marked reluctance in fulfilling their duties and at the end of March 1640 employed a little cajolery himself:

". . . to let you see how carefully the execution of it is still pressed, and to stir you up to a more cheerful and entire resolution to proceed with all alacrity to the effecting of the same." 2

Until the late spring of 1640, however, opposition in Derbyshire was relatively inconspicuous in comparison to the reports flooding into the Privy Council from other areas.³ In May, Sir John Coke senior observed a series of demonstrations in Leicestershire from "which", he wrote, "I am divided only by a pale." In his estimation though, Leicestershire "gave more occasion of complaints than Derbyshire."⁴ By the end of June this tranquility was exploded. The passage of troops from Wiltshire and Somerset on their march north was the cause of the trouble.

¹ H. M. C. Cowper mss, pt. 2, p. 252: Council to lord lieutenants, April 17 1640.

² H. M. C. Cowper mss, pt. 2, p. 252.

³ Barnes, Somerset, pp. 274-277; Cliffe, Yorkshire Gentry, ch. 14.

⁴ H. M. C. Cowper mss, pt. 2, pp. 255-256.

On Saturday, June 20th Sir John Beaumont, lieutenant-colonel to Sir John Paulet, was quartered at Ashby-de-la-Zouch in Leicestershire with 1,200 men billeted in the surrounding villages. In a letter to his brother, Thomas, John Coke junior related that on the following Monday, some of Beaumont's soldiers were "hired and provoked and encouraged by others" to wreak damage upon the Melbourne estates. Fences were pulled down and the mill barn set on fire. Coke explained how he had remonstrated with the rioters and even bribed them, but had been forced to retreat before their threats to burn the rest of the estate were carried out. The damage to property ran to £1000. The soldiers rampaged to Derby where they released two troopers: one had been convicted for debt and the other for deserting his colours. The violence, moreover, was infectious and local inhabitants of the villages of Ticknall and Calke, antagonised by the misconduct of alien soldiers, vented their rage on Colonel Lunsford's Somerset regiments.¹

There was a further dimension to the riots which Coke found personally disturbing. He was sure that they were "not done without encouragement." Coke suspected that "malicious enemies" had incited the soldiers and proved, in his examination of witnesses, that Beaumont and his officers had ordered the destruction of the fences. The source of animosity was traced to the Earl of Huntingdon, but also to a neighbour of Coke's named

¹ H. M. C. Cowper mss, pt. 2, pp. 256-258.

"Harpur".¹ Harpur may have been either John of Swarkeston or John of Calke. The former seems to have had more motive since a feud between the families had been going on since the 1620s. But both Harpurs were colleagues of Coke's in the magistracy and, as such, should have been responsible for the maintenance of law and order, not its transgression. Similarly, whatever the grievance Huntingdon felt against Coke, as lord lieutenant of Leicestershire and Rutland he was accountable for the misdemeanours of soldiers under his jurisdiction.²

Coke, however, was less upset by the malevolence of neighbours than by the effects of the rioting on his reputation with the King. As a J. P. resident in the area where the trouble occurred, Coke knew that he should have been firmer with the soldiers and taken action against the villagers' lawless behaviour. He had no desire to lose the King's esteem through incidents of this kind and he was clearly thankful that the agitation did not discredit "our courage or repute in the County." It was more important to Coke to sustain the notion that "we have been forwarder in the cause of their public safety and the preservation of His Majesty's government than others have yet been."³

During 1639 and 1640 the problems multiplied for

¹ H. M. C. Cowper mss, pt. 2, pp. 256-258.

² Dias, 'Politics and Administration', p. 87; S. Glover, County of Derby (Derby, 1831), vol. 2, pp. 216-218; D.N.B.

³ H. M. C. Cowper mss, pt. 2, p. 258.

the lord lieutenant. The impracticability of disciplining troops who had lain idle for months was palpable. By July 1639 the men who had been pressed in May were showing signs of restlessness, and on the 20th Devonshire wrote to his deputies that he was sending

" . . . some of the ablest high and petty constables to take notice of their misdemeanours [and] justices¹ are to punish offenders."

Conscious of incipient violence, the government had advised the lord lieutenant to disperse the soldiers among a number of villages and townships, but Devonshire disagreed: in his opinion though the scattering of troops might spread the financial burden, they would become impossible to police. Perhaps because Devonshire was opposed in this by his deputies, he originally left the solution to them, but it is significant that for the first time Devonshire failed to give his subordinates a positive lead.² Eventually, the lord lieutenant grasped control over a situation that was beginning to get out of hand; at the end of July he billeted 400 soldiers in Derby where, it was hoped, "the whole number by diligent watch and ward may be kept in order." Devonshire explained to the Council that no other town can,

" . . . secure itselfe against a dozen of them, so much hath the example of soldiers that pass throughe the country³ from other parts debauched them."

¹ H. M. C. Cowper mss., pt. 2, p. 259.

² Ibid.

³ P. R. O. SP16/460/37: Devonshire to Privy Council, July 18 1639.

Opposition to the cost and delay in sending the impressed men from the county escalated. In particular discontent centred upon the burden of the soldiers' maintenance: it was widely believed, Devonshire told his superiors, that the charge "hath not happened proportionably to other shires, because their soldiers have been sooner taken of their hands." The residents of Derby were especially vociferous in their complaints.

" . . . but also the gentlemen of that part of the shire, (for feare of the neighbourhood of such persons) are but ill content with their stay att Derby and have desired me", Devonshire explained to the Council, "to move your lordships on their behalf that they may be sent away."

The Derbyshire gentry were not as exceptional in their troubles as they believed themselves to be. Throughout the country, troops lay idle, kicking their heels whilst awaiting government orders; nationwide, refusals to contribute to the King's militia characterised the response of the local communities.² Henry Pelham told the Earl of Rutland, in June 1640, of the hindrances in raising forces and of the "many interruptions by the people's slowness in going and payeing." In London, he stated that 6000 men were to be impressed, but "yt it will be hard to do the greate part being unable to paye cote and conduct money."³

In June 1640, the Derbyshire lieutenantancy found

¹ Ibid.

² Barnes, Somerset, pp. 273-274.

³ H. N. C. Rutland mss., vol. 1, pp. 520-521.

themselves unable to pay the impressed levies their wages of eightpence a day. Sir John Curzon felt he had no alternative but to dismiss the men to their homes. He acted unilaterally and the fact that he does not seem to have consulted Devonshire, suggests a breakdown in the lord lieutenant's leadership. Curzon, however, was reprimanded by the officer, Captain Thomas Shirley, who was responsible for commanding the county's forces in the field. Shirley argued, rather unsympathetically, that Curzon should have continued to pay the soldiers. Moreover, Shirley claimed to have received enough money to maintain the militia until March 1641.¹ It is by no means clear where he obtained the money; possibly it was acquired from central government funds but the money may have been raised locally. In either case, it shows that the lieutenantcy could no longer command the county's support. On September 14th, Shirley reported that he had brought the arrears of pay to August 29th.² The soldiers which Curzon had sent home were re-mustered, exercised and awaiting the King's orders by September 11 although it was observed that "there was some of the 400 men wanting."³

The routing of the English army at Newburn in August 1640 makes it extremely unlikely that the

¹ H. M. C. Cowper mss, pt. 2, p. 259.

² H. M. C. Cowper mss, pt. 2, pp. 260-261.

³ P. R. O. SP16/467/28: Secretary Vane to Secretary Windobank, September 11 1640; H. M. C. Cowper mss, pt. 2, pp. 260-261.

Derbyshire levies ever left the county. Before the military debacle, however, there remained amongst some government officials and provincial gentry a touching faith in the prospects of another campaign. Henry Pelham, writing to the Earl of Rutland on June 14 1640, believed that

"at length it is to be supposed there will be an army patched together and yt is thought, the army will be at least 40,000 foote and 10,000 horse which will be a most puissant force befittinge ¹ the great King of Britain."

But in the autumn there was less room for optimism, Secretary Vane, for instance, professed in September that,

"God being with his Majesties army success should follow, but should there be a failing of moneyes for these three monthes, noe man can forseee the calamities and miseries both to the King and State that may ² thereupon ensue."

As many were to recognise during the next few weeks, the only solution to the financial crisis lay in the calling of a Parliament.

In contrast to other areas of the country, Derbyshire was circumspect in its opposition to the King's military policies. The few overt demonstrations of hostility constituted a protest against the violence of troops and the expense of maintaining a force for several months on end. There was certainly no invocation of a political rhetoric to be compared with the petition of the Yorkshire gentry in July 1640 which called for the prohibition of

¹ H. M. C. Rutland man, vol. 1, pp. 520-521.

² P. R. O. SP16/467/28.

billeting as "contrary to the lawes of the Kingdom confirmed . . . in the Potition of Right."¹ That a copy of the petition was in the hands of John Gell, however, suggests that some of the Derbyshire gentry felt a deeper resentment than they were, perhaps, willing to articulate. But grievances did not produce a coherent body of agitation or an opposition leadership. In part, this passivity was induced by a lieutenancy which was conscientious and efficient until central government ineptitude sabotaged its efforts. The Earl of Devonshire, in particular, stands out as a very capable lord lieutenant who commanded from his subordinates a high level of performance; Captain Shirley's timely appearance though, is a significant pointer to creeping paralysis amongst local officials. The reasonable preparedness of the county's impressed levies in the autumn of 1640 is testimony to a professional lieutenancy and an inherently conservative gentry class.

Derbyshire's response to Caroline government was not one of unquestioning obedience. Charles' ill conceived policies had put an enormous strain on local government machinery and severely tested people's loyalties. The shrievalty and the lieutenancy were not unco-operative though the burdens placed upon them were both novel and onerous; rather, they were defeated by the King's insensitivity to the nation's level of tolerance. The gentry were predominantly concerned with maintaining their

¹ D. R. O. Gell mss, 31/10(ua): Petition of the Yorkshire gentry, July 28 1640.

"repute" with the King. It was a matter of pride to Sir John Coke that he could claim that his county had "been forwarder . . . in . . . the preservation of His Majesty's Government than others have yet been."¹

Derbyshire cannot be compared to Kent which, it has been suggested, was united in 1640 "in defence of their county and against the state."² On the eve of the Long Parliament, Derbyshiremen had grievances but the unity of the county community was unimpaired and the spirit of deference to the King was over-riding. It was during the following twenty three months that the rifts appeared.

¹ H. H. C. Cowper mss., pt. 2, p. 258.

² Everitt, Kent, p. 69.

CHAPTER 2

The Drift to War

In December 1639 the King announced his intention of calling a Parliament. Derbyshire's gentry responded quickly. On the 31st Sir John Harpur of Swarkeston wrote to Sir John Coke junior,

"it is now declared that His Majesty intends before long to call a Parliament and to give satisfaction to those that I am bound to obey rather than any other desire of mine, I purpose to try my friends to be elected one of the Knights for Derbyshire, amongst whom I am bound to account you one. Though the obtaining of my desire therein be an honour to me, yet I shall hold it the greater if it come with your approbation on which I rely." 1

The Harpur family can be traced back to the Conquest. By the sixteenth century, they had settled at Swarkeston. Richard was a Chief Justice of the Common Pleas; his heir, who was Sir John's grandfather, served the seventh Earl of Shrewsbury as his land agent. Sir John Harpur came from the Breadsall line of the family and succeeded to the Swarkeston estates in 1622. For a time he was a minor under the care of Sir John Coke senior, but by 1630 he had entered into his inheritance and had been knighted. The Harpur tradition of service to the Shrewsburys was transferred to the Cavendishes after 1616; Sir John periodically visited Welbeck in the 1630s.² In the

¹ H. N. C. Cowder mss, pt. 2, p. 246.

² J. R. Dias, 'Politics and Administration in Nottinghamshire and Derbyshire 1590-1640' (Oxford University D. Phil. thesis, 1973), pp. 442-445; C. S. P. D. 1629-1631. n. 276

election to the Short Parliament Harpur was paired with Sir John Curzon of Kedleston.

The Curzon family were also well established in the county but their political influence had been spasmodic. Sir Francis, who died in 1592, had been heavily indebted to the sixth Earl of Shrewsbury. His heir, John, died in 1632: he had never held local government office. Sir John Curzon restored some power to the family, becoming M.P. for Brackley in 1628-1629, sheriff in 1637 and a magistrate in 1639. He was made a baronet of Nova Scotia in 1636. Like the Harpurs, the Curzons were clients of the earls of Shrewsbury and later, the earls of Devonshire.¹ In the 1640 spring election Sir John Harpur and Sir John Curzon probably represented the third Earl of Devonshire's interest.

In opposition to Harpur's and Curzon's candidature to the Short Parliament, stood John Manners of Haddon. He was cousin to George, the seventh Earl of Rutland whom he was to succeed in March 1642.² Manners clearly wanted to break Devonshire's hold on the election and he sought the support of John Gell of Hopton. "The election ought to be free", Manners informed Gell, "and ye people not

¹ Dias, 'Politics and Administration', pp. 412-413;

S. C. Newton, 'The Gentry of Derbyshire in the Seventeenth Century', D. A. J., vol. 86 (1966), pp. 16-17;

S. Glover, County of Derby (Derby, 1831), vol. 2, pp. 216-218.

² D. N. B.

labored one way nor other."¹ The Coke interest in the elections of the county's M.P.s is also apparent.

Harpur's appeal to the Cokes for their support seems surprising because of the bitter relations between the two families but Harpur's willingness to bury the hatchet is illustrative of the leverage he believed the Cokes had in weighty matters.²

Sir John Curzon and John Manners were eventually returned as knights of the shire.³ However, in the November election, although Curzon retained his seat, Manners gave way to Sir John Coke junior (who had been knighted in 1638).⁴ It is not known if Manners contested the seat but Coke's success was a true recognition of his family's status in Derbyshire; "I am sorry his election as Knight of the Shire is deferred so long . . ." Thomas Writings told Sir John Coke senior in a letter of November 3 1640.⁵

An account of Sir John Coke junior's expenses during the period of polling provides insight into electioneering during the seventeenth century. A list of expenses for lodging and dining the freeholders of the county shows that Coke arranged for 1147 freeholders to come to Derby.

¹ D. R. O. Gell mss, 31/10 (mb).

² Dias, 'Politics and Administration', p. 87.

³ Glover, Derby, vol. 1, appendix p. 15.

⁴ Ibid; A. M. Morton-Thorpe, 'The Gentry of Derbyshire 1640-1660' (Leicester University M.A. thesis, 1971), p. 84.

⁵ H. M. C. Cowper mss, pt. 2, p. 262.

He lodged 116 in the "Angel" and 240 in the "Talbot". The cost of their maintenance, probably for two days, was £193.1.8. On Tuesday evening, before the election, Coke dined alone but on the following night, after the poll, he feasted forty six people at the "Talbot" and another forty six at the "Rose and Crown". Coke's victory was celebrated on Thursday night: 240 people were given meals at the "Talbot" and 133 people dined at the "Rose and Crown". The bill, which included recompense to the landlord of the "Talbot" for broken glasses, came to £43.4.8. In all Coke spent £258.17.9. on "entertaining" the electorate.¹ Derek Hirst's calculations differ slightly from these but his conclusions about the importance of victualling the seventeenth century voter are relevant to Derbyshire in November 1640.²

The April and November elections for the borough members had a much stormier course. In January 1639/40 Sir John Coke senior wrote to his eldest son from Whitehall, explaining how he had heard from Mr Fulwood "that Derbymen are resolved to give no way to the election of Mr. Hobbs."³ Thomas Hobbes, philosopher, had entered into the service of William Cavendish in 1608. When William became first Earl of Devonshire in 1618, Hobbes remained as a companion and tutor to William's heir but his

¹ H. M. C. Cowper mss, pt. 3, pp. 138-141.

² D. Hirst, The Representative of the People (Cambridge, 1975), p. 118.

³ H. M. C. Cowper mss, pt. 2, pp. 250-251.

employment was terminated in 1629. It seems the widowed Countess resolved on economies in order to rectify the damage caused by the lavish expenditure of the second Earl. However, in 1631, Hobbes was re-appointed to tutor the third Earl of Devonshire and to accompany him on a European tour which lasted from 1634 to 1637. On his return to England, Hobbes was frequently at Chatsworth; he was certainly there in the spring of 1640 when, on May 9th, he signed the epistle dedicating his "Elements of Law, Natural and Politique" to the Earl of Newcastle. Although the tract was not printed, many people possessed copies. This work and another, De Cive, which was also in circulation about the same time brought him into considerable disrepute.¹ Clearly, however, the burgesses of Derby were not opposing Hobbes' candidature (to the Short Parliament) because of his views, but rather because he was a mouthpiece of Devonshire.

¹ I am grateful to Professor J. R. Warrender for help with the chronology of Hobbes' career. Hobbes dedicated "De Cive" to William, third Earl of Devonshire in November 1641. Earlier, in May, Hobbes had gone into self-imposed exile; possibly a decision which was made because of Parliament's attack on Strafford. G. C. Robertson, Hobbes in (ed.), W. Knight, Philosophical Classics for English Readers (London, 1886), pp. 50-53.

Fulwood told Sir John Coke senior that the burgesses would be pleased to accept Coke's youngest son, Thomas, as their representative. But Sir John was reluctant to challenge the Earl of Devonshire: "I shall not persuade him [Thomas] to put himself in contestation against my Lord", Coke wrote to his oldest son, John, "only if you find that Hobbs cannot prevail, do what you can for your brother."¹ In the end, Thomas was elected for Leicester and if Hobbes went to the poll, he was unsuccessful; two aldermen, Nathaniel Hallows and William Allestry were elected for Derby.² The resistance to Hobbes' nomination is an example of urban particularism: the burgesses resented the intrusion of the gentry into their affairs.³ Allestry and Hallows were indigenous to Derby. William Allestry came from a family having an impressive record of service to the town as bailiffs and M.P.s in the sixteenth century. Nathaniel Hallows had been baptised in Derby and in 1622 and 1630 he was a bailiff of the town.⁴

¹ H. N. C. Cowper mss, pt. 2, pp. 250-251.

² H. N. C. Cowper mss, pt. 2, p. 252: Sir John Coke junior to Sir John Coke senior, March 30 1640; W. Nutton, The History of Derby (London, 1791), p. 115.

³ Hirst, Representative of the People, pp. 44-61.

⁴ C. Black, 'The Administration and Parliamentary Representation of Nottinghamshire and Derbyshire 1529-1558', (London University Ph.D. thesis, 1966), pp. 264-265; Morton Thorpe, 'Gentry of Derbyshire', pp. 92-83.

A resurgence of particularist sentiments secured the re-election of Allestry and Hallows in November but the result was disputed by their opponents, Christopher Fulwood and Thomas Gell. The Fulwood family had settled at Middleton-by-Youlgreave in the sixteenth century. Christopher was appointed to the magistracy in 1627; by the 1630s he had an influential voice in the county. He also acted as an agent for the Cokes.¹ Thomas Gell of Hopton, the younger brother of John Gell, was a barrister who had worked on the crown's behalf in the duchy of Lancaster during the 1630s, when the Gell family became receivers of the honour of Tutbury.²

On December 16 1640, Fulwood wrote to Gell explaining a plan of action to contest the election of Allestry and Hallows. He described a meeting he had had with Hallows in Westminster Hall and how he had told him,

" . . . that you and I were desirous to avoid all occasions that might inforce us to doe any disservice to the towne. In particular I told him that upon perusall of the charters and other records concerneing Darby, that some things have appeared that will prove vory preiudiciall to the corporacon. Also I told him that if the matter should come to a publik hearing or that a new election should bee ordered, that then the Mayor wold certainlie bee comitted to the Tower and fined and bee further subiect to your accon and myne for refusing the pole and not returning us."

¹ Dias, 'Politics and Administration', pp. 407-408.

² Dias, 'Politics and Administration', p. 164; D. R. O.
Gell mss., 58/3 (h) (i) (j) (k) (l) (m) (n) (o); 58/5
(a) (b) (c) (u) (z); 60/17 (a) (b).

Fulwood's intention was quite simple: to prevent recriminations bursting upon the mayor and the two M.P.s, he would strike a bargain with them. He would withhold his allegations of their illegal electoral practices in return for which, "Mr Allestry and Mr. Hallows should not appear in way of opposition" when the case came before the Committee of Privileges.

"I am confident", Fulwood told Gell, "the Mayor will see a means to make a peaceable end amongst us without further trouble for now he will perceive that there is no other course left to bring him safely off."

Fulwood's strategy depended on the fact that another election should, at all costs, be avoided because the burgesses would not vote for candidates whom they believed to be gentry interlopers. The Earl of Chesterfield, who supported Fulwood's nomination, had sent his servants "to divers of the comon Burgesses . . . to desire them still to make choice of me for one of their burgesses", Fulwood informed Gell, but,

"The Mayor and others, as I heare, have gotten so many comon burgesses to subscrib to choose townesmen if a new eleccion happen. . . Therefore our only course must bee to draw it to a frendly conclusion if wee can or els to use all means to make our first eleccion stand."

Hallows' reaction to his proposals gave Fulwood good reason to feel sanguine. Hallows "would willingly yeild unto whatsoever course the Mayor and Aldermen wold advise", Fulwood explained to Gell, and since Allestry "was so tender of the welfare of the towne, and of Mr Mayor in

particular [they] wold yeild either to this or any indifferent mecon."¹

The Committee of Privileges adjudicated the election on March 25 1641 and judged it to be void. Sir Simonds D'Ewes observed that "Mr Allestro and Mr Hollows were both contented without any further dispute of the howse to departe out of the same." So far Fulwood's tactics were working, but as Hallows was leaving the Commons he delivered the counter-stroke. Risking reproof for exercising a right which no longer existed, he motioned "the Speaker as hee went to grant him a warrent for a new election." It is not clear whether Hallows was directly responsible for the promulgation of a new writ; D'Ewes merely wrote in his journal that "it was ordered that new warrants should goe forth."² However, the Committee's decision scotched Fulwood's and Gell's hopes of their being returned to Parliament: burgal particularism made the re-election of Hallows and Allestry in April a formality.³

Local factors such as aristocratic and gentry patronage and urban particularism dominated the 1640 elections in Derbyshire. The contests do not appear to

¹ D. R. O. Gell mss, 41/31 (h): Christopher Fulwood to Thomas Gell, December 16 1640.

² B. L. Harl. mss, 162 f.361: The Journal of Sir Simonds D'Ewes.

³ H. Keeler, The Long Parliament (Philadelphia, 1954), pp. 85, 201.

have reflected the growth of opposition to the government of Charles 1. Of course men were full of expectations of Parliament and there was a consensus that certain grievances should be redressed but Derbyshiremen were little moved to articulate their disapproval of Caroline government at the poll. It was the ensuing debates at Westminster which eventually opened provincial eyes to the political and religious issues at stake. The volume of correspondence passing between M.P.s in London and their kinsmen and friends at home acted as a catalyst to the political awareness of the county's gentry; the family papers of John Gell are littered with printed speeches and proceedings of Parliament.¹ Sir John Coke junior sent many letters to his father commenting on major events.² The critical divisions of opinion amongst M.P.s over Strafford, over Root and Branch and over the Grand Remonstrance were mirrored in the local communities but only after the complete administrative breakdown of the winter of 1641-1642 is it really pertinent to begin to talk of the growth of political polarisation in Derbyshire.

Sir John Coke's letters afford an interesting picture of his political development during the first

¹ D. R. O. Gell mss, 31/30 (a) (c) (j) (p) (t), 31/33 (a) (b) (d) (e) (i) (j) (s), 31/78.

² H. M. C. Cowper man, pt. 2, pp. 262-324.

eighteen months of the Long Parliament. As early as February 1640/41, he was apprehensive about the diversity of views expressed in the Root and Branch debates.

"The Bishops' party seems to increase in the Lower House, I doubt most are for their reformation only, whereas it appears to me by what is represented against them that their order is a burthen and a dangerous inconvenience in this Commonwealth." ¹

If this evinces sympathy for the cause of religious reform, the question of Strafford's trial alienated Coke from the parliamentary managers. Coke attended the proceedings regularly,² but he confessed to his father that he was troubled by the prosecuting counsel's new theory of treason; on the contentious issue of the attainting of the Earl, he wrote that "the earl of Strafford sticks somewhat with me."³ Coke displayed typical back-bench suspicion of the motives of those men who wanted Strafford's execution . . .

"If his impeachment hath been trained into this length by private practice for private men to work out their own ends and preferments thereupon, their ambition may perchance in the end cost them dear as it hath done the Kingdom. I see there is no confidence to be placed in man. My hope is that God will take this great work into His own hand." ⁴

¹ H. M. C. Cowper mss, pt. 2, p. 272: February 2 1640/41.

² H. M. C. Cowper mss, pt. 2, pp. 277-279: April 17 1641.

³ H. M. C. Cowper mss, pt. 2, pp. 277-279, 279-280.

⁴ H. M. C. Cowper mss, pt. 2, pp. 279-280.

By April 28th, Coke was definitely opposed to the bill of attainder although he still desired Strafford's removal from office in order to prevent the Earl exercising his influence over the King. "I wish that were accommodated", he told his father, "by any punishment below his life."¹ In fact Sir John was absent from the critical vote which attainted Strafford,

"I most humbly desire you to suspend your judgement of me," he appealed to Coke senior, "for I hope I shall never appear to have deserted my religion or my country, which are dearer to me than my life. My absence from the vote I hope hath not deserved so severe a censure as it seems is laid upon me by some, especially when I may say that I absented not myself but was casually away that evening, not expecting that vote in the afternoon so near night. But I never spoke for him in my life."²

It seems apparent that his father, amongst others, expected Sir John to vote for the attainder. His negligence to do so had been widely observed, perhaps by his countrymen as well as by his colleagues in the Commons. But Coke was keenly aware of the fact that which ever way he voted, he would offend many. His abstention, contrived or otherwise, is testimony to his political paralysis; from the distaste he evidently felt for the trial, it was also a sop to his conscience. Coke clarified his position in a letter written to his father on May 25 1641.

¹ Ibid.

² H. H. C. Cowper MSS., pt. 2, pp. 283-284; May 25 1641.

"I have carefully observed the rule to keep myself from making a party of any side. I confess not considering that there was so much danger of disrepute in otiose silentio. But the experience I have had this winter shall teach me whilst I live to beware of the public stage and to keep my thoughts at home, for I think I shall never go with any tide whilst I live." ¹

Sir John Coke junior was the most conspicuous of Derbyshire's representatives in the House of Commons. Between December 1640 and November 1641 he was nominated to nine committees. Two of those concerned religion. In March 1641 he was put on a committee to consider pluralities and on one to consider the "popish hierarchy". On June 23 1642 he was appointed to a committee to consider the King's response to the Nineteen Propositions. Neither Curzon, Allestry or Hallows were prominent in this way.²

Coke and Curzon took the Oath of Protestation on May 3 1641 and Hallows gave his assent on May 13th.³ No evidence survives to show whether Allestry took the oath or not, but all of Derbyshire's peers subscribed. In the light of the divisions which had manifested themselves during the trial of Strafford, the parliamentary managers introduced the Protestation as a political test in order to sift out the disaffected. The oath was not

¹ Ibid.

² C. J. 1640-1642, pp. 45, 54, 91, 101, 105, 151, 191, 327, 641.

³ C. J. 1640-1642, pp. 132, 145.

imposed without resistance. The Earl of Southampton and Lord Roberts refused.¹ But there was a delay in imposing the Protestation in the counties until January 1641/42 when it was perceived that political and religious rifts had deepened. The Derbyshire justices were informed that,

" . . . ye house of commons having discovered manie dangerous designs plotted against ye Parliament and especially yt of ye 4th of this instant Jan, which had it taken off, would have shaken not only at ye priviledges of Parliament but ye very being of them. . ."

They were ordered to meet with the sheriff, subscribe to the oath and tender the Protestation to minor local officials. The constables and church wardens were then to administer the oath to all males over the age of eighteen and certificates of performance were to be submitted to Parliament by March 12th.² Significantly, in the case of Derbyshire (a county which had not previously sent petitions to Parliament or represented an opinion) the introduction of the Protestation brought, for the first time, the national debate to the level of the county community. There is no reason to think that the orders of the Commons on taking the oath were not fulfilled parish by parish throughout the county. Returns survive for five parishes in the Bakewell area and for

¹ Clarendon, History of the Rebellion (Oxford, 1888), vol. 1, p. 331.

² D. R. O. Gresley Letter Book, 803M, f. 39.

the parish of Elton from which there was only one report of a Mr. Jeremy actually refusing to submit.¹ Four hundred and fifty two subscriptions and only one defaulter, in a region which was notoriously catholic, indicates that Derbyshire may compare favourably in its response to the Protestation with other counties.²

Catholics, however, were seen as the primary instigators of the nation's ills; "fears and anxieties were channelled into, and expressed by, anti-popery."³ In London, in particular, anti-catholic riots occurred frequently during times of major political crisis but the counties were also shaken by disturbances.⁴ In January 1641/42, Sir John Coke junior wrote to his father tolling him of a book that had been published in the capital which "tells us that the papists are risen in Dorbyshire, and that they have set a church on fire."⁵

¹ D. R. O. Gell mss, 60/6; L. Stone, 'Literacy and Education in England 1640-1900', Past and Present, no. 42 (February 1969), p. 100.

² A. J. Fletcher, A County Community in Peace and War: Sussex 1600-1660 (London, 1975), p. 99.

³ B. Manning, The English People and the English Revolution (London, 1976), pp. 21-22, 71-99.

⁴ R. Clifton, 'Fear of Popery', in (ed.), C. Russell, The Origins of the English Civil War (London, 1973), pp. 158-161.

⁵ H. M. C. Cowper mss, pt. 2, p. 305.

The tract, "A Bloody Plot", dated January 18th, related how one John Needham with the assistance of John Simonds had secretly stowed gunpowder under the vaults of Bingly parish church intending to "blow up the . . . church in the time of divine service." The design was discovered by the sexton, Jacob Francklin, who "had occasion to goe to the church late in the evening to tole the passing bell for a neighbour who then lay desperately sick." A full investigation revealed a core of plotters and in Needham's house, a "great store of ammunition for warre, as muskets, pikes, halbers, armour, powder [and] bullets."¹ Because of the overt propaganda of "A Bloody Plot" and in the absence of supportive evidence, the catholic conspiracy need not, perhaps, be taken too seriously. The men who were involved in the plot were not of county status although Needham was described in the tract as "a man of large possessions." But in the light of the tension and insecurity of January 1641/42, a revelation of this kind would tend to enhance fears of popery.

Although the rise in political temperature was felt in the provinces, Dorbyshiremen were little moved by events in London to articulate an opinion. Closer to home, the imposition of the Protestation had been uneventful and reports of catholic conspiracy do not appear to have shattered the calm of the county community.

¹ B. L. E134(8).

But in the spring of 1642 the deterioration in relations between the King and his Parliament had sufficiently unnerved Derbyshiremen for them to participate in the national petitioning campaign. Derbyshire's petition to Parliament was presented to the House of Commons by Sir John Curzon on March 14 1641/42.¹

" . . . although wee live far off", the petition stated, "wee cannot but hear of those many late obstructions and malevolent hindrances, with which this good work hath been opposed, by meanes of the malignant party, who by evill counsels and other strange and formerly unheard of courses, have endeavoured to infringe the lawfull power and liberties of Parliament, to continue popish innovations to oppresse our consciences with, unnecessary ceremonies and to destroy the lawfull rights of the subject."

The petition extolled "the blessed work of reformation" and gave approval to the passing of the Grand Remonstrance, the Bishop's Exclusion Act and the Militia Ordinance. It was clearly deferential but it made few specific demands. It asked for the punishment of papists and their removal from office: on the question of church reform it requested the appointment of "fit and able ministers and that the doctrine and discipline of Christ may be vindicated from all corruptions. . ." But in comparison, the Nottinghamshire petition was far more insistent and bold. Not only did the Nottinghamshiremen want the punishment of delinquents, they also looked for a purge of local officers: only "fitt persons" ought to be

¹ B. L. 669 f. 4 (80): to the Honourable, the Knights, Citizens and Burgesses of the House of Commons. . .

elected to Parliament. In religion the petition called for a "thorough reformation."¹ A copy of the Nottinghamshire petition in the possession of John Gell suggests that it was a model for the Derbyshire petition and that the latter was deliberately toned down to sound less abrasive.² Certainly the deepest and most heart-felt sentiments of the Derbyshire petition stressed the need to restore harmony,

"That England may still continue one of Christ's golden candlesticks, the ministers stars in his right hand, the whole kingdome and people in covenant with God, and in the blessed peace of the Gospell, we may sit every man under his own vine and figtree and enjoy the happy peace to us and our posteritie to the world's end."

It is likely that the petition was Curzon's initiative. He was at Westminster and therefore aware of the plethora of petitions which were pouring into Parliament during the spring. He was strongly backed by Sir John Gell.³ Both men became baronets in January 1641/2: Curzon acquiring an English baronetcy to go with the one he had already.⁴ Each parish was sent a

¹ D. R. O. Gell mss, 44/45: The Humble Petition of ye . . . countye of Nottingham.

² Ibid.

³ A. J. Fletcher, 'Petitioning and the Outbreak of Civil War in Derbyshire', D.A.J. vol. 93 (1973), p. 34.

⁴ Sheffield City Library, Elmirst msa, 1284; Keeler, Long Parliament pp. 149-150.

copy of the petition with a blank sheet joined by a seal, for signatures. The signatures, in fact, betray the manner of their collection. Some constables, so they affirmed, were especially conscientious: the constable of Beoley asserted that, "all those whose names follow and who have either written their owne names or sett to their marke with their owne hands did upon the thirteenth day of February Ano. dom. 1641 willingly consent to ioyne with those worthy petitioners menconed in the petition here unto affixed." Evidently, in Beoley, the parish was called upon to subscribe within one day. For the chapelry of Ashford, the sheet for signatures was precisely ruled and included squares for marks to be inserted. Here organisation was at its best. In contrast, in Winshull, all the names were written by the constable. This leaves open the manner in which signatures were obtained and it may be suspected that there was coercion and possibly, in a case like Winshull, an element of deceit. The majority of subscribers would only know the content of the petition by having it read to them, as at Castleton, where those "hearing the tenure of the petition [did] desire to join." It was the influence of the gentry which was brought most heavily to bear on the signatories. Sir John Goll's interest in the petition is demonstrated by the note on one of the Bakewell lists;

"This is now a true copy so many as will set their hands to it nay a thousand men in Bakewell parish have done so or very near so many, quod facis fac into and send it with speed to Sir John Goll."

The signatures of the Derbyshire gentry, headed by the sheriff, Sir John Harpur of Calke, appeared on a separate sheet. Altogether there were 7077 subscribers.¹

The decision to petition the King emanated from the Barlborough letter of March 21 1641/2.

"The coming of his Majesty into the northern parts, wee observe troubles the mindes of manye of his loveing subjects and apprehendinge there may bee a tediousnesse of his returne to Parliament so as that may bee feared, there is noe good agreement betwixt him and the two houses thereof. This daye beinge with some of this side of this countye entringe into talke upon report that in some neighboringe contries (as his Majesty hath come alonge) hee hath beene humblye sued and petitioned unto, to returne backe into the south parts and to vouchsafe his comfortable presence to his Parliament, which would be a great happines to all the Kingdome. Wee havinge as much reason to take it into consideration as anye other countrye do thinke it not amisse to moove and desire you the gentry of the other side of the county; that wee may likewise humblye peticon his sacred Majesty would returne to his Parliament. And if it may bee thought fit by you wee desire you will apoynt a day when and where wee upon this side of the countrye may meete you to thinke and confirr of this see good a work . . ."²

Barlborough, in the hundred of Scarsdale, was the home of Sir Francis Rhodes who had been made a baronet in

¹ House of Lords Record Office, H.M.C. 5:10; The Derbyshire Petition to Parliament. I am grateful to A. J. Fletcher for drawing my attention to this document.

² D. R. O. Gell mss, 31/33(p): Francis Rhodes and others to the Derbyshire gentry, March 21 1641/42.

August 1641.¹ The other confederates to the letter were men of lesser status: Lionel Fanshawe of Holmesfield, Edward Revel of Ogston and Henry Wigfall of Eckington had been appointed, with Rhodes, to the 1641 subsidy commission but Revel alone had a prominent county position as a J.P. and deputy lieutenant.² The other two signatories to the letter, Sir George Sitwell of Renishaw and Gilbert Clarke of Brampton, did not hold any office. Nevertheless, the group, living in close proximity to one another, were of some importance in Scarsdale.

It did not take the Barlborough letter long to circulate. On March 23rd, Immanuel Bourne, the puritan minister of Ashover in the hundred of Wirksworth,³ wrote to Sir John Gell informing him of the wishes of the Scarsdale men. His letter shows how slow Derbyshire was in joining its voice to the series of entreaties sent by other counties to the King at York. Bourne informed Gell that "ye Nottinghamshire and Lincolnshire [petitions] goe forward to Yorke on Monday next. And many thousands in other countroys will goe with their petition." Meanwhile,

¹ Sheffield City Library, Elmhirst mss, 1284.

² P. R. O. SP16/405: Liber Pacis 1636; D. R. O. Gell mss, 65/18; Statutes of the Realm (London, 1819), vol. 5, pp. 58-59, 61.

³ R. O'Day, 'Immanuel Bourne: A Defence of the Ministerial Order', Journal of Ecclesiastical History vol. 27, no. 2 (April 1976), pp. 101-114.

Bourne stated, Derbyshire had no petition except for a copy of Nottinghamshire's in the hands of Sir Francis Rhodes. The Darlborough invitation had clearly highlighted the county's unpreparedness in supporting the general provincial campaign to persuade the King to return to London. Bourne, it seems, was so confused that he did not know whether Derbyshire ought to petition Charles I or the House of Lords.¹

The following day, Gell was sent "timely notice" of a meeting of the gentry to be held at the "White Hart", in Derby, on the following Monday.² The invitation sent by the Mayor, Luke Whittington, was extended to the gentry of north and south Derbyshire; the purpose behind the gathering was to prepare a petition to the King. This is clear from a letter sent by Immanuel Bourne to Sir John Gell on March 31st,³ in which the minister alluded to the divisions on the form of the petition which had manifested themselves at the "White Hart". Bourne was evidently dissatisfied with the petition's demand for the King to return to London: "I could have wished it had been added that he would accept of the advise of his Parliament (as best approved) and put away from him evill consellers." But he was content, so he told Gell, to

¹ D. R. O. Gell mss, 56/25(1): Bourne to Gell, March 23 1641/42.

² D. R. O. Gell mss, 31/10(ha): Whittington to Gell, March 24 1641/42.

³ D. R. O. Gell mss, 56/25(z): Bourne to Gell, March 31 1642.

"submit to better judgement." Gell was another who felt that the petition did not go far enough; so great was his displeasure that he left the meeting before the conclusion of proceedings. Bourne was worried by Gell's isolation and he attempted to persuade him to participate in taking the county's petition to York.

"I perceiue that most of the knights and gentlemen intend to goe in person uppon Wednesday next to meete at Doncaster and see to Yorke. They say you came from Derby before the rest but they trust you to be a meanes that the hands of gentlemen and others about you be vouchsafed and to stirr them up to goe in person, (If you go not yourself). I know you tooke great care and paines besides loses in the last petition therefore it cannot be expected you should doe see much in this. But if Mr. Thomas Gell and Mr Gell your sonn goe it wilbe kindly taken. But I leave all to your wisdome."

Bourne's letter is strong testimony to the influence Gell was thought to wield in the promulgation of this petition, and in the earlier one to Parliament. In the latter, his role appears to have been a significant one. Despite being out of sympathy with the tone of the petition to the King, however, Gell succumbed to the minister's entreaties and he set about collecting signatures.¹ The Derbyshire petition to the King was given to him at York on April 6 1642; three days later it was available in print in London.²

The petition, formulated at the "White Hart" on

¹ D. R. O. Gell mss, 31/30(j), 31/88 (ua).

² Fletcher, 'Petitioning in Derbyshire', D.A.J. (1973), p. 37.

March 28th contains seventy-six signatures of those who attended the meeting; they were all leading figures in the county.¹ Most of the commissioners responsible for the collection of the 1641 subsidy signed, along with many justices and the signatories of the Barlborough letter.² Five major gentry are conspicuous by their absence: Sir Edward Vernon, Sir John Harpur of Swarkeston, Sir John Fitzherbert of Tissington, Sir John Fitzherbert of Norbury and John Manners. The latter may have excused himself because of the illness of the seventh Earl of Rutland; on March 29th, Manners succeeded to the earldom.³ The collection of other signatures was a brisk affair, executed in only nine days before the petition was delivered to the King.

The Derbyshire petition was moderate in its language and humble in its only request that, ". . . your Majesty will bee graciously pleased to returne unto and reside neare your Parliament. . ." It is quite strikingly contradictory to the overt parliamentary sympathies of the earlier petition. But the end of both petitions was reconciliation. Men were frightened by the hardening of attitudes between King and Parliament

¹ G. Sitwell (ed.), 'The Derbyshire Petition of 1641', D.A.J. vol. 19 (1897), pp. 20-23.

² P. R. O. SP16/405; Statutes of the Realm, vol. 5, pp. 58-59, 61.

³ D. N. B.

over the Militia Ordinance and they wanted a settlement of differences. Whereas in other counties, like Nottinghamshire and Cheshire,¹ petitioning contrived to exacerbate divisions of opinion amongst the gentry, in Derbyshire, the reverse happened. Men subordinated their own personal prejudices to the ideal of peace and unity.

Defection from Parliament, however, had already begun by the spring of 1642. For example, William Allestry was named (with Sir John Curzon) to administer the ordinance for disarming recusants on August 30 1641.² Soon afterwards, Allestry absented himself from the House of Commons, for which he was summoned to appear before the Speaker on November 15 1642.³ On December 9th, the house resolved to let him resume his seat and three days later, Allestry declared in the affirmative to the vote concerning the assistance to be given to the Earl of Essex.⁴ But once the King had established his court at Oxford, Allestry fled there.⁵ In October 1643, his estates were sequestered "for his neglecting and deserting the service of the commonwealth in not attending

¹ A. C. Wood, Nottinghamshire in the Civil War (Wakefield, 1971), pp. 10-20; J. S. Morrill, Cheshire 1630-1660 (London, 1974), pp. 46-59.

² L. J. 1640-1642, pp. 384-385.

³ C. J. 1640-1642, p. 855.

⁴ C. J. 1640-1642, p. 888.

⁵ Keeler, Long Parliament, p. 85.

the House as he ought to do."¹

But a much better documented case of emergent royalism in Derbyshire concerns the Earl of Devonshire. During the first six months of the Long Parliament Devonshire was indefatigable in his attendance at the House of Lords. His disappearance in May 1641 betrays his disapproval of the proceedings against Strafford. By the summer recess he had clearly become very critical of the parliamentary managers.² Certainly the King regarded the Earl as a potential supporter and in February 1641/42 he wrote to a number of peers, including Devonshire, to rally their votes on his behalf. Earlier in the month Charles had, in fact, given his permission to the Lords to absent themselves from Parliament; his change of mind was a recognition of the support he might muster in the upper chamber. The House of Lords were suspicious of the King's behaviour and declared "this to be a preparation to the effects of evil counsels."³

Devonshire and other peers did, for a short time, form a caucus in the Lords to challenge the parliamentary leadership. The Earl registered his dissent to the Militia Ordinance on March 5 1641/42 and to the declaration

¹ C. J. 1640-1642, p. 281; D. R. O. Gresley Letter Book, 803M. pp. 64-65.

² J. B. Crummett, 'The Lay Peers in Parliament 1640-1644' (Manchester University D. Phil. thesis, 1972), pp. 226, 232.

³ L. J. 1640-1642, p. 612; Crummett, 'Lay Peers in Parliament', p. 612.

of both houses about fears and jealousies on March 7th. In April he dissented from the appointment of the Earl of Warwick as commander of the fleet and from the vote to disable evil counsellors. The royalist initiative in the House of Lords was not sustained beyond the end of April and by May, thirty-two peers had left London for York. Devonshire resigned his commission as lord lieutenant of Derbyshire on March 22nd, but stayed in the capital until the end of May. His own departure for York was enveloped in secrecy: he and Salisbury pretended, even to their wives, that they were going to Hatfield to hunt. The Earl's withdrawal along with Bristol, de Grey, Howard of Charlton, Mowbray and Wentworth denoted that "the last nucleus of the protesting minority had gone."¹

On May 30th, Devonshire and eight other peers were summoned by Parliament to return to London.² In reply, they wrote a letter which was read to the Commons on June 4th.

"The cause of our coming [to York] being to pay a willing obedience to his Majesties command, signified by letters under his owne hand; And we shall be much comforted and satisfied

¹ L. J. 1640-1642, pp. 627, 629-631, 660, 697, 698; Crummett, 'Lay Peers in Parliament', pp. 298, 345.

² L. J. 1640-1642, p. 92.

(when his Majesties occasions shall permit us) to returne backe to the House to sit with the liberty and that condition that the peerage of England formerly have done secured from all menaces, or demanding any account of our particular votes, and from tumultuary assemblies."

It is unlikely that Devonshire took a lead in any of these events. He was young and according to the Countess of Leicester "although he was believed to be honest, he had no will of his own."² But on June 22nd, a list "of the lords that subscribed to levie horse to assist his Majestie in defence of his royal person, the two Houses of Parliament and the Protestant religion" named Devonshire as willing to provide Charles with sixty horse.³ Meanwhile, the Commons set in motion the articles of impeachment against the signatories of the letter read to the House on the 4th.⁴ On July 20th, the peers were sentenced and held incapable of sitting in the House of Lords. The main charge against them was that they had been "striving and endeavouring to beget a misunderstanding betwixt his Royall Majesty and the High Court of Parliament."⁵

¹ B. L. 669, f.6 (43): A letter sent from those lords . . . June 4 1642.

² Crummett, 'Lay Peers in Parliament', pp. 100-101.

³ B. L. 669, f.6 (41).

⁴ L. J. 1640-1642, p. 141.

⁵ C. S. P. D. 1641-1643, p. 357; B. L. E108 (6): Censure of the Nine Lords now Resident in the North; B. L. E153(9): Articles of Impeachment.

On the whole, in Derbyshire, political polarisation was slow to develop. Three justices indicted James Cowley on May 7 1642 "for speaking of very dangerous words",¹ but as the newsletter, "A Diurnal of Dangers" lamented, the aggressive overtures which passed between King and Parliament elicited few enthusiastic responses from the gentry in the provinces.

"Betwixt these two (malignant and well affected) I am confident there are halfe as many neuters, men so basely indifferent, and of so timorous natures, that aiming to serve God and mammon (it being too hard a taske) they resolve truly to serve neither, but write themselves the servants₂ of time."

It was the contradictory claims of the Commission of Array and the Militia Ordinance which caused rifts in the unity of the county. The Earl of Devonshire received a Commission of Array from the King in June³ and it was confidently expected in royalist circles that "he and the other commissioners of array for Derbyshire are to cause the men of that county to be trained and mustered on Saturday next July 2 in some place convenient for marching, if necessary, for the assistance of Henry Hastings . . ."⁴ The Venetian ambassador's intelligence of June 27th, that the county had already submitted to

¹ C. J. 1640-1642, p. 567.

² B. L. E122 (4): A Diurnal of Dangers, August 14 1642.

³ C. J. 1640-1642, pp. 634-635.

⁴ H. M. C. Hastings mss, vol. 2, pp. 84-85: Charles I to the Earl of Devonshire, June 27 1642.

the King's authority was premature and based on information that the writ had been despatched, not executed.¹ Twenty men received the Commission of Array: all of the peerage were included and most of Derbyshire's major gentry (see appendix 6).² They did not act, however, and on July 7th Devonshire was still at York.³ Only Sir John Harpur of Calke, sheriff for 1642, made an attempt to enforce the King's writ: on June 28th he ordered the bailiff of Wirksworth hundred to issue royal proclamations.⁴

At first the imposition of the Militia Ordinance in Derbyshire was equally unsuccessful. The Earl of Rutland, who was appointed lord lieutenant by Parliament on March 5 1641/42,⁵ was dilatory in executing his commission. Despite the House of Commons order, at the end of May, that all lord lieutenants were to put the Militia Ordinance into effect,⁶ Rutland did not act until June 29th when he arranged for a meeting of the deputy lieutenants and justices. The tone of the Earl's

¹ C. S. P. Venetian 1642-1643, p. 84.

² Northamptonshire Record Office, Finch Hatton mss, 133: A List of the Commissioners of Array in each county kept by Sir William Dugdale.

³ H. M. C. Hastings mss, vol. 2, p. 85: Secretary Nicholas to Hastings, July 7 1642.

⁴ D. R. O. Gell mss, 69/10.

⁵ D. N. B.

⁶ L. J. 1640-1642, p. 96.

round robin letter was entirely pacific and his intention was clearly to defuse a potentially explosive situation.

"Taking into consideration the manyfold distempers of the times and having a most indulgent and doughtifull care of his sacred Majestie and saftie of his Parliament and this countrie, do thinke it very convenient and our abounden dughty to consider of the safe keeping of the magazin, but also to advise of many other matters which may conduce to the better service of his Majestie and his Parliament and peace of the Kingdome, doe desire our meeting may bee upon Tuesday of the fift day of July next by nine of the clocke of the same day."

Rutland's initiative was, in fact, a timely one because on the very day of the Derbyshire gentry's assembly, Parliament gave him a fortnight to institute the Militia Ordinance.²

The evident ambiguity of the Earl of Rutland's political position in the late spring of 1642 was born out by his being named in the Commission of Array and in the Militia Ordinance.³ But his career in the House of Lords, since his succession to the earldom in March 1642, does not stand as a convincing expression of commitment to either King or Parliament. He does not appear to have immediately taken his seat in the House, confining himself to voting by proxy during April. In

¹ D. R. O. Gell mss, 66/21.

² C. J. 1640-1642, p. 651.

³ Northamptonshire Record Office, Finch Hatton mss, 133.

fact he was probably absent for much of the year.¹ In March Rutland was observed to have acted "kindly" towards the King in lending him a coach to take him to York.

"... the King sent him word he was more beholding to him than to any of his Lords in that journey", William Montague informed Lord Montague, "but my Lord hath accepted to be the Lieutenant of Darbyshire, and that will lose his honour."²

The Earl's appointment as lord lieutenant placed him in a false position. Like Thomas Knyvett, he had been "surpris'd what to doe, whether to take or refuse" and had eventually determined "to staye out of the way of my newe masters";³ hence his delay in executing the Militia Ordinance. At the beginning of July, Sir Edward Nicholas expected Rutland's arrival in York.⁴ It seems that the Commons' stricture of July 5th, insisting that the militia must be mustered within two weeks, was critical in spurring him to hasten northwards and he arrived in York sometime in August.⁵ Parliament's order had rendered superfluous the object of Rutland's meeting with his

¹ Crummett, 'Lay Peers in Parliament', pp. 256, 238-239.

² H. M. C. Buccleugh mss. at Montague House, vol. 1, p. 293:
William Montague to Lord Montague, March 24 1641/42.

³ B. Schofield (ed.), The Knyvett Letters (London, 1949), pp. 101-105.

⁴ H. M. C. Hastings mss, vol. 2, p. 85: Nicholas to Hastings, July 7 1642.

⁵ B. L. E112 (15): Some Speciall and Considerable Passages, August 9-16 1642.

colleagues of the lieutenancy and the bench, which to his mind, was to arrange for Derbyshire's neutrality. Yet, having reached the King's headquarters, he was equally distressed by the hardening of attitudes which he found there. On September 16 1642, repentant and bowed, Rutland retraced his steps and asked pardon from the House of Lords for his long absence.¹

Despite the Earl's defection, Derbyshire's lieutenants and justices proceeded to muster the trained bands in early August.² It is likely, though it is not possible to be entirely certain, that Sir John Curzon took the lead.³ He had been so unnerved by the deteriorating political situation and Henry Hastings' activities in Leicestershire, as to ask the House of Commons' permission to transport arms for the defence of Kedleston Hall as early as May 28th.⁴ He was allowed further reinforcements at the beginning of August.⁵ On August 3rd, Sir John Coke, Nathaniel Hallowes and Sir John Curzon were ordered to execute the Militia Ordinance. Parliament, in fact, had devised a new framework of organisation in Derbyshire which included a committee who were to assume military control (See appendix 7); but it is quite clear that, in the absence of a lord lieutenant, authority devolved

¹ Crummett, 'Lay Peers in Parliament', pp. 238-239.

² B. L. E112 (33).

³ Fletcher, 'Petitioning in Derbyshire', D.A.J. (1973), p. 39.

⁴ C. J. 1640-1642, p. 599.

⁵ C. J. 1640-1642, p. 706.

onto the county's M.P.s.¹

The ensuing muster, however, was a complete disaster.

"... there was a great division among the souldiers, for some were for the commission of Array, and others stood for the ordinance of Parliament. The contention grew so hot that there was 19 slayne of those that were for the commission of Array and twice of those which stood for the ordinance of Parliament."²

Apart from the newsletter which reported the incident, there is no other evidence of the clash of arms having taken place. Obviously the propaganda is explicit; if there was an outbreak of violence it was probably on a much smaller scale. Nevertheless, the report does show the weakness of parliamentarian control in Derbyshire. One of the justices, however, "a very able man . . ." made a speech in the defence of the ordinance of Parliament which gave the people great satisfaction." It is likely that Sir John Gell was the one who attempted to impress his authority on the proceedings. His interest in Parliament's fortunes is well attested in a letter from his son-in-law, Richard Radcliffe, dated July 1st, which gave an account of Manchester's defence against Lord Strange.

"I have sent you notice of our proceedings", explained Radcliffe, "that you maye certefye some of your frends and the better to know how to proceed in your owne countye in that designe of the militia."³

¹ C. J. 1640-1642, p. 705; L. J. 1640-1642, p. 260.

² B. M. E112 (33).

³ D. R. O. Gell mss, 41/31 (pa); 54/15 (e); 60/69.

Few men had the personality or commitment to impose either royal writs or parliamentary ordinances on the county. Curzon had not the personality to stamp his leadership on Derbyshire; in any case he was mostly in London. The Earl of Rutland was irresolute and the Earl of Devonshire was ineffective. Sir John Coke had been going through a crisis of loyalty since the passing of the Militia Ordinance. On March 18 1641/42, he wrote to his father telling him that, "I shall be very contented that the Earl of Rutland present not my name for a Deputy Lieutenant."¹ His desire to avoid involvement in executing the Militia Ordinance earned him a sharp rebuke from his father, but Sir John, as his letters in the following months show, was thoroughly despondent about the militancy of those around him. In July he confessed his wish ". . . to be absent if any clashing be either in Derby or Leicestershire betwixt the ordinance and commission of Array. My prayers are for peace", he wrote.² Coke's behaviour, however, courted adverse criticism. He was distrusted by Sir John Curzon who attempted to discredit Coke "as one they durst not trust in the country."³ In November 1642 the House of Commons, having been fed by Curzon's suspicions, insisted that Sir John "declare himself before he be intrusted as a deputy lieutenant."⁴

¹ H. M. C. Cowper mss, pt. 2, pp. 308-309.

² H. M. C. Cowper mss, pt. 2, p. 318-319.

³ H. M. C. Cowper mss, pt. 2, p. 315.

⁴ C. J. 1640-1642, p. 114.

Although Coke was eventually named as a member of the county committee, he was still regarded as one "that hath done very ill offices . . . against the Parliament."¹

The King passed through Derbyshire in mid-September unopposed,² but the presence of an army led to panic. The homes of Sir John Gell, Sir Thomas Burdett, Sir George Gresley and Sir Samuel Sleight were plundered³ by their countrymen, perhaps as an indictment of their parliamentarianism. The damage to his property was probably crucial in confirming Gell's allegiance to Parliament. In 1652 a commission of investigations into the patents of baronetcies conferred by James I and Charles I produced a statement from Gell,

"That whilst he was with the Parliament forces (the late King being then at Nottingham) his mansion house at Hopton in Derbyshire was plundered by the speciall command of the said late King at which tyme with other writings he lost his pattent whereby he was made a ⁴ baronett."

It may be doubted whether Charles was responsible for authorising the sack and in 1652, Gell was probably embellishing his sense of grievance. But the dissolution of law and order, which this incident signifies, was responsible for the polarisation of parties in Derbyshire.

¹ B. L. E244 (15): A Perfect Diurnall, December 12-19 1642.

² C. J. 1640-1642, p. 705.

³ B. L. E240 (2): England's Memorable Accidents, September 12-19 1642.

⁴ Sheffield City Library, Elmhirst mss, 1285/1.

Fears that the King would vent his wrath on a disloyal community were unfounded, yet the county's sense of insecurity was enhanced by the recruitment of five hundred men of the trained bands and the disarming of the rest.¹ On his departure Charles had left Derbyshire wide-open to royalist intrusion. The newsletter, "England's Memorable Accidents" reported that,

"The Cavaliers have made lately great havock in Derbyshire, they draw ordinance along with them to face mens' houses; they rifle all to a thread, they seize upon pots, kettles, pannes and pewter, they cut and breake in pices tables, chaires, stooles, chests, truncks and bedsteads; they heave and cut in sunder pillowes, bouldsters and feather beds, stowe the feathers about the chambers, and carry away the tikes, they draine the wine and beere in sellers out of the vessells and overturne the milke-bowles in the dayries, they drive away all the cattell they can find of all sorts, they leave not a pike, musquet, sword or halbert in any man's house and demeane themselves . . . barbarously and execrably."

Despite the dramatic licence and propaganda explicit here, stories of this nature would considerably heighten people's feelings of anxiety and menace.

At first the ascendancy of both sides was challenged by the inertia of the population. Though the King had managed to recruit some men of the trained bands in addition to an alleged 1000 Derbyshire miners,³ future

¹ C. J. 1640-1642, p. 705.

² B. L. E240 (2): England's Memorable Accidents, September 12-19 1642.

³ B. L. Add. mss, 6833, pp. 58-59, 68; See Introduction pp. 12-14.

royalist recruiting efforts met with a desultory response. An attempt to array men in Chesterfield, led by Lieutenant Colonel Shirley, raised "but foure and twenty thred bare striplings and at Derby but six more such younglings."¹ At the end of October 1642 the Yorkshire cavalier, Sir Francis Wortley, established himself at Wirksworth. He earned a notorious reputation as a plunderer and a man of violence.² Notably, these military initiatives were taken by men who were not indigenous to Derbyshire. Local royalists, like the parliamentarians, chose to remain inconspicuous. The county committee seemed moribund and the Earl of Rutland had disappeared to his estate at Belvoir Castle in Leicestershire.³ "That whole county [of Derbyshire] lies open, and puts not itselife into any posture of defence", mourned one parliamentary newsletter. The unfortunate minister of Bakewell, in order to protect himself from Sir Francis Wortley's attentions, had nothing but a bow and arrows at his service.⁴ As autumn passed, a complete administrative breakdown was rapidly taking place.

¹ B. L. E240 (7): England's Memorable Accidents, October 3-10 1642.

² Glover, Derby, vol. 1, appendix, pp. 67-68; Account by Sir George Gresley.

³ B. L. E118 (10): Speciall Passages, September 13-20 1642.

⁴ B. L. E240 (49): England's Memorable Accidents, October 24-31 1642.

The impasse was resolved by Sir John Gell whose decisive action dragged a reluctant county into civil war. At the beginning of October he went to Hull in order to raise a regiment of foot soldiers. Sir John Hotham reported to Speaker Lenthall that he,

"had yielded to Sir John Gell of Derbyshire to lend him 120 more of my men to give a beginning to settle the militia in Derbyshire, which county rightly settled - as they have assured me with those men they quickly can - gives great security to Yorkshire, Derbyshire being the best pass into Yorkshire should any forces be sent from the King's army."

By October 16th Gell had returned to Derbyshire and was enlisting men at Chesterfield; by the end of the month he had garrisoned Derby with 700 men.² Sir John Gell was emerging, like Sir Anthony Weldon in Kent and Sir William Brereton in Cheshire, other men whose estates and social standing did not make them major figures in their counties, as the dominant personality in determining his county's allegiance.³ His lack of social connections

¹ H. M. C. Portland mss, vol. 1, p. 66.

² Glover, Derby, vol. 1, appendix, p. 58; A Relation by Sir John Gell; H. M. C. Portland mss, vol. 1, pp. 78-79; Sir George Gresley, Sir John Gell, Thomas Gell, Nathaniel Hallows to Speaker Lenthall, December 13 1642.

³ A. M. Everitt, The Community of Kent and the Great Rebellion (Leicester, 1966), pp. 84-116; Morrill, Cheshire, pp. 31-75.

makes Gell's initiative all the more remarkable. His was a truly unilateral intervention. This in itself accounts, in part, for the opposition he caused by his precipitate actions.

The mayor of Derby regarded Gell as a peace-keeper who would oust the alien incendiaries, like Wortley, from the county borders.¹ But others were more alert to the implications of Gell's enterprise. The most important and influential gentry met at Tutbury, in Staffordshire, to discuss the matter.² Amongst them were the Earl of Devonshire and the Earl of Chesterfield, the sheriff, Sir John Harpur of Calke and Sir Edward Vernon, a deputy lieutenant under the Militia Ordinance who had assisted Rutland in the arrangement of the July 5th meeting; he was also a nominee to the Commission of Array.³ Sir John Fitzherbert of Norbury and Sir Simon Every were present; they were both J.P.s and members of the militia committee and the Commission of Array.⁴ Their opposition to Gell was based on neutralist sentiments; they desired, above all, to keep Derbyshire free from conflict. The

¹ B. L. E242 (6): England's Memorable Accidents, October 31 - November 7 1642.

² Glover, Derby, vol. 1, appendix, p. 68; Account by Sir George Gresley.

³ H. M. C. Cowper mss, pt. 2, p. 310; Northamptonshire Record Office, Finch Hatton mss, 133.

⁴ L. J. 1640-1642, p. 260; Northamptonshire Record Office, Finch Hatton mss, 133.

result of their consultations was the despatch of a "threatening letter" sent to Gell "for his coming with forces into that countie." In his reply, Sir John countered the neutralism of his countrymen with the kind of arguement designed to have the widest possible appeal,

" . . . that it seemed strange they should growe so quickly jealous of hym, theyre owne countrie man, wol known to them, and that had no other end, then the clearing of his country from theeves and robbers, to mayntaine the laws of the land and the liberties of the subject."

In the final weeks of December 1642, the signatories of the Tutbury letter made one last attempt to procure Derbyshire's neutrality. They invited representatives of Sir John Gell to a meeting at Etwall, but Sir George Gresley, Lieutenant Colonel Thomas Gell, Major Sanders and Mr. Hallows, "quickly perceived that nothing would suite the designes of the malignant, but the dissolving of our forces, wee resolved to keepe together." The Derbyshire gentry had irrevocably split. Sir John Harpur of Swarkeston left the Etwall meeting and rode to Ashby-de-la-Zouch to beseech the assistance of the Leicestershire royalist, Henry Hastings.²

¹ Glover, Derby, vol. 1, appendix, p. 68: Account by Sir George Gresley.

² Ibid.

CHAPTER 3

The County at War

Although Sir John Gell had garrisoned Derby for Parliament at the end of October 1642, his control over the rest of the county still hung very much in the balance. He lacked the support of the major gentry and the violent carriage of his troops did not endear him to his countrymen. But, in the main, Derbyshire struggled to resist becoming involved in the conflict.

In his narrative of the first civil war, Sir George Gresley claimed that, at first, he was the "onely gentleman of quality in this county that cordyally appeared" on Parliament's side.¹ Clearly, if Parliament's power was to be sustained and extended, the gentry's aloofness needed to be overcome. On October 3 1642 the militia committee, named in the ordinance of August 3rd, was altered in an attempt to galvanise local figures of prestige into action: Sir John Curzon, Sir Edward Vernon, Sir John Coke junior, Sir Edward Coke, Sir Samuel Sleight and Sir Edward Leech were added or re-named.² The new committee reflected Gell's attempts to endow his party with an aura of respectability and social influence but he achieved mixed results. Vernon refused

¹ S. Glover, County of Derby (Derby, 1831), vol. 1, appendix p. 68: Account by Sir George Gresley.

² C. J. 1640-1642, pp. 831-832; B. L. C21. b10(11).

to act and his name was dropped in January. Despite being nominated to the committee during the winter of 1642/43, Leech was dropped in the following summer although he reappeared again in February 1644/45.¹ Sir John Coke junior hung on tenaciously to his neutrality: he was named on committees, but there is no evidence that he participated in administering the county.² Coke's attitude annoyed Gell who wrote to Speaker Lenthall, on December 13th, blaming the M.P. for Derbyshire's failure to assist other counties.

"We were and are willing to help them all to our power and are confident we could have done it if Sir John Cooke, one of the Knights of the Shire, would have been forward in it, but the truth is we have many malignants in this county and men of great power with whom he is more conversant than with us . . . We desired Sir John Cooke to join with us, but he absolutely refused, for what cause we know not but believe it is his dislike of the business, and that this is a meanes to displease the commissioners of Array and some other malignants with whom he is very familiar." 3

Neutrality was contemptible to those whose allegiance to either King or Parliament was clear cut, yet Coke was probably a more authentic indicator of gentry feeling. For instance, in Westminster Coke's prestige remained

¹ C. H. Firth and R. S. Rait, Acts and Ordinances of the Interregnum (London, 1911), vol. 1, pp. 49-51, 228, 637.

² Ibid., pp. 49-51, 111.

³ H. M. C. Portland mss., vol. 1, pp. 78-79.

high in spite of Gell's smears. Coke's return to the House of Commons, after absenting himself for much of the summer, was ". . . welcomed . . . where he hath gained much love and respect for his wise and temperate carriage", wrote Edward Reed to Sir John Coke senior.¹ Moderation and hopes of a political settlement were key factors in Sir John Gell's failure to rally the Derbyshire gentry behind him. But even when important people became parliamentarian activists (like Sir George Gresley, Sir John Curzon and Sir Samuel Sleight), their influence on the county committee quickly passed to men of lesser social status.² Eventually, however, as the peace formula constructed around the Oxford Treaty negotiations collapsed in the spring of 1643, the majority of the county's elite drifted into the King's camp.

Earlier, in the winter, Gell's inability to win the affections of his neighbours owed much to the lawlessness of his soldiers. In her memoirs, Lucy Hutchinson described the troops as "the most licentious, ungovernable wretches that belonged to Parliament." Hutchinson alleged that Gell was primarily at fault: he "pursued his malice" towards Sir John Stanhope's widow in an act of revenge for the trouble Stanhope had caused him during his shrievalty. Whilst "pretending to search for arms and plate" at Elvaston, Hutchinson stated that Gell

¹ H. M. C. Cowper mss, pt. 2, pp. 328-329: January 2 1642/43.

² See below Chapter 4, 5 and 7.

" . . . came into the church and defaced his [Stanhope's] monument that cost six hundred pounds, breaking off the nose and other parts of it. He dug up a garden of flowers, the only delight of his widow, upon the same pretence; and then wooed that widow, who was by all the world believed to be the most prudent and affectionate of womankind, till, being deluded by his hypocrises, she consented to marry him, and found that was the utmost point to which he could carry his revenge, his future carriage making it apparent he sought her for nothing else but to destroy the glory of her husband and his house."

The account is doubtless coloured by Lucy Hutchinson's prejudice against Gell owing to the poisoned relations which existed between him and her husband,² but there is further evidence that the Derbyshire commander terrorised the local population. In a letter to the mayor and aldermen of Derby written on January 2 1642/43, the inhabitants of the parishes around Melbourne, Swarkeston and Elvaston complained that,

" . . . we cannot but take notice of the forces lately raised by Sir John Gell, baronet, who have theyre residence within the towne of Derby; and from thence issue into divers parts of this county, to the great suffering of many, and to the terror and affrightment of many; as is donne to the Erle of Chesterfield at Bretby, to the value of many thousand pounds; and since taken from Mr. Sacheverell, of Morely, £3000, in money, besides horses and other goodes; and from Mr. Gilbert of Lockoe, to the value of £200, and from many of us, and our neighbours' horses coming to the

¹ L. Hutchinson, Memoirs of the Life of Colonel Hutchinson, (ed.), C. H. Firth. (London, 1906), p. 101.

² See below, pp. 141-142, 146-148, 152-153, 164-165.

markett, which caused divers to throw off theyre sacks of corne upon the way, and returne home; so that we dare not come to your markett to sell our commodities, nor can we assure ourselves of saftie at home."

The letter was intended to enlist the corporation's support "for the disbanding and disarming of these men that have been so burthensome to us." If the request was denied, the complainants argued, they would have no alternative but to embrace the protection of Henry Hastings.¹ Probably the prime-mover behind the appeal was Sir John Harpur of Swarkeston who was using the parishes' hostility to Gell as the basis for one last overture to the predominantly pacific inclinations of his countrymen.

Sir John Gell's unpopularity and the general tendency of people towards neutrality provided the royalists with an opportunity to challenge Parliament's hold on Derbyshire. In the middle of November 1642 agents of the Earl of Newcastle arrived in Derby and demanded arms:

" . . . the townesmen flatly denyed them . . . [but there] was a mutiny made by some malignants who would have had the armes delivered to the Gentlemen, wherein one Frost a principall malignant² is reported to be slaine."

There was, it seems, substantial royalist sentiment in the town despite the existence of the parliamentary garrison. Derby was despaired of by one parliamentarian

¹ Glover, Derby, vol. 1, appendix p. 74.

² B. L. E128 (19): The English Intelligencer, week ending Saturday, November 19 1642.

newsletter as having "too many malignants who will do little or nothing for the Commonwealth."¹

Royalist opposition to Sir John Gell's initiative, however, was dilatory. The Earl of Chesterfield did not receive a commission from the King to raise a regiment until November 24th and Sir John Fitzherbert of Tissington waited a further month to receive his.² Royalist dis-organisation impeded attempts to co-ordinate military strategy; individuals tended to act independently.

England's Memorable Accidents sardonically remarked that the Earl of Chesterfield had a roving commission to "plunder the inhabitants of Derbyshire." But, in reality, Chesterfield confined his activities to uttering threats from the security of his home at Bretby. At the end of December Gell moved against him on intelligence that the Earl was about to translate rhetoric into action and seize Swarkoston and Burton bridges - two important passages over the Trent.³ The meagre royalist forces were impotent against Gell, and Bretby was abandoned; Chesterfield fled to Lichfield where he became a leading

¹ B. L. E242 (37): England's Memorable Accidents, November 28 - December 5 1642.

² B. L. Harl.mss, 6852: A brief of such commissions for the raising of horse and dragoons.

³ B. L. E244 (34): England's Memorable Accidents, December 26 - January 2 1642/43.

figure in defending the town for the King.¹

Yet, the militarists of both sides were thwarted by the county's refusal to contribute men, money and materials for the waging of a war which many found thoroughly distasteful. Ironically, parliamentarians and royalists used the same organs of local government, which was bewildering to the high and petty constables who were the recipients of contradictory instructions. Royalist orders, in December, to apprehend those who have "uttered words . . . against divers of his maties leige people . . . most insufferably tending to the breache of his maties peace", were matched, in January, by parliamentarian demands on the gentry for the provision of a mounted soldier with one month's pay. Accompanying the order was a warning that anyone who refused to comply "must expect to be dealt with as an opposer of ye Ordinance of Parliament and one that refuseth to help ye countrie in tyme of necessity."²

A series of letters sent by the parliamentarian county committee in January to one unco-operative gentleman indicates the intensity of the pressure that was brought to bear on neutrals and malignants. The first letter warned the recipient that,

"You have been formerly sent to for
your resolution what you would doe for

¹ Glover, Derby, vol. 1, appendix pp. 68-69: "Account by Sir George Gresley.

² D. R. O. Gresley Letter Book, 803M, pp. 42-43, 49.

the defence of your countie. Mr Hastings is now come with his forces to Swarkeston to the apparent disturbance of the peace of this country. There is no longer tyme to dissemble. Therefore you must declare yourselfe eyther for hym or us and that presently by tomorrow at noone."

Another despatch quickly followed, after it was found that this one had been ignored.

"You have had tyme enough to resolve eyther to be for the countie or those yt robb itt. Mr Hastings with his crew doth the later. We are resolved to oppose hym . . . If you speedily send us any assistance to this good worke, doe it before Wensday night the 14th of this monthe otherwise assure yourselfe wee know howe to value both newters and enemies. There is no further tyme for delay; you may do your countrie service and oblige."

The identity of the gentleman at the centre of so much attention may be guessed from the destination of the correspondence: Swarkeston. There, only Sir John Harpur was sufficiently important to warrant such persistent persuasion. The final letter reveals him.

"Sir, I am weary with expecting your answer to my former letter and am sensible how much you slight mee. I am also informed you are become head of a partie and are entring into league with papists. This I cannot suffer."

After the abortive meeting at Etwall in December 1642, Harpur had ridden to Ashby-de-la-Zouch to secure the help of Henry Hastings. But this, for the moment, was a fleeting flirtation with royalism; as his influence behind the letter of south Derbyshire parishes shows, Harpur was more

¹ Ibid., pp. 41, 45.

interested in arranging some kind of pacification. However, the county committees' insistence that he should declare himself drove Harpur into a corner. Some time in January, in fact, he fortified his house for the King.¹ Similar letters combining exhortations with threats were sent to Derbyshiremen living in London. A plea "to the citizens of London, our countrymen" to raise a troop of horse was probably unsuccessful: the capital was a haven for those seeking non-involvement.²

Resistance, obstruction and prevarication thwarted the efforts of both sides to raise, arm and finance an army. Sir Edward Hyde, for instance, related an amusing tale of two aristocrats "of great parsimony." Francis Leake, Lord Deincourt of Sutton Scarsdale in Derbyshire and the Earl of Kingston were both approached to "borrow ten or five thousand pounds" for the King's service. The Earl equivocated and stated that the King would benefit more from his "neighbour who lived within a few miles of him, the Lord Deincourt, who was a good for nothing, and lived like a hog, not allowing himself necessaries, who could not have so little as twenty thousand pounds in the scurvy house in which he lived." On the advice of Kingston, John Ashburnham, the King's messenger, travelled to Sutton in order to procure a contribution from Deincourt, but Deincourt refused to believe the validity of the King's

¹ Glover, Derby, vol. 1, appendix p. 58: Relation by Sir John Gell.

² D. R. O. Gresley Letter Book, 803M, p. 46.

signature: he had "had so little correspondence with the court." The unfortunate Ashburnham was given "an ill supper" and an "indifferent bed" whilst Deincourt despatched a servant to Lord Falkland to inquire about the authenticity of Ashburnham's mission. In the morning, his credentials having been confirmed, Ashburnham was afforded greater respect. However, "with as cheerful a countenance as could be, for he had a very unusual and unpleasant face", Deincourt "told him, that though he had no money himself, but was in extreme want of it, he would tell him where he might have money enough; that he had a neighbour, the Earl of Kingston that never did good for anybody, and loved nobody but himself and could furnish the King with as much as he had need of."¹ The King's applications for money failed, but as the war gathered momentum neutrality became an increasingly untenable position. Finally, in April 1643, Deincourt threw in his lot for the King: he lent him £1000 and fortified Sutton.² The parliamentarians, however, treated his stance with derision. "Certain Informations" described how

"Lord Deincourt, who all this time hath stood neuter, and neither complied with the King nor the Parliament, onely he hath kept some of his tenants in armes, in a

¹ Clarendon, History of the Rebellion (Oxford, 1888), vol. 1, pp. 332-333.

² N. Kirkham, 'The Leake Family in the Civil War', Derbyshire Miscellany, vol. 7, pt. 1 (spring 1974), pp. 4-5.

rotton house of his at Sutton, three miles from Chesterfield."

Lord Deincourt's alignment with the royalists proved short and unhappy. In April 1643 Sutton was besieged; Deincourt "was summoned, refused to yield, and obstinately held out for a long tyme, yet at last he came forth and pawned both his fayth and honour to perferme certaine easie conditions." He eventually fled to Newark - contrary to the articles of surrender - and in an act of retribution, the parliamentarians pillaged the house. Whilst at Newark, Deincourt was forced to "unbury his money" which was used in the King's service.²

The parliamentarians in Derbyshire found neutrality and malignancy increasingly more difficult to distinguish from one another. In any case, the solution to both was the same: armed search, the use of force and even plunder became regular military procedures. In the winter of 1642 local government officials were ordered to "seize upon . . . plate, armes, horses of any malignants, where you are strong enough and when you are not, send to us and wee will assist you with more forces."³ In 1643 Edward Lowe of Alderwasley, near Wirksworth, petitioned the King for the restitution of losses sustained by plunder. He related how,

¹ B. L. E100 (10): Certaine Informations, April 24 - May 1 1643.

² Glover, Dorby, vol. 1, appendix p. 70; Account by Sir George Gresley.

³ D. R. O. Gresley Letter Book, 803M, p. 44.

" . . . his house hath been plundered . . . 26 times and all his household goods, 500 sheepe, fourscore and ten beasts, 44 horses, and all his rents taken, his woods cut down and taken away . . . and his hay and corn both the last year's crop and this, in all amounting to the value of £3000."

He described how on October 29 1642,

"Captain Matthews, Ralph Peoyser, and three hundred soldjiers came in the night about ten of the clock, shott in at the windows and had liked to have killed a gentleman in the house, breaking open the doors, and tooke moncys, plate, and jewelles and bedding . . . to the value of £500."

Catholics, of course, were automatically suspected of royalism. In January 1642/43 Captain Thomas Sanders, one of Gell's officers, went to the house of Jacinth Sacheverell at Morley, "a known papist", where he found eight horses, one hundred pounds in gold, a silver "masse bell" and a trunk containing three thousand pounds, "which was borrowed to be employed for the publicke good of the Commonwealth."² In fact, fears of catholic conspiracy had made papists the earliest victims of armed search. Discovery was made of a magazine hidden in the house of Mr Powtroll at West Hallam in September 1642. The report, in Speciall Passages, alleged that the store of weapons was for the use of the catholics of the county;

¹ A. E. Lawson Lowe, 'Some Account of the family of Lowe of Alderwasloy and Denby in the county of Derby', D.A.J. vol. 3 (1881), pp. 169-171.

² B. L. C21 b10 (10): Speciall Passages, January 10-17 1642/43.

having made a forced entry into the house, the soldiers found Endymion Porter, his son and the son of Sir Francis Willoughby. In a vault they also found "one Atkins a knowne Jesuit."¹

The local struggle for control of the county, however, slowly became subsumed in the wider conflict. Derbyshire's flanks were particularly exposed to attack by royalists from surrounding counties. The royalist garrisons at Lichfield and Tutbury in Staffordshire and at Ashby-de-la-Zouch in Leicestershire pincered the hundred of Repton and Gresley; the small parliamentarian garrison at Derby did not have the manpower to conduct war on more than one or two fronts. In addition, it was helpless to resist the powerful field armies commanded by the Earl of Newcastle and Prince Rupert. The hundreds of High Peak and Scarsdale, in the north of Derbyshire, were especially vulnerable during Newcastle's three penetrating offensives between 1642 and 1644. A letter from the parliamentarian county committee, written sometime in December or January 1642/43, highlighted the dangers from royalist forces coming from outside Derbyshire:

"Fyrst there is come this night (as we are informed) a traine of horse, lead by a desperate and bloody malignant, quartered within 2 myles or less of us. Secondly our horse going out upon a designe this afternoon discovered 100 horse or more within 5 myles of the towne which makes us howerly expect an alarum from Collonell Hastings . . . our souldyers are altogether unwilling to

¹ B. L. E118 (13): Speciall Passages, September 13-20 1642.

march on foote & all our dragoons
 . . . are sent to Chesterfield to
 quiet ye Peake who are now in
 tumult, instigated by ye earle of
 Newcastle's fyrebrands & insendyaries.
 Ashbourne a town bordering . . .
 Staffordshire hath sent late this
 night to desire ayde against many
 papists yt are gathered together
 . . . our works for the defence of
 the towne are now in ye budd & like
 to be blasted forever if we use not
 our best endeavour to promote them
 with speede . . . so many forces¹
 surrounding us on every syde."

In order to combat the inability of local forces to measure up to the pressure, between November 1642 and January 1642/43, Parliament devised a policy of associating counties for the purpose of mutual assistance. The reluctance of armies to fight outside the border of their county hopelessly undermined the planning of large-scale military campaigns: therefore, regional associations were intended to counteract the debilitating effects of parochialism. Parliament's first move towards a theory of regional strategy came on November 17 1642. The House of Commons was informed,

"that papists and other malignants and ill-affected persons, inhabitants of the counties of York, Northumberland, Westmorland, Cumberland, Lancashire, Cheshire, Durham and Newcastle have entered into an association; and have raised and dally do raise great forces. . ."

In response, M.P.s ordered the "well affected" to "associate themselves and mutually aid, succour and assist one another." Ferdinando, Lord Fairfax was appointed commander-in-chief with authority for the "levying, leading and

¹ D. R. O. Gresley Letter Book, 803M, p. 59.

conducting all such forces as are or shall be raised in the severall counties."¹ Primarily, Parliament's seizure upon the idea of inter-county co-operation was a belated reaction to royalist organisation on the same lines. But the failure of the Northern Association to prevent the Earl of Newcastle's advance into Yorkshire in December² caused Parliament to redraw its regional boundaries. On December 15 1642 the East Midland Association was formed comprising the counties of Derbyshire, Leicestershire, Nottinghamshire, Huntingdonshire, Bedfordshire, Buckinghamshire and Rutland under the command of Lord Grey of Groby.³

The ordinance of association declared that "wherein His Majesty, by the instigation and advise of divers about his royal person hath raised forces against the Parliament" the above counties "should enter into an association for the mutual defence and safety of each other." Committees for each county were appointed which were "to meet at such times and places as they shall think fit." Their function was to raise arms, ammunition, horses and men upon the Propositions "or by any other way that they shall judge convenient." Grey was given power "to lead and carry the said forces to such places as he shall think fit", even beyond the borders of the individual

¹ C. J. 1640-1642, p. 858.

² S. Gardiner, History of the Great Civil War (London, 1894), vol. 1, pp. 71, 86-87.

³ C. J. 1640-1642, pp. 893-894.

counties and the association itself.¹

A theory of co-operation between counties was a direct contradiction to the pre-eminent loyalties of the gentry to their own shire. In the seventeenth century, local aspirations generally triumphed over nascent conceptions of the nation-state and although military associations attempted to strike down such prejudices, they largely failed to do so. The East Midland Association ordinance, in particular, was weak in this respect and feeble in comparison to its counterpart establishing the Eastern Association. The localism of the eastern counties was muted by the legislative authority given to the Earl of Manchester backed by a centralised administration governing the region.² The East Midland Association was never given these supports; Grey exercised very little control and the individual county committees and military officers organised the defence of their localities separately.³

These centrifugal forces were intensified because control lay with the county committees: there was no central kitty to match that of the Cambridge committee nor any definite strictures concerning the meeting of representatives of the counties.⁴ The East Midland

¹ Ibid.

² C. Holmes, The Eastern Association in the English Civil War (London, 1974), pp. 108-116, 119-162.

³ Ibid. p. 1

⁴ Ibid. pp. 119-162.

Association "foundered financially. The December ordinance had mistakenly suggested that the military commitments of the local armies could be sustained by money raised on the Propositions. By February 1642/43 it was clear that adequate resources could not be collected on the Propositions or on the Weekly Assessment. The House of Commons ordered the M.P.s from York, Lancashire, Lincolnshire, Nottinghamshire, Leicestershire, Rutland and Huntingdonshire, "to consider of some way for the constant pay and supply of the northern army."¹ (This was probably the House's description of the assortment of forces under the Fairfaxes.) The meeting provided no solution; each county continued to finance its own troops as best it could. The pooling of resources gained no general support. It was hardly likely to be well received since the counties represented at the meeting straddled the Northern and East Midland Associations, and several counties, including Derbyshire, were not even invited to send delegates to the discussion.

The East Midland Association was not geographically or territorially a feasible unit. Until the Earl of Newcastle's defeat at Marston Moor on July 2 1644, the major anxieties of Derbyshire, Leicestershire, Nottinghamshire and Rutland centred on military developments in the north and east of the country. The southern counties of the Association had different preoccupations: Huntingdonshire felt a stronger identity of interest

¹ C. J. 1640-1642, pp. 985, 998.

with the Eastern Association and was placed under Lord Grey of Warke in May 1643.¹ Buckinghamshire was totally hostile to an alliance which had little relevance to her problems and in February 1642/43, she made an unsuccessful attempt to join the Eastern Association.² For most of the war, Buckinghamshire and Bedfordshire were frequently amalgamated with east anglian counties and, with Northamptonshire, financed the garrison at Newport Pagnall.³ But it was not until the spring of 1644 that the military requirements of Buckinghamshire and Bedfordshire were met. They were associated with Oxfordshire by an Ordinance of June 25th.⁴ These three counties were relatively untouched by the war in the north: the royalist garrison at Oxford was much more pertinent to them.

Derbyshire's military role during the first civil war was closely bound up with the fortunes of the East Midland Association. Moreover, Derbyshire's involvement with the association demonstrates the inefficiency of regional strategy in the east midlands and shows why Parliament ultimately abandoned the experiment in favour

¹ C. J. 1642-44, p. 102.

² A. M. Johnson, 'Buckinghamshire 1640-1660' (University of Wales M.A. thesis, 1963), p. 184.

³ H. Fowler (ed.), 'The Civil War Papers of Sir William Boteler 1642-1655', Bedfordshire Historical Record Society, vol. 18 (1936), pp. 1-41.

⁴ Firth and Rait, Acts and Ordinances, vol. 1, p. 458.

of the creation of a national army. Effectively, the conflict between men's over-riding concern with provincial matters and the demands made by the parliamentarian leadership for a more national outlook from its local commanders, proved too great.

At the beginning of January 1642/43, Sir John Gell's authority in Derbyshire was seriously challenged by Colonel Henry Hastings. Hastings had executed the Commission of Array in Leicestershire in June 1642; for this he was impeached by Parliament. The influence of his family and his personal popularity sustained the royalist cause in Leicestershire but the struggle was fierce owing to his rivalry with the parliamentarian, Lord Grey of Groby; "they fought the public quarrel with their private spirit and indignation." Hastings was at Edgehill after which the King appointed him colonel-general of the counties of Leicestershire, Staffordshire and Derbyshire. He made his headquarters at Ashby-de-la-Zouch, a few miles from the Derbyshire border.¹ Thus, Hastings was the primary threat to Parliament's control of Derbyshire and his relations with Gell were especially venomous. Propagandist diatribes regularly passed between the men; a letter from Gell in December 1643 contained an interesting comment on the social divisions

¹ D. N. B; L. J. 1640-1642, pp. 100-101; J. P. Pickles, 'Studies in Royalism in the English Civil War 1642-1646, with special reference to Staffordshire' (Manchester University M.A. thesis, 1968), p. 76.

he believed existed between the two sides.

"There be such dangerous cutthroats in Ashbye that vow ye destruction of all rebels, let me advise you", Gell told Hastings, "to keepe far from them, for to a well informed judgment, it is manifest yt ye enymees of the Commonwealth are the greatest rebels. Ye Lord Capell & Byron are ioyned against Sir William Bruerton, signifies as much, as one ancyent knight is to be valued at ye rate of 2 new Lords."

However, propaganda bore little fruit. For instance, Hastings' promises of "peace and security" failed to win recruits amongst Derbyshiremen.² A letter from the residents of a town in south Derbyshire, probably Derby, expressed amazement

". . . to fynde so much difference betwixt your wordes and action; you promise frendshipe to our town and you robb our carrier and in yt desend not only belowe a souldier but become guiltie of such an act of inhumanitye, yt even ye mortalist enemies of Christendome are free from. You pretend no hyndrance to our markett, yet brake up Swakeston bridge and stop ye passages to our town. This is not answerable to your professions for our county to do no man any wrong."

Hastings' attack on Swarkeston in January 1642/43, brought swift retaliation from the parliamentarians, Lord Grey, Sir John Gell and Sir William Brereton. He

¹ D. R. O. Gresley Letter Book, 803M, pp. 70-71.

² Ibid., p. 47.

³ Ibid., p. 50.

was driven back to Ashby where he faced a siege.¹ The parliamentary offensive came to nothing, however, owing to intelligence that Prince Rupert had left Banbury to relieve the royalists.² Sir George Gresley reflected bitterly on Grey's order to withdraw; the news of Rupert's advance, he thought, was "false" whilst Grey's behaviour smacked of cowardice.

"So apprehensive was his lordship of Prince Rupert's coming that he went straight to Leicester, where Sir William Bruerton and he stayed upon theyre owne occasions untill they lost us and the towne £500, which was but a small loss in respect of what Hastings hath since done to us; who hath ever been a thorn in our sydes."³

Gresley realised the significance of failing to take Ashby. The garrison survived to harass Derbyshire until February 1645/46.⁴ But of equal significance, the campaign had highlighted many problems endemic in the East Midland Association. The association's military performance was undermined by the irresolute leadership of Lord Grey which led to dissatisfaction and acrimony

¹ B. L. E86 (27): An Exact and Perfect Relation of a Great Battle Fought neere Derby between Mr. Hastings of Leicestershire and Sir John Gell.

² Glover, Derby, vol. 1, appendix p. 59: Relation by Sir John Gell.

³ Ibid, p. 68: Account by Sir George Gresley.

⁴ B. L. E506 (19): Perfect Occurrences, March 13-20 1645/46.

amongst junior officers. Grey's commission as commander-in-chief was scarcely a reality; he was a "cypher", exercising "only the most nominal control" over the forces of the association.¹ This was because armies comprising the association rarely acted together and were frequently diluted by regiments (such as Sir William Brereton's Cheshiremen) from other counties. In addition, command over operations passed to several individuals. There was little sense of that unity of purpose which characterised the Eastern Association and Grey was never given an opportunity to establish a charismatic hold over the association like that achieved by the Earl of Manchester or Lord Brooke.

In February 1642/43, Derbyshire lay in the path of the Earl of Newcastle who was marching south to rendezvous with the King². The county's security was partly dependant on the endurance of the parliamentary garrison at Nottingham, which together with Derby, formed a barrier in defence of the east midlands. Apprehensions for the safety of both towns were well founded; Derby's defence works were barely completed³ and Newcastle's offensive gave heart to the county's royalists. The parliamentary newsletter commented that though "this

¹ Holmes, Eastern Association, pp. 1-2.

² B. L. E86 (35): Certain Informations, January 23-30 1642/43.

³ B. L. E90 (3): Certain Informations, February 13-20 1642/43.

county (that) was as unanimously right for the Parliament as any in England, for want of leads and encouragement is much declined."¹ But the threat posed by Newcastle was only one of Gell's worries. Having driven the Yorkshire royalist, Sir Francis Wortley, out of Derbyshire by December,² Gell found that he had successfully established himself at Stafford. The royalists also had control of Tutbury and Lichfield in Staffordshire.³ This county was integral to royalist strategy: "it being the key of Yorkshire unto Oxfordshire", Walter Littleton told Hastings.⁴ Royalist dominance in Staffordshire was also the key to Derbyshire's insecurity and so it was inevitable that Sir John Gell responded to a request from the moorlanders, living around Leek, for assistance.⁵

Between March 2nd and 5th, parliamentarian forces under Lord Brooke, Sir John Gell, Sir Arthur Haselrige, Sir William Brereton and William Purefoy captured Lichfield Close.⁶ For Gell it was a personal triumph;

¹ Ibid.

² B. L. E90 (12): Speciall Passages, February 7-14 1642/43.

³ Pickles, 'Staffordshire', pp. 75-78.

⁴ N. M. C. Hastings mss, vol. 2, pp. 90-91: February 9 1642/43.

⁵ B. L. E90 (3): Certain Informations, February 13-20 1642/43.

⁶ B. L. Harl. mss, 2043/25.

after Brooke's untimely death, he was given command of the attack although his appointment was not popular.¹

Many important Derbyshire royalists were captured at the Close, including the Earl of Chesterfield, Sir John Harpur of Swarkeston and Sir John Harpur of Calke.²

The parliamentary initiative in Staffordshire was a momentary set-back to the royalists, but Parliament's victory was tainted by their alliance with the moorlanders.

The poor farmers of north Staffordshire were perceived as a rabble and as menaces to social order. Royalists and neutrals flocked to the party who were seen to be upholding property and hierarchy.³ It was, therefore, a rejuvenated and strengthened royalism represented in the forces of the Earl of Northampton which encountered Sir John Gell and Sir William Brereton on Hopton Heath on March 19 1642/43, two and a half weeks after Lichfield Close.

The parliamentary bid to take Stafford was a logical step following their success at Lichfield, but the preparations before the encounter with Northampton did not promise victory on this occasion. Brereton was

¹ B. L. E92 (8): Speciall Passages, February 28 - March 1 1642/43; B. L. E92 (20): A Continuation of Certaine Speciall and Remarkable Passages, March 2-9 1642/43.

² B. L. E246 (44): A Perfect Diurnall, March 6-13 1642/43.

³ Pickles, 'Staffordshire', pp. 92-93.

late in arriving on the Heath and Gell had too few men to win an engagement by himself. Even when Brereton appeared, the parliamentarians still had an "impossibly long front for so small an army."¹ During the first royalist charge the Cheshire horse fled from the field; heavily out-numbered, Gell's foot soldiers prevented three cavalier charges from driving their advantage home, but by nightfall Gell had about five hundred casualties. His opponents lost only fifty men: one of their number, however, was the Earl of Northampton. Under cover of darkness the parliamentarians slipped from the field.² A month later, on April 21st, Prince Rupert recaptured Lichfield Close and Staffordshire remained, for the moment, predominantly under royalist control.³

Sir John Gell's reputation, despite his success at Lichfield, slumped dramatically after the ignomy of his later defeat at Hopton. Diatribes from the royalist press continued until the Restoration. In March 1645, John Cleveland published "The Character of a London Diurnall" which referred to Gell and Brereton as "such

¹ P. Young and R. Holmes, The English Civil War: A Military History of the Three Civil Wars 1642-1651 (London, 1974), pp. 117-119.

² Ibid; Glover, Derby, vol. 1, appendix pp. 59-60, 69, 80-81; B. L. E99 (18) The Battaille on Hopton Heath.

³ Young and Holmes, A Military History, p. 111.

snivelling cowards that it is a favour to call them so."¹ A royalist pamphlet, "The Battaile on Hopton Heath", called the parliamentarian commanders "notorious cowards". The author, who was probably Peter Heylin, sarcastically stated that Gell and Brereton are "two that (one would think) have conspired together to be beaten as often as they unite their mutuall forces."² Gell, it seems, earned considerable disrepute by his refusal to give the Earl of Northampton's body to his son and the Earl was buried in All Hallows church in Derby:³ this was another unattractive example of Gell's vindictiveness.

By the end of March 1643, Derbyshire's forces had been employed in the adjoining counties of Nottinghamshire, Leicestershire and Staffordshire, but the association of various county militias had achieved very little. The constituent parts of the East Midland Association had not acted wholly together at any time and, in fact, Staffordshire and Cheshire forces had featured prominently at the sieges of Ashby, Lichfield and at the battle of Hopton Heath. There was clearly no centralised command over the movement of forces; military operations had been

¹ H. Morley (ed.), Character Writings of the Seventeenth Century (London, 1891), pp. 307-313.

² B. L. E99 (18).

³ K. Cherry (ed.), 'The Hero of Hopton Heath 1643', Historical Studies of Staffordshire (1908), pp. 90-97.

led by Lord Grey, Lord Brooke and upon his death by Sir John Gell - a surprising choice in the light of the experience of other officers like Sir William Brereton. It was nonetheless apparent that local conflict was secondary to the exigences of regional strategy. For example, the siege of Newark in February 1642/43 was particularly important to Parliament's grip on the east midlands. Since the beginning of the war, the town had been held by royalists and had posed a special threat to Nottingham. Lying on an invaluable fording place across the Trent, Newark was also on a major communication route between London and the north. With the Earl of Newcastle's first offensive now in retreat,¹ there existed an opportunity for the parliamentarians to take the initiative.

The garrison at Nottingham made overtures to Lincoln and Derby to assist them in attacking Newark.² But although the plan was proposed in January there was no action taken upon it until February, when on the 25th, Derbyshire and Nottinghamshire forces assembled outside the town.³ Further delay was caused by the arrival of the Lincolnshire forces two days later. Their commander, Major-General Thomas Dallard, had been appointed to lead the expedition, yet he was manifestly unsympathetic towards the

¹ A. Wood, Nottinghamshire in the Civil War (Wakefield, 1971), pp. 38-39.

² Hutchinson, Memoirs, p. 114.

³ Wood, Nottinghamshire, p. 39.

parliamentary cause. It seems that many of his friends and neighbours lived in Newark and thus he was loathe to commit himself and only did so on the importunity of the Lincolnshire troops. Ballard later turned royalist, although it may be conjectured that his torpor in February was conditioned by a genuine fear of the strength of the opposition.¹

The officer in charge of the Derbyshire soldiers was Major John Mollanus; he was born in the Netherlands and probably came to England with Sir Cornelius Vermuyden, whose agent he was during various lead mining operations which included the draining of Dovegang rake. By 1633 he was living at Middleton as a tenant of Sir John Gell.² It is likely that Gell got him his commission. Mollanus, whose soldiers "performed excellent well" during the siege,³ blamed Ballard for sabotaging a potential victory by ordering a premature retreat. He "redily thought they were betrayed by the commander-in-chief . . . for some secret reason, which our commanders could never truly understand."⁴ Anger amongst junior officers, like

¹ Ibid., pp. 39-40.

² J. R. Dias, 'Politics and Administration in Nottinghamshire and Derbyshire 1590-1640' (Oxford University D. Phil. thesis, 1973), pp. 87, 95, 99; J. T. Brighton, 'Governor Gell 1642-1646' (Hull University M.A. thesis, 1969), p. 130.

³ B. L. E92 (8): Speciall Passages, February 26 - March 1 1642/43.

⁴ Glover, Derby, vol. 1, appendix p. 69: Account by Sir George Gresley.

Mollanus, fired "the souldiers [who] were so enraged at . . . Ballard that if they could have met with him, they would have hewed him in peeces, for if he had not commanded the retreat they had taken the town."¹ Ballard's removal was solicited by the Nottingham committee. The consequences of failing to take Newark were severe: "never again had the roundheads so fair an opportunity of winning quickly and easily a position which formed an essential bastion of royalist power in the north."²

Parliament's depressing military performance in the east midlands was reflected in Derbyshire where Sir John Gell's power base was limited to Derby and the surrounding countryside. Elsewhere in the county, the parliamentary cause was extremely weak. The King endeavoured to capitalise on Gell's insecurity by proclaiming a pardon to the counties of Derbyshire and Staffordshire on March 25 1643, omitting Gell and Sir William Brereton as "traytors and stirrers of sedition."³ Gell's authority, however, received a more serious challenge from his own countrymen, some of whom promulgated a petition requesting "a colonell of their owne, or a committee, who with forces raised by them, may be consigned to keep one part of the country themselves." Apart from this small report of the

¹ Ibid, p. 59: Relation by Sir John Gell.

² Wood, Nottinghamshire, p. 42.

³ B. L. 669 f. 5 (149): A proclamation of His Majesties Grace, Favour and Pardon to the Inhabitants of his Counties of Stafford and Derby.

petition in Certain Informations there is no other evidence of what else it said or who backed it. It does seem clear, though, that it was some kind of neutrality treaty formulated in an attempt to insulate one area of the county from the war.¹ The parliamentarians in Derbyshire had adopted an aggressive line with neutrals from the beginning of the war but no amount of propaganda or force could stamp out neutralism. In March Certain Informations carried news that the county's commanders were renewing their efforts in seizing

"upon all the rents of the lands of such persons . . . as have not contributed any monies for the defence of the King and Parliament."

"Such gentlemen . . . as have withdrawn themselves . . . and lie lurking in and about the city of London" were warned to "speedily returne to their homes and afford the assistance both of their persons and purses."²

Pressure from the royalists and the irresolution of their own countrymen took its toll: in May 1643 a quarrel broke out between Gell and his subordinate officers. Thomas Sanders, of Little Ireton, had strong puritan sympathies: a contemporary described him as "very godly, [and an] honest, country gentleman." He was amongst the first to take out a commission and at the beginning of the civil war he served in Colonel Thornhaugh's Nottinghamshire regiment. A disagreement

¹ B. L. E94 (11): Certain Informations, March 20-27 1642/43.

² Ibid.

with Colonel Hutchinson, the governor of Nottingham, soon sent Sanders back to Derbyshire where he enlisted under Sir John Gell as a captain of a horse regiment. By that time, however, Sanders' flirtation with the Nottinghamshiremen had poisoned his relations with Gell who believed he had unnecessarily weakened the local forces.¹

In May Sanders was in charge of the parliamentary garrison at Burton. It appears that he felt Gell was neglecting to provision the garrison adequately and, in a fit of pique, he placed himself under the command of Colonel Haughton, a Lancashireman. The friction between Thomas Sanders and Sir John Gell extended to other officers. Certain Informations related a rumour that some of them intended to follow Sanders' example.² Although the quarrel betrays the existence of dissatisfaction with Gell's leadership, Gell was clearly upset by the turn of events. In the middle of May the same newsletter reported that,

"Sir John Gell would have left the towne [of Derby] and gone to Nottingham, because he could not be assured that they would adhere unto him with their lives and estates, the towne being too

¹ J. L. Hobbs, 'The Sanders Family and the Descent of the Manors of Caldwell, Cotton-in-the-Elms and Little Ireton', D.A.J. vol. 21 (1948), pp. 10-11.

² B. L. E103 (5): Certain Informations, May 15-22 1643.

much replenished with malevolents."¹

Gell, however, rode the storm but his position and indeed Parliament's position in Derbyshire depended on a good run of military victories.

The military advantage in the midlands fluctuated between parliamentarians and royalists: Prince Rupert's seizure of Lichfield Close on April 21 1643² was reversed at the end of the month by an army commanded by Lord Grey and Sir John Gell.³ On May 4th, Sir William Brereton took Stafford.⁴ However, the Earl of Newcastle made rapid advances in south Yorkshire and at the beginning of May had taken Rotherham and Sheffield;⁵ a few weeks later he was within a mile of Derby.⁶ A complete royalist landslide was averted by Lord Fairfax's capture of Leeds and Wakefield towards the end of the month but Newcastle's mastery of Yorkshire was largely unaffected.⁷

¹ B. L. E105 (2): Certain Informations, May 29 - June 5 1643.

² B. L. E99 (21): Speciall Passages, April 18-25 1643.

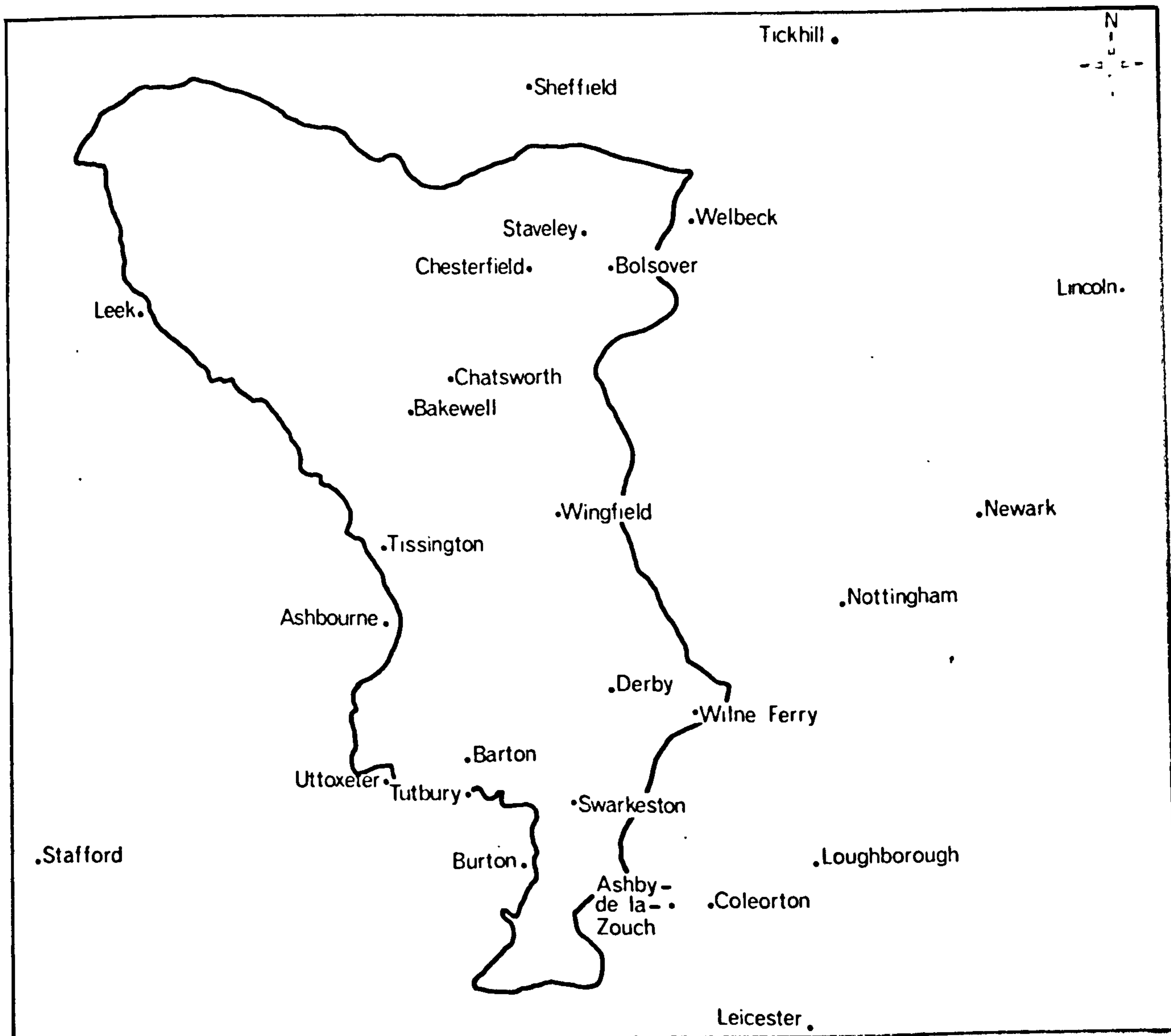
³ B. L. E100 (10): Certain Informations, April 24 - May 1 1643.

⁴ D. H. Pennington and I. Roots, The Committee at Stafford 1643-1645 (Manchester, 1957), p. lxiii.

⁵ Gardiner, History, vol. 1, p. 163; B. L. E103 (5): Mercurius Aulicus, May 7-13 1643.

⁶ B. L. E103 (5): Certain Informations, May 15-22 1643.

⁷ B. L. E104 (26): A Continuation of Certain Speciall and Remarkable Passages, May 25 - June 1 1643.



The Civil War in Derbyshire: Strategic Towns and Garrisons

Meanwhile, Cromwell had had more success in the eastern counties and in fighting his way through Lincolnshire. He was behind the proposal to besiege Newark at the end of April.¹ Forces under Lord Grey, Sir John Gell and Cromwell met at Nottingham but "local jealousies were too strong to admit of common action."² The Lincolnshire troops refused to move against Newark whilst the younger Hotham remained in the town. Grey also showed reluctance to move and leave Leicester exposed. An alternative plan to march to Lord Fairfax's aid was not greeted with any enthusiasm either. Consequently, the parliamentary army languished in the Vale of Belvoir for one month, incapable of challenging Newcastle in Yorkshire or of preventing the Queen's progress to Oxford.³

Bereft of some of its army, the Derby garrison was extremely weak: by the middle of June, the parliamentarians had lost control of the hundreds of High Peak and Scarsdale.⁴ Hastings, in particular, took advantage of the situation to inflict many defeats on the garrison's soldiers in

¹ Wood, Nottinghamshire, p. 45.

² Gardiner, History, vol. 1, p. 143.

³ Ibid. p. 166; Glover, Derby, vol. 1, appendix p. 60: Relation by Sir John Gell; B. L. E104 (19): Speciall Passages, May 23-30 1643.

⁴ B. L. E249 (16): A Perfect Diurnall, June 5-12 1643; B. L. E105 (27): Certain Informations, June 5-12 1643.

minor skirmishes.¹ In Staffordshire too, the parliamentarians were on the defensive: on July 6th the royalists took Burton.² To prevent a complete royalist takeover of the county, Sir John Gell, Sir John Meldrum and Major Ireton attacked Tutbury at the end of the month, but the siege was soon abandoned because of a rumour that Newcastle was intending to advance that way.³ By the autumn of 1643 parliamentarians throughout the midlands were on the run.

The demands of regional strategy had clearly been disadvantageous to Parliament's position in Derbyshire: a garrison which had been weakened by the allocation of its men to places as far apart as Lancashire, Cheshire and Nottinghamshire was patently ineffective against the large royalist field armies such as that commanded by the Earl of Newcastle and that escorting the Queen.⁴ In

¹ B. L. E59 (1): Certaines Informations, June 26 - July 3 1643.

² B. L. E61 (16): Certaines Informations, July 17-24 1643.

³ B. L. E64 (1): Mercurius Aulicus, July 23-29 1643;
B. L. E64 (7): Certaines Informations, July 31 -
August 7 1643.

⁴ B. L. E65 (13): Mercurius Aulicus, July 30 - August 6 1643; B. L. E65 (8): Certaines Informations, August 3-14 1643; B. L. E64 (7): Certaines Informations, July 31 - August 7 1643.

September the situation was desperate. A letter from the county committee written on the 10th explained how "our soldiers run from us. Our horse are wearied out with continual convoying of Lancashire and Cheshire carriers."¹

Nine months of the East Midland Association had demonstrated the inept management of joint forces. Squabbles had featured largely in the relations between commanders from the different counties because individual parochial concerns took precedent over regional strategy. As pressure increased localism was strengthened and relations between the associated counties deteriorated further. Liason between the county committees of Derbyshire and Nottingham declined considerably during the autumn and winter of 1643.

On September 18th, Nottingham was attacked by a party of cavaliers from Newark.² The governor, Colonel Hutchinson, sent to Derby for assistance and together with troops from Leicester drove the Newarkers from the town.³ The royalists, however, fell back to hold Trent bridge which threatened Nottingham with a blockade.⁴ The Derbyshiremen had discredited themselves by their indiscipline and plunder during the routing of the royalists from the town; now they disputed the governor's plan to storm the bridge because he would not support the assault

¹ H. M. C. Portland mss, vol. 1, p. 130.

² Wood, Nottinghamshire, p. 56.

³ Hutchinson, Memoirs, pp. 141, 144.

⁴ Wood, Nottinghamshire, p. 58.

with ordnance. Major Mollanus "could by no means be entreated to go on, nor to stay one day longer." Lucy Hutchinson, who thought Mollanus was "an old dull-headed Dutchman", claimed that his excuses were a "notorious lie."¹ But Mollanus returned to Derby with his men. On October 9th, Colonel Hutchinson made a desperate bid to recapture the bridge and Gell, having been warned of the project, despatched the reluctant Mollanus with one hundred and twenty foot and dragoons on the following day. This time the parliamentarians over-powered the Newarkers and on the 12th they slipped away.² Significantly, in his account of the proceedings at Nottingham, Sir John Gell deliberately played down the quarrel between his major and Hutchinson and even claimed responsibility for the final victory himself.³

The tension between the two counties was exacerbated in November when the Derbyshire county committee attempted to seduce Nottingham's powder-maker. Hutchinson, it appears, had refused Gell's request for ten barrels of powder. Although he consented to lend five barrels, Gell "was very angry they had not their full demand." The Nottingham committee, however, resented Derbyshire's overture to their powder-maker,

¹ Hutchinson, Memoirs, pp. 145-148.

² Wood, Nottinghamshire, pp. 58-59.

³ Glover, Derby, vol. 1, appendix p. 61: Relation by Sir John Gell.

" . . . we cannot consent to his leaving us eyther for a long or short tyme. We conceived it a lardge favor to spare you 5 full barrols of powder in such a tyme when danger seemes so near & we no better stored. You may believe reports of our abundant store . . . but we have been so exhausted yt we have not sufficient for our own defence. And to our maker secretly invighted . . . ¹ we cannot take it well."

This altercation became subsumed in another dispute which broke out in January 1643/44 when the Nottingham committee complained to Derby of "ye irregular & illegal taking of their horses by your troopes." The Derbyshire committee's reply to the charge was cutting;

"We wonder yt men making tittle to wisdom should so far forfeite theyre discretion as to suffer such trenchant lines to drop from your penn."

The letter went on to say that the horses they had borrowed were "such trashe we thought to have been belowe men of your qualety." Despite the regular assistance Derby had given to Nottingham in the past, Nottingham was warned that any "future help from [us] you can no more expect." From "that time", Lucy Hutchinson alleged that Gell "grew into a little more strangeness with the governor of Nottingham, and they were not so much troubled with his letters as before."²

Sir John Gell's relationship with Sir Thomas Fairfax

¹ D. R. O. Gresley Letter Book, 803M, p. 67; Hutchinson, Memoirs, pp. 150-151.

² D. R. O. Gresley Letter Book, 803M, p. 80; Hutchinson, Memoirs, appendix xiii, p. 408.

was also uneasy. In November 1643, the Earl of Newcastle's army was quartered at Chesterfield;¹ Fairfax, in hot pursuit, requested Goll for support, but Goll conceding less than he was asked for apologised that,

" . . . hee had not above five hundred men in Derby to defend the towne, and that Hastings had at that tyme at least two thousand at Litchfield, Ashby-de-la-Zouch and Tutbury, still looking for an opportunity to surprise Derby . . . because it was well knowne, that if Derby were taken, Nottingham could not long hold out, and then all the north side of ² the Trent was lost."

Evidently Fairfax did not accept Goll's answer and he attempted to circumvent him by making a direct appeal to some of the Derbyshire gentry who met him at Wingfield Manor.³ However, Fairfax's negotiations were overtaken by Newcastle's attack on the manor.⁴ Goll was further vexed by Fairfax's hasty and unseemly retreat into Nottinghamshire and from thence to Melton Mowbray, in Leicestershire, leaving the parliamentarians in Derbyshire "to shift for themselves." Fairfax ignored entreaties for aid and Goll was the recipient of a series of empty

¹ M. Cavendish, The Life of the Thrice Noble, High and Puissant Prince William Cavendish (London, 1667), pp. 31, 195.

² Glover, Derby, vol. 1, appendix pp. 61-62: Relation by Sir John Goll.

³ Ibid.

⁴ Cavendish, Life, p. 39.

promises.¹ Failing assistance from Sir Thomas Fairfax and Lord Grey, Wingfield manor fell to the royalists in December and Derby remained the last stronghold held for Parliament.²

Despite the Earl of Newcastle's retreat into Yorkshire in December to secure his lines of communication,³ Derbyshire was predominantly in royalist hands. Sir George Gresley lamented that the Earl,

" . . . leaves to vex us, his owne garrison at Bolsover, and six Colonells of his own country, whereof five, namely Sir John Harpur [at Burton bridge], Mr. Fretchville [at Stavely in Scarsdale], Mr. Eyre [at Chatsworth], and Mr Milward [at Bakewell], had such regiments as their own interest backed with the Commission of Array, and the popish party⁴ could raise for them."

In addition, Colonel King, later Lord Eythin and Newcastle's lieutenant-general, was in control of the High Peak.⁵

One Derbyshire royalist, Sir Simon Every of Egginton, was more alarmed than pleased with the royalist achievement. He had been amongst the Derbyshire gentry who had met at Tutbury in October 1642 to arrange for Derbyshire's neutrality. The failure to come to a

¹ Glover, Derby, vol. 1, appendix p. 72: Account by Sir George Gresley.

² Ibid., p. 62.

³ B. L. E78 (6): The Scottish Dove, December 1-8 1643.

⁴ Glover, Derby, vol. 1, p. 72.

⁵ B. L. E78 (10): Remarkable Passages, December 9-16 1643.

compromise with the parliamentarians had pushed Every into the royalist camp. Nothing is known of his military exploits, but it seems, he was present when Wingfield manor surrendered to the Earl of Newcastle's forces in December 1643.¹ Every, however, was not appointed to hold a garrison on the Earl's return into Yorkshire; Sir George Gresley believed that it was because Every, "having neither men nor armes, and wanting meanes to trouble this county, he went to Oxford to expect the success of the anteparliament there."² In fact, on the 31st Every wrote to Sir John Gell to propose a neutrality treaty.

"My sence of the present and sudain fearful distruction [which] must fall upon this poor and already to to much distressed countye, makes me forgett al my owne private, though transcendent crueltye, which had iustly heightened me to wonder, and revendge, and conclude uppon a way and endeavor no less honourable and safe for you then happie and preservative to this dyeing county, which Sir, by warrant without dispute, in al affection I thus tymely offer to you in this single suppositive. If his Excellence wil consent to a fayre and honourable treaty amongst us of this county which shall make you and ye countie happie, whether upon a serious survey of al ye present and future nessesarie considerables in so important affayre as ye countries peace and your owne honour and safety. This may not summon your sudden resolution to such a parlye as may begett such our probable happiness reunite us in our former and ancyent friendship and affections. And Sir, in this you may see how much I styll confide in you and

¹ F. M. Fisher, 'The Every Family and the Civil War - a tale of loyalty!', D.A.J. vol. 4 (1954), p. 114.

² Glover, Derby, vol. 1, appendix p. 72: Account by Sir George Gresley.

how zealously studeous I am really to serve you and this most afflicted countrie in ye best I can contribute to you both."

The motive of Every's overture may have been pique at Newcastle's neglect of him, but a genuine concern for the pacification of the county is more likely. What is striking about Every's suggestion is the naivete of his belief that the Earls of Essex or Newcastle could be persuaded to agree to his plan. Clearly Every's treaty was his own brainchild; his objective was to generate discussion amongst the Derbyshire gentry.

In December 1643 the parliamentarian garrison at Derby was quite isolated. All the north was held by royalists; Sir John Harpur was in control in the south west. The only line of safe communication was presumably to the east and specifically to Nottingham. Yet, the quarrels between the two county committees undermined mutual assistance and, in fact, relations were exacerbated further when three of Gell's officers, captains Clarke, Taylor and Ashenhurst, deserted to Nottingham.² On January 13th, the Derbyshire county committee wrote a sharpe letter to Colonel Hutchinson criticising his "enbezzling and intertaining" of the captains.³ They also

¹ D. R. O. Gresley Letter Book, 803M, p. 73.

² Glover, Derby, vol. 1, appendix p. 72: Account by Sir George Gresley.

³ D. R. O. Gresley Letter Book, 803M, p. 81.

applied to the Earl of Essex for a warrant to order the return of the men because they feared that desertion might spread; "If some speedy course bee not taken herein other captains and officers will do the like, soe yt we are sure to be undone by raising forces to goe away at theyre owne pleasure."¹

As Parliament's hold on Derbyshire crumbled indigenous royalists grew in confidence. Sir John Harpur travelled from his bases at Burton and Swarkeston to array men in Chesterfield where he "received very faire contributions of that county. There was not one pressed man", Mercurius Aulicus boasted, "but all voluntarily active to surpresse the rebel power."² Despite Parliament's recapture of Burton in January and King's Mills in the following month,³ royalists in Derbyshire were sufficiently secure to contemplate developing an organisational structure. The Earl of Newcastle wrote to Sir John Fitzherbert of Tissington, the high sheriff of the county, on January 14th;

"When the care of any public business is left in the hands of many, it is commonly thought the particular of none, and though the work of raising money and increasing your force be committed to the care of a committee, yet it is more than convenient that

¹ Ibid, p. 74.

² B. L. E29 (2): Mercurius Aulicus, Week ending January 6 1643/4.

³ Glover, Derby, vol. 1, appendix p. 63: Relation by Sir John Gell.

... someone in particular take the whole business to heart and contrive and settle it in such a way as may facilitate and speed the work intended, and therefore I shall desire you to state the affairs of Derbyshire and put them in such a way as that they may be by the consent of the committee to be put in execution and effectively performed in such a manner as may best advance the service and be most agreeable to the present constitution of your country."

Fitzherbert took the advice and by February a royalist county committee was meeting daily at Ashbourne. Fitzherbert and Sir Rowland Eyre of Hassop probably figured largely at these meetings: the composition of the rest of the committee is not known. However, the organisation did not last long.² Thomas Sanders had had chequered fortunes since his disagreement with Gell in the previous May. He had remained at Burton until the beginning of July when he had been captured during the seizure of the town by the Queen's escort.³ What happened to him afterwards is unclear, but in February he was evidently under the command of Sir John Gell who had promoted him to major. It was Sanders who routed the royalists from Ashbourne and retook the High Peak and Scarsdale by breaking the royalist strongholds at Tissington and Bakewell.⁴ The recovery of parliamentary

¹ H. M. C. Hastings mss, vol. 2, p. 115.

² Glover, Derby, vol. 1, appendix p. 63.

³ B. L. E61 (16): Certain Informations, July 17-24 1643.

⁴ Glover, Derby, vol. 1, appendix p. 63: Relation by Sir John Gell.

initiative in Derbyshire which had led to the recapture of the north of the county and of Burton and King's Mills inspired another attempt at taking Newark at the end of February.

Derbyshire's forces were placed under the command of Sir Edward Hartopp, but the officer in charge of the expedition was Sir John Meldrum who had taken over control of the East Midland Association from Lord Grey.¹ In June 1643, Grey had been appointed governor of Leicester; a role which he failed to combine with his command of the Association. Certainly the blow to his authority was delivered in the summer when he was seconded to the Earl of Essex's army.² Unfortunately, the second siege of Newark was as disastrous for the parliamentary cause as the first had been. Prince Rupert's intervention forced Meldrum to make a disadvantageous capitulation for which some blamed him.³ Most contemporaries, however, attributed the blame to Meldrum's subordinates and particularly to Hartopp who "having more mind to drink than to fight" lingered in the Nottingham taverns and so missed an opportunity to assault Muskham bridge, on an important highway to the north. Other contingents of the army were noticed for their cowardice, including the men under Major Mollanus. In her memoirs, Lucy Hutchinson was highly critical of the parliamentarian debacle at Newark

¹ Hutchinson, Memoirs, pp. 141-148.

² D. N. B.

³ Ibid.

and was especially severe about the failings of the East Midland Association.

"The forces that Sir John Meldrum commanded before this town were gathered out of severall associated counties, and the commanders were so emulous of one another, and so refractory to commands and so piqueing in all punctillios of superiority, that it galled the poor old Gentleman to the heart who having commanded abroad and been used to deal with officers that understood the discipline of war, was confounded among those who knew not how to obey any orders, but disputed all his commands and lost their time and honour in a fruitless expedition through their own vain contentions."

The most crucial aspect in the association's poor record was the fractious relationships between the commander-in-chief and the junior officers from the counties. The military initiative at the end of 1643 was ruined because of men's over-riding concern with local matters. The theory of regional strategy and commitment to a wider principle or objective did not take root in the east midlands. In Derbyshire, for instance, particularist sentiments increasingly came to permeate the county committee's responses to the growing military demands of the parliamentary leadership.

In March 1644, the county's military role had expanded into various parts of the midlands. At the beginning of the month, forces from Lincolnshire, Nottinghamshire, Leicestershire and Derbyshire, under the command of Colonel Rossiter, were sent to assist Sir

¹Hutchinson, Memoirs, pp. 141-148.

William Brereton in Cheshire and Shropshire.¹ Later, in April, Sir John Gell was ordered to combine his men with troops from Lancashire and Nottinghamshire and to obey the instructions of Sir Thomas Fairfax.² To the Derbyshire committee, it must have appeared as if the activities of their army bore little relation to the county's own security. In April and May Derbyshire was threatened by the arrival of Prince Rupert who arrayed men about Burton.³ As the royalist army converged upon Yorkshire during June, forces led by Hastings (who had been created Lord Loughborough in October 1643), Goring, Lucas and Langdale, freely traversed the county.⁴ Whilst the pressure on the parliamentarians intensified, the committee's reaction to the deployment of their men outside the shire became more lukewarm.

On June 13 1644, the Committee of Both Kingdoms found it propitious to send a warning to several counties about their behaviour.

"We believe your own judgement will inform you that small divided parties can neither preserve your countries nor defend themselves. Such mistakes have hitherto been very prejudicial to the service."⁵

The reprimand came to Gell with a request for five hundred

¹ B. L. E272 (2): The Kingdome's Weekly Intelligencer, March 11-18 1643/44.

² C. S. P. D. 1644, p. 87.

³ Ibid., p. 130.

⁴ D. N. B.; C. S. P. D. 1644, p. 174.

⁵ C. S. P. D. 1644, pp. 231-232.

horse and five hundred foot to be sent to Lancashire, but Gell refused it. The Committee of Both Kingdoms had to repeat its order on June 17th and 18th;¹ on June 28th, the Earl of Denbigh wrote bitterly that Derbyshire and Nottinghamshire had despatched a troop of horse to him but no foot, whereupon Gell received another stiff rejoinder.² By July 11th Denbigh wrote that there was still no sign of the infantry.³

It was quite plain to the Derbyshire gentry that their army was no longer acting in the county's interest: the imbalance between local priorities and regional strategy was no longer tolerable. Increasingly, they were taking part in a protracted dialogue about the nature of Derbyshire's military commitments.⁴ At Westminster too, there were debates about the efficacy of continuing regional operations in their present form. People were recognising that the debilitating influence of particularism was undermining the associations. The West Midland Association comprising Warwickshire, Staffordshire and Shropshire suffered from the inability of the Earl of Denbigh to project his authority over "the opposition of the county committees and local commanders, who neglected the Earl's orders, feuded with his aides and, without any regard for the principle of the Association worked

¹ Ibid, pp. 244, 252.

² Ibid, pp. 286-287.

³ Ibid, p. 337.

⁴ Ibid, pp. 56, 73, 85, 94, 439.

covertly at Westminster to have their de facto power legitimized." Waller, who commanded the South Eastern Association, ascribed his failure to capitalise on his victories because "control of the local levies was retained by the counties and it proved impossible to develop a centralised military administration."¹ The solution to the problems in the East Midland Association was suggested by Sir Henry Vane on June 11 1644. He argued for "the necessitie of adding Lancashire and Derbyshire to the rest of the Northern counties."² Vane's motion was connected to his visit to the parliamentary armies besieging York; the plan to expand and rejuvenate the Northern Association was designed ostensibly to give maximum protection to the siegers and to provide for the defence of Lancashire against Prince Rupert.³ The significance of this reappraisal of the East Midland Association will be considered in more detail in chapter four, below.⁴ In brief, Derbyshire passed into the Northern Association on October 11 1644,⁵ but the move was rendered obsolete by the formation of the New Model Army in the winter of 1644/45. Effectively, between June and October 1644, the Association was recognised as military defunct and it was dismantled piecemeal.

¹ Holmes, Eastern Association, p. 1-2.

² P. R. O. SP21/16E/32.

³ Gardiner, History, vol. 1, p. 367.

⁴ See below, pp. 208-209.

⁵ B. L. Harl. mss, 166 f. 130.

After the royalist defeat at Marston Moor on July 2 1644, parliamentary fortunes in Derbyshire enjoyed better times.

"Since the routing of Prince Rupert, and the surrendering of Yorke, malignants hold down their heads, and are at a stand; Hastings himself knowes not where to rest and divers of the countrey come in daily and desire to joyne with the parliament's forces against the enemy, by whom they say they have been mislead . . ."

At the end of July, Sir John Gell and Lord Grey took Wilne Ferry. Sir Henry Hastings had garrisoned this important bridge over the Trent in January 1642/43. Lying on the road from Derby to Loughborough in Leicestershire, Wilne Ferry was of strategic significance for communications between Derbyshire and Leicestershire.² It was the Earl of Manchester's offensive, moving from Yorkshire into Lincolnshire during July and August, which was responsible for freeing Derbyshire of royalists. Tickhill was taken by a detachment under Lieutenant-Colonel John Lilburne on July 26th. Welbeck, the home of the Earl of Newcastle, surrendered to Manchester on August 2nd. Major-General Crawford took Sheffield on August 10th; Staveley House, which was owned by Sir John Frescheville, was taken two days later. The royalists

¹ B. L. E254 (9): Perfect Occurrences, July 26 - August 2 1644.

² B. L. E3 (8): The Weekly Account, July 17-24 1644; Wood, Nottinghamshire, p. 31.

at Bolsover succumbed on the 14th after which Crawford joined Gell before Wingfield Manor, which surrendered on August 21st.¹ The parliamentarians, however, never capitalised on their success during the summer. The Earl of Manchester proved dilatory and also Sir John Gell failed to maintain the momentum: in September and October, he made two ineffectual attempts to reduce Tutbury.² To counteract the hostile garrison, Gell fortified Barton Blount, the home of the Derbyshire royalist, Sir Henry Merry, which was situated three miles from Tutbury.³ Another garrison established by Gell at Coleorton, a house within a mile of Ashby, was intended to shadow Hastings,⁴ but both these blockades failed to restrict royalist activity.

Sir John Gell's preoccupation with local military

¹ Hutchinson, Memoirs, p. 198; B. L. E6 (17): A Continuation of the Intelligence From the Army Under the Command of the Right Honourable the Earle of Manchester from July 27 - August 16 . . .

² B. L. E256 (15): Perfect Occurrences, September 27 - October 4 1644; B. L. E256 (23): Perfect Occurrences, October 11-18 1644.

³ A. M. Auden, 'Barton Blount and the Civil War', D.A.J. vol. 43 (1921), p. 8.

⁴ B. L. E256 (42): Perfect Occurrences, November 22-29 1644; B. L. E258 (24): Perfect Occurrences, January 31 - February 7 1644/45.

campaigns made him reluctant to be diverted to a siege of Newark planned for October: he received a warning from the Committee of Both Kingdoms which explained that the siege was a "service, not only of importance to the public but also in order to your own security."¹ The reprimand spurred Gell to be more obedient to further orders in October, by sending a force to the parliamentary siege of Crowland in Lincolnshire.² But to some extent, Gell's display of unwillingness was imposed on him. Gell was naturally very anxious to entrench his authority in Derbyshire: prior to the summer of 1644 he had had no opportunity of doing this because of the strength of royalism in the county. There was also the fact that though Derbyshire's royalists were cowed they were not entirely without the resources still to pose a serious threat. For instance, Sir John Frescheville had resigned his commission in June 1644; it was reported that he had "resolved not to own ye authority or motivation to keepe" a regiment for the King. He applied for and received Lord Fairfax's promise of protection but it seems that Staveley was nonetheless attacked in July by parliamentarian soldiers. Frescheville complained bitterly to Gell in a letter dated the 11th, that he was forced to keep some of his servants armed despite his neutrality;

"The reason for yt is because I wil
not be taken as Mr Sytwell was and

¹ Hutchinson, Memoire, pp. 218-219; C. S. P. D. 1644-1645, p. 63.

² C. S. P. D. 1644-1645, p. 61.

as all peaceable men are by the iniustice of one syde or the other. But in this country it hath beene onely ye custome of your party which if it be not foreborne I am confident no man worth £5 wilbe permitted to live at home with his wyfe and chyldren."¹

Evidently Frescheville's wealth had been an inducement to plunderers. As his letter makes plain, other men had suffered depra-dations because they were rich, not necessarily because they were neutral. But under these circumstances, neutrality was an impossible position to maintain. Staveley was reduced on August 12th because, it was alleged to Fairfax, Frescheville had corresponded with enemy garrisons. By now, it was apparent to Frescheville that it was impossible to divorce himself from the conflict and in September, he began refortifying his home.² The intransigence of enemies and the ambivalence of neutrals kept Sir John Gell busy even though the balance of power had been tipped in his favour. Nevertheless, by Christmas 1644, the parliamentarians in Derbyshire had never been stronger. "We have God be thanked", stated the newsletter, Perfect Occurrences,

"here found the good effect of withstanding the cruell and mercilesse cavaliers, and there being not one cavalier left in Derbyshire (except

¹ D. R. O. Gresley Letter Book, 803M, pp. 86, 87, 93, 94, 96, 97.

² Ibid, pp. 96-97; B. L. E256 (3): A Perfect Diurnall, September 9-16 1644.

covertly) we enjoy so many sweet blessings above our neighbour counties that are annoyed with them, that are markets are reduced to their former fulnesse and trading settled in a sweet and peaceable way . . ."

Since the outbreak of civil war, the county's military role had been determined by Sir John Gell. His strategic perspective had, by and large, transcended the shire boundaries and he had not shown himself disagreeably reluctant to commit his forces to other parts of the midlands. To his advantage, he can be favourably compared to Sir William Brereton and Sir Herbert Morley: both of whom have been credited with having a national rather than a provincial outlook. Judging Gell on a parliamentarian political spectrum, he seems to be a radical. Two examples of his involvement in the affairs of other counties will serve to demonstrate the point.

In October 1644, there was a conspiracy amongst a faction of the county committee at Nottingham led by Lieutenant Chadwick and Mr. Millington to oust the governor, Colonel John Hutchinson, and his brother George from control of the castle. According to Lucy Hutchinson, Sir John Gell was approached by the faction to send men and ammunition; "they sent to tell him they had cause of suspicion that the lieutenant colonel [George] was false to his trust, and would deliver the castle to the enemy." Gell responded quickly by providing the powder; he also despatched a captain "to discover the state of things." The security of Nottingham was intrinsic to the defence

¹ B. L. E258 (4): Perfect Occurrences, December 13-20 1644.

of Derbyshire and Gell could not dismiss out of hand a suggestion that Hutchinson was a turn-coat. As might be expected from someone who had a string of grievances against Gell, Lucy Hutchinson was suspicious of his motives. He was "a man likely enough to promote their [faction's] wickedness", though Hutchinson's qualification is pertinent: "had they even acquainted him with it." It seems, therefore, that Gell was not aware of the conspiratorial and factional nature of the plot, but readily believed in the governor's treachery.

Once the faction had been revealed, they "took what care they could to shuffle up this business." Chadwick went to Derby to persuade Gell to endorse a counterfeit letter from the committee at Nottingham which alleged that the powder sent by Gell was repayment for powder he had borrowed. In addition, Gell denied relating to a Mr. Marsh, a carrier, his suspicions about Hutchinson. If Sir John Gell's original intentions seem honourable, it appears highly impolitic to participate in concealing his involvement in the conspiracy. However, for the very reason of maintaining his credence with Parliament, his denial was intended to avoid embarrassing questions.¹ Gell had clearly been duped by the faction, whilst Hutchinson was respected in Westminster. Nevertheless, Gell's mistaken intervention in Nottinghamshire politics shows that he at least recognized the implications for Derbyshire of royalist machinations. A similar awareness prompted his involvement in Staffordshire about the same time.

¹ Hutchinson, Memoirs, pp. 207-208.

In Staffordshire, conflict existed between radical parliamentarians who were committed to defeat the King on the battle field, and conservatives led by the Earl of Denbigh. Denbigh's conduct had aroused questions about his loyalty to the cause and had been a growing source of discontent among radicals in the associated counties of Warwickshire, Shropshire and Staffordshire.¹ In the autumn of 1644 an attack was launched in Parliament against dilatory and lukewarm commanders; Essex was the primary object. A policy was also devised in order to purge moderates from the Staffordshire committee. Sir William Brereton and Sir John Gell, fortified with fears of royalist plots, were ordered to journey to Stafford and execute the purge. On December 3rd, Brereton entered the town and arrested suspects.² Brereton, in fact, alleged that it was Gell who had evidence of treachery and he informed the Committee of Both Kingdoms "touching the crye and charge of unfaithfulness and compliance with the enemy that informacon did not proceed from mee but from Sir John Gell and others from whom it may be expected the same should be made good"³

Gell was particularly vigilant of plots: in May of the same year his discovery of a royalist design against

¹ Pennington and Roots, Committee at Stafford, p. lxxviii.

² Ibid, p. lxxix.

³ P. R. O. SP21/E17/168: Sir William Brereton to the Committee of Both Kingdoms, January 10 1644/45.

Derby, Coventry and Stafford was rewarded with a commendation from the Committee of Both Kingdoms.¹ On the face of it, Gell appears to stand among men who were absolutely committed to a parliamentary victory. But there are striking contradictions in his behaviour. From about the spring of 1644, he had become less obedient to Westminster's commands and there are hints of his desire to withdraw from the wider conflict in order to consolidate his grip on Derbyshire. Arguably military pressure on Derbyshire adversely affected Gell's commitment to regional objectives, but on the establishment of Parliament's supremacy in the county in December, it seems that some return to normal conditions tended to reinforce localist sentiments. Increasingly, in fact, Gell grew disillusioned and unsympathetic to the aims of the independents in Parliament; the radical firebrand of the early years of the civil war underwent a reappraisal of his political commitment. The outcome was reflected in more acts of disobedience and the increasing prominence he gave to local concerns.

Sir John Gell was especially anxious about the county's financial position; the cost of garrisons was extremely burdensome. After the royalist's surrender of Bolsover on August 14 1644, the castle was manned by forces of Sir Thomas Fairfax. Money and provisions were obtained from the surrounding countryside, but Gell sent

¹ P. R. O. SP21/18/83: Committee of Both Kingdoms to Gell, May 1 1644.

out warrants prohibiting the local inhabitants from supplying the garrison in order that his own men should not go short.¹ The denial of maintenance to Bolsover was clearly indefensible; situated in the north east of Derbyshire, the castle was of strategic importance to the defence of south Yorkshire, Nottinghamshire, as well as Derbyshire. Gell was clearly out of step with the more security conscious of his colleagues. Lord Fairfax, Sir Thomas Fairfax and Francis Pierrepont, who "with divers gentlemen of Derbyshire", regarded Bolsover, "as a place very considerable and necessary."²

Despite Gell's attempts to insulate Derbyshire, however, the orbit of the county's military activity increased during 1645. Three hundred horse serving before Newark were dismissed in February to attend Sir William Brereton and intercept Prince Maurice's advance into Cheshire.³ In March, Sir Marmaduke Langdale, was stationed at Lichfield as part of the royalist advance into the north.⁴ In response, the Committee of Both Kingdoms

¹ D. R. O. Gresley Letter Book, 803M, p. 100; P. R. O. SP21/19E/157: Committee of Both Kingdoms to the committee at Derby, December 13 1644; C. S. P. D. 1644-1645, p. 279.

² C. S. P. D. 1644-1645, p. 279.

³ C. S. P. D. 1644-1645, pp. 293, 294, 295, 297.

⁴ B. L. E258 (55): Perfect Occurrences, March 7-14 1644/45; B. L. E258 (37): The London Post, March 11-18 1644/45.

resolved to create an effective counter initiative. Gell was ordered in May to provide six hundred horse and dragoons to blockade Newark, lest the King, Gell was warned, grow so strong "as may easily destroy our divided parties."¹ The parliamentarian defence of the north, centering thus upon Chester and Newark, highlighted Gell's reluctance to weaken Derbyshire's defences in support of more important objectives.

In a state of considerable anguish, Sir William Brereton wrote to Lord Leven on May 3rd to beg his assistance in the reduction of Chester.

"If your excellency should make any stay about Newarke, nothing is more probable then that it may be the enemyes designe to breake into Yorkshire by the way of Lancashire and so into the north . . . considerate it to be no lesse difficult to reduce Chester than ² Newarke."

Whilst Brereton was emphasising the priority Chester should have over the siege of Newark, at the end of April the Derbyshire horse deserted Brereton and came to Gell at Nottingham. In a letter to Brereton, Gell alleged that the arrival of his men was "unexpected to me", but he stressed his need to retain them. "Lett me inform you that Newarke doe pitifully spoyle some part of our

¹ C. S. P. D. 1644-1645, pp. 471, 477; B. L. E260 (28): The True Informer, week ending, May 1 1645.

² B. L. Add. mss, 11331, no. 51: Brereton to Leven, May 3 1645.

countrye and Tutbury and Ashby the rest."¹ Though he promised to return the horse, Gell was slow to despatch them because he believed Brereton had not equipped or clothed the men properly: "Our horse will have both clothes and money before they march as farr as you desire", Gell warned.² Gell's complaints were justified. Yorkshire regiments serving before Chester had petitioned for the "relief and release of the intollerable payments and pressures", being "sensible of the want of care both of themselves and others well affected."³ But both commanders were the victims of Parliament fighting a war on two fronts; Gell's main commitment was towards Newark, not Chester.

Pressure to take Newark increased after the middle of May. By that time Brereton had been forced to raise the siege of Chester thus releasing men for service in Nottinghamshire.⁴ Also, it was evident that the King was advancing into the east midlands.⁵ On May 27th, Sir John Gell was ordered to provide five hundred horse and to command an army assembled from various counties at their rendezvous at Nottingham.⁶ Unfortunately, it was a

¹ Ibid, no. 29: Gell to Brereton, April 25 1645.

² Ibid, no. 112: Gell to Brereton, May 10 1645.

³ Ibid, no. 141: Petition of the Yorkshire regiments.

⁴ Ibid, nos. 207, 216.

⁵ C. S. P. D. 1644-1645, p. 530; B. L. Add. mss, 11331, no. 136.

⁶ C. S. P. D. 1644-1645, p. 530.

belated move in response to the royalist sack of Leicester. Gell's appointment was a compliment to his past service but on the 31st, the Committee of Both Kingdoms lamented his neglect in naming a place for receiving recruits whereby "many soldiers run away."¹ A series of orders ensued in an attempt to galvanise the army into some semblance of purpose, culminating in Gell's dismissal from command in place of Fairfax on June 6th.² The only explanation for Gell's inertia was the King's presence at Uttoxeter at the end of May.³ On June 3rd, Sir John Norwich informed Sir Samuel Luke, governor of the garrison at Newport Pagnall, "that 2000 of the King's horse faced Derby on Sunday last, and yesterday there was 140 carriages ready to set forward from Leicester (as is believed) towards Dorby."⁴

Of additional consequence to Derbyshire's parliamentarians was the pressure of the Scots army in the county. Their stay,

" . . . so disaffected those parts", reported Sir Oliver Luke, "that Derby, Notts, Yorks and a great part of Lancs, by reason of the discontent that they have for this self-Denying Ordinance, are all, or the greatest part of them,

¹ C. S. P. D. 1644-1645, p. 548.

² Ibid., pp. 551, 559, 563, 569.

³ B. L. Add. mss, 11331, no. 136: Brereton to Leven, May 25 1645.

⁴ H. M. C. The Letter Book of Sir Samuel Luke 1644-1645, p. 554.

now desposed to try their fortunes
for his majesty." ¹

Derbyshire soldiers committed acts of violence on the intruders who were regarded as parasites on the county. ²
A combination of local insecurity and hostility against the billeting of the Scots army on the counties caused men to desert Fairfax's army. The Exchange Intelligencer commented critically on the debilitating effects of provincial self interest:

"It is strange that many which are able, and well enough affected to this present cause, are never-the-less so backward in setting their helping hand to the worke. For whilst by covetnesse they thinke to joine a small quantity of their meanes they retorne the hazard of ³ loosing all."

Diverted by the perils facing Derbyshire, Gell was late in turning up to a rendezvous which ultimately led to the battle of Naseby. Fairfax was severe in his condemnation: "he cannot well call to mind that business more than an unwillingness" to participate in the service. ⁴ Even given Gell's awareness of his county's insecurity as an excuse for his misconduct, it is nevertheless clear that he found Parliament's resolution to hound the King distasteful. On the way to join Fairfax with fifteen

¹ Ibid, p. 284; Sir Samuel Luke to Sir Oliver Luke, May 23 1645.

² H. M. C. Portland mss, vol. 1, p. 281.

³ B. L. E288 (3): The Exchange Intelligencer, June 4-11 1645.

⁴ D. R. O. Sanders mss, 1232M/054.

hundred horse, Gell had an opportunity to intercept the King's flight to Leicester, "and might easily have stopped the King's party . . . for which neglect he was by Cromwell soundly chid, and ever after suspected to be a well-wisher of the King's party."¹

Reeling from the stern reprimand he had received from Fairfax and Oliver Cromwell, Sir John Gell showed a greater compliance to orders during the rest of the summer. At the end of June he was a member of the force which pursued the King to Lichfield.² He also obeyed instructions to send Derbyshire troops into Worcestershire, Leicestershire, and Staffordshire³ although royalists from Newark were being especially belligerent. At the beginning of August, A Perfect Diurnal carried news that "the forces of Newarke made constant inroads into Derby, Nottingham, Leicestershire, and counties adjacent."⁴ A

¹ E. Wagon, 'Proceedings of the New Moulded Army', (ed.), T. Carte, A Collection of Original Letters and Papers 1641-1660 (London, 1739), vol. 1, p. 129.

² B. L. E288 (47): Mercurius Veridicus, June 14-21 1645.

³ C. S. P. D. 1644-1645, p. 610; B. L. E292 (4) (19): A Diary or an Exact Journal, June 26 - July 3 1645, July 3-10 1645.

⁴ B. L. E262 (50): A Perfect Diurnall, July 28 - August 3 1645.

few weeks later the King came to Welbeck and camped his army at Burton.¹ Gell was persuaded that if the Scots had aided him, "hee doubteth not but hee had rendered the King's person to the Parliament."² But, on the whole, Sir John Gell was slowly shedding his pretence of political sympathy with the strategic aims of Parliament.

The siege of the royalist garrison at Tutbury at the end of August revealed Gell's reluctance to weaken his own position by sending aid to the Staffordshiremen.³ Equally, in September he refused to send men to the blockade of Newark. "This want of obedience", the Committee of Both Kingdoms told Gell, "has been the cause that these unhappy troubles still continue, fair opportunitys having been lost . . ." Writing on September 12th, the Committee warned Gell that if the Newark campaign should be retarded because of his inaction, "you would not give a good account of this neglect."⁴ In the end Gell succumbed to pressure and sent Captain Mellor's company into Nottinghamshire.⁵ Meanwhile, six troops of Derbyshire horse and dragoons were despatched to Sir

¹ B. L. E262 (50): A Perfect Diurnal, August 18-25 1645;

B. L. E262 (51): Perfect Passages, August 20-26 1645.

² B. L. E262 (46): Perfect Passages, August 13-20 1645.

³ D. R. O. Gell mss, 34/10, pp. 51-52, 63-64.

⁴ C. S. P. D. 1645-1647, p. 133.

⁵ B. L. E302 (11): Heads of Some Notes of the City Scout, September 22 1645.

William Brereton who had resumed the siege of Chester. During October, Brereton's requests to the surrounding counties for supplies became insistent.¹ The Derbyshire county committee explained apologetically that,

"Before the receipt of your letter, wee were exceeding pressured to send provision towards the maintenance of the forces now about Newark unto which wee must of necessity contribute soe long as wee have it and they require it. And the Scotch army passing twice through our county and the greate spoyle the King's army lately made in their march through . . . our provisions are soe exhausted that wee are disabled to answer your distress."

The committee were at pains to stress that,

"Wee desire you to believe these reasons wee offer unto you are real and not fancied nor if wee were in a condicon to serve you according to your desires none should be more ready and willing." ²

But the committee's attitude was indefensible; at the beginning of November, Sidenham Poyntz informed Brereton that the King had left Newark and intended to relieve Chester.³ To Brereton, this news made Gell's prevarication intolerable and for a time the communication of information between the two counties ceased.⁴ On November 21st Brereton was finally driven to ask Derbyshire for supplies,

¹ B. L. Add. mss, 11332, nos. 53, 65.

² Ibid, no. 121: Committee of Derby to Committee at Chester, October 31 1645.

³ Ibid, no. 102: November 4 1645.

⁴ J. S. Morrill, Cheshire 1630-1660 (London, 1974), p. 145.

but he received an unco-operative reply.¹ At last the Committee of Both Kingdoms intervened with an order of December 12th commanding the counties of Shropshire, Lancashire, Staffordshire and Derbyshire to send provisions to Chester.²

By the middle of the month, however, it was apparent that the military tide had definitely turned in Parliament's favour. Ashby was besieged by Poyntz³ and Gell led an enterprise against Tutbury.⁴ These moves signal the beginnings of a major effort to free south Derbyshire from the two royalist garrisons. Ashby surrendered in February 1645/46 and about the middle of March Gell and Brereton combined to reduce Tutbury which surrendered on April 6th.⁵ Earlier, in December indigenous royalists drifted into Derby to compound, amongst them was Sir Henry Boothby, Colonel Milward, John Bullock and Charles Cavendish.⁶

¹ B. L. Add. mss, 11332, no. 230.

² B. L. Add. mss, 11333, no. 32.

³ B. L. E266 (36): Perfect Passages, December 10-17 1645.

⁴ H. M. C. Portland mss, vol. 1, p. 339: Gell to Speaker Lenthall, January 17 1645/46.

⁵ B. L. E506 (19): Perfect Occurrences, March 13-20 1645/46; B. L. E506 (22): Perfect Occurrences, March 20-27 1645/46; Birmingham City Reference Library, 595611, pp. 1-8.

⁶ B. L. E266 (24): Perfect Passages, November 26 - December 3 1645.

The Moderate Intelligencer was euphoric about the number of compounders appearing in the county: "a great store come in of quality . . . taking the benefit of the first of December and they do well for after it may cost them more money if mercy be to be had for money."¹ By Christmas, in fact there were no areas in Derbyshire which were disputed by royalists. The capture of Ashby and Tutbury in the new year finally brought peace to the county although Derbyshire forces were present at Chester until the garrison fell on February 3rd² and at Newark which capitulated on May 8th.³

The course of the civil war in Derbyshire reflected the rival claims of the county community and the nation to local resources. County particularism, which was fundamental to men's attitudes in the seventeenth century, was largely responsible for the limited military horizons of many who fought the war. The establishment of regional associations was devised to extend those horizons, but the East Midland Association made little impact in this respect. As a basis for raising a successful army and planning co-ordinated strategy the association was a failure. Yet, the birth of the New Model Army, out of

¹ B. L. E311 (7): The Moderate Intelligencer, November 27 - December 4 1645.

² C. V. Wedgwood, The King's War 1641-1647 (London, 1958), p. 538.

³ Wood, Nottinghamshire, p. 120.

the ashes of the military associations was, in Derbyshire's case, no solution to localism. On the contrary, from about the spring of 1644 the county's military role was increasingly determined by self interest.

Sir John Gell, commander of the parliamentary forces in Derbyshire, is the key to an understanding of the civil war in the county. Between 1642 and 1644 he was an officer of the same calibre as Sir William Brereton, Oliver Cromwell and Sir Herbert Morley: that is he was one of those who saw their allegiance to Parliament as transcending personal and county attachments. But there is a sense in which Gell was merely a military careerist, anxious at the beginning of the war to make a name for himself. He was ambitious and egotistical. Although at first Gell showed signs of being an exceptional servant to Parliament, the spring and summer of 1644 was a watershed; Gell's military perspectives narrowed. The rise to dominance of independency in Westminster as mirrored in the New Model and Self Denying Ordinances coincide with Gell's loss of commitment. It is not inconceivable that he disapproved of the hard-line, win-the-war party that came to prominence at that time.

The pull of local preoccupations also applied strong brakes to Gell's parliamentarianism. His concern for the security of Derbyshire and the charges upon his countrymen from allies were at odds with Westminster's concepts of war. Sir John Gell never broke completely with the provincial attitudes deeply embedded within him. But Gell's response to the war was by no means solely

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political and local; his actions arose from his personality and from the complex of political and personal relationships between military officers and members of the county committee.

CHAPTER 4Politics, Personalities andFactionalism 1642-1645

During the first civil war in Derbyshire political activity was less conditioned by national issues than by personal animosities which existed between leading men in the county's government. In the disagreements and divisions which occurred amongst committeemen and officers, traditional party terminology - moderate-radical, peace party-war party, presbyterian-independent - is not automatically applicable. In fact there was a marked fluidity about individual responses to a variety of issues. Factionalism, however, had one common denominator: its venom, though comprised of a number of different poisons, was directed against Sir John Gell. As a consequence of the struggles between men and groups of men, civil and military government in the county were seriously impaired. But the problems were not insular ones; such important figures as the Earl of Essex and Sir Thomas Fairfax were involved in Derbyshire's affairs. In the event national and local political developments touched and influenced each other.

At the core of politics, personalities and factionalism in Derbyshire was the county committee, the agency of parliamentary control at local level. The committee's origins can be traced to the spring of 1642 and the Long Parliament's endeavours to execute the Militia Ordinance.¹

¹ C. J. 1640-1642, pp. 609, 631.

Comprised of between sixteen and twenty five individuals, the committee's membership throughout the war was never large.¹ In contrast to Kent,² it was a monolithic organ presiding over the entire spectrum of county government, taxation and warfare. Naturally, since all tensions were concentrated within one institution, the county committee was highly sensitive to the debilitating ferment of personal and political conflict.

Letters and papers signed by those committeemen responsible for the sequestration and composition of delinquents' estates disclose that a nucleus of five men dominated the committee:³ Sir John Gell, Thomas Gell, Sir George Gresley, Henry Wigfall and John Wigley. Sir John Gell was the outstandingly powerful figure. In the depositions relating to an indictment brought against him in October 1645, it was alleged that the others men "gave way to Sir John to act things at his pleasure without debate or regular proceedings."⁴ The clique caused further offence because the Gells were related to

¹ C. H. Firth and R. S. Rait, Acts and Ordinances of the Interregnum (London, 1911), vol. 1, pp. 49-51, 106-117, 223-241, 531-553, 630-646.

² A. N. Everitt, The Community of Kent and the Great Rebellion 1640-1660 (Leicester, 1966), pp. 126-155.

³ P. R. O. SP28/245/48.

⁴ D. R. O. Gell mss, 34/10, p. 21.

Wigfall and Wigley; "for two brothers and two sons-in-law sely to rule a county all honest men resent", Captain Sanders informed Sir John in a letter.¹

The monopoly of power held by Gell and his coterie in Derbyshire mirrors that achieved by the Dawson group in Newcastle-Upon-Tyne,² yet other evidence suggests that the activists on the county committee were, at times, more numerous.³ Signatures to orders and accounts between 1644 and 1645 show that the actual working membership numbered from six to eleven.⁴ There was not one occasion when Gell's clique were in the majority and on some documents they do not even appear. However, in the main, these papers - orders to collectors of taxes and the like - concern administrative routine, on the more important matters of military policy and the payment of soldiers Sir John Gell was clearly in charge.

The Derbyshire county committee was much more of an adhoc body than that of Kent⁵ and abided by no identifiable rules governing the regularity of meetings or attendance. When it met at all, it was usually in

¹ D. R. O. Sanders mss, 1232M/09a.

² R. Howell, Newcastle Upon Tyne and the Puritan Revolution (London, 1967), pp. 169-218.

³ P. R. O. SP28/226: county committee, orders, accounts and papers. There is no pagination to these documents.

⁴ Ibid.

⁵ Everitt, Kent, pp. 126-155.

Sir John's own chambers.¹ In September 1644 it was observed;

"... that there was very rare meetings of the committee or any regular proceedings for there had not bin any orders entered into the booke of about foure moneths; the reason of it to be because Sir John Gell did carry things of himselfe in such a way that some of the committee vizt. captain Mellor and Major Sanders said they had noe mind to meete for that they had not the liberty of committee men."²

Gell's critics also claimed that he had

"prepared orders and demanded their hands without any propounding or debating of the busines and when there hath bin some that hath questioned the reasonableness of the proposicon he hath called them factious fellowes and said the devill was in them."³

Although four of the clique - Wigley being the exception - had sat on the committee since 1642 or early 1643,⁴ at the beginning of the civil war decisions had been reached amicably: they were discussed and deliberated upon by all committeemen.⁵ But in June 1643 Sir John Gell was heard to say of his colleagues that "they were base fellowes . . . and . . . hee would there were no committees."⁶ It seems likely, therefore, that

¹ D. R. O. Sanders mss, 1232M/056.

² D. R. O. Gell mss, 34/10, pp. 20-21.

³ D. R. O. Gell mss, 34/10, p. 22.

⁴ Firth and Rait, Acts and Ordinances, vol. 1, pp. 49-51, 106-117, 223-241, 531-553.

⁵ D. R. O. Sanders mss, 1232M/038.

⁶ D. R. O. Gell mss, 34/10, p. 47.

Gell's assumption and monopoly of power was gradual; by the summer of 1644 he was established enough to court adverse comment,¹ and by December an opposition faction had formed against him. Not that tension of this kind was peculiar to the Derbyshire committee alone. Sir Samuel Luke, writing to the Earl of Essex, related how the committee at Gloucester had sent "bitter articles" to Colonel Massey. The Earl of Denbigh, Luke remarked, had differences with the Stafford committee and "colonel Hutchinson and colonel Thornhaugh are gone up discontented from Nottingham." Luke bemoaned

". . . what ill fate is like to hang over our heads and how little good we may expect in those divisions and distractions which are amongst us. The Committees in all places oppose themselves to the Governors, who are so discontented that they are either retired from their charges, or little ² useful there."

In December 1644 some of Derbyshire's committeemen and officers on the periphery of the ruling core, petitioned Parliament for an extension of committee membership. Six names were put forward: William Woolley and Francis Mundy were, in fact, nominated by Parliament in October, prior to the formulation of the petition. (Mundy had been nominated in December 1642 but was soon dropped.) Perhaps they were originally obstructed from

¹ B. L. E254(25), Perfect Occurrences, August 23-30 1644.

² H. M. C. The Letter Book of Sir Samuel Luke 1644-1645,

p. 31.

taking their places. The other four additions only slowly achieved administrative standing: Robert Willimot was eventually named on the committee in May 1645 (though he too had been appointed earlier, in August 1643, and then disappeared). Edward Pegge and Gervase Bennett did not appear until 1647 although the latter became county treasurer in 1645. The last man named, John Dalton, was only appointed to the committee in 1657.¹

Sir John Gell was sufficiently unnerved by the opposition against him to attempt to circumvent the county committee by enforcing his commands through the authority of his commission as a deputy lieutenant.² It was a subtle move; the lieutenantancy had never been abolished by Parliament nor was its relationship with the county committee defined. Gell's manipulation of Parliament's oversight enabled him to side-step the committee and the quorate rules governing its affairs.³ However, one of the county's officers, Thomas Sanders, disputed his right to act in this way; "I conceived they had noe power as Deputie Lieutenants to command me or any commanders or souldiers raised by my Lord Generall's

¹ D. R. O. Gell mss, 34/10, pp. 8, 47; D. R. O. Sanders mss, 1232M/037; Firth and Rait, Acts and Ordinances, vol. 1, pp. 531-553, 686-688, 958-984; vol. 2, p. 1058; A. M. Morton-Thorpe, 'The Gentry of Derbyshire 1640-1660' (Leicester University M. A. thesis, 1971), p. 40.

² D. R. O. Sanders mss, 1232M/010.

³ D. R. O. Sanders mss, 31/33 (1).

commission."¹

Probably it was Sanders' challenge which led to a debate about the nature of the powers of the county committee. Nine queries submitted for public discussion, about the end of 1644, by Sir George Gresley, Henry Wigfall and Nathaniel Hallowes give some idea of the nature of disagreement which was undermining the government of the county. A factionalist struggle for control of the committee was fast developing. The first three points suggested that the authority given to the committee ought to be clarified. In particular it was believed necessary to determine if all members held power equally, whether they were deputy lieutenants or not. The following two queries referred to the relationship between committeemen who were not military officers and those who were: was it right that the latter should have sole power to dispose of taxation and deliberate military policy? Or as point number six asked, was it not better that all policies should "be agreed and concluded by the vote and consent of al or the greater part of the committee." Next, it was queried whether a meeting place should not be appointed by the entire committee "rather than two or three of them to conclude [business] in private places." The penultimate query concerned the distribution of arms, money and plate brought in by the soldiers. Should booty be disposed of by a vote of the committee or left to "the sole and private benefit of the souldyors [and] particular

¹ D. R. O. Sanders mss, 1232M/025.

commanders?" Finally it was asked whether decisions affecting the composition of delinquents' estates should be taken "by any one of the committee alone without the privety and consent of the greatest part?" There is no doubt that this document insinuated that power in Derbyshire was held by a narrow group of men who justified their authority by their commissions as deputy lieutenants and military officers.

Gresley, Hallows and Wigfall received an anonymous reply to their document which illustrates the widening divisions of opinion. The first three queries were abruptly condemned: "wee conceive they entrench upon the honour of his Excellency and wonder some should presume and others should no better consider then to subscribe them." The rejoinder argued that civilian committeemen were "the lessor part of the committee in disposing of the moneys" but admitted that Gresley, because he was a captain, and Hallows, as one of the county's representatives in Parliament, had a right to be on the council of war. "Mr Wygfall, it is clear, hath nought to doe in any martiall counsell." It was suggested that, where it was pertinent for them to do so, the majority of the committee should take part in policy making, but the blame for their failure to participate lay on "these of the committee that for priyate ends absent themselves when things concerne theyre owne hundred, where they live and refuse to signe any warrants because they would not bee seene in assessing theyre neighbors." Dismissing the remainder of the queries in the same reproachful

manner, the reply terminated with an attack on the originators of the debate: "We conceive such queries as these of dangerous consequences without president and not heard or thought of eyther by Sir George Gresley or Mr Hallowes untill Mr Wygfall invented those . . ."¹

All three men, Gresley, Hallowes and Wigfall, later claimed mutual responsibility for their document² but Henry Wigfall seems an odd signatory anyway. He was married to Sir John Gell's daughter, Elizabeth³ and was clearly associated, in many people's minds, with the ruling clique. Yet, there appears to be no doubt at all that the "Queries" were a veiled criticism of his father-in-law. Perhaps in the light of the discontent which was manifesting itself against Gell, Wigfall thought it prudent to shift his own ground. Equally, Sir George Gresley was regarded as one of Gell's men but Gresley was, in fact, an impartial political animal who preferred to sit on the fence.⁴

A new dimension was introduced to the factionalism in Derbyshire by the appearance of the sub-committee of accounts towards the end of 1644. County committees had originally been responsible for the auditing of their own accounts, but in early 1644 the central committee of accounts in London assumed the task.⁵ Sub-committees

¹ D. R. O. Gresley Letter Book, 803M, pp. xx-xxiv

² Ibid.

³ Morton-Thorpe, 'Gentry of Derbyshire', p. 88.

⁴ See below, pp. 181, 211, 225.

⁵ Firth and Rait, Acts and Ordinances, vol. 1, p. 387.

were appointed in each county to examine the financial activities of committeemen and officers; because of the nature of their work members of the sub-committee were supposed to be people who had never served in any other governmental capacity.¹ However, two men - Ralph Clarke and John Mundy - of the ten comprising the sub-committee of accounts in Derbyshire, also sat on the county committee.²

Sir John Gell blatantly endeavoured to obstruct the new committeemen in the performance of their duties. According to John Mundy, the auditing of accounts in July 1645 was delayed "by reason of the abuse offered to some of them" by Sir John.³ In October Gell ordered Ralph Clarke to go to the Earl of Leven, who was camped with the Scots army in the county, and give the committee's apologies for an incident which had occurred the previous June in which Derbyshire troops had attacked the regiment of Colonel Stockdale. In a letter to the Speaker, Gell explained that Clarke was the obvious choice for the mission because he was well acquainted with Stockdale.⁴

¹ D. Pennington, 'The Accounts of the Kingdom 1642-1649', (ed.), F. J. Fisher, Essays in the Economic and Social History of Tudor and Stuart England (Cambridge, 1961), pp. 192-198.

² P. R. O. SP28/260, pt. 1, p. 157; P. R. O. SP28/226 no pagination.

³ D. R. O. Gell mss, 34/10, p. 53.

⁴ H. M. C. Portland mss, vol. 1, pp. 280-281.

but Clarke's removal was interpreted, by some, as being deliberately contrived because he was "the best versed in accompts of any of the rest of the sub-committee."¹ Certainly, Gell was not adverse to the use of deceit and intimidation - even to the extent of setting his soldiers onto sub-committeemen - in order to undermine their financial investigations.² As a result, the sending of accounts to London was repeatedly delayed. In a letter of October 26 1646, the harassed sub-committee explained their frustration; "There are divers receivers and officers", they informed the central committee, "which have received many thousands of pounds some of which are servants and kinsmen to Sir John Gell, which refuse to give us their accompts . . ."³ Eighteen months later the sub-committee described a situation which was paralysing their work:

"You can expect noe better fruits of our labours when the obstruccon lyes not in the lessor but in the greater voyces. Some cause must be taken to make the streames of justice flowe in a channell free from obstruccon else they will imediately annihilate us and in 4
time yor selves."

The commissioners for the excise were similarly impeded by Gell; not overtly as was the case in his treatment of the sub-committee, but he was fortuitously

¹ D. R. O. Gell mss, 34/10, p. 54.

² D. R. O. Gell mss, 34/10, p. 53.

³ P. R.O. SP28/256 no pagination.

⁴ P. R. O. SP28/257 no pagination: May 10 1647.

assisted by the unpopularity of the tax.¹ During demonstrations, led by women, against the excise in May 1645, Gell showed himself reluctant to guarantee the protection of the collectors and adamant in his refusal to punish offenders. "He did not use to meddle with women", he told the commissioners, "unless they were handsom."² A succession of riots in Derby between May and July led to the excise being suspended.³ In effect, the sub-committee and the excise commissioners were representative of the creeping centralisation of government. Gell did not welcome the intrusion on his powers: as he told Ralph Clarke, "it wold never be well as long as committees and excisemen did affront governors."⁴

The Derbyshire sub-committee, unlike that of Cheshire, was not a forum of moderate men determined to brow-beat the more radical members of the county committee led by Gell.⁵ None of the ten sub-committeemen ranked highly in county society: the involvement of the gentry, which had occurred in Sussex, did not happen here.⁶ In contrast

¹ J. S. Merrill, Cheshire 1630-1660 (London, 1974), pp. 99-100.

² D. R. O. Gell mss, 34/10, pp. 3, 4.

³ D. R. O. Gell mss, 34/10, pp. 4, 5.

⁴ D. R. O. Gell mss, 34/10, p. 5.

⁵ Merrill, Cheshire, pp. 90-91.

⁶ A. J. Fletcher, A County Community in Peace and War: Sussex 1600-1660 (London, 1975), pp. 334-335.

to Kent¹ and Sussex, the sub-committee did not attempt to engross power away from the county committee, rather it was a device used by the opponents of Sir John Gell to embarrass and discredit him.

One of the charges levelled against Gell was that he was corrupt. It was alleged that he had "freed the estates of his friends and allies from taxes"² and exhibited greater, more offensive partiality to papists and delinquents at the expense of the "well-affected."³ In 1643 Gell was the object of a virulent attack on parliamentary taxation made by Peter Heylin. Published in May, the pamphlet entitled Theeves, Theeves: Or A Relation of Sir John Gell's Proceedings in Darbyshire in Gathering up the Rents of the Lords and Gentlemen of that County by Pretended Authority from the Two Houses of Parliament, strongly criticised Gell's implementation of the ordinance requiring tenants of royalist landowners to pay their rents into the county committee. "If Gell and such as he have this power upon us", wrote Heylin, "'tis time to give up all to these awfull hands, the little finger of which is grown heavier to us then the lawes of all the Kings that have reigned in England."⁴ Heylin did not actually accuse Gell of corruption, although the fact that he signalled the Derbyshireman

¹ Everitt, Kent, p. 181.

² D. R. O. Gell mss, 34/10, p. 24.

³ D. R. O. Gell mss, 34/10, pp. 33, 47.

⁴ B. L. E100(13).

out, suggests Gell's enthusiastic pursuit of malignants. But in 1644, Sir John and his brother, Thomas, were in the centre of allegations that they had benefitted at the public expense. "The Severall Accompts of Sir John Gell and of his brother Thomas Gell published to Cleare their Innocency from false Imputations" described "the malice of some malignants and others that fled their countrey in time of danger, [who] have falsly and scandalously raised a report that Sir John Gell hath cozened his country of twenty thousand pounds." The Gells claimed that the sub-committee had found nothing wrong with their accounts,

"Yet such is the continued malice of some of these men, that though they be fully satisfied of the truth themselves, as they professed at the taking of these accompts; yet they endeavour to conceale [them] that other men may still beleve that false report, whereof themselves were authors." 1

Despite Sir John Gell's protestations to the contrary, the sheer volume of charges levelled against him appear conclusive that he did use his position to favour his friends and possibly his own financial standing. For instance, in March 1656 Richard Thompson sent a petition to the Committee for the Advance of Money in which he explained that in 1645 he had prosecuted Mrs Anne Cockayne for delinquency, "but by reason of the relacion she had to Sir John Gell, whose potencie in those parts was then such, your petitioners proceedings were obstructed . . ." 2

¹ D. R. O. Gell mss, 31/10(qa).

² P. R. O. SP19/109/121.

The main opposition to Gell, however, was not derived from a dispute over corrupt practices alone. The bone of contention was power, its use and its possession. A contemporary commentator, Lucy Hutchinson, wrote of Sir John Gell that "no man knows for what reason he chose that [Parliament's] side; for he had not the understanding enough to judge the equity of the cause."¹ Hutchinson was prejudiced; she had been highly critical of Gell's conduct towards Sir John Stanhope.² Yet, notwithstanding her puritan bigotry and family loyalty, Hutchinson had perceived a certain lack of principle about Gell's political behaviour. During the 1630s Gell was not in opposition to Caroline government - an educative process through which many leading parliamentarians, such as Sir Anthony Weldon, graduated.³ In fact, as sheriff, he was uncompromising in his service to the King. In his later allegiance to Parliament, Hutchinson insinuated that Gell was governed by a desire to protect himself from the Commons' investigations into the activities of sheriffs.⁴ This may be a little cynical although Gell does show remarkable agility in shifting his course to the prevailing wind. On the whole, Gell does not display the kind of political commitment which marked the careers

¹ Hutchinson, Memoirs of Colonel Hutchinson (ed.), C. H. Firth (London, 1906), pp. 101-102.

² See above, pp. 40-42, 114-115.

³ Everitt, Kent, p. 117.

⁴ Hutchinson, Memoirs, p. 101.

of John Pyne of Somerset and Herbert Morley of Sussex.¹

Sir John Gell's domination of the county committee stemmed from egoism and power-seeking as much as from his vision of the way the war should be prosecuted. In comparison to other county leaders like Sir Anthony Weldon and Sir William Brereton, Gell was more autocratic and predominantly concerned with his own advancement. For example, one of Lucy Hutchinson's many allegations against Gell was that during the war he "kept the diurnall-makers in pension, so that whatever was done in the neighbouring counties against the enemy was attributed to him; and thus he hath indirectly purchased himself a name in a story which he never merited."² John Cleveland also described Gell and Sir William Brereton as "puppets that move by the wire of a Diurnal."³ From the beginning of 1644 there was a correspondent in Derby despatching letters to the newsletter Perfect Occurrences. In some weeks, for instance between May 24th and July 12, Occurrences had a virtual monopoly of references to events in Derbyshire. There is no doubt that Gell's name carries

¹ D. Underdown, Somerset in the Civil War and Interregnum (Newton Abbott, 1973), pp. 121-122; Fletcher, Sussex, pp. 264-266.

² Hutchinson, Memoirs, pp. 101-102.

³ H. Morley (ed.), Character Writings of the Seventeenth Century (London, 1891), pp. 307-313.

disproportionate weight to the exploits being described,¹ although it is evident that he was not the author of the letters. However, by August, the newsletter's interest in Gell had waned possibly because the county was almost secured² but by that time too, the divisions within the committee had become public.³

Sir John Gell's power emanated from and was sustained by his military commission as colonel and governor of Derby. In this capacity he had virtually complete control over the disbursement of pay to the army. His relations with Gervase Bennett, the county treasurer in 1645, were completely informal; there were only occasional accounts of the money given to Gell and the manner of its quittance.⁴ It is not surprising, therefore, that Gell was highly suspicious of the sub-committee of accounts. He told Captain Robert Cotchet that "the new committee is coming downe with power but if they come heere and doe not provide money for the souldiers, I will make them pull them in peeces."⁵

Gell's paternalism, however, only extended to the foot regiments; he used "diverse wais and meanes to

¹ B. L. Thomason Tracts, *passim*; Hutchinson, Memoirs, pp. 395-397.

² See above, pp. 160-161.

³ B. L. E254(25), Perfect Occurrences, August 23-30 1644.

⁴ D. R. O. Gell mss, 34/10, p. 33; P. R. O. SP28/226 no pagination.

⁵ D. R. O. Gell mss, 34/10, p. 6.

destroy the regiment of horse in Derbieshire and particularlie by partiall distributing of monies."¹ His behaviour constituted an attack on those officers who had signed a petition, in December 1644, which supported the sub-committee of accounts and roundly condemned Gell's conduct towards them.² Sir John attempted but failed to divert the horse captains from their course by inviting them to a feast at which

"Sir John Gell and lieutenant colonel Thomas Gell tould the . . . captains that they had a business to impart to them that was to know their resolutions whether they would loyne with them to keep out the [sub] committee that was comeing downe . . . The said lieutenant colonel Gell would have had them to have sett their hand to a potition to that purpose . . ."

Soldier discontent was rife in England throughout 1645;⁴ in Derbyshire mutinies were inspired by Sir John Gell who having been thwarted by the horse captains, endeavoured to alienate the rank and file from their officers by depriving them of pay. Soldier dissatisfaction was also contrived to reverberate unfavourably on the sub-committee and county committee - various members of which were assaulted in violent incidents.⁵ But sub-committeemen

¹ D. R. O. Gell mss, 34/10, p. 7.

² D. R. O. Gell mss, 34/10, p. 47.

³ Ibid.

⁴ J. S. Morrill, 'Mutiny and Discontent in English Provincial Armies 1645-1647', Past and Present, no. 56 (August, 1972), pp. 49-74.

⁵ D. R. O. Gell mss, 34/10, p. 29.

were the major objects for abuse.¹ Gell took no action against offenders and instead used their discontent to co-opt them into his own regiment with promises of pay.² When in August 1645 his own company mutinied, he "tooke them to the brewhouse and did bestowe beere on them."³ As Sir John informed Ralph Clarke in October 1645, he would guarantee the peace if he was allowed to control finance; "the cause of the mutinies was the committees disposing of the money."⁴

The hostility felt by Gell towards the horse regiments had a predominantly personal dimension owing to Major Thomas Sanders' considerable rivalry. Sanders was a military careerist; he had been amongst the first to take out a military commission at the beginning of the war.⁵ Perhaps Gell was jealous of Sanders' popularity amongst his men⁶ and suspicious that he might apply for a commission as colonel. Certainly, Sanders had been advised to do so.⁷ His military record had earned him

¹ D. R. O. Gell mss, 34/10, pp. 2, 57.

² D. R. O. Gell mss, 34/10, p. 7.

³ D. R. O. Gell mss, 34/10, p. 28.

⁴ Ibid.

⁵ J. L. Hobbs, 'The Sanders Family and the Descent of the Manors of Caldwell, Cotton-in-the-Elms and Little Ireton,' D.A.J. vol. 21 (1948), pp. 10-13.

⁶ D. R. O. Sanders mss, 1232M/011.

⁷ D. R. O. Sanders mss, 1232M/025.

commendations from various high ranking parliamentarian officers, amongst them Sir Thomas Fairfax and Colonel Pierrepont.¹ The relationship between Gell and Sanders had always been a fraught one; in May 1643 Sanders resigned his commission under Gell in return for a lieutenant colonelcy under the Lancashire officer Colonel Haughton, but within a few months he returned to Derbyshire.²

Sir William Brereton, hearing of Sir John Gell's "maine endeavours to remove" Sanders "and to break his regiment of horse", jumped to the Major's defence.

"I must lay open my owne knowledge", Brereton confided to Sir Henry Vane, "that if this gent be discouraged and his regiment disbanded I doe not know where such another will be raised consisting of soe many faythful godly valiants and substantiall men in this parte of England."

In contrast, Lucy Hutchinson thought that Sanders "had not many things requisite to a greate souldier", but she was probably influenced by the friction between him and her husband.⁴ Equally, because of the evident propaganda involved in such character slurs,⁵ royalist comment on Sanders' cowardice need not be taken seriously either. On the whole Sanders was highly thought of.

¹ D. R. O. Sanders mss, 1232M/014.

² See above, pp. 141-142, 154.

³ B. L. Add. mss, 11332, no. 122.

⁴ Hutchinson, Memoirs, pp. 260-262.

⁵ Hobbs, 'The Sanders Family', D.A.J. (1948), pp. 10-13.

The heart of the antagonism between Sir John Gell and Thomas Sanders may be traced to Sir John's jealousy concerning the structure of Sanders' commission which gave him autonomy over the appointment of inferior officers in his regiment.¹ Sanders had acquired this right probably as a condition of his return to Derbyshire after serving under Haughton. Sanders was led to believe, as he informed Lord General Essex, "yt I should soly dispose of all; [Gell] only having the tytle of colonel."² Obviously, Gell thought that the arrangement was a blatant contradiction to his own authority and it seems that he embarked on a successful campaign to get Essex to reverse his decision.³ In February 1643/44 Sanders was ordered by the Lord General to "yield all due obedience unto Sir John Gell as colonell of that regiment of horse."⁴ Twelve months later, in January 1644/45, Sanders' commission was revoked. It can only be assumed that this was the result of Gell's efforts to rid himself of troublesome and critical officers since if Sanders should lose his commission, then all commissions given by him would similarly be dissolved.⁵

The conflict between Sanders and Gell was personal but it had political implications as the county split between the two men: the prosecution of the war was

¹ D. R. O. Sanders mss, 1232M/04.

² Ibid; D. R. O. Sanders mss, 1232M/011.

³ D. R. O. Grosley Letter Book, 803M, pp. 123-126.

⁴ D. R. O. Sanders mss, 1232M/06.

⁵ D. R. O. Sanders mss, 1232M/011, 09a, 015.

severely handicapped. As long as doubt persisted about the legality of Sanders' commission, the military effectiveness of his regiment was reduced. Major Nathaniel Barton, discouraged by Gell's behaviour towards the cavalry, "had a long tyme suffered himself and them to be made slaves by Sir John Gell [which] they could beare no longer, so that [he] was forced to march out of the countrie with his troope." He placed himself under the command of Sir Thomas Fairfax, arguing that this was the only way to "preserve" his men "for the publique service."¹

Sanders' determination to justify his position to Essex by making a personal appearance before him caused the situation between Gell and the horse captains to deteriorate further.²

"I will not squander the best regiment of horse in the north of England", Sanders wrote adamantly to Essex, "as I should doe if I were under [Gell's] command. The captains have all or most commissions from mee and both officers and souldiers refuse to go under his command."³

Two areas of opposition to Gell, the civilian and the military, merged in the person of Thomas Sanders. In January 1644/45, he set out for London armed with a certificate of complaint framed by his men and another petition from committeemen asking for additions to be made to the county committee.⁴ On his return to the

¹ D. R. O. Gell mss, 34/10, pp. 41-42.

² D. R. O. Sanders mss, 1232M/013.

³ D. R. O. Sanders mss, 1232M/011.

⁴ D. R. O. Sanders mss, 1232M/025.

county, on January 28th, Gell ordered him to be confined to his house.¹

In a letter, probably to Sir Thomas Fairfax, Gell explained that Sanders was arrested because of his refusal to go with his regiment to a blockade of Newark; he had stubbornly maintained "that none of us had power to command hym", Gell claimed. Moreover, it appears that Sanders' appeal to Essex had failed. According to Gell, instead of confirming his original commission, Essex had given him a new one "with order hereafter to be obedyent to his superiors and that he should deliver to mee his old commission . . . He refused both and thereupon is confined."²

Seemingly Gell had won over Fairfax; "he acknowledged me to be your colonell which is more than you would doe", he informed the horse regiments in a letter of February 10th.³ Essex too, believed that Sanders' commission was "larger than usuall and that ye maior had made use of it to other purposes that he [Essex] never intended."⁴ As a result, at the end of January, the Lord General acquiesced in Gell's request for the appointment of another major.⁵ For the time being at least, Gell had out manouvered his rivals.

¹ D. R. O. Gresley Letter Book, 803M, p. 123.

² Ibid.

³ D. R. O. Gresley mss, 803M, p. 123.

⁴ D. R. O. Gresley mss, 803M, p. 125.

⁵ D. R. O. Gresley mss, 803M, p. 124.

During this period Sanders' regiment was at Nottingham. It was imperative to his supporters that it should escape a posting back to the garrison at Derby where it would almost certainly fall under Gell's control. Gell, who had wasted little time, had already made overtures to the captains promising them pay if they would subscribe to a protestation attesting his authority as supreme commander.¹ But Sanders' confederates were not going to give up that easily. They petitioned Lord Fairfax and his son Sir Thomas to grant the Major his freedom and to continue his regiment at Nottingham.²

Towards the end of 1644 and the beginning of 1645 the political debate at Westminster surrounding the passing of the Self Denying Ordinance and the ordinance creating the New Model Army was reaching its zenith. The latter was accepted by the House of Commons on January 11th and assented to by the Lords on February 15th. On April 3rd the Self Denying Ordinance reached the statute book.³ The political revolution inaugurated by these acts had repercussions on the dispute between Sir John Gell and Thomas Sanders in Derbyshire. In particular, the attack on the earls of Essex, Manchester and Denbigh, which criticised their lethargy in conducting the war,

¹ D. R. O. Gell mss, 34/10, p. 11.

² D. R. O. Sanders mss, 1232M/012, 014.

³ S. R. Gardiner, History of the Great Civil War 1642-1649 (London, 1898), vol. 2, pp. 117, 129, 190.

had a disturbing effect on the Derbyshire regiments. Sanders quickly realized the implications of the quarrel for his own cause. He alluded to the insecurity of Gell's commission which he had received from Essex "by reason that the Lord General was out of peace and authority . . . and that another was made Generall, to the unsettling of the souldiers in their obedience to Sir John Gell."¹ It was clearly a logical step, given the trend of political events in London, for Sanders, who had felt that the conduct of the war in Derbyshire was being frustrated by Gell's monopoly of power, to petition in his support the newly risen star of the army Sir Thomas Fairfax. But perhaps surprisingly, Fairfax's response was ambiguous. Sanders was told that Sir Thomas was "loth to clash with my Lord of Essex",² presumably because he did not want to exacerbate his relations with Essex over a minor county problem. For this reason, Fairfax may have inclined to side with Gell.

Gell's opponents, however, had every reason to believe that Fairfax could be persuaded differently. Amongst the horse captains it was known that Sir Thomas found Gell "extremely odious"³ whilst Sanders had been highly spoken of. Thus confident at least in these verbal assurances six members of the county committee sent a petition to the Committee of Both Kingdoms

¹ D. R. O. Sanders mss, 1232M/028.

² D. R. O. Sanders mss, 1232M/014.

³ Ibid.

protesting against Sanders' confinement.¹ Fairfax may have been party to the decision to release Sanders on February 15 1644/45.² He was almost certainly responsible for sending the Derbyshire horse to Cheshire;³ Gell's grip on the regiment finally foundered when his attempt to procure a new major was obstructed.⁴

The polarisation in Parliament between radicals and moderates - between men who wanted out-right military victory and those who wanted a negotiated settlement - was not so much mirrored in Derbyshire politics as distorted. There is no sense in which the issues dividing M.P.s in London were claimed by the various factions in the county. Sanders was a man whose egoism and integrity had been bruised by Gell's slanders rather than a man espousing a particular cause. Indeed, he had threatened to "returne to a private life and see end my dayes in peace" rather than have his services abused. "I define", he wrote to Sir John Gell, "that personall dislikes and grudges may hurt the publicke."⁵ In Derbyshire disagreement focused on the nature of power-holding. Meanwhile attempts to loosen Sir John Gell's hold and broaden the base of government seem to have continued throughout 1645. For instance in April a letter was despatched to

¹ D. R. O. Sanders mss, 1232M/015.

² D. R. O. Sanders mss, 1232M/022.

³ D. R. O. Sanders mss, 1232M/016.

⁴ D. R. O. Sanders mss, 1232M/020, 022.

⁵ D. R. O. Sanders mss, 1232M/09a.

the Committee of Both Kingdoms in which part of the county committee alluded to the fact that

" . . . divers of our country men are and have been long at London, endeavoring all they can to be of the committee here. Against some of them wee have sent exceptions and those are in the hands of Sir John Curzon; wee humbly desire they may be read in your Honourable House . . . Wee hope that such men as went into the enemy or fled their country in tyme of danger and left us and all the parliament party here . . . these wee hope shal not bee made committee men and that such a number as quite to over vote those yt have faythfully served you at all tymes. Some of our committee and some souldyers are now prisoners at Newark, yet so powerfull is faction that Mr Robert Mollar, one of our committee, absolutely refused to ioyne with us in a letter tending to the release of our prisoners. He absents hymselfe from the committee and neglects the publique business for no cause that we can imagine, unless it bee that some of those at London desired him as they dyd Mr Charlton not to act in any publique business untill they retorned back again."

There is no record of the signatories to this letter nor is there any evidence which points to the identity of those men pushing themselves forward to become members of the county committee. There is the suggestion that the latter had not always been parliamentary sympathisers, but it may not be wise to take this or its corollary - that there was a group of moderate men trying to insinuate their way into county government - at face value. The factionalism in Derbyshire was far too complex.

There is strong reason to believe that towards the

¹ D. R. O. Gresley Letter Book, 803M, pp. 131-132.

end of 1644 Gell was showing signs of disillusion with Parliament's resolve to defeat the King. As a consequence Gell's opponents made even greater efforts to remove him. But the lines of division - between moderates and radicals - were not clear cut. Gell's motives are demonstrably not solely political ones born of a vision of the war.

Sir Samuel Sleight, who had sat on the county committee since its inception, accused Sir John Gell of "endeavouring to cause the better partie to weaken."¹ Certainly, Gell's command of military affairs in 1644 and 1645 supports the charge that he was hindering the war-effort,² but his behaviour requires fuller examination. Bolsover garrison was captured from the royalists in August 1644 and placed under the command of Colonel Ashenhurst³ who had been a county committeeman since 1643, though he had not been prominent.⁴ Ashenhurst's promotion to governor of Bolsover was⁵, therefore, perhaps surprising. Gell evidently resented Ashenhurst's

¹ D. R. O. Gell mss, 34/10, p. 62.

² See above, pp. 161-162, 164, 167-179.

³ A. C. Wood, Nottinghamshire in the Civil War (Wakefield, 1971), p. 84.

⁴ Firth and Rait, Acts and Ordinances, vol. 1, p. 228.

⁵ D. R. O. Gell mss, 34/10, p. 48.

advancement and showed his feelings by systematically undermining Bolsover's security. He refused to pay the soldiers and encouraged residents near to the castle to deprive the garrison of provisions.¹ Because Ashenhurst owed his commission to Lord Fairfax,² Gell's behaviour may be more understandable. In the past, the Fairfaxes had not been particularly tactful in handling Gell: earlier in the year they had angered Sir John by raising money in Derbyshire without the consent of the county committee.³ Ashenhurst's appointment was seen by Gell as another slight on his authority. It was, in fact, alleged against Gell that his neglect of Bolsover was "done out of malice to . . . Lord Fairfax."⁴

There were further differences between Gell and the Fairfaxes over the proposal, mooted in June 1644, to amalgamate Derbyshire with the Northern Association.⁵ Gell opposed the reduction of the East Midland Association because he would not subordinate himself to the command of the Yorkshiremen. "He wold lay downe his armes before he would be in it," Gell was overheard to say; "we had noe greater enemies in England to the regiments of Derbye then the Lord Fairfax and Sir Thomas . . ."⁶ Gell's

¹ Ibid.

² D. R. O. Gell mss, 34/10, p. 44.

³ Ibid.

⁴ D. R. O. Gell mss, 34/10, p. 48.

⁵ See above, pp. 158-159; P. R. O. SP21/16E, p. 32.

⁶ D. R. O. Gell mss, 34/10, p. 7.

actions were less conditioned by an appraisal of the exigencies of war than by a personal hatred of the Fairfaxes. He may also have been inspired, as Sir Thomas Fairfax believed, "rather because of the hand from which he had his commission."¹ It seems that national divisions had some bearing on politics in Derbyshire even though they were warped by local conditions.²

The parliamentary sieges of the royalist garrison at Tutbury in August 1645 and in the following April, are two particularly good examples of Sir John Gell's loss of commitment to the parliamentary cause. In August it was alleged that he was responsible for the delay in organising a rendezvous of troops from Derbyshire and Staffordshire, thus allowing the enemy to consolidate its defence. Because of his dispute with Thomas Sanders, he neglected to command the Major's men to the siege and as a result the Staffordshire contingent, realising the weakness of their position, abandoned the service.³

In April 1646, a renewed assault on Tutbury caused the royalists to capitulate and plead for terms. However, without authorisation from Westminster, Sir John Gell negotiated a treaty for the garrison's surrender.⁴ Some of the royalist officers were Derbyshiremen and it is

¹ P. R. O. SP21/17E, p. 199.

² For a full examination of the East Midland Association see my article 'The East Midland Association 1642-1644', forthcoming in Midland History.

³ D. R. O. Gell mss, 34/10, pp. 51-52, 63-64.

⁴ Birmingham City Reference Library, 595611 passim.

quite clear that Gell was endeavouring to incorporate lenient delinquency fines within the peace settlement. Sir William Brereton was informed that

" . . . there is such private plotts and contruments among ye Derbyshire officers and souldiers with them in ye castell that . . . some officers have stolen in privately with some letters of Sir John's and answers back, the messengers being lett down with ropes."

On the treaty becoming public, Brereton thought that it was comprised of "ye strangest and most dishonorable articles yt I have seene" - a view which was shared by the Committee of Both Kingdoms who ordered Gell to withdraw.²

These incidents attest Sir John Gell's disillusionment with Parliament's war aims, but he exhibits no rational political stance. He articulated political disagreement by creating personality conflicts. Often personal motives transcended and outweighed political ones especially when his authority came under attack; it is almost as if the most important thing to Gell was the possession of power not the use he made of it.

About a dozen men - committeemen and officers - formed the core of opposition to Sir John Gell.³ (see Appendix 8). But symptomatic of the degree of alienation to Gell which had occurred was the conversion of his

¹ Birmingham City Reference Library, 595611, p. 39.

² Birmingham City Reference Library, 595611, p. 12.

³ D. R. O. Gell mss, 34/10 passim; Sanders mss, 1232M passim.

own brother, Thomas, to their ranks. The abortive first siege of Tutbury in August 1645 was crucial in Thomas' decision to disavow his connection with Sir John. At the siege Thomas was heard to say that his brother "had dishonoured himself and undone the countie. . . . If the militia were taken not out of his brother's hand hee would throw in his commission and act no more."¹

In the autumn Thomas Gell, Sir Samuel Sleigh and Nathaniel Hallowes resolved to go to London "for this purpose that the militia might be settled in a select company of the comittee and not left alone in the hands of Sir John Gell."² Theirs, however, was not the only attempt to remove Gell from power. Another petition, originating from the hard core of Thomas Sanders' supporters, suggested putting "the government of the towne [of Derby] into the hands of Sir George Gresley and some others . . . and the mayor of the towne for a tyme."³ Like Thomas Gell, Gresley had also disassociated himself from Sir John's clique.

Gell's opponents were not united; Sanders had not been moved by Thomas Gell's display of political gymnastics and regarded him as "unfitt", of "meane estate, want of learning, lawe and honesty" and not to be "trusted or confided in."⁴ There were other divisions over the

¹ D. R. O. Gell mss, 34/10, p. 48.

² D. R. O. Gell mss, 34/10, p. 64.

³ D. R. O. Sanders mss, 1232M/058.

⁴ D. R. O. Sanders mss, 1232M/09a.

form of government; Thomas Gell and Sir Samuel Sleigh canvassed for the military to be placed under the command of a select body, whilst others, including Sir John Curzon, envisaged control by the entire county committee.¹ The factionalism in Derbyshire had become so complex that, on such an important issue, no one was sure who to trust. Yet, in their opposition to Gell, men were agreed: "a greater charge hath not come against any since the parliament began."²

The recruiter election of November 12 1645 occurred as the dispute between Sir John Gell and the county committee reached a climax.³ Occasioned by the defection of William Allestry to the royalists in the autumn of 1643, the election of his replacement proved an ideal forum in which Gell's opponents could advance their position. As a consequence the election exacerbated divisions even further; it was hotly contested and its proceedings, which were often illegal, led to yet another series of charges against Sir John Gell. Because of the factional nature of politics in Derbyshire national issues, despite the peculiar conditions of civil war, did not receive a platform. In contrast, personalities loomed exceptionally large.

One of the candidates for the seat vacated by William Allestry was Robert Mellor, army captain, shop

¹ D. R. O. Gell mss, 34/10, p. 64.

² D. R. O. Sanders mss, 1232M/059.

³ D. R. O. Gell mss, 31/33(k).

keeper and resident of Derby.¹ He was described by the parliamentary newsletter, The City Scout, as a man who was "public spirited" and "verie cordiall . . . to the parliament."² He was appointed to the county committee in October 1644 but apparently absented himself, perhaps owing to his dislike of Sir John Gell.³ Mellor's adversary in the recruiter election was Thomas Gell. However, Gell's recent attachment to the opposition to his brother makes his candidature a little ambiguous; in the election Sir John was extremely active in securing Thomas's victory. It is likely that Thomas Gell had been lured back to the family fold with promises of a seat in the House of Commons.

Thomas was not a popular man in Derby. One of Mellor's voters, who was not a little biased, called Gell a "worthless man" of "no trust": those voting for him "doe damn themselves and their posteritie to the pitt of hell."⁴ Much of the ill feeling borne towards Thomas was a result of his association with his brother. As governor of the garrison, it was widely believed that Sir John had neglected the town's interests and in particular that the liberties of Derby had been "infringed" during Thomas's election as recorder in 1644.⁵ Evidently,

¹ D. R. O. Gell mss, 31/10(na).

² B. L. E302 (11): September 22 1645.

³ Firth and Rait, Acts and Ordinances, vol. 1, pp. 531-553;
D. R. O. Gresley Letter Book, 803M, pp. 131-132.

⁴ D. R. O. Gell mss, 30/5(a).

⁵ D. R. O. Gell mss, 34/10, p. 40.

Sir John had manipulated the proceedings to Thomas's advantage. As a lawyer, Thomas was ably qualified for the recordership but as an outsider he offended burghal particularism.¹ The burgesses, in fact, had originally intended to delay the voting because of a shortage of nominations yet Sir John insisted that they continue, threatening "the mayor and towne clerke to returne him the names of such as would defer or delay the eleccon."²

Sir John Gell's attitude towards the recruiter election was probably determined by the threat to his authority posed by certain men in the county. Excluded himself from becoming an M.P. by the Self Denying Ordinance, it is likely that Sir John thought the election of Thomas would be invaluable in the reinforcement of his power in Derbyshire: a compliant kinsmen in Westminster might prove a vital counterweight to the opposition at home. Almost immediately, however, his patronage of Thomas provoked resistance; the burgesses were desirous that "they might have a townesman" elected instead.³

The borough town of Derby probably had a freeman franchise.⁴ Contemporaries referred to the voters as

¹ J. R. Dias, 'Politics and Administration in Nottinghamshire and Derbyshire 1590-1640' (Oxford University D.Phil. thesis, 1973), p. 164; See above, pp. 74-79.

² D. R. O. Gell mss, 34/10, p. 37.

³ D. R. O. Gell mss, 34/10, p. 35.

⁴ D. Hirst, The Representative of the People (Cambridge, 1975), pp. 213-215.

burgesses - a term which, in the seventeenth century, was interchangeable with freemen or commonality.¹ The number of freemen in Derby was very small; only three hundred and nineteen men, (out of a population of between three and four thousand people)² voted in the recruiter election. But the size and composition of the freemen population varied greatly from town to town and restricted franchises were not unusual. Coventry, for instance, had a population of six thousand in 1628, out of which only six hundred voted.³ Perhaps the payment for admittance to the body in Derby was a high one, yet civil war must have also taken its toll in death, political exile or even political apathy or disillusion with factionalism.

Gervase Bennett, the mayor of Derby, presided over the election: his role was crucial in determining the contest. Gervase Bennett of Littleover was a puritan attached to⁴ the opposition to Sir John Gell; he had been one of the six men nominated to the county committee

¹ Hirst, Representative of the People, p. 93.

² D. R. O. Gell mss, 30/5(e); S. Glover, County of Derby (Derby, 1831), vol. 1, p. 437.

³ Hirst, Representative of the People, pp. 94-95.

⁴ R. O'Day, 'Clerical Patronage and Recruitment in England in the Elizabethan and Early Stuart Periods with special reference to the Diocese of Coventry and Lichfield' (London University Ph.D thesis, 1972), p. 316.

by Gell's opponents in December 1644.¹ Although unsuccessful in his bid to become a committeeman, in the following year he became mayor of Derby and treasurer to the county's governing body.² If by this latter appointment the opposition intended to curb Sir John Gell's powers over finance, they were to be disappointed: Gell dominated Bennett.³ But Bennett's possession of the mayoralty, an office cushioned and protected by the town's liberties, proved a better position from which to mount an attack on Gell.

As the freemen assembled at the market cross on the morning of November 12th to give voice for their candidates, almost immediately the mayor manifested his partiality. In the usual manner Bennett read the precept, but then dropping normal policy, he made a fervent speech in support of Mellor's candidacy. "The Recorder, Mr. Gell, then offeringe to have spoke somethinge; the maior putt his arme to his throate and forbad him . . . saying he had noethinge to doe to speake theire."⁴ The volume of shouts and cries, according to Bennett, was inconclusive to determine the victor, yet one witness to the scenes

¹ See above, pp. 184-185.

² Morton-Thorpe, 'Gentry of Derbyshire', pp. 40, 78; P. R. O. SP28/226 no pagination; Glover, Derby, vol. 1, appendix p. 21.

³ See above, p. 196.

⁴ D. R. O. Gell mss, 30/5(c).

was convinced that Gell had the majority of voices.¹ If this was the case, Bennett used his authority to enforce the taking of a poll.

During the formal registration of votes in the town hall, Bennett continued to show indecent prejudice. Inquiring half way through the poll how the voting fared, he was told by the stewards that Thomas Gell had the edge by twenty eight votes;

"whereupon Mr Mayor seemed to bee discontented and rose out of his chayre and stept upon a table round about which the cheife burgesses sate and he desired them to give him roome. And hee went to a great window in the hall towards the market place and put out his hate at the window and moved it and ² cryed a Mellor, a Mellor. . ."

Bennett's nervousness for the prospects of his friend's success was, in fact, well founded and despite two proclamations calling for reluctant freemen to register their preferences, when the poll book was closed Thomas Gell had 170 votes to Robert Mellor's 149.³

It was at this point that Bennett and Gell exchanged angry words. The Mayor refused to return Thomas as duly elected and having lost all sense of propriety "began to stampe and was in a great rage": he told Thomas, "I will returne whom I please."⁴ There was nothing that Gell could do apart from retiring from

¹ D. R. O. Gell mss, 30/5(d).

² Ibid.

³ D. R. O. Gell mss, 30/5(j).

⁴ D. R. O. Gell mss, 30/5(e).

the hall, but his departure afforded a significant demonstration of his support and of the divisions caused by the election. "Most of the aldermen and cheife burgesses" left with Gell. Those staying behind with the mayor included "very few burgesses", yet some "greate men of the country" and members of the sub-committee of accounts.¹

In view of Thomas's unpopularity in Derby, it is perhaps surprising that he should have such a strong core of burghal backing. The recruiter election, however, was not solely fought along factionalist lines and many burgesses, in the recriminations following the poll, must have been more profoundly influenced by the subversion of justice than by the claims of factionalist allegiance. But the dispute did not end here.

Upon Thomas Gell's dramatic exit, the mayor ordered his stewards "to put out" from the poll book some of the names which had given their votes to Gell. Both stewards refused; one, Mr. Allestry, saying that the voters "were swoorne burgesses [freemen] 40 yeares agoe and had as good a right to give their voyces as any." Allestry explained his concern that should he comply with the deceit, "I doubt I shall be questioned by the parliament."² The stewards abandoned their seats and Captain Withers took the names of those excepted to by Bennett. The poll having been doctored "Mr. mayor stood up without

¹ Ibid; D. R. O. Gell mss, 30/5(d).

² D. R. O. Gell mss, 30/5(1).

any further examinacon and cryed a Mellor, a Mellor and fell a laughing and went his wayes."¹

During the election there had been confusion over the eligibility of certain men to vote. Bennett had objected to freemen who no longer lived in Derby whilst allowing votes of apprentices who had not been fully sworn in. Some of the corporation disliked his abuse of electoral rules and petitioned Parliament for their mayor to be censured.² A further petition complained that Bennett had sent Mellor's indenture to London without the approbation of the common hall.³ Clearly the major source of grievance hung upon a procedural dispute between Bennett and his subordinate officers over the respective powers of the mayoralty and the common council. For many of the burgesses the most important issue at stake was not the merits of the candidates or the factions they represented, but the manner in which they were chosen.

There was, however, a further dimension to the recruiter election; it was alleged against Sir John Gell that he had used his powers as colonel of the militia in Derbyshire to inhibit Mellor's campaign. On November 8th, four days before the poll, Sir John Gell ordered Captain Mellor's company to a siege of Newark.⁴ The captain's supporters believed that Gell had deliberately contrived to remove

¹ Ibid.

² D. R. O. Gell mss, 30/5(j).

³ D. R. O. Gell mss, 30/5(h).

⁴ B. L. Add. mss, 28, 716, ff. 39-49.

the soldiers from the garrison because they had "voyses in the election";¹ Gell claimed that he was acting solely in response to commands from the Committee of Both Kingdoms.² He argued that on receipt of the order to send five hundred foot into Nottinghamshire, the county committee had convened to discuss the deployment of the men and had eventually decided to send his own troop and the companies belonging to Major Mollanus and Robert Mellor; Lieutenant Colonel Thomas Gell's men "which was the least should stave to keepe the towne."³ Sixty men in Mellor's company were of freeman status and if they had been allowed to vote the election result would have been reversed. As it was their petition, sent from Newark, desiring that "they should not lose the liberty of the vote though they were imployed in the parliament's service", was unsuccessful.⁴ Sir John Gell may not have been responsible for the original decision to send Mellor's men to Newark, but the possibility that he blocked their petition would not be out of character. The mayor and some burgesses were certainly of the opinion that Gell had contrived "to hinder a free election."⁵

The November election, in fact, was the second attempt to choose a member of Parliament. The original

¹ Ibid.

² D. R. O. Gell mss, 28/12(a); C. S. P. D. 1645-1647, p. 213.

³ D. R. O. Gell mss, 31/33(h).

⁴ B. L. Add. mss, 28, 716, ff. 39-49.

⁵ D. R. O. Gell mss, 30/5(m).

House of Commons order to hold an election had arrived in the early weeks of September 1645, whereupon Gell had shown himself excessively eager to disadvantage his brother's opponent. Not only did he despatch Mellor and his troop to Chatsworth House, he also, according to the then mayor, Luke Whittington, "imprisoned some of the burgesses and sent others out of the towne and had given threatening words to himself." The majority of the common council determined to waive the election and petition Parliament but the quarrel was patched together by the intervention of Sir John Curzon who "had promised and undertaken for Sir John Gell that Sir John Gell should use no violent meanes, nor be in the towne at the time of the election."¹

Gell, however, was no less obtrusive in November. During the registration of names in the poll book, he sat with the stewards which was thought to be a "grate terror" to many of the voters.² Apparently, the freemen were so confused by his presence that "they gave their voyces for him at first and afterwards to Mr Gell when Sir John had perswaded them that he had no voyce in the election."³ Plainly, Sir John Gell was as guilty as Gervase Bennett of trying to manipulate the proceedings. But the nature and extent of Gell's involvement in the recruiter election hangs on the charge made against him that he had ordered Thomas Gell's company to be drawn

¹ B. L. Add. mss, 28, 716, ff. 39-49.

² Ibid.

³ Ibid.

up in the forecourt adjoining the town hall whilst the awed freemen filed into the poll.¹ The allegation of military intimidation has led David Underdown to describe the conduct of the Derby election as "won by the ruthless exercise of military power."²

The evidence shows that just before the mayor read the precept at the beginning of the election, Gell was the inspiration behind an outbreak of rowdy behaviour. It was reported that,

" . . . the maior, coming to the town hall found Sir John Gell there contrary to his expectation, together with his servants and some soldiers and many of the malignants in that towne . . . [who] in a tumultuous way cryed out a Gell, a Gell."

The mayor's requests to the group to disperse led to their temporary withdrawal outside the hall, but "they immediately forc't the doore open again and came to the maior and told him that they came to choose Mr Gell."³

The actual election was held between nine and three o'clock - the period of time in which Mellor's supporters contend that Thomas Gell's company paraded outside the town hall. Others, however, claimed there "were no souldiers in armes in sight, and [that] during the whole time . . . there came no complaint . . . of any souldiers for any disturbance." In fact the day following the election, some burgesses were heard to say "that it was

¹ Ibid.

² D. Underdown, 'Party Management in the Recruiter Elections 1645-1648', E. H. R., vol. 83 (1968), p. 244.

³ B. L. Add. mss, 28, 716, ff. 39-49.

as faire an election as they had seene and that they were ingaged much to Sir John Gell that the souldiers did not disturbe them."¹

The truth of the matter lies somewhere in between the two accounts. Thomas Gell's company did assemble on the forecourt, but about one o'clock.² That day, it seems as if the townsmen should have had the duty of guarding the garrison but many had drifted from their posts, presumably to either watch or participate in the election. Captain Robert Ireland alleged that the decision to call out the lieutenant-colonel's men was his and was based on the opinion that "the enemy might take advantage of that day, in the absence of the other soldiers and the townesmen being come of their guards." He had not informed Sir John Gell since he could not deliver the message to him in the town hall because of the crush of people.³

It is not conclusive that the recruiter election was won by the ruthless exercise of military power nor does it seem entirely clear that Gell master-minded a show of force to intimidate the voters. Nevertheless, there was a certain amount of electoral engineering by both sides. Gervase Bennett and Sir John Gell appear equally guilty in this respect. Neither was Gell prepared to give up the fight despite Mellor being claimed

¹ D. R. O. Gell mss, 30/5(e).

² Ibid.

³ D. R. O. Gell mss, 28/12(a), 30/5(c).

the victor; he combined with the sheriff, Sir George Gresley, to return Thomas Gell's indenture without the endorsement of the mayor.¹ In the event, Thomas was acknowledged to be duly elected: the newsletter Perfect Occurrences reporting for the week beginning Friday, November 14th described how Thomas had presented himself to the House of Commons and had been sworn in.² Apparently, the dispute came before the Committee of Privileges but it can only be assumed that Robert Mellor withdrew.³

The election of his brother to Parliament was a tactical success for Sir John Gell which came at a time when he was being investigated by the House of Commons on charges brought against him in October by his opponents.⁴ Apart from the affidavits submitted to the adjudicating body by both sides no record of the outcome of the case survives. The termination of the first civil war six months later and the disbandment of Derbyshire's forces robbed Gell of much of his power base but he remained on the county committee until 1650; there is, however, a suggestion that he was never as dominant or over bearing.⁵

The recruiter election exacerbated the divisions in the county rather than created new ones. Two

¹ D. R. O. Gell mss, 30/5(p); B. L. Add. mss, 28, 716, ff. 39-49.

² B. L. E266(20).

³ B. L. Add. mss, 28, 716, ff. 39-49.

⁴ D. R. O. Sanders mss, 1232M/059.

⁵ See below, pp. 270-273.

parliamentary ordinances of February 21 1644/45 and May 26 1645 list the names of twenty five committeemen, who if they chose to exercise their powers, were the core of parliamentary leadership in Derbyshire (see Appendix 8).¹ The majority of those men can be placed as either a supporter of Sir John Gell or an opponent. There were other committeemen, such as Sir George Gresley and Sir John Curzon, whose affiliations were ambivalent. Both Gresley and Curzon were in favour of Thomas Gell's election to Parliament, yet they were not unswerving in their loyalty to his brother over the dispute with Thomas Sanders. Approximately a dozen men formed the opposition to Sir John Gell but there was not the cohesive quality of a political party about them. They had diverse grievances; they were not all political moderates nor all win-the-war radicals. They shared a unity in their dislike of Gell.

David Underdown suggested that the "growth of party feelings created the motive for election management."² Derbyshire cannot boast of parties: compared with Somerset and Newcastle-Upon-Tyne³ there was no moderate - radical dichotomy and such electoral engineering as

¹ Firth and Rait, Acts and Ordinances, vol. 1, pp. 630-646, 686-688.

² Underdown, 'Party Management in the Recruiter Elections', E.H.R. (1968), p. 239.

³ Underdown, Somerset, pp. 121-138; Howell, Newcastle Upon Tyne, pp. 182-185.

existed was crudely managed. Though there was, towards the end of the war, a steady growth in the polarisation of attitudes, this merely provided the right atmosphere to perpetuate divers local and personal interests, not necessarily national ones.

CHAPTER 5

Taxation, Administration and the Militia,
1642-1660

Between 1642 and 1660 one of the main functions of the county governors was the administration of taxation. Taxation took on novel forms under the stress of civil war and of a peace where one section of the population suffered pecuniary punishment. Parliament's introduction of assessments remedied the flaws which had undermined subsidies whilst the excise was levied on a wide variety of goods. In addition the composition and sequestration of delinquents' estates was a revolutionary step but not, for the most part, financially lucrative. In fact for eighteen years England was taxed more heavily than ever before. However, because of the peculiar conditions of warfare and governmental instability, receipts rarely met expenditure and efforts to meet the largest outlay of all - the cost of maintaining the military establishment - proved abortive.

In June 1642 Parliament made its first, if hesitant, move towards raising money. The ordinance for bringing in plate, money and horses was a request for loans which promised that they would be paid back with interest at eight per cent.¹ The system of loans, known as Propositions, was not properly implemented in Derbyshire until November 1642 by which time the parliamentarians

¹ C. H. Firth and R. Rait, Acts and Ordinances of the Interregnum (London, 1911), vol. 1, pp. 6-9.

had succeeded in garrisoning Derby and were busy trying to impose their authority throughout the county.¹ Nathaniel Hallows, M.P., was the treasurer responsible for receiving and disbursing money collected on the Propositions. His account book for the period November 1642 to August 1643 records the speed with which Sir John Gell and his colleagues settled to the business of financing the war effort.² Within one month of establishing themselves in Derby they had raised £709.9.8 on the public faith. A further £432 was raised in December whilst between Christmas and the beginning of February they collected £3,703.12.5. Not all of the money constituted loans. In January £3,000 "was brought from Mr. Sacheverell of Morley" who was plundered by forces commanded by Thomas Sanders.³ Gradually Hallows' supervision of Proposition money widened to include booty taken from royalists and after March 27 1643⁴ the rents from royalist sequestered lands owned by the earls of Newcastle, Devonshire and Chesterfield, and by such gentry as Sir John Harpur, Sir Andrew Kniveton and others, were also added to his account.

The money was disbursed in three areas. The greatest proportion was paid to Henry Buxton. Probably

¹ See above, pp. 112-122.

² D. R. O. Gell mss, 60/39.

³ See above, pp. 123-124.

⁴ Firth and Rait, Acts and Ordinances, vol. 1, pp. 106-117.

he was Hallowes' assistant. According to the parliamentary ordinance all money collected on the Propositions should have gone to the central treasury in London; it is likely that Buxton was responsible for channelling funds in this direction.¹ Most of the remainder was paid at fortnightly intervals to Major Mollanus' company and shows a remarkable attempt, at this early stage in the war, to keep the soldiers' wages up to date. Finally the rest went towards the cost of building fortifications around Derby.

In just over nine months £10,563.4.3 was collected through loans and of this £10,687.8.6 was paid out thus leaving a debt of £124.4.3. The paucity of material for the county makes it impossible to determine how much money was raised on the Propositions during the war. £30,000 was raised in Cheshire between 1642 and 1646,² but there is no comparative figure for Derbyshire. Partly the problem lies in the fact that loans were mixed in with revenue from other sources - at least for the first few months of 1642/43 and probably for the rest of the war as well. It is also likely that, after an initial flood of loans, Derbyshire adhered to the pattern of general apathy with which Parliament's request for money was received.³ Certainly in Hallowes' accounts

¹ Firth and Rait, Acts and Ordinances, vol. 1, pp. 6-9.

² J. S. Morrill, Cheshire 1630-1660 (London, 1974), p. 102.

³ A. N. Everitt, The Community of Kent and the Great Rebellion 1640-1660 (Leicester, 1966), pp. 155-156.

the major gentry were conspicuous by their absence.

Francis Mundy gave £60; three men, Sir Thomas Burdett, Robert Willimot and Richard Greaves, gave £50. Sir Edward Coke gave £49 and Sir Samuel Sleight £36.

Surprisingly, Sir John Fitzherbert of Tissington loaned £100 and Sir John Harpur of Swarkeston £33, but they may have been trying to conceal their royalism. On the whole, however, few important people lent money.

This kind of reluctance led Parliament to introduce a forcible assessment, of a fifth and twentieth part on personal and real estate, on those who had not contributed on the public faith.¹ Over fifty men in Derbyshire, amongst them some of the richest in the county - Thomas Coko, Sir John Harpur, Sir Henry Hunlock, Henry Vernon and Sir Simon Every, were reported to the Committee for the Advance of Money.² Yet, even coercive measures were not uniformly successful: whereas in Kent the yield was high,³ in Cheshire it was disappointing.⁴ In Derbyshire receipts were below £20,000, half as much as in Cheshire. In many cases the original assessments were alleged to be too high and were reduced. Sir John Harpur, for instance, was assessed at £3,000 but he was discharged

¹ Firth and Rait, Acts and Ordinances, vol. 1, pp. 145-155.

² C. C. A. M. pp. 166, 650-651, 721, 729, 1096-1098.

³ Everitt, Kent, pp. 156-157.

⁴ Morrill, Cheshire, p. 96.

after paying £500 because "his estate is much mortgaged and he had great debts." The case of John Shallcross was another example of indebtedness causing an assessment to be lowered.¹ Consequently the expectations of the Committee for the Advance of Money were nowhere near fulfilled.

Once it became clear that the war would not be swiftly concluded, Parliament thought it wise to systematise a national form of taxation. Introduced in February 1642/43, assessments became the major source of revenue between 1643 and 1660.² Raised weekly at first and then at monthly intervals, they were a more burdensome tax than the pre-war subsidies had been and although ship money was the progenitor of assessments, Charles I fiscal achievement was weak in comparison. "At its maximum (£120,000 a month) the assessment was running at the rate of something like eighteen . . . parliamentary subsidies."³

¹ C. C. A. N. pp. 650-651, 791, passim.

² Firth and Rait, Acts and Ordinances, vol. 1, pp. 85-100.

³ G. Aylmer, The States Servants (London, 1973), p. 320; Morrill, Cheshire, p. 97.

The county's M.P.s were the main channel through which central government pressurised local officials to see that assessments were quickly apportioned and collected.¹ However, the personnel actually responsible for gathering the tax had not changed very much from those who had collected the earlier subsidies. Of lesser gentry or yeoman status, the collectors were residents of the area in which they worked. They were also probably nominated by some of the very committeemen who had been J.P.s before 1642.² The evidence for Derbyshire, although poor, does seem to indicate that there were different collectors for sequestration and assessment revenue and that accounting was also kept separate, but at least for the duration of the civil war and perhaps until 1649 the county committee dipped into both funds in order to oil the military machine.³

Assessments were much more successful than subsidies because they were not a fixed sum likely to be nibbled away by inflation or sabotaged by the gentry.⁴ The Long Parliament could alter its levies to meet requirements.

¹ C. J. 1642-1644, p. 182.

² J. R. Dias, 'Politics and Administration in Nottinghamshire and Derbyshire 1590-1640' (Oxford D.Phil thesis, 1973), pp. 147-150.

³ P. R. O. SP28/226; SP28/209a, *passim*.

⁴ Dias, 'Politics and Administration', p. 147; A. J. Fletcher, A County Community in Peace and War: Sussex 1600-1660, (London, 1975), pp. 202-205.

Between 1643 and 1660 Derbyshire paid towards the weekly and monthly assessments together with the assessments for the armies in Ireland and Scotland, £105,402.18.2.¹ In contrast to Sussex which paid £525,000² between 1643 and 1660 and Kent's £700,000 raised between 1643 and 1652,³ the levy on Derbyshire was small, but it was one which increased through the years. The sum required after 1650 - £74,713.2.0 - was twice as much as that rated on the county between 1643 and 1649.

The effectiveness with which assessments were collected varied from county to county. In Kent "the efficiency of the tax was remarkable."⁴ In Sussex the "Parliamentary and Cromwellian authorities taught the Stuarts just how much money could be squeezed year by year from the mass of their subjects."⁵ However, in Cheshire assessments were "collected late and only with difficulty."⁶ For Derbyshire the paucity of evidence denies conclusions and, moreover, the methods of collection and disbursement of money in the civil war and interregnum contrive to add to the mystery.

¹ Firth and Rait, Acts and Ordinances, vol. 1, pp. 85-87, 223-225, 531-533, 614-615, 630-632, 686-688, 958-959, 1072-1074; vol. 2, pp. 24-27, 48-52, 285-287, 456-458, 653-654, 902-903, 1029-1030, 1234-1235, 1355-1357.

² Fletcher, Sussex, p. 336.

³ Everitt, Kent, p. 162.

⁴ Ibid, p. 159.

⁵ Fletcher, Sussex, p. 339.

⁶ Morrill, Cheshire, p. 98.

Hundredal or even parish collectors were often ordered to disburse the money they had gathered to army regiments and creditors and it may be suspected that such sums were not always recorded although local constables were supposed to keep accounts.¹ Military officers were similarly instructed to keep a strict note of payments made to their men. Frequently they neglected to do so. For instance, in his account of payments made to his company, Lieutenant Colonel Thomas Gell confessed that he was unable to keep track of money he had laid out: "the particulars whereof I cannot remember" For the period April 1643 to May 1644, covered by his accounts, Gell never succeeded in paying his men regularly. Instead he could only manage to give them small amounts, bit by bit, which failed to clear their arrears. The intent behind Gell drip-feeding his men in this way, as he admitted, was "to keep his souldiers from mutininge. . . ."²

There were problems at the apex of the county's financial administration as well, in that not all the treasurers could cope with the auditing of accounts. The appointment of John Dunnage at the end of 1651 exacerbated difficulties because, as the assessment commissioners explained, he had not recorded the amount

¹ C. Holmes, The Eastern Association in the English Civil War (London, 1974), pp. 134-136; P. R. O. SP28/226, no pagination; P. R. O. SP28/339, no pagination; county committee to constables, January 14 1646/47.

² P. R. O. SP28/128/pt. 2.

of money he had disbursed "being not accustomed to business of that nature, not knowing it needfull."¹ In this case Dunnage's ignorance of the correct procedure for acquitting bills had led to confusion. But the expenditure of money was inevitably haphazard and difficult to trace. Bills came in from a variety of sources - from army officers and civilians - and they ranged over a multiplicity of expenses which included the provision of new boots for a regiment, the cost of billeting for a household or claims for indemnity from maimed soldiers. Neither did all the payments made by the treasurers receive the sanction of the county committee or the assessment commissioners. Especially during war-time the treasurers tended to act quite independently. At other times the orders given to them were signed by only one or two committeemen - a practice which was contrary to quorum rules.²

It was almost impossible for treasurers to achieve balanced accounts. For example the account of Nathaniel Hallows, the treasurer for Proposition money between November 1642 and August 1643, shows that payments outstripped income by £124.4.3.³ It may be suspected that the gap between receipts and expenses widened considerably

¹ P. R. O. SP28/332, no pagination: certificate of the assessment commissioners 1651/52.

² P. R. O. SP28/226, *passim*; D. R. O. Gell mss 31/33(L).

³ D. R. O. Gell mss, 60/39.

as the war dragged on. In any case the fighting caused tremendous problems for the county committee in enforcing the authority of their writ. Derbyshire was not fully brought under parliamentary control until the summer of 1644¹ whilst the available taxable resources vacillated with the movement of opposing armies. The constables' accounts for the parish of Barlow, in the north east of the county, illustrate how the taxes raised in the area were disbursed according to the fortunes of war. On July 10 1643 the constable, Robert Stephenson, recorded that he

" . . . gave to colonel Fretwell's soldiers that came to distraint for arrears when the parliament soldiers lay at Chatsworth to avoid further trouble 3s." 2

During 1643 and for most of 1644 the royalists, as the Barlow accounts make clear, shared in gathering revenue from this district. In particular the Earl of Newcastle's advance through Derbyshire in November and December 1643 severely inhibited the parliamentarians in raising taxation except around Derby. Royalists were quartered "in severall divers places"³ and Mercurius

¹ See above, pp. 160-161.

² I am grateful to Dr. Vanessa Doe for drawing my attention to these accounts which can be found in the Derbyshire Record Office, Barlow Parish Register.

³ See above, pp. 145-150; B. L. E78(28): The Kingdom's Weekly Post, December 12-20 1643.

Aulicus proudly boasted that "Sir John Harpur had received very faire contributions . . ." ¹ Henry Hastings, Lord Loughborough, was told by Thomas Robinson that he was "getting what contribution money I can from Gell which much troubles him." ²

In January 1643/44 the confidence of the royalists was so high that they planned to set up a rival county committee; ³ orders were issued for taxing the county on a more formal basis. William, first Lord Widdrington wrote to Colonel Frescheville on the 21st,

"I conceive it fit that assignements be made of several parts of the county for the maintenance of the several garrisons as well foot as horse, and if your assessments come short for payment of both, your horse must be relieved by men of ability and delinquents, and ⁴ what can be gained from the enemy."

The struggle, between royalists and parliamentarians, for political and fiscal supremacy was fiercely contested; at the end of February Mercurius Aulicus reported how

"the rebels committee . . . were gathering money at Wirksworth in the Peake, 27 long miles from Newark for which purpose Colonel Molineux was sent that evening from Newark with 200 horse; who next morning early fell into Wirksworth towne, where

¹ B. L. E29(2): Mercurius Aulicus, week ending January 6 1643/44.

² H. M. C. Hastings mss, vol. 2, p. 112.

³ H. M. C. Hastings mss, vol. 2, pp. 114, 115, 116.

⁴ H. M. C. Hastings mss, vol. 2, p. 117.

after surprizal of their guards
 he entered the house and tooke the
 whole committee viz Master Wigfall
 (Sir John Gell's son-in-law), Mr
 Edward Charlton, Master Buxton and
 Major Molines . . . and to make the
 work perfect, took 450 pounds . . ." ¹

It was a notable royalist coup which caused havoc to
 parliamentary finances, but neither side could gain a
 permanent advantage. In May the committee at Derby found
 themselves

"in a good condition . . . and have
 plenty of all things at a cheap rate;
 butter at 2d a pound corne we want
 not and other victuals cheaper than
 ever."

However, they admitted a cash problem: "money is some-
 thing hard with us."²

The military balance in the north was finally tipped
 in Parliament's favour by their victory at Marston Moor
 on July 2 1644. From the summer, the area in Derbyshire
 falling under the control of the county committee
 increased commensurately to the wave of military successes
 culminating at Naseby in June of the following year. Yet
 until the very end of the war the survival of royalist
 garrisons at Ashby, Tutbury and Newark prevented the
 parliamentarians from taxing the county at will.³ On
 August 18 1645 Sir George Gresley wrote to Speaker
 Lenthall explaining how "all enemies' garrisons have power

¹ B. L. E273(13): Mercurius Aulicus, week ending March
 2 1643/44.

² B. L. E252(36): Perfect Occurrences, May 24-31 1644.

³ See above, pp. 169, 176-177.

and means still to compel contributions from us and ruin those that deny them."¹ The committee's hold on south Derbyshire was particularly tenuous. Gresley, whose lands lay in the hundred of Repton and Gresley, "within", as he wrote, "4 miles of Tutbury, 5 miles of Ashby and 7 miles of Litchfield," petitioned Parliament for recompense because of royalist plunder.² The capacity of the Tutbury royalists to mulct the surrounding countryside is well attested in an account for the period June to October 1644 which records receipts to the value of £116 including a fine on Sir Samuel Sleight of £150.³

The maintenance of garrisons was provided through the taxable resources of the area in which they were situated, and residents living close by were obliged to give money in the form of assessments and also provisions.⁴ The financial burden thus placed on local communities was onerous.⁵ During the war the parish of Barlow contributed to the garrisons at Sheffield, Staveley, Wingerworth, Wingfield, Bolsover and Chesterfield. By far the largest demands were made by the latter two.⁵ Popular ill-feeling and even outright hostility sometimes ended in taxpayers' strikes.⁶ For instance, people living in the

¹ H. M. C. Portland mss, vol. 1, p. 254.

² D. R. O. Gresley Letter Book, 803M, p. 114.

³ D. R. O. Vernon mss, 410M/box 2a/169.

⁴ P. R. O. SP28/226, passim.

⁵ D. R. O. Barlow Parish Register.

⁶ P. R. O. SP28/226, no pagination.

villages and hamlets around Bolsover (although inspired by Sir John Gell) deprived the soldiers of supplies.¹ Inevitably the competition for money and provisions in a geographically limited area caused friction between garrisons. In September 1644 Mr. Curtis, a tax collector in Scarsdale, wrote to Captain Samuel Taylor, governor of Wingfield that,

" . . . there are divers warrants come to this and al the adiacent townes from you for provision for the manner. I know you are not egnorant of our garrison here at Boulsover and by whose command we came hyther and our authoritie to preserve the country and to cause them to furnishe us with necessaries for our garryson which they cannot be able to do if they send provisions to the manner. I desire you may have sufficient part of the country for your garyson. I assure you forbear sending any more warrents for ye country must pay unto us and cannot maintain both." 2

Extraordinary forms of taxation, over and above the normal round of assessments, aroused most resentment. In particular, the presence of the Scottish army on English soil caused deep loathing, as did the need to pay and feed it. The cost to Derbyshire for June 1645 alone can be seen in the sheer volume of surviving bills for supplying the Scots with provisions.³ In August Sir George Gresley reported that "the army of our bretheren of

¹ D. R. O. Gell mss, 34/10, p. 43; P. R. O. SP21/E8/29, SP21/19E/159.

² D. R. O. Gresley Letter Book, 803M, p. 115.

³ P. R. O. SP28/193/248, 249, 250, 251, 261.

Scotland was for a time very chargeable to this county."¹ Plans which had been drawn up in the summer of 1644 to raise money to pay and billet the soldiers never fully materialised and measures were hastily improvised. By June 1645 the Committee of Both Kingdoms attempted to regularise procedures by introducing tickets which were to be given to suppliers, to be redeemed later,² but it did nothing to alleviate the immediate burden placed on the parishes and townships.

Three times during June to July and November 1644, and between December and March 1645/46, the parish of Barlow had to supply the Scots at a total cost of £13.5.4.³ The small village of Crich fared much worse when in February 1644/45 it played host to 67 horse for thirteen days at a cost of £55.1.4.⁴ Wealthier individuals were also pressurised to make contributions: the unfortunate George Taylor "loaned" £400.⁵ Nor did the conclusion of war reduce expenses. In December 1646 the constable of Kedleston was ordered to collect £6.8.0 to pay for the quartering of Scottish troops along the River Trent. Well aware of the hostility of people to such charges, the county committee gave warning of the consequences of

¹ H. M. C. Portland mss, vol. 1, p. 254.

² B. L. E254(3): A Diary or an Exact Journal, July 11-19 1644; C. S. P. D. 1644-1645, p. 596.

³ D. R. O. Barlow Parish Register.

⁴ C. S. P. D. 1644-1645, p. 310.

⁵ P. R. O. SP28/226, no pagination.

resistance and the residents of Kedleston were informed that if any "neglect to pay the said money, the troopes will come to collect the same."¹ Constables were naturally made the scapegoats for a community's backwardness. In December 1644, the constable of Hope was told that because "there had beene no conformitie or obedience" to an order to collect rents and arrears, he was to try harder. But there was a sting in the tail: "faile you not", he was warned, "in the roale execucon hereof (you havinge neglected the former) or you will answer the contrary."²

Another tax which caused resentment was the excise which had been introduced by parliamentary ordinance in July 1643. In Derbyshire, as in Cheshire, the excise proved difficult to operate because of the hostility of the local community.³ In May 1645 the commissioners

". . . sent out warrants to the constables to summon the inhabitants of the towne of Derby to the office of Excise. Whereupon divers came into them and submitted to it for 5 or 6 daies, till upon the 23rd of May last 1645 being markott day, two women of the towne went up and downe the towne beating drums and making proclamacon to this purpose that such of the towne as were not willing to pay excise should join with them and they would beat the commissioners out of towne."

The disturbance led to the suspension of the tax until

¹ D. R. O. Gell mss, 56/28 (a).

² F. Fisher, "The Civil War Papers of the Constable of Hope", D. A. J., vol. 23 (1950), p. 74.

³ Morrill, Cheshire, pp. 99-100.

July 4th when the commissioners made another attempt to collect the money. This time, however, the opposition was more tumultuous; one of the commissioners was attacked and chained to the bullring in the market place and once more women took to the streets and beat drums. Fearing for their lives the commissioners refused to act, but they gained little support from the county committee or the corporation. Some committeemen were sympathetic to public opinion.¹ Earlier in May, "Knowing how distastefull yt busines of excise is to al men here", the mayor and aldermen had sent a petition to Parliament in which they had described the excise as intolerable. They explained how they had discussed ways of relief with the commissioners, but they had failed to find a solution.² By September the pressure of opposition compelled Parliament to grant an ordinance allowing the county to have half of the excise for the payment of their own forces.³ Obviously it was believed in Westminster, that the excise would be more palatable if it was seen to be directly beneficial to Derbyshire.

Nevertheless, the excise remained unpopular and people flocked to the indemnity committee to plead for a reduction of excessive duties. On May 22 1655 the commissioners for appeals and regulating the excise were recipients of a petition from John Gell junior filed

¹ D. R. O. Gell msa, 34/10, pp. 3-4.

² D. R. O. Gresley Letter Book, 803M, p. 134.

³ L. J. 1644-1645, p. 570.

against two collectors, John Thorogood and Edward Hewitt. Gell complained that the men had forcibly broken into a smelting mill in Wirksworth and seized eight whetstones of lead in order to gather a debt owing to them from John Mollanus.¹ In this instance it was not so much the tax that was objected to, but the method of distraint. Yet, refusals to pay were common throughout the 1640s and 1650s. In November 1657 the commissioners begged the central government for assistance in collecting the excise because,

". . . they may meet persons who will refuse payment . . ., uncivily treat them and question their authority . . ."²

Though the evidence is fragmentary it may be suspected that in Derbyshire, receipts from the excise hardly ever made the problems of collection and the ill-feeling created seem worthwhile.

It is likely that the scale of fraudulent activities did not vary greatly during the seventeenth century³ but it is equally true that the peculiar conditions of civil war gave rise to more animus against those people perceived to be corrupt. Partiality was not uncommon in a situation where committeemen and sequestrators could exercise discretion in rating individuals for their assessments and delinquency fines. However, it was the people who were seen to be making lucrative profits

¹ D. R. O. Gell mss, 31/10(kb).

² C. S. P. D. 1657-1658, pp. 155-156.

³ Aymer, States Servants, p. 322-323.

by holding government office who incurred the deepest loathing because of who they were - new men and social upstarts, benefiting from the political miscalculations of their traditional superiors. Corruption was occasionally rooted out, as it had been under the Stuarts and under Elizabeth. In 1655 the corporation of Chesterfield began a suit against their late mayor, Samuel Taylor, in which it was alleged that Taylor had embezzled money amounting to eighteen pounds, nineteen shillings and eight pence.¹ In the following year, quarter sessions adjudicated over a complaint made by the inhabitants of Wirksworth against their constable, Robert Toplise, who had levied more money than had been ordered.² The sums involved in these cases had been quite small if compared to the huge profits acquired by some local officers. For instance, Sir John Gell and his brother, Thomas, were charged with having "cozened" their countrymen of £20,000. Although the complaint was made during a time of factional struggle which may have coloured the allegations, it does seem probable that Sir John used his position to further his material interests.³ Nor was Gell the only one to become immersed in malpractices. As a commissioner for the sequestration of delinquents from 1650 to 1653, Gervase Bennett was widely believed to have lined his

¹ D. R. O. Pashley mss, 267/27(c).

² D. R. O. Gell mss, 58/20(j)(k).

³ D. R. O. Gell mss, 31/10(ga); 34/10, pp. 24, 27, 33.

own pockets. Sir Samuel Sleigh enriched himself by becoming a trustee for the estates of royalist families and Nathaniel Hallowes made considerable gains from buying and selling sequestered lands.¹ Financial aggrandisement was, to many men, indistinguishable from corruption even where the methods were legal; the animosities thus fomented combined with social prejudices to handicap the administrators of government and taxation.

Opposition to taxation was one problem; the supervision of such large, unprecedented amounts was another. But by far the major problem facing the county committee was its sheer inability to meet the cost of maintaining the military establishment. As the satisfaction of the soldiers' demands for arrears of pay proved more difficult, local government was strained to the limit. Between April 1643 and May 1644, for example, Thomas Gell spent £1106.18.7 in paying the wages of his company, supplying it and equipping it. However, his receipts amounted to only £695.13.0.² Towards the end of the first civil war, the enormity of soldiers' arrears

¹ S. C. Newton, 'The Gentry of Derbyshire in the Seventeenth Century', D. A. J. vol. 86 (1966), pp. 12-13, 27; P. R. O. SP28/209a; B. L. Add. mss, 6688, ff. 39, 40; D. R. O. 187/parcel 4; A. M. Morton-Thorpe, 'The Gentry of Derbyshire 1640-1660' (Leicester University M.A. thesis, 1971), p. 121.

² D. R. O. Gell mss, 31/30(ga).

made it almost impossible for them to be cleared. In August 1645 the Derbyshire regiments were mustered in order to enlist men for service in Ireland and to pay them. The war had taken its toll. Sir John Gell's regiment of "grey-coats" was undermanned, not so much because of deaths but because of desertion. Men were "absent without leave", others had "ran off with armes to the Scots" and some had surrendered at any available opportunity. The report which came into Gell's hands was even less encouraging in other particulars. Although some companies had received some of their arrears of pay, many others had received nothing. There was discontent in the ranks especially amongst the horse,

"in regard that monoyes is nott to be had to paye them . . . These that have horses of your own buyinge", Gell was told, "doe accaunte them no lesse then theire owne, ffollowinge the example of those that are already ¹ disbanded."

During August five hundred pounds was borrowed from various individuals to pay the horse because money collected from the assessments and the sequestration of delinquents was patently inadequate to meet the necessary disbursements. Frequently, in fact, officers had to use their private capital not only to pay the wages of their men, but to supply them. Major Sanders paid for the repair and purchase of weapons whilst Captain Greenwood had paid out of his own pocket for new boots for his entire company.²

¹ D. R. O. Gell mss, 31/30(y).

² P. R. O. SP28/226, no pagination.

On June 29 1646 the House of Commons ordered the disbandment of the forces in Derbyshire and the dismantling of the county's garrisons,

" . . . to the intent that the King's adjacent garrisons being now reduced our countrey may be eased of unnecessary charges and souldiers employed where there is greater use of them." ¹

The question of arrears now became much more urgent. In September, for the period running from June 29 1644, Major Sanders' horse soldiers received £29.16.0 each. According to the rates of pay for cavalry and foot established in August 1644, a man in a horse regiment could have expected £2.2.0 a month: in which case Sanders' men were entitled to around £56 for twenty six months of service. Effectively they received only half of that amount.² Many soldiers began to realise that there was little financial advantage to be gained by obeying the command to disband. During the summer of 1646 companies and even entire regiments took on a more aggressive and vociferous stand over their pay. Captain George Pole's troop threatened to "assist" the collectors of taxation to awaken them from their sloth.³ Local constables were trapped between their own unwillingness to mulct their countrymen further and the pressure from the military for their arrears. Inevitably the county committee was the primary target for discontent.

¹ B. L. E342(a).

² D. R. O. Sanders mss, 1232M/0110; Gresley Letter Book, 803M, p. 121.

³ P. R. O. SP28/226, no pagination.

In August 1646 the parliamentary newsletter, Perfect Occurrences, described how letters from Derbyshire

" . . . speak of the souldiers violence
 . . . for pay to be so great that they
 imprisoned Sir John Curzon, Sir Philip
 Sleigh and others of the committee
 crying out for money." 1

The story does not seem unlikely: about the same time as the Derbyshire committee fell victim to the soldiers' wrath, officials in Cheshire were similarly seized.² The pattern of soldier behaviour in Derbyshire, as elsewhere, was a reflection of the mounting tension between the military and the civil authority.

The breakdown of order in the counties, between 1646 and 1648, and the violent origins of the military's intervention in politics has tended to receive more emphasis than other aspects of the soldiers' campaign for financial redress. In Derbyshire this other aspect was peaceful. It took the form of petitioning and generally predominated over the more violent expressions of discontent which were, on the whole, rare.³ At first the officers took the lead. In January 1646/47, a petition formulated by some captains and others requested that their arrears be paid. Their representations were made to the county's M.P.s, probably in order to secure their

¹ B. L. E513(3): Perfect Occurrences, August 7-14 1646.

² Morrill, Cheshire, p. 194.

³ Morrill, Cheshire, pp. 190-203; D. Underdown, Pride's Purge (London, 1971), pp. 77-78.

weight against the county committee. In the event the officers were merely given a vague promise that they would have their demands "soo soone as money comes . . . and the committee's engagements are satisfied." Finally in March, after another petition, the officers were paid their arrears. Meanwhile, fired to follow the lead shown by their superiors, men from the lower ranks joined the petitioning campaign. The growth of confidence of men who were not officers was the most important development during 1647. Corporals and drummers added their voices to the crescendo of complaint, though the gunners in the artillery were, perhaps, a little too optimistic in asking for a pay increase.¹

The aims of the soldiers were essentially non-political. They hoped for financial redress and they looked towards the traditional county machinery - the county committee and the county's representatives in Parliament - to give it to them.² However, by the spring of 1647 an awareness of the army as a political force slowly began to filter into the Derbyshire regiments. It was reflected in the drift of petitions away from the county committee to the new model army commanders. Petitions also took on more overt political forms, making demands about the future settlement of the nation. In Derbyshire the inspiration behind the movement was provided by Major Thomas Sanders. Some time during May or June, he had enlisted in Colonel Thornhaugh's regiment taking with him one troop of

¹ P. R. O. SP28/222, no pagination.

² Morrill, Cheshire, p. 202.

Derbyshire horse. On June 5th, he declared his adherence to the army engagement made at Newmarket which had stipulated the payment of arrears as a precondition of disbandment.¹ On June 25th it was reported to the county committee that Sanders "is gone to ye army with a petition from some of the horse of his forces."²

Increasingly it became more and more difficult for the Derbyshire committee to meet the financial burden placed on them by disbandment. Many of the county's regiments had been demobilized in 1646 at a cost of £5,000 which had been raised by voluntary loans. In September 1654 just over £1,000 was still owing to the creditors.³ The shortage of money meant that disbandment had to occur piecemeal; the remainder of Sanders' men who did not join Thornhaugh were not dismissed or paid off until January 1647/48.⁴ Likewise, garrisons such as Wingfield, Bolsover and Chatsworth, which had been ordered to be dismantled were still manned.⁵ The impossibility of paying the garrisons could explain the delay, but also it may have seemed wiser to pay first those soldiers who

¹ G. Davies and C. H. Firth, The Regimental History of Cromwell's Army (Oxford, 1940), vol. 1, pp. 277-283; D. R. O. Sanders mss, 1232N/073.

² D. R. O. Gell mss, 41/31 (g).

³ P. R. O. SP28/226, no pagination; B. L. E669, f. 19 (17).

⁴ P. R. O. SP28/209a.

⁵ P. R. O. SP28/226, no pagination.

had no longer any duties and who roamed around idle. Consequently the committees' caution which had denied the garrisons their arrears led, in June 1647, to a serious and violent disturbance.

" . . . The soldiers appointed for the keepinge of the magazine of Winfield Manor detayned Captayne Pole in his chambers without liberty of coming forth or sufferinge anyone to speak with him; untill they were satisfied (of) thaire pay in arrears appoynted them by the Deputy Lieutenants and Committee after the disbanding of the souldiers of this county. And further the said souldiers gave out they would carry away and dispose of the said magazine for the appeasinge and qualifyinge the said difference betweene the said Captayne ¹ and souldiers."

The lower ranks had taken matters into their own hands.

Gradually the military establishment in Derbyshire was reduced yet not enough was done to relieve the burden on the committees' coffers. For instance, the men who had enlisted for service in Ireland in 1646 were kept at the charge of the county until August 1647. In July Randall Ashenhurst wrote to Sir Samuel Sleight informing him that the officer in command of the levies, Captain Fisher,

" . . . hath desired us to write to you that wee might dispatch him and his souldiers accordinge to his former order and that hee may receive his moneyes and not bee any longer burdensome to the county which charges are insufferable and will not bee eased till that moneyes bee ² paide."

The financial situation worsened considerably as the months passed. In December 1647 Colonel Thornhaugh,

¹ Ibid.

² Ibid.

whose regiment was quartered in Derbyshire and Nottinghamshire, complained that he could not get the pay assigned to him from the counties.¹

Between 1646 and the outbreak of the second civil war, county government suffered a severe financial and political crisis caused by the cost of disbandment to a community already drained by four years of war. The income from loans, assessments and excise patently failed to match expenditure. One other major source of revenue - sequestrations and compositions - proved equally insufficient. Although the pecuniary penalisation of royalists was a permanent form of taxation between 1643 and 1660, yields were erratic largely because of the administrative difficulties involved in identifying delinquency, discovering estates and finding tenants. Together with the problems of wardships, dowers, annuities and the like, sequestrations were a time consuming business which was not always financially rewarding.² Sequestered properties had largely fulfilled their usefulness once their owners had paid their fines, whilst the installation of tenants provided a regular income in rents, but not a rising one since rents tended to remain stagnant.³ The introduction of compositions, by which sequestered

¹ Firth and Davies, Regimental History, vol. 1, pp. 277-280.

² Fletcher, Sussex, p. 329.

³ Morrill, Cheshire, p. 113.

royalists paid a fine for the retention of their lands, legalised a procedure which had been going on anyway, and it was also more lucrative. Income was also given occasional fillips during periods of royalist participation in conspiracies.¹ However, as a contribution towards the cost of war during the 1640s and later as a means of paying for a permanent standing army, sequestration and composition revenue was of minor importance.

The Derbyshire county committee responded quickly to the parliamentary ordinance of March 27 1643 and announced their intention of seizing the lands of those who had refused to contribute to the cause.² In fact they had already taken some measures against delinquents by drawing up a list of those who had taken up arms for the King, and ordering their tenants to pay in their rents to the committee.³ Inevitably, the course of the war dictated when and where lands and rents could be seized and until peace was achieved in 1646, receipts from sequestered lands were inadequately kept. Money collected by officials was often disbursed by them to a regiment or garrison;⁴ thus central account keeping was difficult

¹ Everitt, Kent, p. 161; Morrill, Cheshire, pp. 111-112.

² C. J. 1642-1644, pp. 20-21; B. L. E94(11): Certaine Informations, March 20-27 1643.

³ D. R. O. Gresley Letter Book, 803M, p. 60.

⁴ P. R. O. SP28/226, no pagination; Fletcher, Sussex, pp. 329-333.

and depended on the ability of a myriad of local officers to keep records themselves. The parliamentary enjoiner of May 1644 which commanded detailed records to be maintained, met with little response. In October the constable of Hope had to be reminded to "make scruple thereof."¹

From the spring of 1644 the number of delinquents coming under the auspices of the sequestrators grew. The royalist defeat at Marston Moor sapped the spirits of many of the King's supporters who came to terms with the authorities.² A further inducement to surrender lay in the possibility of an individual recovering his estate. The act of composition, although in operation before the ordinance of March 1645 made it legal, was a considerable temptation to make peace.³ In August 1644, in return for laying down his arms, Sir George Sitwell asked for the protection of Ferdinando, Lord Fairfax to keep his property from being plundered. Fairfax assented in words which betray his and Parliament's need for composition revenue: "because", he said, "the delinquent's

¹ F. Fisher, 'The Civil War Papers of the Constable of Hope', D. A. J. vol. 23 (1950), pp. 72-73.

² B. L. E252(43): Perfect Occurrences, June 7-14 1644; B. L. E254(9): Perfect Occurrences, July 26 - August 2 1644; H. M. C. Portland mss, vol. 1, p. 307.

³ D. H. Pennington and I Roots, The Committee at Stafford 1643-1645 (Manchester, 1957), pp. xxxviii-xxxiv.

estates are to be answerable for the great damage to the commonwealth."¹ Financial considerations probably weighed heavily in Fairfax's decision, in May 1644, to allow Sir John Frescheville to compound. In this case, however, royalist penitence was short-lived and within three months Frescheville had refortified Staveloy.²

Only six Derbyshire royalists had their estates sequestered and broken up: William Cavendish, Sir Andrew Kniveton, Thomas Coke, Robert Eyre of Hassop, John Merry and Henry Powtroll.³ But the market in land was large because of the sale of crown lands. The economic surveys of crown lands ordered by Parliament in 1649/50 survive for all the hundreds except Morleston and Litchurch. They are a testament to the scale of the survey and the conscientiousness of the assessors,⁴ but even so, by

¹ Sir George Sitwell (ed.), The Letters of the Sitwells and Sachererolls (Scarborough, 1900), vol. 1, p. 20.

² D. R. O. Gresley Letter Book, 803M, pp. 91, 96, 97.

³ Morton-Thorpe, 'Gentry of Derbyshire', p. 119.

⁴ S. C. Newton, 'The Parliamentary Surveys of the Hundred of Appletree and Gresley', D. A. J. vol. 81 (1961), pp. 126-135; Canon Arkwright, 'A Survey of the Soke and Manor of Wirksworth', D. A. J. vol. 32 (1912), pp. 13-28; B. L. Add.mss, 6687: An Economic Survey of the Manor of High Peak 1650; D. R. O. Morton Parish Register and the Orange Broomhead Collection; Sheffield City Library, Pegge mss: Economic Survey of Scarsdale.

1652/53 the majority of sales were complete. A proportion of the estates were used to pay off the arrears of soldiers in the form of debentures: Sanders' regiment was owed money on debentures to the value of £18,775. Sanders, in fact, acquired one of the largest contracts for crown lands amounting to £46,066.¹

Of sixty royalists who were examined by the Committee for Compounding at Goldsmith's Hall, thirty seven were fined. The greatest fine, £18,287, was paid by Lord Deincourt and his son, Francis. The Earl of Chesterfield was fined £8,695.7.6, the Earl of Devonshire £5,000 and Sir John Harpur of Swarkeston, £4,583. At the other end of the scale royalists were fined as little as £30 and £25. In total, something in the region of £45,000 to £60,000 was paid by delinquents.²

Attempts by royalists to conceal debts or parcels of land were countered by Parliament's informers who were employed to reveal abuses to the Committee for the Advance of Money.³ As laid down in the ordinance of February 1644/45, the reward given to informants could amount to

¹ Aylmer, States Servants, pp. 59, 321; P. R. O. E121/5/1; S. J. Madge, The Domesday of Crown Lands (London, 1938), pp. 223-224.

² C. C. C., passim.

³ Morrill, Cheshire, p. 102-103; Fletcher, Sussex, pp. 329-333.

as much as one half of the concealed estate.¹ But the practice often gave rise to untrue and petty allegations as in the case of Sir Francis Rhodes who was reported as having "drunken and now doth in all his merriment drink confusion to the Parliament."² Some men became professional spies, like Richard Ford who made allegations against Sir Simon Every and Sir John Harpur.³ The insecurity of property and the tensions and fears caused by spies naturally had an adverse effect on royalists who, if left alone, may have reconciled themselves to the republic and more especially to the Protectorate.

From the end of the first civil war until 1650 sequestrations were managed by Henry Duxton. Duxton was not a committeeman; he was one of those people who pushed themselves forward as successful administrators. He had been Nathaniel Hallows' assistant between 1642 and 1643 and in 1645 he had served as a steward during the recruiter election.⁴ His accounts as treasurer for sequestrations prove his expertise, but they also indicate an ordered pattern of accountancy which only a return to peace could guarantee.⁵ At regular intervals between

¹ C. C. A. M. vol. 1, p. x.

² P. R. O. SP19/134/49.

³ P. R. O. SP19/85/16a; SP19/21/234, SP19/22/70; SP19/142/30; F. N. Fisher, 'The Every Family and the Civil War - a tale of loyalty', D. A. J. vol. 64 (1954), pp. 114-127.

⁴ See above, p. 218; D. R. O. Gell mss, 30/5(i).

⁵ P. R. O. SP28/209a; Buxton's accounts are in three books divided chronologically.

March 1646/47 and September 1649, Buxton received sums of money from the county's four collectors of sequestration revenue. In two years £12,342 had come into his hands. The money was disbursed to a wide variety of people and needs: for the cost of buying a horse, to widowers and to many petitioners pleading for arrears of pay, recompense for injury and such like.

The majority of income went towards the wages of soldiers and the disbandment of regiments. In October 1646, on orders from Westminster, the county committee allocated £5,000 towards the cost of disbandment of which £1,200 was to come from the composition fines placed on the estates of Sir John Harpur of Swarkeston and Sir Henry Hunloke.¹ Evidently the county committee struggled to find the required amount because in April 1647 they explained that owing to their engagements to creditors as well as to officers and soldiers, expenses "amount to more than will be raised for a long time from sequestered rents."² Consequently, the military received their arrears in dribblets. For instance, on May 14 1647, Thomas Sanders was given £100 "towards disbanding of his officers and souldiers" and continued to have small sums assigned to him at regular intervals until January 1647/48, when the last instalment was paid.³

Between March 1648 and September 1650 receipts

¹ C. C. C. pt. 1, p. 46.

² C. C. C. pt. 1, p. 62.

³ P. R. O. SP28/209a.

coming into the treasury dwindled to £1,126.17.11, yet the pattern of disbursements remained unchanged; the military clamoured for their arrears. Thomas Gell, for example, was paid £500 "for his arrears upon his inter-taynment in ye parliament's service."¹ The inadequate returns from fines and rents fell short of what was required partly because Goldsmith's Hall appropriated large sums for other uses. In February 1647/48 they ordered the county committee to provide £1,500 from the composition fine laid on Rowland Eyre's estates to pay the Earl of Stamford and, in 1649, £50,000 of the revenue from the sequestered estates of the Earl of Newcastle was allocated to pay for the subjection of Ireland.² The county committee explained their difficulties in a letter to the Committee for Compounding on August 31 1649. The repayment of loans, they argued, was a major drain on sequestration and composition revenue and although they had laid out £585 for the Earl of Stamford and other money long since over-due, "for accomadations for the soldiers in the first and second war", they still owed the soldiers £1,500. The income from the Earl of Chesterfield, they told the central committee, went to Lord Grey; Colonel Thornhaugh received £400 "and many sequestered estates are discharged, so that income is not great to pay our engagements, which not being discharged, we cannot act in peace or safety." The writers of the letter ended by saying that they had not been paid themselves

¹ Ibid.

² C. C. C. pt. 1, pp. 62, 80, 146-147.

"nor know how to repay those we shall be forced to employ upon necessary service for the public, if the whole revenue of sequestrations be commanded from us without allowance."¹

In the event Stamford, much to his annoyance, was kept short and twelve months after the original order the committee was hopelessly in arrears with the collection of money allotted to the Irish service. The order had been mislaid and they had no idea which of Newcastle's lands stood charged.²

In February 1649/50 the responsibility for sequestrations and compositions was taken away from the county committee and given to the newly appointed commissioners for sequestrations, Gervase Bennett, Robert Mellor and their assistant, Ralph Clarke.³ The reorganisation of the machinery supervising fines and rents allowed virtually no power to the commissioners to act independently and they were under the sole direction of the Committee for Compounding in London.⁴ However, the attempt to streamline and rationalise sequestration revenue in Derbyshire was immediately thwarted. The new commissioners complained that they had not received records from the county committee, nor the accounts of particular treasurers and collectors. The rent rolls were in a "very imperfect and defective state" and, as

¹ C. C. C. pt. 1, p. 148.

² C. C. C. pt. 1, pp. 164, 294.

³ P. R. O. SP23/252/79; C. C. C. pt. 1, p. 171.

⁴ Fletcher, Sussex, p. 331.

a consequence, they were unable to make a return of the estates still under sequestration as requested.¹

Bennett and Mellor countered the compounding committee's expectation of "large sums" in a strongly worded letter written on October 5 1650 in which they explained that they had paid £1,900;

"And whereas you conceive it either to bee inconsiderable and impute it either to our neglect in gathering or distrayning in our hands afterwards, wee can assure you that wee have beene first to lay downe of our owne purses when we have had the opportunitye of returne. It being soe difficult a thing to gett it when we desire. Neither have wee neglected to use our utmost both to collect it in and to improve the revenue. The places we were not sufficiently satisfied in the collecting wee have and are to collect them particularly ourselves . . . As for our meeting wee that subscribe live in Darby and constantly meet as occasion ² requires."

By October 18th the commissioners had despatched the rentals of the estates of papists and delinquents and a schedule of all the estates which were let. In addition, £2,500 was sent which were the receipts of the midsummer rents, arrears from Lady Day rents and four hundred pounds from Michaelmas rents owing from the Earl of Chesterfield's estates.³ But despite the commissioners' efforts, expectations were not reached and in December 1651 they were told to investigate whether sequestered estates which had been discharged had been authorised by Parliament.⁴

¹ C. C. C. pt. 1, pp. 293-294, 296.

² P. R. O. SP23/253/13.

³ C. C. C. pt. 1, p. 338.

⁴ C. C. C. pt. 1, p. 518.

The account of Ralph Clarke, Gervase Bennett and Robert Mellor for the period between April 1650 and Michaelmas 1653, shows receipts totalling £24,113.10.2. Of this, £5,277 was paid by tenants of the Earl of Newcastle. The other estates falling under the auspices of the commissioners formerly belonged to recusants; Anne Whitehall, John Merry, Mr. Tarvile, Mr. Beveridge, Prudence Eyre, the Countess of Arundell and such delinquents as Philip, Earl of Chesterfield, Rowland Eyre, Sir Henry Every, William Bullock, Thomas Coke, the Earl of Shrewsbury, Sir Simon Every and a few other minor figures.¹ The annual income of approximately £8,000 a year was an improvement on the sum of £6,171.16.1 received yearly between 1646 and 1648 by Henry Duxton. But the number of undischarged papists and delinquents fell from fifteen in 1652 to eight in 1653 with a resulting decline in revenue.² The money received by the commissioners was disbursed to three different areas. By far the greatest proportion, £17,255, was paid to the treasurers at Goldsmith's Hall. The remainder was divided between the payment of officials and the augmentation of ministers; the latter had the larger share. Most of the money, therefore, did not go to local uses.³

The revenue taken from royalists received occasional sharp bursts as central government exposed plots and

¹ P. R. O. SP28/209a.

² P. R. O. SP21/257/106.

³ P. R. O. SP28/209a.

risings, notably in 1650, 1655 and 1659. For example, the delinquency of Thomas Coke was a particularly lucrative source of income. Thomas was fined £500 in 1648 for having deserted Parliament where he had sat for the borough of Leicester. On the death of his brother, Sir John Coke, in 1650, Thomas inherited the Melbourne estates for which he was fined £2,200 on September 17th and a further £500 in the following January. After paying £1,100, Thomas was accused of treason in March 1651 and fled: his estate was seized and in 1652, it was sold.¹ Following Penruddock's rising in 1655 royalists had to pay a decimation tax which was designed to support a permanent peace-keeping force in the counties. In Derbyshire, the decimation tax was not only a fiscal disaster but an act of political folly which shattered, temporarily at least, the reconciliation of old enemies.

Major General Edward Whalley was allowed great latitude in finding and penalising royalists yet according to a list which survives in the exchequer papers, he only found twenty two men who were eligible to pay the fine.² Consequently the yield from them proved totally inadequate to maintain the militia. Many royalists attempted to escape payment: Sir John Frescheville petitioned the Protector but Whalley advised Cromwell against clemency,

¹ Morton-Thorpe, 'The Gentry of Derbyshire', pp. 123-124.

² P. R. O. SP28/226, no pagination.

" . . . could he prove a reale change in his judgement, and manifest both it and his good affection to God's people and the present government . . . wee should be so far from grudging him," argued Whalley, "[but] at this time of day you shall have halfe the Cavaleers in England professe as much as he." 1

The Earl of Devonshire mounted a spirited and successful defence against decimation which caused the Major General great anguish; "it makes the countrey thinke, that great men have most friends as formerly," Whalley wrote to Thurloe.²

The failure of the taxation on royalists to meet expenditure became apparent in many counties at the beginning of 1656. In February 1655/56 the Sussex militia was three months in arrears with pay.³ Few counties matched the performance of Kent where the number of delinquents falling under the decimation tax was sufficient to pay the militia.⁴ In Derbyshire, by June, the arrears owing to Captain Rhodes amounted to £1,199.13.0. Towards this the county could only find £433 and Lincolnshire only £67. Derbyshire was ordered to find another £423.7.5 and Leicestershire a further £266.5.7 but it is not known if the requirements were met.⁵ In the end, faced by fiscal collapse, the government had to abandon the discriminatory tax on royalists.

¹ T. S. P. vol. 4, p. 509-510.

² T. S. P. vol. 4, p. 434; C. S. P. D. 1655-1656, p. 122.

³ Fletcher, Sussex, p. 306.

⁴ Everitt, Kent, pp. 293-294.

⁵ C. S. P. D. 1656-1657, p. 187.

England was taxed extremely heavily between 1642 and 1660. The variety of fiscal innovation, of which the most novel was the decimation tax on royalists, was unprecedented yet the demands on resources were exceptional too. In particular, the cost of maintaining the militia during war and peace drained national and county coffers to the limit. The competition between national and local government for control over revenue was, at times, fierce and during the war particularist desires to distribute money for local purposes were reinforced. Despite attempts by the central government to acquire the initiative, as in the case of sequestrations after 1650, the struggle was never resolved: finance was another area in which the dichotomy between national and local requirements caused friction.

CHAPTER 6

Transition and Change 1646-1650

The period from 1646 to the establishment of the republic was a time of revolutionary change in the constitution of England and in the country's ruling personnel. At local level too, there was a major transition in the governing body sitting on the county committee; political moderates, who were predominantly of gentry status, were usurped by men who had a lower socio-economic background and were radicals as well. In Derbyshire the revolution materialised slowly. Tensions grew in and between members of the county committee and the sub-committee of accounts: personalities loomed large. Sir John Gell, in particular, provides a significant character study in political development.

The sub-committee of accounts (see appendix 9), which had begun its investigations into the raising and disbursement of money at the end of 1644 continued, after 1646, to pursue their inquiries and gather depositions against Sir John Gell and his brother Thomas: it was alleged that they had overcharged the county.¹ In Sussex "suspicion of the Committee's treasurers, particularly when they were also committeemen, was part of a cumulative movement against Committee government;"² many county

¹ P. R. O. SP28/252/322, 368, 389, 393, 395.

² A. J. Fletcher, A County Community in Peace and War: Sussex 1600-1660 (London, 1975), p. 334.

gentry wanted the reins of government restored to the traditional, pre-war holders of office. But in Derbyshire there was a personal dimension to the struggle: the animosity between the sub-committee and Sir John Gell. Furthermore some of the sub-committee were also committeemen and they did not want to see the county committee abolished; they hoped to secure their pre-eminence on it. In Derbyshire the sub-committee of accounts became the tool of the radicals instead of, as in other counties, a moderate pressure group.

In a letter sent to their superiors in London on October 25 1646, the sub-committee of accounts accused Sir John and Thomas Gell of not having "made . . . accompts . . . since the 17 of February 1644 since which tyme (wee are confident) they have received much money."¹ During the next two months the sub-committee discovered many anomalies; "more maybe discovered", they wrote in January 1646/47, but confessed to delays owing to the failure of individuals to submit their accounts.² They were hard pressed and begged the central accounts committee, sitting in Cornhill, to increase their number. The new appointments, however, did not meet with their approval;

" . . . ffor the names you were pleased to send us . . . to be added . . . of this committee wee certifie you that Mr Morewood is already of this sub committee and wee are willinge for the addition of Mr Gill . . . but conceve Mr Wigley and German Buxton not see fitt by reason wee find Mr Wigley charged with receipte of divers sums of money

¹ P. R. O. SP28/256, no pagination.

² P. R. O. SP28/257, no pagination.

and both he and Mr Buxton are very neare alliance, too greate accomptants. And for Mr Gregson and Mr Alsopp and Mr Smith there have been exceptions formerly presented to you against them . . . We have subscribed the names of severall gentlemen whom wee desire you to authorise to joyne in this service . . ."¹

Clearly the sub-committee would accept no new member who had a familial or political affiliation to Sir John Gell. For instance, Wigley was not only in receipt of money, he was also married to Sir John Gell's daughter, Bridgett.² The intention of the sub-committee was to set themselves up as an alternative power group to the county committee which was still very much under Sir John's influence. Even so, despite a membership comprising nineteen in January 1646/47, the sub-committee could not cope with the obstructionism of those who were under scrutiny and in May 1647 they explained that,

"Wee have omitted nothinge of care, industry and fidelitie in our continual sittinge for examinacons of the countreys charge though wee have had not onely small appearances but by some continuall contempts in high degree against your and our authoritie seconded at least (if not fomented) by their sinister agents underhand to keepe both you and us in ignorance³ of their receipts."

During the summer of 1647, in fact, the sub-committee's work was undermined by near administrative collapse. In

¹ Ibid.

² A. M. Morton Thorpe, 'The Gentry of Derbyshire 1640-1660' (Leicester University M. A. thesis, 1971), p. 88.

³ P. R. O. SP28/257, no pagination.

June it was reported that "the deputy lieutenants and [county] committee, being many of them forthe of the county [are] not sitting for divers weeks together."¹ It may be supposed that a combination of harassment from the military, demanding their arrears,² and from the sub committee pressurised members of the county committee into abandoning their role, temporarily at least. Certainly Sir John Gell's absence was noted: it was said that he had "gone to the bathe."³

Gell must have felt himself toppling. Since 1644 the sub-committee had been his most consistent enemies in challenging his power in Derbyshire.⁴ By 1647 he felt sufficiently threatened to retreat from Derby with an excuse of ill health; he also wrote a vindication of his past services in Parliament's cause.⁵ Between 1646 and 1650 Sir John Gell was attacked on three fronts: the army, inspired by Major Thomas Sanders, must have regarded him as the architect of their financial distress. Secondly the sub-committee of accounts represented a more insidious threat. They were men of inferior social status in comparison to most of Gell's colleagues on the county

¹ P. R. O. SP28/226, no pagination.

² See above, pp. 246-253.

³ D. R. O. Gell mss, 41/31(t).

⁴ See above, pp. 188-190.

⁵ S. Glover, County of Derby (Derby, 1831), vol. 1, pp. 57-67:

A true relation of what service hath been done by Colonel Sir John Gell . . . from October 1642 till October 1646.

committee. Not that they had been prominent figures when they had achieved a seat on the county's administrative body; James Abney, Francis Revel and Robert Willimoth had survived as members for just short periods of time. But the intrusion of others, like Rowland Morewood, Ralph Clarke, and the return of Revel, after two years of absence, in 1645, suggests their growing confidence.¹ This leads to the third front on which Gell was faced with opposition - the county committee. By an examination of the men sitting on the county committee between 1646 and 1650, it can be shown that Gell and political moderates similar to him were being usurped by military careerists and radicals.

Between February 1644/45 and November 1650 fifty two men were nominated to the county committee.² Many of them had been amongst the committee's most active members, for example Randall Ashenhurst, Edward Coke, Sir John Curzon, Sir John Gell, Thomas Gell, Sir George Gresley, Nathaniel Hallows, Robert Mellor, Thomas Sanders, Sir Samuel Sleight, Luke Whittington, Henry Wigfall and John Wigley. Sir John Gell's ruling clique comprising

¹ C. H. Firth and R. S. Rait, Acts and Ordinances of the Interregnum 1642-1660 (London, 1911), vol. 1, pp. 49-51, 106-117, 223-241, 531-553, 630-646, 686-688.

² Ibid, vol. 1, pp. 630-646, 686-688, 958-984, 1072-1105, 1233-1251; vol. 2, pp. 24-57, 456-490.

his brother, Gresley, Wigfall and Wigley, had featured prominently though by no means exclusively.¹ From the extant signed documents of the county committee, beginning in January 1644/45 and running to the eve of Pride's purge, it is possible to obtain a picture of the men who actually governed Derbyshire. The evidence is admittedly slim; based on thirty four surviving orders and accounts in the exchequer papers.² Nevertheless, these may usefully lend themselves to some analysis of the political fortunes of the men who had a major role on the county committee. (see appendix 10).

During the last eighteen months of the first civil war the Gells, Sir George Gresley, John Wigley and Edward Charleton endorsed the majority of the committee's papers, but after the pacification Sir John's previous dominance seems to have weakened as Thomas Sanders acquired greater influence. This trend had been consolidated by 1648; Gell was no longer a forerunner in the administration and the ruling coterie was clearly on the decline. In contrast Sanders had risen to hold a position of power along with Gervase Bennett and Robert Mellor. Bennett was first appointed to the county committee in June 1647.³ Prior to that, from the end of 1644,⁴ he was county treasurer.

¹ See above, pp. 181-182.

² P. R. O. SP28/226, no pagination.

³ Firth and Rait, Acts and Ordinances, vol. 1, pp. 958-984.

⁴ P. R. O. SP28/226, no pagination.

As mayor of Derby in the following year he was an active opponent of Thomas Gell's candidature for Parliament in the recruiter election.¹ Robert Mellor was nominated to the county committee in October 1644 and like Bennett, he was hostile to the Gells.² Sanders, Bennett and Mellor, therefore, had two things in common; they had consistently aligned themselves against Sir John Gell during the war, and from the end of the war they slowly grew in stature.

The purge of the House of Commons on December 6 1648 had repercussions on the membership of the Derbyshire county committee: in April 1649 thirteen men were dropped.³ (see appendix 11). Three of the county's M.P.s, Sir John Coke, Sir John Curzon and Thomas Gell, lost their seats at Westminster as well as in local government. Although Coke had been regularly nominated to the county committee since 1642 he had never been active and, in fact, he had been threatening to withdraw from political affairs since 1641. His role in the Commons was equally obscure; he was appointed to six committees between May and November 1646⁴ and in 1647 he was one of the nine commissioners who were entrusted to guard King Charles at Holmby House. "Among these, he was one of the three who showed the King most consideration."⁵ On February 9 1647/48 the House

¹ See above, pp. 212-225.

² Firth and Rait, Acts and Ordinances, vol. 1, pp. 531-553; See above, pp. 212-225.

³ Firth and Rait, Acts and Ordinances, vol. 2, p. 24-57.

⁴ C. J. 1644-1646, pp. 529, 563, 605, 615, 712, 714.

⁵ D. Coke, The Last Elizabethan (London, 1937), p. 297.

of Commons allowed Coke, "who is now very much indisposed in health . . . leave of this house to go beyond the seas for recovery . . . and to continue abroad for the space of 8 months."¹ There is no reason to doubt that Sir John was ill. However, since his withdrawal coincided with the army's intervention in politics, it probably suited him very well. Coke was still absent from the House in December 1648.² In 1650 he died in Paris.³

Sir John Curzon was only marginally more active in the House of Commons, acting as a teller three times and sitting on four committees in the twelve months between December 1645 and December 1646.⁴ During the latter stages of the war he was under attack in the county because of his allegiance to Sir John Gell. In 1645 his nomination to the sub-committee of accounts was objected to since, it was alleged, he was "a neare creature of Sir John Gell's."⁵ Certainly after 1646 Curzon felt increasingly isolated. Thomas Gell reported to his brother a conversation he had had with Curzon in February 1646/47:

"He told me that he had lost his friends
in the Parliament in stickinge to you."

In personal matters Curzon was of the opinion that "old friends had failed him," Thomas told Sir John Gell; and

¹ C. J. 1646-1648, p. 459.

² Underdown, Pride's Purge (London, 1971), p. 370.

³ Morton-Thorpe, 'Gentry of Derbyshire', p. 84.

⁴ C. J. 1644-1646, pp. 366, 511, 601, 612, 666, 712.

⁵ P. R. O. SP28/332, no pagination.

in particular when Kedleston Hall had been used to billet soldiers he had looked, unsuccessfully, to Gell to remove them. Critical of Sir John's negligence of his interests and, as a result of his former connections, alienated from Parliament; bitter and possibly out of step with the drift of politics in 1647, Curzon "resolved to live much in the countie and little at London."¹ While Sir John Curzon fits into David Underdown's analysis of political moderatism² it is equally apparent that, in his case, personal and local factors were important influences.

After his election to Parliament in 1645, Thomas Gell's main preoccupations were various law suits and the administration of the honour of Tutbury.³ The latter duty was to cause him considerable worry owing to the fact that on February 4 1646/47, the House of Commons turned to the business of the King's revenue.⁴ Soon after Thomas wrote to his brother a request for the payment of his arrears; the exact nature of which is not entirely clear but, it seems, he had dipped into the Tutbury receipts in order to meet expenses. "I have supplied my necessities with the King's money", he explained to Sir John, and "I must now pay [that] in . . . which I cannot doe without part of my arrears."⁵ Thomas Gell was nominated just once,

¹ D. R. O. Gell mss, 67/35(b).

² Underdown, Pride's Purge, pp. 50, 251, 371.

³ D. R. O. Gell mss, 30/3(a), 31/10(za), 41/31(xa)(ya).

⁴ C. J. 1646-1648, p. 74.

⁵ D. R. O. Gell mss, 67/35(b).

in August 1646, to a parliamentary committee.¹ He was present in the House during the absence of the Speaker in July and August 1647 and he may have been amongst those members who voted back the eleven M.P.s.²

The old parliamentary leadership in Derbyshire was squeezed out of local government during the winter of 1648/49. Most of the dominant families lost their grip: Coke, Curzon, Gresley, the Gells all fell. In particular, Sir John Gell's clique of supporters were decimated when exactly half of the county committee, which numbered twenty four on December 2 1648, were purged in the following April. They were replaced, between April 1649 and November 1650, by sixteen men few of whom had the slightest claim to county prominence.³ (see appendix 12). Nathaniel Barton, Robert Cotchet of Mickleover and Robert Greenwood of Melbourne, were military careerists;⁴ Hugh Bateman of Hartington was of yeoman and merchant stock and Edward Manlove was a barrister with interests in lead mining. He was the author, in 1653, of a treatise, written in verse, on The Liberties and Customs of the Leadmines.⁵ John Spateman was a typical example of the parvenu who, during those years, took advantage of the gentry's

¹ C. J. 1644-1646, p. 650.

² Underdown, Pride's Purge, p. 374.

³ Firth and Rait, Acts and Ordinances, vol. 2, pp. 24-57, 456-490.

⁴ P. R. O. E121/5/1; E121/6/4, SP28/226, no pagination.

⁵ Morton-Thorpe, 'Gentry of Derbyshire', pp. 94, 100-101.

reversal of fortune to better himself. His father bought lands at Roadnook, in the late 1630s, with money gained from lead mining. Capitalising on the increase in his estate, John made two extremely lucrative marriages; his first into the Sitwell family and his second into the catholic and cavalier family of Sir Matthew Palmer, notwithstanding that John was a puritan.¹

No English county came through the civil war with the composition of its governing body unaltered. Everywhere the older, traditional elite gave way, to some extent, to men of an inferior social background. There were, of course, variations in the speed and depth of the revolutions in local government.² In Derbyshire the transfer of power was gradual; the ruling group, though they had received a severe challenge to their authority in 1644 and 1645, emerged at the end of the war, shaken but not severely damaged. Nonetheless the opposition persisted after 1646 and the sub-committee of accounts played a critical role in loosening the reins of government from the hands of Sir John Gell and his supporters. But, within the county committee itself, new men began

¹ Canon Prior, 'The Spatemans of Roadnook', D. A. J. vol. 37 (1915), pp. 43-45.

² Underdown, Prides Purge, pp. 29-39.

to appear which together with the purge in 1649, confirmed and sealed the elite's demise. Derbyshire differs from Somerset and Kent where the takeover was quick and decisive.¹ Instead, the impression is of a slow and patient revolution. Even so, continuity with the early phases of committee rule was not completely broken: Randall Ashenhurst, Edward Coke, Nathaniel Hallows and Sir Samuel Sleigh maintained their seats until 1660.

The composition of the commission of the peace after 1650 confirms the picture of the fall of the county elite. The pre-war pattern of membership had been ravaged anyway since many J.P.s became royalists. (see appendix 13). Those who lost their places on the commission were, therefore, men who had formed the parliamentary leadership after 1642. Sir George Gresley and Sir John Curzon were dropped and the influence of the Cokes of Melbourne was finally extinguished with the removal of Sir John. Bearing in mind his administrative inertia, Coke's exclusion was a matter of form. If the commissions of 1636 and 1650 are compared, the revolution in personnel is quite clear. Only Christopher Horton, Edward Leech and Randall Ashenhurst survived on the bench through fourteen years of political upheaval. The families of Gell and Burdett

¹ A. M. Everitt, The Community of Kent and the Great Rebellion (Leicester, 1966), pp. 146-155; D. Underdown, Somerset in the Civil War and Interregnum (Newton Abbot, 1973), pp. 119-122, 124-126.

are the only ones to have maintained a presence in the persons of elder sons. In terms of wealth and landed interests the commission of 1650 was extremely weak. Burdett, Leake, Leach and Sleigh are the few who can boast of a substantial rank in the community; all except Leake held a knighthood. The new accessions to the commission, fifteen in all, appeared in August 1647 and at intervals during 1649. They are indicative of the change in political climate. (see appendix 14). Thomas Sanders and Nathaniel Barton, for instance, are local manifestations of the growing power of the military at national level. In particular the obscure backgrounds of many of the new magistrates like William Bache, Samuel Taylor and John Wright, testifies just how clean the break was with the bench of the 1630s.¹

Biographical analyses of the prime-movers in county government have tended to concentrate on the leading radicals; men such as Sir William Brereton, Herbert Morley, Anthony Weldon and John Pyne easily spring to mind. They were the inspiration behind the radical shift in their counties.² In Derbyshire there was no one individual who took the initiative, rather a group of men of whom

¹ P. R. O. C231/6; Crown Office Docquet Book 1643-1660; P. R. O. SP16/405; Liber Pacis 1636; B. L. E1238; Liber Pacis 1650.

² J. S. Merrill, Cheshire 1630-1660 (London, 1974), passim; Fletcher, Sussex, passim; Everitt, Kent, passim; Underdown, Somerset, passim.

Sanders, Mellor and Bennett formed the core, pushed themselves forward. However, in contrast to examinations of other local communities where the men pushed aside between 1646 and 1650 are but shadowy figures, Derbyshire provides an unusual, well documented example of a moderate. The career of Sir John Gell is a case study in political retreat.

Sir John Gell was the linch-pin of Parliament's control of Derbyshire during the first civil war, yet the growing ambiguity of his commitment, dating from about 1644, hints at political disillusionment with the aims of the dominant men in Westminster. Gell aroused opposition of a personal and political nature - the line between the two was blurred. Dictatorial and egotistical, he was loved by few of his colleagues; later he was suspected, by them, of being lukewarm to the cause.¹ In fact, between 1644 and 1650 Gell moved from disillusionment to defection and finally into treason, but his path was by no means governed by a simple political choice. Many personal and local factors equally influenced him.

By the beginning of 1647 Gell stood in isolation; his supporters on the county committee were on the defensive and old friends and colleagues were deserting him. Sir John Curzon had been offended by Gell's neglect of his interests. In addition, Thomas Gell had fallen out with his brother because of Sir John's refusal to pay some arrears of money owed to him. Thomas had lived off the

¹ See above, pp. 206-210.

revenue he had received from the honour of Tutbury, but he was likely to be called to account by Parliament. Desperate for money to pay off his debts, Thomas wrote a letter to Sir John on February 10 1646/47 in which he recounted all his old services in protecting his brother from his enemies.

" . . . I have solesseted all your causes; it was by my meanes that Caniars malice against you took noe effect to your preiudice, but to his owne great losse witch was donn by my friends, at my instance without anie charge of yours. I first made you a justice of the peace and proved your pattent for Baronet. I prevented your beinge sent for by a messenger when Mollanus and others accused you of treason and now lately by my meanes when your enimies had a sariant at arms waited two dayes together to fetch a prisoner to London, witch if it had then bin donne you had bin utterly disgrased, imprisoned and all your arearages lost. And you know that it was onely myself that kept you from being sent a hostage to the Scots . . ."

Thomas demanded his arrears;

" . . . all your enimies are mine," he reminded Sir John, "and it will be noe wisdome in me to continue their malice to me without anie satisfaction . . . If you refuse to grant me my request, then I will make peace with my adversaries witch I doubt will be moare to your preiudice then you are aware of in manie speciall respects both in revivinge the old and bringinge new trobles upon you to witch they will be incoraged when they shall know how busines goe betwixt us." ¹

Thomas Gell's letter is a powerful testimony of the array of opposition which Sir John had managed to conjure up since 1642. There can be no doubt, in the light of this evidence, just how tenuous his power was. Placed

¹ D. R. O. Gell mss, 67/35(b).

in this context of hostility, therefore, the alienation of Sir John Curzon and Thomas must have been quite shattering blows to Sir John. Even worse was to come when to the loss of his friends, was added the desertion of his wife. On November 14 1648, Gell wrote to his son explaining that,

"Your mother is gone from me and hath left me utterly without any iust grounds or cause at all that I can conceave or know of my selfe, but it is a thing that I have expected and doe not looke for
1
reconciliation."

Towards the end of 1642 Gell had married Mary Stanhope who was the widow of Sir John Stanhope - the very man whose person and property Gell had so violently abused while he was ship money sheriff and later as a parliamentarian officer. Gell's ensuing marriage to Mary was a bizarre alliance which did not escape Lucy Hutchinson's disapproval; Mary, she wrote,

"was by all the world believed to be the most prudent and affectionate of womankind, till, being deluded by [Gell's] hypocrisies, she consented to marry him, and found that was the utmost point to which he could carry his revenge, his future carriage making it apparent he sought her for nothing else but to destroy the glory of her husband and his
2
house."

Their marriage was so fraught that it caught the attention of the roving eye of John Berkenhead, the editor of Mercurius Aulicus, who in September 1644 implied that

¹ D. R. O. Gell mss, 56/14.

² L. Hutchinson, The Memoirs of Colonel Hutchinson (ed.), C. H. Firth (London 1906), p. 101.

Mary exerted an overly strong influence on her husband.¹
 The personal pressures involved in Sir John Gell's political eclipse are important factors in the development of his career.

In the provinces - even in a county as remote from the centre of government as Derbyshire - men were avid spectators of the drama acted out between Parliament, the army and the King after 1646. The main channel of communication between London and the rest of England was the press and particularly cuttings which were taken from newsletters and despatched to many manor houses in the correspondence of kinsmen and friends. Sir John Gell and his son, John, were as well informed as any provincial gentry but the letters received by them, at Hopton Hall, have a special significance in that they suggest the political attitudes of Sir John during 1647 and 1648.

One letter written on July 9 1647, by an anonymous correspondent, portrays how men's fears and hopes were bound to the fluctuating course of political settlement. A new treaty had been prepared and there were grounds for optimism;

" . . . his majesty and (now) his Army doe more unanimously comply and agree together then ever they did and him selfe is much more cheerful of late then formerly. Blessed be God for it."

However, the writer went on to say, "last Saturday the Treaty broke off

. . . because the Army resolved to treat of and establish first of all

¹ B. L. E12(18).

his Majesties Interest, in the second place the Commonwealth's distractions and thirdly his poore churches divisions."

The listing, by the army, of their particular priorities caused Parliament to momentarily back-pedal; the commissioners "boggled" at the army's intervention but then resolved to "conforme thereunto, and now they are upon the worke. I beseech God Almighty see to direct them therein as may be most of all for his glory." The letter continued; "on Tuesday last in the evening" the charges against the eleven impeached members of the Commons were read. The army, suspicious of the perfidy of the presbyterians and the city, where "the comon prayer Booke was publickly used last Sunday in some parish churches", were intent on enforcing their own will. Gell's correspondent, referring to the army remonstrance of June 23 which had asked for the suspension of the eleven M.P.s, saw this as the military's most sinister move;

". . . to have the House purged of certayne malignant members whom they¹ named not but hinted at."

Clearly, the writer of the letter wanted a settlement and was keen to relate to Gell as much as possible about national affairs. It is also fairly obvious that he was confident enough of Gell's sympathies to attest his own.

The outbreak of the second civil war in the spring of 1648 was a disastrous setback to all who had yearned for concord. Yet the war made little impact on Derbyshire; at the end of June commissions were granted to Captain

¹ D. R. O. Gell mss, 60/71.

Greenwood, Captain Hardstaff¹ and others. Soldiers were placed under the command of colonels Rossiter and Lambert in Yorkshire and the garrison at Bolsover was strengthened.² The closest the fighting came to Derbyshire was in October when the main parliamentarian army camped at Uttoxeter in north Staffordshire. Later in the month, the county's levies were ordered to be disbanded and the garrisons reduced.³

Between September and December 8 1648 Sir John Gell was lodging in London at the "Bell" near Temple Lane. Apparently he took no active role in the renewal of hostilities; his presence in London might even have been a deliberate attempt to disengage himself from any responsibility during the fighting. In letters sent to his son,⁴ most of Sir John's thoughts were directed to estate affairs and to the purchase of some hawks. Even in times of crisis, a gentleman was rarely distracted from business and domestic concerns. However, the major significance of the correspondence lies in the revelations they make about Sir John's political opinions.

In his first letter, dated September 5 1648, Gell took up the thread of national politics on the eve of the

¹ C. S. P. D. 1648-1649, p. 147; P. R. O. SP28/226, no pagination.

² C. S. P. D. 1648-1649, pp. 159, 192, 214, 251, 254.

³ C. S. P. D. 1648-1649, pp. 134, 268-269; C. J. 1648-1651, p. 59.

⁴ D. R. O. Gell mss, 56/14.

Newport treaty negotiations.

"The King is at Newport allready expectinge the commissioners which set forwards towards him on Frayday next or else on Munday."

He also reported a vote of the Commons which ordered all absentee members to return to London.¹

"for the management [of the treaty] whereof the attendance of all the members of Parliament will be very necessary; because in the multitude of counsellors there is safety and in the success thereof the allaying of the present distempers and future happiness of the Kingdom is so highly concerned."

Gell was confident that the county's representatives would obey the call of the House; "Sir John [Curzon] wilbe downe," he wrote, "and so will his brother Thomas . . . The Lord of Rutland sayth that hee will be downe aliso." Probably Curzon, Thomas Gell and Rutland had gone back to Derbyshire at the outbreak of the second civil war; according to Gell they were keen to return to Westminster once a settlement looked likely.

Gell dwelt at length, in his letter, on the plight of Prince Charles who had fled abroad.

". . . the hollander will allow our Prince no more monies at all; they have allowed £100 a day for 9 days but not any more so that hee knoath not wheather to goe. I doe supose unto France though sum would have had him unto Scotland."

Gell's use of the possessive for Charles is perhaps suggestive.

On October 3rd Sir John described the state of the

¹ C. J. 1648-1651, p. 7.

negotiations. The King had rejected two clauses; he "desires to force no body to take the covenant nether to serve upon the malitia." "Upon the matter of toleration [all was] conserved," and nothing was decided either way. Seven days later, Gell was more optimistic: "howerly [he] expected the King's consent for a finall conclewsion." "The treaty goath on fayrely", he was able to report on October 17th. "No rub but a little concerning of Bishops. All other is sayd to bee in a fayre waye and not to bee hindered by the King; what other accident may happen is ancerlas." But, Sir John brooded, "both sides have a mind to fight."

During four crucial weeks there is a gap in Sir John's correspondence. In the interim the Newport treaty foundered. Charles refused to abandon his supporters to the wrath of Parliament whilst his concessions on religion, in the form of a limited episcopacy, were rejected by the Commons on October 27 1648. At the same time, the army, under Ireton's leadership, shifted its position to advocate a much harder line against the King.¹ When Gell resumed writing on November 14th he was reticent about the significance of the army's remonstrance;

". . . there is like to be peace if the souldery interpose not and wheather they will or not, I can say nothing."

"Oure neues is the Armes Declaration", Gell informed his son on November 21st, "the heads whereof are in print

¹ S. Gardiner, History of the Great Civil War (London, 1898) vol. 4, pp. 233-252.

and heare inclosed." Gell explained his fears should the House prevaricate and press on with the treaty, but there was still hope, for should Charles "condisend quickly there may yet bee a peace."

Sir John Gell was clearly out of sympathy with the aspirations of the military which, in the remonstrance, had touched on the matter of bringing the King to trial. Consequently, he was jubilant to report on December 5th that

" . . . the house have voted the kinges concessions sufficient for a well groundd peace and have appointed 6 of there members to repare to the Generall to treat with him."

The beginning of December had looked black for the prospects of a settlement; the army had marched into London on the 2nd.¹ But the Commons' vote of the 5th was a decision made in the face of a military coup. It is apparent, from his letter, that Gell believed the victory was Parliament's. Nor did he expect the army to retaliate. On the following day, however, the House of Commons was purged. Gell was in despair when he wrote to his son on December 12th. He reported how local government was paralysed; county committees had not sat. "This confusion doeth retard almost all things." Many members were still confined whilst "little or nothing [is] donn in the howse."

"There is a greate expectacion of a new moddled government. What the isshew² wilbe time will shew."

All hopes of peace were dashed by the army's violent

¹ Gardiner, History, vol. 4, p. 264.

² D. R. O. Gell mss, 56/14.

intervention. There is little doubt that Gell may have been more depressed by the outcome than many. He had been extremely confident of the King's restitution; so confident, in fact, that he had taken out an insurance policy on the likelihood of Charles' return to London. In 1651 it was alleged by Thomas Coke, who was on trial for royalist conspiracy, that whilst the King was held prisoner on the Isle of Wight

"Sir John Gell sent thither to tender his service and to desire a pardon from the late King for his former actions. The King gave him something to that purpose under his hand and signett. One Browning, a servant to the Lord Commissioner Lisle, came down to sollicite the businesse; what money was given for it, he best knows." 1

Numerous printed pamphlets relating to the King's trial and execution testify that Gell was a fascinated spectator.² His own correspondence reveals just how scathing he was about the legal framework erected by the radicals to judge Charles. "There hath been old daubing to cement the divisions," he told his son on January 8th,³ the first day the High Court of Justice met. It is a significant pointer to Sir John's opinion on the execution that he had in his possession a printed sermon called Prudent Silence . . . shewing the Great

¹ H. M. C. Portland mss, vol. 1, pp. 592-594.

² D. R. O. Gell mss, 31/30(e), 31/30(f), 31/30(k).

³ H. M. C. 9th Report, Appendix II, p. 394: Original missing.

Sinse and mischief of destroying kings dehorting from taking away our late sovereign and deterring all from the like wickedness.¹

Following the King's death, Sir John Gell's monarchical sympathies were sufficiently developed for him to entertain the notion of royalist conspiracy. Coinciding with Charles II's arrival in Jersey in September 1649, a plot was hatched to seize the Isle of Ely.² Eusebius Andrewe was the prime-mover. He was a barrister of Gray's Inn and a staunch royalist, having been an officer in the King's first regiment between 1642 and 1645. Later he served Lord Capel as a secretary until March 8 1649 when Capel suffered the same fate as his royal master. Andrewe was proud of his refusals to subscribe to the Protestation, the Solemn League and Covenant, the Negative Oath and the Engagement; so hostile was he to the new regime.³ Andrewe was approached by Captain John Bernard, an old military colleague, who he described as being familiar with royalist and leveller activity. Through Bernard, he also met Captain Holmes and John Benson who were royalist intelligence agents. Benson is particularly

¹ D. R. O. Gell mss, 31/10(hb).

² B. L. E613(9): A true confutation of a false and scandalous pamphlet . . . to destroye the present government . . . by John Benson.

³ W. Cobbett, Complete Collection of the State Trials (London 1810), vol. 5, pp. 3-7: 'The humble narratives of Colonel Eusebius Andrewe'.

interesting because during the war he had served under Gell's command and, more recently, acted as some form of servant to Sir John. It was alleged that Benson was a dependent of Gell.

It was in a discussion between Andrewe, Benson, Bernard and Holmes that Gell's name was raised; Holmes and Benson

" . . . magnified Sir John's interest in his country, his reluctance at what he had done in the Parliament's service, and his willingness to expiate his former fault with a beneficial service to the Prince."

Gell might, it was hoped, enlist the support of his neighbours Sir Andrew Kniveton and William Fitzherbert - both former royalists.¹ Sir John Curzon's name may have also been brought up in the same context.²

In the middle of December 1649, the first approach was made to Sir John Gell by Andrewe and Benson. Gell was clearly sympathetic; "if ever he took up arms again", he told Andrewe, "it should be for the Prince." For the moment, however, the plot was laid aside because Cromwell's success in Ireland had denied the royalists an important source of support. The conspiracy was born anew in March 1650 when Bernard and Benson informed Andrewe,

" . . . that several persons of quality and fortune in Kent, Buckingham and

¹ Cobbett, State Trials, pp. 3-7; B. L. E613(9).

² N. Kirkham, 'Royalist Conspiracies in Derbyshire', Derbyshire Miscellany, vol. 7, pt. 2 (Autumn 1974), pp. 1-55.

Dorset . . . would join in an engagement and advance money and that Sir J. Gell would also engage, and might with a word of his mouth bring his friends and Sir Andrew Kniveton, Sir Guy Palmer and Mr Fitzherbert and a fourth person."

But, at this moment in time, Gell was reluctant to subscribe to a definite engagement and he confessed to Andrewe,

" . . . that he would not meddle with acting in that design . . . for which he was as then in no capacity, nor would he engaged under his hand and seal, to be bound to by any future action for them."

The reason behind Gell's reticence was, according to Andrewe, because he

"durst not trust Benson and Bernard was to him a stranger. Benson [was also] a fellow given to drink and lavish of his tongue." 1

After the establishment of the commonwealth there was a great deal of royalist talk about resistance; alehouse gossip and seditious conversation were usually all that conspiracy amounted too.² Gell, therefore, was not unusual in being a recipient of royalist overtures nor was it out of character for him to be cautious. The proof of his complicity in the plan to raise the Isle of Ely was based upon whether he had, in fact, received a letter from Andrewe inviting him to take the oath.³ The

¹ Cobbett, State Trials, pp. 3-7.

² Fletcher, Sussex, p. 298.

³ B. L. E613(9).

letter was vaguely addressed: to Sir John Baronet.¹
 In his mind Bernard was quite sure that Andrewe "intended it verilie to Sir John Gell", he "onely left out the name of Gell for a blind in case of surprisal." Sir John admitted he received the letter on Saturday, March 23rd and burnt it.²

The story now takes on an additional complication for it seems that Bernard was an agent provocateur. The government knew of the conspiracy from its inception but preferred not to act until Andrewe had "enough rope to hang himself."³ In his defence, Gell argued that Bernard had acquainted Lord President Bradshaw with the letter and that it was upon Bradshaw's orders that Bernard was sent to implicate him. Gell's case rested on five points: that it was never explicit, in the address, that he was the intended recipient of the letter. That there was no proof he had received it. Even if he had he had burnt it and, moreover, it was but a copy of the original which was in Bradshaw's possession. Thirdly, therefore, no treason can be proven because the plot was contrived; not because its execution should have been intended, but "to betray and insnare particular persons for Bernard's gain." There could have been no misprison of treason

¹ B. L. E612(17): The true case of the state of Sir John Gell.

² B. L. E613(9).

³ D. Underdown, Royalist Conspiracy in England (Yale, 1960), pp. 25-26.

either since the Lord President knew of the plot "and misprison or concealment of treason is onely to know of treason and not to reveal it to the state." Finally, Gell argued, he had had no opportunity to inform the authorities because on Sunday morning he was arrested.¹

Sir John Gell was almost certainly the victim of government spying, but was he innocent? He claimed that "he did refuse to act in the plot" and so destroyed the letter and,² on the whole, the technical case for the prosecution looks weak. Clement Walker, who was highly critical of the judiciary under the commonwealth, believed that Andrewe and Gell were condemned not on the evidence but "by inspiration".

"That if a man be questioned for any crime, though his judges have neither competent witnesses, proofs nor evidence of his guiltiness yet if they think in their consciences he is guilty; they may condemn him out of the testimony of their own private consciences." 3

Nevertheless, Gell never denied his complicity in the discussions with Andrewe and others and they never doubted his "secrecy and constancy."⁴ Bearing in mind Gell's conservative drift since 1644, it is not inconceivable he would flirt with royalist conspiracy. It is equally true that Gell had sufficient grievances

¹ B. L. E612(17).

² Ibid.

³ C. Walker, The Compleat History of Independency 1640-1660 (London, 1661), pt. 2, pp. 4-48; The High Court of Justice.

⁴ Cobbett, State Trials, pp. 3-7.

against his parliamentary masters to reinforce his political motivation towards royalism.

Sir John had repeatedly, and without success, petitioned Westminster for financial recompense for the sums he had laid out during the war.¹ His petition to the indemnity committee, in 1650, claimed that he had spent £1,100 of his own money in Parliament's service.² It was an estimate that did not accord with the investigations of the county commissioners who much later, in March 1653, certified that Gell

" . . . did advance, disburse and lay forth for the promotinge of the public service in Horse, fines, intelligence and money to the value of Three thousand 3 pounds."

The matter of Gell's arrears was contentious. It was widely believed that Gell had lined his own pockets⁴ - an allegation which forced Gell to write a vindication, in 1650, "against several scandals and calumnies cast upon him."⁵ Clearly, Gell had his back to the wall and his eyes very firmly on his arrears. Eusibius Andrewe, for instance, noted that Gell in conversation with him

"did take notice of his irrequital 6 of service and his losses."

Never a straight forward political animal, Gell's

¹ D. R. O. Gell mss, 31/30(g); 31/10(nb).

² D. R. O. Gell mss, 31/10(nb).

³ D. R. O. Gell mss, 30/16.

⁴ See above, pp. 190, 192-193, 245.

⁵ B. L. E612(17).

⁶ Cobbett, State Trials, pp. 3-7.

involvement in royalist conspiracy was as much a fit of pique and anger at the treatment he had received, as it was a political decision.

On March 27 1650 Sir John Gell was committed to the Tower.¹ He was found guilty of misprison of treason on September 25th and ordered to forfeit his goods and chattels, debts and duties and the profits of his lands. He was imprisoned for life; Andrewe and Benson were executed and Bernard, of course, was found not guilty.² Gell's treason confirmed his political eclipse and loss of power in Derbyshire. His opponents had finally triumphed. But having satisfied their lust for Gell's political ruin, they were denied his financial collapse. At the beginning of March 1650/51, the sequestration commissioners in the county were ordered to seize Gell's estate. On the 11th, the estate was sequestered but, on the 24th the commissioners, Robert Mellor, Ralph Clarke and Gervase Bennett, informed Haberdashers Hall that Gell's lands had been settled on his son in 1635. "The said deed was made upon occasion of some words given out concerning the late King for which he feared to be questioned."³ The nature of this particular indiscretion which Gell supposedly committed is not known, but it may refer to his behaviour in collecting ship money. The

¹ C. S. P. D. 1650, p. 61.

² Kirkham, 'Royalist Conspiracy in Derbyshire', Derbyshire Miscellany, pp. 1-55; Cobbett, State Trials, pp. 2-42.

³ D. R. O. Gell mss, 31/30(x).

transfer of the estate to his son was not completed until 1644 when John junior married.¹ His father was well provided for with an annuity.

On March 27 1651 the committee for compounding asked the Council of State whether they could proceed against Gell or whether the case lay within the jurisdiction of the Court of Exchequer. The Council replied, on April 17th, that

"the business being now in the court of Exchequer where some proceedings have been had, the further prosecution thereof ought to be in that court and you ought not to proceed therein."

The confirmation of exchequer jurisdiction was a result, in fact, of pressure brought to bear by Thomas Gell on behalf of his brother. It was well known to them both that they could not hope for fair treatment from the Derbyshire commissioners who had a history of staunch hostility to them.²

Sir John frequently petitioned for his release from the Tower and by October 1651 he had been given liberty for three months at a time.³ In the following April he made an agreement with John Bowring, a former accomplice during his approach to Charles in 1649, to secure his freedom without the payment of a fine. In return Bowring was to receive between three and four hundred pounds. On April 5 1653 Parliament made an order for Gell's pardon and he was released on the 18th.⁴ Gell returned to his

¹ D. R. O. Gell mss, 31/71(a).

² D. R. O. Gell mss, 31/88(ya); 31/88(xa).

³ Ibid.

⁴ D. R. O. Gell mss, 31/10(jb); Kirkham, 'Royalist Conspiracy in Derbyshire', Derbyshire Miscellany, pp. 1-55.

home at Hepton in Derbyshire where, until 1659, he played no significant role in county government. From now on, politics were determined by men of a very different stock.

CHAPTER 7

The Search for Settlement 1650-1658

After the execution of Charles I the search for settlement in Derbyshire began to take shape. The minority who administered local government between 1649 and 1658 had little experience and they did not, for the most part, occupy a prominent position in county society. In fact, shunned by their traditional superiors, the men who sat on the county committee or became justices of the peace owed their first loyalty to the state. Not that they were all committed republicans or supporters of the Protectorate; ambition figured large in many careers and men were particularly adept at trimming their sails to the prevailing political wind. But whereas it might have been expected that the gentry would gradually take up the reins of government and reconcile themselves to the peace and stability which Cromwell offered to them, as happened in Somerset and Sussex,¹ in Derbyshire this was not the case. There was not an appreciable conservative reaction; perhaps because there were few radical political or religious excesses. Though there was a sense in which the county community momentarily

¹ D. Underdown, Somerset in the Civil War and Interregnum (Newton Abbot, 1973), pp. 182-185; A. J. Fletcher, A County Community in Peace and War: Sussex 1600-1660 (London, 1975), pp. 310-311.

came together in its hostility to the major generals, it was apathy, disinterestedness and a desire to keep out of trouble which characterised gentry behaviour.

Parliament

Nathaniel Hallowes was not among the M.P.s purged from the House of Commons between February 1st and March 5th 1648/49.¹ However, it is unlikely that he was an active revolutionary openly supporting the events of December and January. Most probably he was a conformist, registering his dissent to the vote of December 5th after the King's death.² Testimony to the dissatisfaction Hallowes felt towards the recent political changes was shown in his irregular attendance at the House and he was one of about two thirds of the membership of the Rump who were "part-timers".³ Nevertheless he was probably present during the last four stormy months of the Long Parliament's existence when many back-benchers responded to their right, as they saw it, to determine their own elections.⁴ Hallowes was a political survivor; he remained on the county committee until 1660.⁵ He was

¹ D. Underdown, Pride's Purge (London, 1971), pp. 217-218.

² Ibid. pp. 213-220.

³ B. Worden, The Rump Parliament 1648-1653 (London, 1974), pp. 26, 376.

⁴ Ibid. pp. 375-376.

⁵ C. H. Firth and R. S. Rait, Acts and Ordinances of the Interregnum (London, 1911), vol. 2, pp. 24-57, 456-490, 653-688, 1053-1097, 1320-1342, 1425-1455.

also well aware of the financial advantages to be gained from his position and was heavily involved in the purchase of crown and royalist lands.¹ Like so many men who came from obscure backgrounds, Hallows rose to wealth and power in the wake of constitutional upheaval. Yet he was no mere opportunist: his purpose in sitting in the Rump may well have been to tone down the sentiments of his more radical colleagues whilst his obligations to his constituency, during a period when Derbyshire was under-represented and isolated from national affairs, may well have carried weight.

The calling of Barebones Parliament was the high point of the English revolution. Nathaniel Barton and Gervase Bennett were nominated for the shire but there was no provision for a member for Derby.² It is not known how influential the local congregations were in the selection of Derbyshire's representatives and it is more

¹ C. C. C. pt. 2, p. 1488; P. R. O. SP28/209a; B. L. Add. mss, 6688, ff. 39, 40; D. R. O. 187/parcel 4; B. Whitelock, Memorials (London, 1682), p. 408; A. M. Morton-Thorpe, 'The Gentry of Derbyshire 1640-1660' (Leicester University M.A. thesis, 1971), p. 121; Underdown, Pride's Purge, p. 375.

² Diary of Thomas Burton (London, 1974), vol. 4, p. 499; V. F. Snow, 'Parliamentary Reapportionment Proposals in the Puritan Revolution', E.H.R. vol. 74 (1959), pp. 409-442.

likely they were the choice of the Council of Offices.¹ Barton's military record would commend him to his superiors. After the disbandment of the Derbyshire regiments he had served under Colonel Graves and Major Scroope and he was a member of the force which guarded the King at Holmby House in 1647. In November and December 1648 he was present during the deliberations of the army. Six months later the soldiers mutinied, instigated by the levellers; Barton's personal role is hidden but the soldiery did elect new officers. After the suppression of the rising the regiment was disbanded and Barton, at the beginning of 1650, was commissioned to command the Derbyshire militia. In the following year he was appointed major under Colonel Thomas Sanders.²

Nathaniel Barton and Gervase Bennett rose to prominence in local government about the same time. Barton was placed on the commission of the peace and on the county committee in 1649, whilst Bennett, who had been a member of the committee since June 1647, joined him on the bench at the end of 1650.³ Apart from being colleagues they

¹ A. H. Woolrych, 'The Calling of Barebones Parliament', E.H.R., vol. 80 (1965), pp. 492-513.

² C. H. Firth and G. Davies, The Regimental History of Cromwell's Army (London, 1940), vol. 1, pp. 102-115; C. S. P. D. 1650, p. 504; C. S. P. D. 1651, p. 120.

³ Firth and Rait, Acts and Ordinances, vol. 1, pp. 958-984; vol. 2, pp. 24-57; P. R. O. C231/6; B. L. E1238.

were also close friends and in London, during 1653, they shared lodgings.¹ It might have been Barton who influenced the nomination of Bennett to Barebones Parliament since the process of co-option involved a web of contacts between major officers, their regiments, kinsmen and friends.² These two men were allied to Thomas Sanders, a republican whom they had supported since 1644.³ Barton was a republican and sectarian and Bennett a presbyterian or possibly even an independent.⁴ Certainly, Derbyshire's representatives in Barebones were not amongst the plethora of moderates who also squeezed into the assembly.⁵

Barton was a fairly active member of Parliament, sitting on seven committees and acting as a teller five times.⁶ Bennett sat on only two committees, but both men were elected to the Council of State in November 1653.⁷ Another Derbyshire man nominated to Barebones was Edward

¹ I am grateful to Professor Woolrych for this information.

² Woolrych, 'Barebones Parliament', E.H.R. (1965), pp. 492-513.

³ See above, pp. 184-185, 198-205.

⁴ Rosemary O'Day, 'Clerical Patronage and Recruitment in England in the Elizabethan and Early Stuart Periods, with special reference to the Diocese of Coventry and Lichfield' (London University Ph.D. thesis, 1972), p. 316.

⁵ Woolrych, 'Barebones Parliament', E.H.R. (1965), pp. 492-513.

⁶ I am grateful to Professor Woolrych for this information.

⁷ C. J. 1651-1659, pp. 285, 287, 344.

Gill, whose candidature for Yorkshire arose from the reluctance of Yorkshiremen to sit. His background is obscure. He was living at Brenington in 1675 and was probably the son of Leonard Gill, a gentleman. Although a member of the Derbyshire county committee in 1649 and of the bench in 1650, Edward's real claim to fame was his governorship of Sheffield castle during the war.¹ None of the men from Derbyshire who sat in Parliament were wealthy or socially distinguished; they were, however, men who had given at least their tacit consent to the execution of the King and to the dissolution of the Rump.

Under the provisions of the Instrument of Government, Derbyshire was allowed to send four men to the first Protectorate Parliament whilst the borough could send one.² Nathaniel Barton, Edward Gill, Thomas Sanders and John Gell junior were returned for the shire and Gervase Bennett sat for Derby,³ but their number was soon decimated. Gell, who refused the oath of engagement in September 1654, was not admitted to the House⁴ and Barton was also disabled because, according to the House of Commons Journal, he was in 'holy orders'. There is evidence that Barton

¹ Woolrych, 'Barebones Parliament', E.H.R. (1965), pp. 492-513; Morton-Thorpe, 'Gentry of Derbyshire', p. 94; D. R. O. 362/T 1; Firth and Rait, Acts and Ordinances, vol. 2, pp. 24-57; B. L. E1238.

² Snow, 'Reapportionment Proposals', E.H.R. (1959), pp. 409-442.

³ D. R. O. Gell mss, 60/29.

⁴ Burton, Diary, vol. 1, pp. 1, xxxii-xxxvi.

did preach, but it is not clear why his calling should have led to his exclusion from Parliament; unless, of course, it was because he had preached radical sectarian doctrines.¹ Thomas Sanders was nominated to sit on seven committees between September 15th and November 22nd, yet he was clearly disillusioned with the formation of the Protectorate. In October, with colonels Alured and Okey, he promulgated a petition criticising the Instrument of Government, for which he was court-martialled and his commission revoked.² Judging by Bennett's low profile in this Parliament as well, it seems as if he, along with Barton and Sanders, were more at home in the headier days when the saints ruled England. The fact that the revolution went into reverse in 1654 may be discerned in the election of John Gell junior. He represents the drift back to prominence of the gentry who were moderates and looked to the Protectorate to provide a settlement. Although he was described, in 1662, as a presbyterian he had not participated in the war and only emerged to take part in local

¹ C. J. 1651-1659, p. 375; T. S. P. vol. 4, pp. 240-241.

² C. J. 1651-1659, pp. 368, 371, 374, 381, 387; T.S. P. vol. 2, pp. 285, 286, 295, 313, 709, 733; C. H. Firth (ed.), 'Clarke Papers', Camden Society, vol. 3 (1899), p. 12.

government after the exposure of his father's indiscretions.¹ Thus he escaped the odium attached to parliamentarianism and seems also to have avoided being tarred by Sir John Gell's royalism. But how large was the conservative swing in Derbyshire?

Local Government

After 1649 the supremacy of the radicals in Derbyshire was not a foregone conclusion. Radical military careerists, like Barton and Sanders, were distracted from local affairs by their duties especially during the Scottish rebellion² and although many leading figures in county government had been purged, the continuity of personnel had only been breached, not broken. Randall Ashenhurst, Edward Coke, Nathaniel Hallowes and Sir Samuel Sleight remained active members of the county committee. Three men: Robert Eyre, Francis Revel and William Saville, who had disappeared from the committee about the time of Pride's purge, returned in 1652.³ Many men who had been

¹ S. C. Newton, 'The Gentry of Derbyshire in the Seventeenth Century', D. A. J. vol. 86 (1966), p. 22; D. R. Lacey, Dissent and Parliamentary Politics 1661-1689 (New Jersey, 1969), p. 399.

² Firth and Davies, Regimental History, vol. 1, pp. 283-284; C. S. P. D. 1651, pp. 68, 76, 97, 156, 185, 306, 351-352.

³ Firth and Rait, Acts and Ordinances, vol. 2, pp. 24-57, 456-490, 653-688, 1058-1097, 1320-1342, 1425-1455.

repelled by the King's trial and execution felt able to emerge from political exile once the deed had been done. However, the evolution of the county committee and the bench during the 1650s shows but a slow drift towards a more moderate membership and the majority remained lukewarm. For example in 1651, lawyers Whitelock, Keble and Lisle, acting in their capacity as Commissioners of the Great Seal, wrote to the sheriff of Derbyshire;

"Wee being informed that divers Gentlemen whoe are placed in the Commission of the Peace for your county have neglected to take their oaths and take upon them the execucon of their office according to the power and authority given them under the Great Seale of England, although they have formerly bin sent unto by us so to doe the same whereby the execucon of Justice upon offenders is hindered and the people putt to much trouble and inconvenience in travelling to such Justices of the Peace as doe act and performe the duty of their places." ¹

Certainly the bench appointed in March 1651 lacked representatives of families who had county status. (See appendix 15). Barely four men qualify: Randall Ashenhurst, Robert Eyre, Edward Leech and Sir Samuel Sleight. Only two of them, Ashenhurst and Leech, had been J.P.s before 1640. The central government, in fact, was heavily reliant on men who had become prominent in the late 1640s. The reluctance of people to serve on the commission may be attested by the dropping of eight men in July 1651, probably because of their failure to take their oaths. (See appendix 15). Two of them, Sir John Gell and

¹ D. R. O. Gell mss, 56/13.

Christopher Horton, had sat on the bench during the 1630s whilst the rest came from obscure backgrounds.¹

The county committee of 1652 contained several men who had no previous status in the county; for example Nathaniel Barton, Robert Cotchet, Thomas Ford, Edward Gill, Robert Greenwood, Robert Hope, Anthony Morewood and John Spateman, had first been appointed in April 1649. John Jackson, German and Richard Polo and Samuel Taylor first appeared in November 1650. There were two more additions in 1652: William Bago and Evesby Dorman.² (See appendix 16). Gradually, however, the radicals' hold on the reins of government was loosened by an amalgamation of royalist hostility, county particularism and by the intrusion of moderate interlopers. The county committee of 1657 portrays the recuperative powers of the old elite and an influx of new nominations combined royalists and representatives of families who had fallen foul of Parliament and the army between 1642 and 1649.³ (See appendix 16).

In 1650 committee government was modified by Westminster and the scope of committee power greatly reduced from what it had been during the war. Its functions were confined to the collection of assessments and the supervision of the militia, which "aided the recovery of

¹ B. L. Stowe mss, 577; P. R. O. SP16/405, C231/6, C193/13/3.

² Firth and Rait, Acts and Ordinances, vol. 2, pp. 24-57, 456-490, 653-688.

³ Ibid., pp. 1058-1097.

the quasi independence of the counties" and permitted moderates and old gentry leaders to creep back into local government.¹ But though the restrictions placed on the county committee intimated a desire for settlement and reconciliation, they also constituted an important centralising move. The sequestration and composition of delinquent's estates was separated from ordinary administration and the management of this politically delicate operation was given to Robert Mellor and Gervase Bennett, with Ralph Clarke to assist them.² In August 1653 Thomas Leigh replaced Bennett who had been chosen to sit in Barebones Parliament.³ There was a complete transformation of personnel again, in March 1653/54 when Thomas Newton and Henry Buxton were appointed commissioners and Edward Pegge junior was made a sub-commissioner. They were certainly active until 1656, but by 1659 they had been replaced by James Fulwood, Edward Heminge, William Broadhurst and William Thomlinson.⁴ Significantly, the commissioners for sequestration and composition were responsible to the central government and not to the county committee. Moreover, none of the men who acted had standing in Derbyshire and those who had, at least, some administrative

¹ D. Underdown, 'Settlement in the counties 1653-1658', in G. Aylmer (ed.), The Interregnum: The Quest for Settlement 1649-1660 (London, 1972), pp. 165-182.

² C. C. C. pt. 1, p. 171; P. R. O. SP23/252/79.

³ C. C. C. pt. 1, p. 647.

⁴ C. C. C. pt. 1, pp. 672-673, 736.

experience had disappeared by 1659. In marked contrast, the pattern of evolution amongst the sequestration commissioners differs considerably from what was happening to the membership of the county committee during the 1650s. The body responsible for delinquents' estates remained a radical stronghold to the eve of the restoration.

The Church

Central government policy towards the church confirmed gentry alienation from the republic and Protectorate; presbyterian reform struck at many sensibilities. The committee for the ejection of scandalous ministers, appointed in August 1654, contained two men of standing in the county: Sir Francis Burdett and Sir Samuel Sleigh. But because members were chosen for their puritan reliability, there were also two men, Edward Gell and Edward Mould, who had never appeared in local government before.¹ All the rest were established committeemen. Yet in Derbyshire "Presbyterianism [was] applied more consistently, and for a longer period apparently than in many other counties."²

Classical assemblies, to which the local presbyteries sent delegates, existed in each hundred. The classis for the hundred of Wirksworth met in the town of that name; that for the hundred of Scarsdale met at Chesterfield

¹ Firth and Rait, Acts and Ordinances, vol. 2 pp. 968-990.

² J. M. Brentnall, William Bagshawe (London, 1970), p. 18.

under Immanuel Bourne, its Moderator. The classis for the hundred of High Peak met at Bakewell or Glossop; that for the hundred of Morleston and Litchurch met at Derby; that for the hundred of Repton and Gresley met at Repton or Melbourne and the classis for the hundred of Appletree met at Breadsall. The minute book of the Wirksworth classis, which covers the period from December 1651 to February 1652/53 and January 1654/55 to November 1658, shows that the ordination of ministers was the main duty of the assembly. Not many men who applied for ordination were refused, but in April 1657 Mr Francis Lowe was rejected because he "was scandalous in his life and conversacon." In May "Mr Matthias Hill being examined the second time was not approved, but desired to endeavour after more sufficiency", whilst Mr Thomas Smith had his thesis referred. Often requests for ordination came from men who intended to serve in cures outside the county thus suggesting that the Derbyshire classes survived longer than elsewhere.

The Wirksworth classis also held inquiries into complaints made against preachers; for instance, John Wiersdale, a member of the assembly, was hauled before his colleagues in April 1652, accused of administering the sacrament to the excommunicate and speaking against private meetings. Robert Storer, elder of Kirk Ireton, was indicted for scandalous offences in October 1657. The seriousness of the charge levelled against him led to the calling of an extraordinary meeting of the classis. In the event, Storer was found not guilty. The administration

of pastoral care also occupied the classis. In October 1656 it "ordered that there be some course taken for the reliefe of the widows and orphans of ministers deceased." In addition, it was conscientious in informing itself of current controversies like the Socinian dispute, sparked off by John Biddle in 1655, which caused the classis to debate the Socinian errors in a series of gatherings. The formulation of opinion was a crucial aspect of the classis' leadership of presbyteries and in July 1652 it was told that

"some persons under the power and inspection of this classis have requested this classis to give their opinion whether it be lawfull (or the least expedient) for cousen Germanes to marrie or no?" 1

Presbyterian classes were composed of ministers and lay elders but few of the members of the Wirksworth assembly were prominent figures in the hundred. The Buxton family, which had been resident in Derbyshire since the thirteenth century, provided the most significant of the ruling elders; Henry, German and George all sat. Henry Buxton of Bradbourne, an elder of that presbytery, became a member of the county committee and was put on the commission of the peace in 1657.² However, the absence of the gentry is a telling sign of the unwillingness of men of status in the county to involve themselves

¹ J. C. Cox, 'The Minute Book of the Wirksworth Classis 1651-1658', D. A. J. vol. 2 (1880), pp. 135-221.

² Firth and Rait, Acts and Ordinances, vol. 2, pp. 1058-1097; P. R. O. C193/13/5.

in the religious settlement, and the minute book of the Wirksworth classis illustrates how its membership - particularly that of laymen - was small and declining. To remedy the situation, on May 17 1653, the classis ordered,

"that every congregation presbyterated within this classis shall be desired to send to every classical meeting two (or one at least) of their congregational elders to joyne with the ministers in managing the affairs of the classis."

But the spur to greater participation failed: there were only a few new men attending meetings between 1651 and 1658. Around 1655 absenteeism became a problem when in April, for the first time, the classis had to be adjourned because of a "small appearance." Thereafter, the number of elders who turned up for the monthly gatherings was frequently much smaller than the ministers. Sometimes only one or two elders presented themselves and on September 18 1655, in the absence of any laymen, the four ministers prorogued. This was an exceptionally poor performance but when, in March 1656, the ratio was repeated it was decided to press on with the agenda. In 1656 and 1657 the number of elders who came to the classis rarely exceeded five and, inevitably, low attendance affected business; candidates appearing for examination or ordination were turned away and in three consecutive months, May, June and July 1658, the classis was abandoned.¹

¹ Cox, 'Wirksworth Classis', D. A. J. (1880), pp. 135-221.

The presbyterian church settlement had probably grown deeper roots in Derbyshire than elsewhere but there were severe limitations, notably gentry and lay apathy.¹ Also, unlike those of London and Lancashire, Derbyshire presbyterians seem never to have developed a provincial synod. Arguably, however, their strength did prevent religious extremism from flourishing in the county. A few Ranters could be found in the High Peak,² but the most significant sectarian group in Derbyshire were the Quakers, noted as having a following since 1647. In October 1650 George Fox attended a lecture in Derby and, in an altercation with the minister, he was arrested and charged with blasphemy. Nathaniel Barton and Gervase Bennett (who first described the sect as Quakers because of their trembling) examined Fox for eight hours after which he was convicted and imprisoned under the Blasphemy Act of August 1650. Fox's confinement lasted for twelve months, during which time he refused military service twice, thus sowing the seeds of Quaker pacifism. He also became quite a celebrity to the local townsmen. Fox's presence in Derby caused many of his colleagues to converge on the borough; Elizabeth Hooton, a protégé of his from Nottinghamshire, was imprisoned by the magistrates

¹ Clair Cross, 'The Church in England 1646-1660', in G. Aylmer (ed.), The Interregnum: The Quest for Settlement 1646-1660 (London, 1972), pp. 99-120.

² A. L. Morton, The World of the Ranters (London, 1970) p. 111.

in 1651, for reproving a minister. Three years later, the Quaker William Dowsbury embarked on a tour of England and published his message in Derbyshire.¹ The results of his visitation reached the Council of State who, in June 1654, informed Colonel Sanders of their

"information of tumultuous meetings lately hold in county Derby by persons under the name of Quakers, which may give opportunity to the disaffected to prosecute designs prejudicial to the public good. They therefore recommend it to your care to scatter such meetings, and in future to prevent them if possible. If you find any whose notorious disaffection to the present government, or former adherence to the enemies of Parliament render them justly suspicious, you shall apprehend them and secure them till further order and for your speedy and effectual execution of the same, you are to use any ² of the Arms under you. . ."

A sizable Quaker community, therefore, existed in Derbyshire and James Nayler was afforded an encouraging reception in 1655 when he disputed with the Derby minister and defeated him; "the people cried out a nailor, a nailor hath confuted them all."³

Religious confusion, of course, predominated through the 1650s and the 'godly' appeared in different guises. Congregations were dependant upon the presence of efficient ministers living within their parish or they supplemented public worship with informal and

¹ W. C. Braithwaite, The Beginnings of Quakerism (Cambridge, 1975), pp. 42-44, 53-57, 119-120, 126-127.

² C. S. P. D. 1654, p. 211.

³ Braithwaite, Quakerism, p. 242.

household devotions.¹ Mistress Shawe, for example, went to extraordinary lengths to find a righteous minister;

"unsatisfied with a reading minister in Brampton parish . . . she went usually every Lord's day to Chesterfield (which was two long miles) to hear a faithful preacher."

She also attended a private house, "where many godly persons used to meet, where the sermon was repeated and other duties performed."²

Clerical leadership, however, was probably crucial in determining the pattern of religious devotions in the county; the prominence of moderate presbyterians was an effective barrier against the penetration of sectarianism. William Bagshawe, the 'apostle of the Peak', exercised strict spiritual discipline and earned the resentment of radicals because of his stringent attitude towards entertainment. He alienated opinion further because of his administration of the sacrament and by his denial of communion to those who, he believed, were unworthy to receive it.³ Bagshawe was ordained in Chesterfield in

¹ R. C. Richardson, Puritanism in North-West England (Manchester, 1972), pp. 74-114.

² University of Sheffield Library, Mistress Shawe's Tombstone (London, 1658), pp. 32-33.

³ On the conflict between presbyterians and independents over the sacrament see W. Lamont, Godly Rule: politics and religion 1603-1660 (London, 1969), pp. 136-158; W. A. Shaw, A History of the English Church 1640-1660 (London, 1900), vol. 2, pp. 142-147.

1650 and was presented to the living at Glossop in the following year. In 1654 he became a member of the Wirksworth classis. He encouraged catechising, family prayer and bible study.¹ His spiritual mentor was Immanuel Bourne, a staunch presbyterian and a close associate of Sir John Gell during the petitioning campaign of 1642. Bourne had been horrified by the outbreak of civil war;

"when I saw both sydes bent for war and destruction I made up my mynde to take part with neither, but to attend to my two parishes and leave them to fight it out."

Yet, he conformed to Parliament's religious settlement.

"On the death of Laud I complied with all their ordinances and laid aside both the surplice and Kinges booke and I even gave over prayinge for the Kyngo in publique . . . I also left all the marriages to justice ² Spateman."

It is evident that Bourne's presbyterianism was reinforced by the rise of independency and sectarianism. When James Naylor appeared in Chesterfield in January 1654/55, it was Bourne who rose to the challenge of disputation. He was a strong supporter of the necessity of having a ministerial order to educate the laity and the debate with Naylor was about that very issue. He was also attracted to the ordination controversy and to the defence of

¹ Brentnall, Bagshawe, pp. 23, 26, 30, 32-35.

² D. R. O. Pashley mss, 267/229(c); copy of a letter written by Bourne on August 28 1646 and printed in The Derbyshire Times, Saturday, 28 May 1910.

ministerial tithes. Bourne held his profession in very high regard.¹

Because crastian presbyterianism was more firmly established in Derbyshire than in many counties, religious excesses did not infiltrate or were firmly repulsed. The strength of the presbyterian classes, particularly in Wirksworth, and the diligence of ministers contrived to stabilise a potentially volatile situation. Unlike in Yorkshire,² the dales and mountains of Derbyshire, did not serve as safe havens for religious unorthodoxy.

Radicalism and Royalism

Local government was exposed not only to religious radicalism but to political extremes as well. There was one major outbreak of leveller activity in the summer of 1649 when levellers made common cause with a group of Derbyshire miners in their dispute with the Earl of Rutland. The miners protested their right to sink mines on the Earl's estate.³ In a petition to Parliament they explained how Rutland,

¹ Rosemary O'Day, 'Immanuel Bourne: A Defence of the Ministerial Order', Journal of Ecclesiastical History vol. 27, no. 2 (April 1976), pp. 101-114; B. L. E1907(1).

² C. Hill, The World Turned Upside Down (Penguin, 1975), pp. 81-85.

³ H. N. Brailsford, The Levellers and the English Revolution (London, 1961), pp. 565-567.

"opposeth his single interest against the interest of the nation . . . he hath by the assistance of the cavaliers in the height of war beaten them out of their works to their utter ruin, by vertue whereof he hath imprisoned many petitioners unheard . . . Justice is either denyed or detayned; the oppressors, because rich and powerful cherished and the oppressed, though many thousands, ready to perish for bread . . . altogether neglected and not only so, but more oppressed and absolutely exposed to the power of an implacable enemy, who leaves no way unattempted to destroy them."

This statement of class hostility was combined with acts of rioting; the issue was a fiery one.¹

The miners were supported in their struggle by Nathaniel Barton, whom Rutland believed had shown deliberate malice towards him.² On September 8th the lovellier newsletter, The Moderate, reported that the miners had subscribed to a declaration in which they vowed to "maintain with their lives and fortunes . . . the Agreement of the People"³ and, in October, the Council of State was informed that there had "been several meetings under pretence of races; of 5000, 6000 men and of them, 3000 horse armed with swords and pistols." The sheriff, Anthony Morwood, was said to have neglected to disperse the crowds despite the orders of the Council. Finally the military commanded by Thomas Sanders, were called in to escort the miners back to their homes.⁴

¹ D. R. O. Gell mss, 28/20(1).

² P. R. O. SP28/26/93.

³ Brailsford, Lovellers, pp. 565-567.

⁴ C. S. P. D. 1649-1650, pp. 335, 337, 338.

Although the quarrel between Rutland and the miners dragged on, there was no further Leveller influence.¹ The miners, however, were architects of another disturbance in October 1653 in which one man was killed when they were forcibly dispossessed of their mine. The protagonists were brought before the jurisdiction of the Darnote court, "but to take care that no interruption should be made therein by force or mutinies", Sanders was again ordered to stand ready.²

In Derbyshire, after 1650, royalism was almost a spent force. Apart from Sir John Gell's intrigues in 1650, the only manifestation of royalist conspiracy in the county coincided with the Scottish invasion in 1650-1651. Colonel Edward Vernon, son of Sir Edward of Sudbury, and Colonel John Shallcross were party to a rising planned for the north-west of England. The plot, however, came to nothing because of Thomas Coke's disclosures to the authorities of a whole network of royalist operations in England and Wales. Thomas, the youngest son of Sir John Coke of Melbourne, secretary of state to Charles I until 1639, had represented Leicester in the Long Parliament until 1643 when he was disabled because of his royalism. In 1648 Prince Charles appointed him as an agent responsible for cultivating conspiracy. Two years later when his older brother, John, died Thomas inherited the Melbourne estates but these lands were

¹ C. S. P. D. 1650, pp. 436-437.

² C. S. P. D. 1653-1654, pp. 222, 256.

confiscated as a result of his confessions. More seriously, his revelations ended Charles II's prospects of amalgamating a royalist rising with the Scottish advance.¹

In 1654 Vernon's name was associated with preparations for another rising on behalf of the exiled King; with his brother-in-law, Edward Browne of Hungry Bentley, he was arrested by the security forces.² But the general political quiescence of Derbyshire royalists was demonstrated by their absence from Penrudeock's insurrection in March 1655.³ Few men, in fact, would hazard their lives and property at the dictate of the Sealed Knot and involvement rarely went further than gossip or covert meetings in manor houses.⁴ During the republic and the Protectorate, not many people matched the implacable royalism of the Countess of Devonshire, whose energy for intrigue was inexhaustible.⁵ Royalists were

¹ D. Underdown, Royalist Conspiracy in England 1649-1660 (Yale, 1960), pp. 42-55; C. J. 1640-1642, p. 999; C. C. C. pt. 3, p. 1844; Morton-Thorpe, 'The Gentry of Derbyshire', pp. 123-124.

² A. H. Woolrych, 'Penrudeock's Rising 1655', Historical Association (1955).

³ Underdown, Royalist Conspiracy, pp. 127-158.

⁴ Fletcher, Sussex, p. 298.

⁵ M. P. Mahony, 'The Presbyterian Party in the Long Parliament 1644-1647' (Oxford University D.Phil. thesis, 1973), pp. 211-212; Underdown, Royalist Conspiracy, p. 192.

never the major culprits in Derbyshire, blocking Cromwell's search for settlement and it says much for the torpor of royalism in the county that no gentleman could be persuaded by the Great Trust, in 1658, to organise resistance.¹

The Major Generals

In the aftermath of Penruddock's rising the central government attempted to subject the county communities to closer scrutiny but the regime of the major generals failed to impose that degree of centralisation which Cromwell had hoped would finally stamp out disaffection. In fact, coloured more by vindictiveness than settlement, the Protector's policy only succeeded in alienating most sections of society. However a government order of March 24 1654/55, directing justices in the localities to be especially vigilant, contained not a hint of any intention to modify local government. On the contrary, it stressed that "if what by law ought to be done were done diligently, these designs would be frustrated in the birth."² Consequently four days later a commission of oyer and terminer was issued for five northern counties and Nottinghamshire, Derbyshire and Lancashire; its purpose was to investigate and punish persons engaged in the late rising.³ Nor was it until the late autumn that the spectre of military rule was perceived in Derbyshire. Whereas other counties

¹ Underdown, Royalist Conspiracy, p. 222.

² C. S. P. D. 1655, p. 93.

³ Ibid. pp. 106, 113.

had received their orders for the appointment of militia commissioners earlier in March - thus inaugurating the major generals - the nomination of the Derbyshire committee corresponded to the appointment of Edward Whalley as major general of Lincolnshire, Nottinghamshire, Derbyshire, Warwickshire and Leicestershire in October 1655.¹ Whalley visited Derbyshire for the first time in the following month.²

Major general Edward Whalley has been described as a "zealous supporter of the Protectorate" and "of all the Major Generals the most concerned to be fair, while doing his duty."³ Certainly he was probably amongst the most enthusiastic supporters of the system of stewardship which the major generals represented;

"It is the best way", he told Thurloe, "that I think could have bin taken for the securing the peace and carrying on the worke of the Reformation in this Commonwealth."⁴

Judging from his future activities it is unlikely that Whalley regarded the "work of Reformation" in purely religious terms. Rather he saw his responsibilities encompassing a wide spectrum of social improvement. But his early optimism was misjudged mainly because of the reluctance of local officials to assist him.

¹ D. Rannie, 'Cromwell's Major Generals', E. H. R. vol. 10 (1895), pp. 471-506; C. S. P. D. 1655, p. 378.

² T. S. P. vol. 4, p. 211.

³ M. Ashley, Cromwell's Generals (London, 1954), p. 154.

⁴ T. S. P. vol. 4, pp. 240-241.

Although the militia commissioners had declared their "willingness to act",¹ their numbers were small. (See appendix 17). Only twelve men served and apart from Sir Samuel Sleight, they were hardly figures of status in the shire.² Two of the appointments, John Ferrers and Alexander Stanhope, may have been royalists.³ One commissioner, James Chadwick from Nottinghamshire, caused great resentment. According to Lucy Hutchinson, who had a good reason to feel partisan, he was a man of low birth and "mean education" who had insinuated his way into the legal profession in 1638, supervising the court of the honour of Peveril. The service he had rendered the King was likely to have been questioned by Parliament in 1640, yet, explains Hutchinson, "by flatteries and dissimulations he kept up his credit with the godly, cutting his hair and taking up a form of godliness, the better to deceive." Chadwick became deputy recorder of Nottingham in 1643 and a member of the county committee. Later, in 1644, he was prominent in a plot to oust Colonel Hutchinson from the governorship of Nottingham garrison. By 1648, Lucy Hutchinson had identified Chadwick as one willing to "rise against that Parliament . . . till all delinquents, as well greater as less, were brought to condign punishment."⁴ Obviously, Chadwick

¹ T. S. P. vol. 4, p. 211.

² P. R. O. SP28/226: no pagination.

³ See below, pp. 334, 360-362.

⁴ Lucy Hutchinson, Memoirs of Colonel Hutchinson (ed.), C. H. Firth, (London, 1906), pp. 105-108, 111, 154-155, 193-197, 210-215, 255.

was the supreme opportunist unhampered by political principles except when he invoked them to cover his ambition. It is not surprising, therefore, to find that his appointment as a militia commissioner invited criticism. He quarrelled with "godly men" and his endeavours, on Whalley's behalf, to resurrect the Peveril court inspired a petition against him in February 1656/57. Whalley, however, looked upon Chadwick more favourably and informed Thurloe that he

"is very forward to serve his Highnesse in this busyness both at Nottingham and Derby, being recorder for both the townes, and being very able and well esteemed of."

On November 24 1655 Whalley reported that, except for the absence of Colonel Sanders,

"Wee had a very good appearance of commissioners at Derby . . . I know not any of the commissioners for that county that were constituted by the council, added by myself, that refuse to act."

Sanders, however, "notwithstanding he lived but four miles from Derby, yet neither would come to me, nor send his answeare. He is a good man", Whalley explained to Thurloe, "but too much over-perswaded by col. Barton, who preacht an angry sermon the day after I came to Derby."² As republicans, Sanders and Barton were not likely to show any sympathy towards Major General Whalley. Their stand, however, had deeper roots than mutual political ideology; they were also old neighbours and military

¹ T. S. P. vol. 4, p. 211; C. J. 1651-1659, p. 490.

² T. S. P. vol. 4, pp. 240-241.

colleagues¹ and their relationship may be usefully compared to that of the Sussex friends, Herbert Morley and John Pagge.²

The major generals were often handicapped in their work by a lethargic, lukewarm and sometimes, openly hostile bench. Charles Worreloy, for example, reported that in his area there was "a very greate wante of justices of the peace . . . both by reason of those that refuse to act as alsoe of the smallnesse of the number."³ Whalley, who had similar problems, tried to compensate for this lack of enthusiasm by including on the Derbyshire commission, army officers and members of the militia committee. But such additions as Edward Pagge junior, William Mitchell, Robert Hope and Robert Cotchet, because of their obscure backgrounds, were hardly likely to win the support of the county gentry.⁴ Whalley's main complaint about the Derbyshire bench, however, was sent to Thurloe in a letter dated November 24 1655;

"what some justices, in order to reformation doe, others undoe", he explained, "and the spirits of the best very lowe for want of such an officer to encourage them all . . . 'tis of absolute necessity you put us in
commission of peace." 5

The placement of major generals on the bench, though, was

¹ See pp. 303, 342-344.

² Fletcher, Sussex, pp. 295, 308, 317-319.

³ J. S. Morrill, Cheshire 1630-1660 (London, 1974), p. 284.

⁴ P. R. O. C231/6.

⁵ T. S. P., vol. 4, pp. 240-241.

not a practical solution either to the unwillingness of men in serving or to the problem of supervision. Whalley was put on the commission in March 1656 and he was especially vigilant over the activities of justices; he followed the assize as it moved from county to county and he tried to make sure that juries should be composed of the well affected.¹ Yet it was impossible for Edward Whalley, whose jurisdiction encompassed five counties, to exercise continual supervision or even to check on the enforcement of his orders. The sheer size of the regions and the necessity to move between counties meant that Whalley, and his colleagues elsewhere, had little time to impress their authority on a sullen community. Nor could they possibly assimilate the complexities of local government; most of the major generals, after all, were inexperienced administrators and strangers to a large part of their districts.²

On assuming his task, Whalley's intention, as he explained to Thurloe in a letter written from Newark on November 7 1655, was to "not, at the first, be long in any county, I shall onley set the wheelles a going and after make longer staves." In particular, he stated, that he wanted to visit those counties "where I apprehend most cavaliers to bee."³ Thus journeying to Nottinghamshire and Lincolnshire first, Whalley eventually arrived in

¹ P. R. O. C231/6; T. S. P. vol 4, pp. 607, 686-687, 509-510.

² Fletcher, Sussex, p. 304.

³ T. S. P. vol. 4, p. 162.

Derbyshire towards the middle of November from where he reported

"such entrance upon the business we are intrusted with, as we doubt not, God assisting us, in short time will render us capable of giving a good account." ¹

In fact by Christmas, Whalley had contrived to visit all the counties for which he was responsible, but the pressure was beginning to show. Despite his professed strategy of dividing his time equally between counties, Whalley saw more of Nottinghamshire, during October 1655 to August 1656, than anywhere else. Moreover, in writing to Thurloe on January 18 1655/56, he expressed his wish that "there had been more Major Generals."²

Apart from their jurisdiction being too large, the major generals were also daunted by the multiplicity of their duties. Charles Worsley quite possibly drove himself to an early grave in his endeavours to fulfil his responsibilities.³ Most individuals, however, tended to concentrate on particular aspects of their wide ranging commissions. For instance, Whalley was primarily concerned with social and economic policy. In January he reported,

"wee are . . . very busy in casting out scandalous and ignorant ministers, surpressing alehouses, taking order that the poore in all places under our charge may be set a worke and beggars suppressed. Truly, Sir, the worke his Highnesse and the Councill have put

¹ T. S. P. vol. 4, pp. 211-212.

² T. S. P. vol. 4, p. 434.

³ Morrill, Cheshire, p. 277.

upon us is very great."¹

Inevitably, there were limitations to what could be achieved. Major General Goffe's record was singularly "unimpressive"² and Whalley too, ran into difficulties, mainly in galvanising local authorities into action. Writing from Derby on November 17 1655, he told Thurloe that although

"the busynes for ejecting ministers goes on very well in Lincolnshire; Nottinghamshire and Derbyshire have ³ made no entrance upon it."

On December 1st Whalley wrote from Coventry a letter which was most discouraging. "They exceeding well resent the busynes" of ejecting ministers, he reported, and "where the work of reformation should be most eminent, as in cyties and corporations, it is very much wanting." He went on to describe that

"it hath bin a generall complaynt to me in Lyncoln and Coventree especially, that wicked magistrates, by reason of their number, over-power the godly magistrates. They no sooner suppress ⁴ alehouses, but they are set up agayne."

In the following month, writing from Lincoln, this time. Whalley claimed how he

"had many plowes agoing, that of ejecting scandalous ministers, depressing of rogues, taking bondes, providing for the pore, depressing ale howses which were growne to incredible numbers but," he stated, he "could not thoroughly end

¹ T. S. P. vol. 4, p. 434.

² Fletcher, Sussex, p. 304.

³ T. S. P. vol. 4, p. 211.

⁴ T. S. P. vol. 4, pp. 272-273.

all by reason this tax upon
delinquents hath taken up so much
of our time."

Clearly, the rooting out of royalists and determining their fines was not only the most important function of the major generals but the most time-consuming. Their preoccupation with this aspect of social order reduced their effectiveness in all other areas of law enforcement.

In comparison to other counties, Edward Whalley constructed a very short list of Derbyshiremen suspected of involvement in Penrudeock's rising. (See appendix 18).² Surprisingly, it omitted many leading royalists such as Vernon, Frescheville, Every, Harpur of Swarkeston and the Fitzherberts of Tissington and Norbury. Whalley, it seems, was notably less severe than Worsley or Disbrowe in exacting bonds of security but the evidence, it is worth noting, is thin and the list may not be a comprehensive one.³ The roll of suspected persons was compiled from the local investigations of the justices, who may have acted partially in concealing friends. A further catalogue of delinquents, documented by the commissioners for sequestration in London, of all those who had been penalised for their royalism since 1643, was also compiled.⁴ It was a difficult task to achieve. Replying to Whalley's persistent demands for a schedule of compounders, the London commissioners complained that

¹ T. S. P. vol. 4, pp. 411-412.

² B. L. Add. mss, 34013, 34014, 19516.

³ Morrill, Cheshire, p. 276.

⁴ T. S. P. vol. 4, pp. 156, 211.

they had four thousand papers on delinquents in the east midlands alone and, therefore, could not be hurried. Significantly, they also argued the folly of placing a discriminatory tax on royalists. Enumerating the difficulties in assessing estates, the commissioners pointed out to the Major General that many royalists had property divided between several shires whilst before the establishment of the Haberdashers Hall committee, many delinquents had been discharged by county committees, the barons of the exchequer or individual acts of pardon. Some royalists, the commissioners explained, did not even fall within the compass of decimation because their incomes were too small. Their letter finally went on to say that "the particulars given in by delinquents are not a certain guide for estates and have since come to many by descent, marriage etc. . . Others have concealed or undervalued their estates." Their advice to Whalley, therefore, was simple but unhelpful; "do not rely too much on our information."¹

Thus, the major generals were allowed a large amount of personal discretion in executing fines and Edward Whalley's decision to show leniency was reflected in a very small list of twenty two victims for Derbyshire. (See appendix 19). Yet, Whalley's policy was also probably the result of his own lack of certainty regarding his powers; he constantly asked Thurloe for additional instructions. Whalley, above all, needed central government propaganda to coerce his reluctant commissioners.²

¹ C. C. C. pt. 1, p. 734.

² T. S. P. vol. 4, pp. 211, 272; Fletcher, Sussex, p. 305.

In the end he was driven to create a parallel institution in Derbyshire, comprising Samuel Doughty as treasurer and a whole retinue of clerks and messengers, to deal with the assessment and collection of the decimation tax.¹ However, the revenue raised from the county's royalists was insufficient to pay the militia.²

Most major generals tried to be fair and just; Kelsey, Goffe, Whalley, even Worsley assumed the mantle of impartiality. Never before had local government been subjected to the attempt to achieve such wide-ranging goals. But it is quite clear that Cromwell's experiment suffered by its association with arbitrary military rule. Nothing could conceal the fact that the major generals, for all their good intentions, were predators on those who had made political miscalculations in 1642. The major generals were out of step with the movement in the counties to scotch old feuds. Puritan stringency was unpopular amongst practically all sections of society. Neither were the gentry persuaded of the justification of security legislation; the Earl of Exeter, for one, was probably far from assured when Whalley told him that the suppression of horse racing was not "to abridge gentlemen of that sport, but to prevent the great confluence of irreconcilable enemies."³ The rule of the major generals showed that people could not be forced to

¹ P. R. O. SP28/226: no pagination.

² See above, pp. 264-265.

³ T. S. P. vol. 4, p. 607: March 12 1655/56.

become citizens of a godly utopia. But in the final analysis, popular distaste for Cromwell's settlement was inspired by deeply held beliefs about the integrity of the county community.

The elections to Parliament in the summer of 1656 were conclusive proof of the failure of the major generals to impose the will of the central government on the provinces. Throughout the country, counties resisted government sponsored candidates. In Cheshire, for example, a caucus of leading gentlemen met to select those who were to stand at the election; their choice was a blatant disavowal of military rule.¹ Similarly in Sussex, the men who were returned to Parliament constituted a considerable conservative reaction in favour of the old county elite.²

By the middle of August the elections were in full swing and Edward Whalley was active in trying to influence the results in his district.³ Writing to Thurloe on August 11th, however, he told of his inability to control some of the contests. He despaired of doing anything in Lincolnshire whilst he perceived that Hutchinson's candidature for Nottinghamshire and Haselrige's for Leicestershire, were likely to succeed. He expressed more confidence in the outcome of the contests elsewhere, though, especially at Nottingham where he was hopeful of gaining himself a seat. Whalley was a native of the

¹ Merrill, Cheshire, pp. 287-288.

² Fletcher, Sussex, pp. 310-311.

³ T. S. P. vol. 5, p. 296.

town; "I have a great influence upon it", he wrote, "they will not chuse any without my advise . . . I hope that of Warwick and Derbyshire will be so good." But the Major General was not oblivious to the temper of the nation and of the difficulties in contriving a compliant parliament. He warned against making any new additions to the militia because "it will create new jealousies in the people and have but a sower aspect."¹

The elections for the county of Derbyshire were held on August 20th.² Six men contested four seats.³ The two unsuccessful candidates were men from both sides of the radical fringe; William Mitchell, gaining 568 votes, was a military officer and a Lambertonian later, in 1659.⁴ A member of the Stanhope family, possibly Arthur, the youngest son of Philip, Earl of Chesterfield,⁵ only managed to achieve 168 votes. The Stanhopes had a history of staunch royalism and the size of electoral support given to Arthur, suggests the low morale in royalist ranks. The men who were successful at the poll

¹ T. S. P., vol. 5, pp. 299-300; Rannie, 'Cromwell's Major Generals', E. H. R. (1895), pp. 471-506.

² The poll books for 1656, 1658, 1660 and 1672 are extant for Derbyshire and a full interpretation of their significance will be published in a forthcoming article.

³ D. R. O. Gell mss, 60/28, 60/21.

⁴ Underdown, Royalist Conspiracy, p. 278.

⁵ D. N. B.

were John Gell junior with 1059 votes, Sir Samuel Sleight with 992 votes, Thomas Sanders with 980 votes and German Pole with 836 votes.¹ Gell and Sanders, however, were amongst the hundred or so M.P.s who were refused admission to the House of Commons on September 17th.² Both signed a remonstrance complaining of their forcible exclusion.³ That Sanders fell victim to the purge because of his republicanism was predictable,⁴ but Gell's exclusion is less understandable. In many respects he was a sober, peaceable man, untarnished with political excesses. He was a rigid presbyterian in religion, yet that should not have been held against him in 1656. Perhaps his father's misdemeanours still cast a shadow of royalism over the son and it might have been remembered that Gell refused the Engagement in September 1654.

The most striking aspect of the election results is that they did not witness the return of the traditional gentry rulers as had happened in Sussex and Somerset.⁵ The election suggests that the eclipse of the county gentry lasted much longer in Derbyshire than elsewhere.

¹ D. R. O. Gell mss, 60/28, 60/21.

² Diary of Thomas Burton, pp. clxxix.

³ C. H. Firth, The Last Years of the Protectorate 1656-1658 (London, 1909), pp. 16-22; Whitelock, Memorials, pp. 640-643.

⁴ Underdown, Somerset, p. 182.

⁵ Fletcher, Sussex, pp. 310-311; Underdown, Somerset, pp. 182-185.

Neither Gervase Bennett, who was elected for Derby,¹ nor Thomas Sanders or German Pole could claim standing in the county. The Gells had only begun to emerge as a political force in the 1630s, whilst Sir Samuel Sleight, despite the long association of his family in Derbyshire, had never been prominent before the civil war.² Sleight was the archetypal opportunist, able to swim with any tide.

But if the 1656 elections did not inaugurate the return to power of the traditional elite, neither did they fulfil the expectations of the government. Though the royalists had received a severe buffeting during the past twelve months, they were not beyond showing their colours. Republicanism, however, was the challenge that Whalley had failed to meet. The threat to the Protectorate posed by the radicals could only be parried by yet another abuse of parliamentary privilege.

¹ D. R. O. Gell ms, 60/29.

² Newton, 'Gentry of Derbyshire', p. 27.

CHAPTER 8

The Restoration

On the face of it, the restoration of Charles II appears an inexorable process dating from the death of Oliver Cromwell on September 2 1658. It appears also that, from that time, the nation's political temperament shifted as the provinces re-discovered their loyalty to the monarchy. But the pace of rapprochement varied from county to county; the emergence of the gentry was dependant upon a host of local factors. In Derbyshire, even to the eve of Charles' return, the gentry were hesitant, uncertain how to read the signs and unwilling to commit themselves. Ultimately, of course, old political divisions healed sufficiently to obtain a consensus, yet the bitter pill of restoration was, for many men, hard to swallow and their dissent continued after 1660. It is, therefore, a fallacy to see in the re-establishment of the monarchy a coming together of the county community. The rapid governmental changes during the months following Oliver's death marked for some men, at least, a struggle between ideological belief and the hard facts of political reality. One such man was Thomas Sanders who, because his attitudes are exceptionally well documented, provides a significant case study of the fate of a republican in 1660. But he offers another equally important perspective on the restoration in Derbyshire. Unlike the rest of his countrymen, he was involved in Westminster affairs as well

as being very influential locally; he illustrates the interaction between the centre and the periphery.

Some account of Thomas Sanders' career is necessary in order to put his response to the events in 1658-1660 in context. In the first civil war he had been in the forefront of a faction of men who had desired a firmer execution of militant policy.¹ On the disbanding of Derbyshire's forces between 1646 and 1647, he became a commissioned officer under Colonel Thornhaugh. With that regiment he subscribed to the army declarations of June 4 1647, made at Newmarket, which not only demanded arrears of pay but also the exclusion of the presbyterians from power.² In the following year Sanders and his men were engaged in active service along the Welsh borders and against the Scots. On August 17 1648, at the battle of Preston, Thornhaugh was killed and Sanders succeeded to his command. It was not a promotion which was popular with the predominantly Nottinghamshire regiment and ill feeling was exacerbated when Sanders began to pack the commissioned ranks with Derbyshiremen. Nevertheless, in appreciation of his services, Oliver Cromwell secured Sanders' colonelcy. When in May 1649 the army leaders suppressed the levellers at Burford, Sanders was appointed to guard Parliament. During 1650 and 1651, he was active again in defeating the Scottish rebellion.

¹ See above, pp. 198-205.

² C. H. Firth and G. Davies, The Regimental History of Cromwell's Army (London, 1940), vol. 1, pp. 277-280.

According to C. H. Firth and G. Davies, Sanders' regiment "shared the prevalent views of the army" in endorsing the army petition of August 1652 and the dissolution of the Long Parliament.¹ But Thomas Sanders was a republican and sectarian and it is probable he felt uneasy about the demise of the Rump and was only appeased by the experiment of the nominated assembly. The seeds of deep disillusion were sown with the formation of the Protectorate. In October 1654, together with colonels Allured and Okoy, he promulgated a petition criticising the Instrument of Government.² Fearful of the Protector's unilateral control over a standing army, the petitioners referred to the agreements which had been made in June 1647;

"we then declared that we must have constant Parliaments, freely chosen by the people, which should have the supreme power in making laws, removing grievances, determining peace or war etc. And no person should be exempt from punishment by the people's Parliament . . . We therefore beg that a full and truly free Parliament may consider our fundamental rights and freedoms, settle the Government and secure us against all future attempts³ of tyranny."

These were sentiments carrying much support⁴ particularly in Scotland where Allured, in May, had stirred up unrest

¹ Ibid. pp. 281-285. Firth and Davies, Regimental History, vol. 1, pp. 281-285.

² T. S. P., vol. 2, pp. 285, 286, 295, 313, 709, 733.

³ C. S. P. D. 1653-1654, p. 303.

⁴ C. H. Firth (ed.), Memoirs of Edmund Ludlow (Oxford, 1894), vol. 2, pp. 295, 313.

amongst his own men.¹ It was rumoured too, that Major General Overton,

"with some officers of the army in Scotland designed to seize Monk, and to march with that army to London for² the restitution of the Parliament.

Sanders' possible complicity in a rising cannot be lightly dismissed: his influence had been north of the border since 1652.³ Certainly Cromwell took a dim view of the proceedings. He interrogated Sanders on December 16th and revoked his commission;⁴ the regiment was given to William Goffe and in December 1657, to Richard Cromwell.⁵

Central to Thomas Sanders' political thinking was a belief in the sovereignty of parliaments and a detestation of a dictatorship by a single person, whoever he should be. An independent in religion, his convictions had determined his choice of sides in 1642.⁶ His godliness

¹ T. S. P., vol. 2, pp. 295, 313.

² Firth, Ludlow, vol. 1, p. 406.

³ Firth and Davies, Regimental History, vol. 1, pp. 284-285.

⁴ C. H. Firth (ed.), 'The Clarke Papers', Camden Society (1899), vol. 3, p. 12.

⁵ Firth and Davies, Regimental History, vol. 1, pp. 284-287.

⁶ J. L. Hobbs, 'The Sanders Family and the Descent of the Manors of Caldwell, Cotton-in-the-Elms and Little Ireton', D. A. J. vol. 21 (1948), pp. 10-13.

was widely respected.¹ Sanders had firm beliefs, so firm in fact, that he did not retire to obscurity after his fall from Cromwell's favour. In Derbyshire, his reputation was sufficiently well grounded to ensure his election to the three Protectorate Parliaments although he was refused admittance in September 1656.

↳ an indication of how far he was suspected of disaffection.² The precise strength of Sanders' power in the county, in the absence of documentary evidence, is a matter for conjecture but it might be surmised that with Gervase Bennet and Nathaniel Barton, Sanders could wield considerable influence. There is almost the suggestion of a triumvirate emerging, at least between 1649 and 1653. Probably Sanders exercised most influence amongst the officers of the militia and the disbanded soldiers.

His relations with civilian committeemen, such as Nathaniel Hallowes and Sir Samuel Sleigh, who had been entrenched in local government since 1642, and with John Gell junior who had pushed himself forward after his father's demise, were probably abrasive. Republican principles were not widely adhered to, nor, if the strength of presbyterianism in the county is anything to go by, was sectarianism. John Gell, for example, who was a presbyterian

¹ Hutchinson, Memoirs of Colonel Hutchinson (ed.), C.H. Firth (London, 1906), p. 260.

² D. R. O. Gell mss, 60/29; C. J. 1651-1659, p. 425; B. Whitelock, Memorials (London, 1682), pp. 640-643.

in religion and a political moderate, was unlikely to be sympathetic to Sanders' excesses. Nevertheless, the truth is that the power base from which Sanders could draw sustained him until external political factors took a turn for the better. That moment arrived with the dissolution of Richard Cromwell's Parliament on April 21 1659.

The failure of the third Protectorate Parliament was accompanied by a decisive swing against the army grandees and the Protectorate loyalists, in favour of the numerous junior officers who had long grown dissatisfied with Richard Cromwell's government. As Professor Woolrych has argued, the sympathies of these men "lay with old comrades like Overton, Okey, Sanders, Allured and Packer, who had been drummed out of the army for opposing the Protectorate and upholding commonwealth principles."¹ In the spring officers, including Sanders, who had been cashiered were restored to their commands. Antipathy to the Protectorate and a veneration for the "good old cause" characterised these men and bound them together; they identified the high point of republicanism with the remnants of the Long Parliament and in their search for settlement, they looked to the restitution of the Rump. At the end of April Sanders was amongst those in consultation with the Wallingford House grandees, to

¹ A. Woolrych, 'Historical Introduction 1659-1660' in (ed.), R. W. Ayres, Complete Prose Works of John Milton (London, 1974), vol. 7, pp. 11-12.

determine a new government.¹ The outcome of the discussions was seen on May 6th, when the members who had survived Pride's Purge resumed their seats in the House of Commons.²

The honeymoon, however, did not last long. Owing to the Rump's interference with his regiment and to the delay in confirming his commission, which was not obtained until the end of June, Thomas Sanders quickly became disenchanted with the cause he had espoused.³ There was even more contention over the appointment of a major. Sanders mobilised regimental support for Nathaniel Barton, yet had to wait until July 18th for the Commons' assent.⁴ Sanders and Barton were old friends and colleagues, sharing similar political and religious ideas, and there is no doubt that Sanders' intention in choosing officers was to pick men with dependable views. For example, Lieutenant William Thomlinson claimed that he lost his commission in the regiment because he was "not of his colonel's opinion."⁵ Obviously the Rump, fearful of radicalism, did not appreciate Sanders' passion for unanimity.

Relations between Sanders and the government in Westminster deteriorated further when, in late July 1659,

¹ Firth, 'Clarke Papers', vol. 3, p. 196.

² G. Davies, The Restoration of Charles II 1658-1660 (San Marino, 1955), pp. 89-90.

³ C. S. P. D. 1658-1659, pp. 386, 394, 396.

⁴ C. J. 1651-1659, pp. 704, 709, 712, 722-723.

⁵ C. S. P. D. 1658-1659, p. 378.

it was ordered that the regiment should be sent to Scotland;

"I am apt to think", Barton wrote to his Colonel, "that some you know will not yeeld that that troope shall stay in England . . . I suspect that you and I not bee in favour with some." ¹

Monck had certainly been pressing the Rump and Fleetwood to send him reinforcements,² but neither Sanders or Barton would feel comfortable under Monck's command nor would they wish to be so far removed from the centre of events. There was also another reason for resisting their deployment to Scotland. At the end of July the Council of State was still in the process of filling up the commissions in Sanders' regiment. Barton had suggested names to the council but - as he told Sanders - difficulties had arisen: some men desiring "to bee employed would not willingly be commanded by you know whom."³

Mutual suspicion between the predominantly republican regiment and the conservative members of the Rump seems to have been at the heart of Sanders' quarrel with the central government. In fact, far from being a crowning glory to the "good old cause" the Rump had succeeded in alienating many interests and as their treatment of Sanders shows, was slowly losing the support of those officers who had been mainly

¹ D. R. O. Sanders mss, 1232N/080: July 21 1659.

² D. R. O. Sanders mss, 1232N/081, 082.

³ D. R. O. Sanders mss, 1232N/085: July 30 1659.

responsible for its recall. Sanders' disillusion, at this point, was crucial in determining his behaviour during the royalist rising in Dorby on August 12 1659.

The formation of the Great Trust in March 1659¹ was followed in August by a series of royalist insurrections throughout the country.² Those in Lancashire and Cheshire were more successful than most;³ Sir George Booth rose on August 1st but seven days later, his cause was in ruins primarily because "no significant risings occurred elsewhere to save Booth from destruction."⁴ It took five more days for conspiracy to mature into revolt in the east midlands and then, in Nottinghamshire, royalist plans were quickly aborted.⁵ Booth's strongest support came from Derbyshire. On August 12 1659, at eleven o'clock in the morning, royalist fugitives from Nottinghamshire led by Captain White entered Derby and proclaimed Sir George's declaration for a free parliament. White's arrival appeared to threaten a dangerous extension of the rebellion.

A native of Newthorpe in Nottinghamshire, on the border with Derbyshire, Charles White had served under

¹ Davies, The Restoration, p. 125.

² D. Underdown, Royalist Conspiracy in England 1649-1660 (Yale, 1960), pp. 254-285.

³ Ibid; J. S. Morrill, Cheshire 1630-1660 (London, 1974), pp. 300-325.

⁴ Underdown, Royalist Conspiracy, p. 276.

⁵ A. C. Wood, Nottinghamshire in the Civil War (Wakefield, 1971), pp. 176-177.

Sir John Gell at the outbreak of the civil war. Soon afterwards, however, he had returned to his own county to take a commission under Colonel Hutchinson. In 1644 he was one of the architects of a dispute with the governor of Nottingham for which, not surprisingly, he earned the lasting hatred of Lucy Hutchinson. She wrote that White was

"a man of mean birth and low fortunes, yet had kept company with the underling gentry of his neighbourhood. This man had the most factious, ambitious, vainglorious, envious, and malicious nature imaginable."

The epithets continued: "he was the greatest dissembler, flatterer, traitor, and hypocrite. He put on a vizard of godliness and humility, and courted the common people with all the plausibility and flattery that could be practised . . . He gave large contributions to puritan preachers [and] by a thousand arts this fellow became popular . . . they believed a most true-hearted, faithful, vigilant, active man for the godly interest; but he could never climb higher than a presbyterian persecutor, and in the end, fell quite off to a declared cavalier."¹ It is by no means clear if White had defected since he had, after all, only declared for a free parliament and not for Charles II. Yet, routed from Nottingham with the remnants of Byron's cavaliers, White probably hoped to take refuge in Derby and even raise support.

¹ Underdown, Royalist Conspiracy, p. 276; Hutchinson, Memoirs, pp. 103-104, 111, 113, 187-188, 193-194, passim.

After the deposition of Richard Cromwell, the Rump had been especially wary of subversive activity;¹ Major Nathaniel Barton wrote from London, on July 23rd, to Colonel Thomas Sanders at his home in Little Ireton that

"the common enemy is very busy in order to a disturbance and they brag much of their interest and their hopes of success. Some have bin seized upon ² and some committed to the Tower."

But it was not until the end of the month that royalist conspiracy in Derbyshire was identified.³ Intrigue in the county before White's appearance, however, was not well organised. Although John Lord Mordaunt had notified Sir Edward Hyde, on June 16 1659, that he had attached Philip, Earl of Chesterfield, and his sons, and Colonel John Frescheville and Edward Vernon, younger son of Sir Edward of Sudbury, it is likely that the royalist leadership in Derbyshire was ignorant of the Trust's plans.⁴ Chesterfield's involvement was certainly confused. In June he was confined to the Tower for participating in a duel.⁵ He was released soon afterwards and Mordaunt assured Hyde, at the end of July, that the Earl was

¹ Davies, The Restoration, pp. 127-128.

² D. R. O. Sanders mss, 1232M/081.

³ D. R. O. Sanders mss, 1232M/082.

⁴ C. C. S. P. vol. 4, p. 276; Underdown, Royalist Conspiracy, p. 276.

⁵ D. N. B.

"entirely engaged";¹ yet, on the night before Booth took up arms, Chesterfield was not in Derbyshire but at Leicester.²

That there had been detailed preparations for a rising in Derbyshire is, on the face of it, doubtful.³ Even given the fact that many indigenous royalists were unacquainted with the plot, it is still difficult to explain why there was no spontaneous rising when the news of Booth's rebellion reached Derby on August 1st. Instead it took Charles White's appearance in the town, eleven days later, to stir up belated loyalist feelings and then Chesterfield, Frescheville and Vernon were conspicuous by their absence. Only Colonel John Shallcross and Sir Henry Every raised troops of horse.⁴ Probably Booth's fate, which was by this time already sealed, highlighted the futility of insurrection.

After the suppression of White and his followers, the authorities remained convinced that some Derbyshiremen were implicated in conspiracy but turned up very little proof. The county commissioners for sequestration confessed that they had no evidence to seize the Earl of Chesterfield's estate.⁵ They had knowledge of just one

¹ C. C. S. P. vol. 4, p. 296.

² C. C. S. P. vol. 4, p. 301.

³ Underdown, Royalist Conspiracy, p. 277.

⁴ Ibid. p. 278.

⁵ P. R. O. SP23/263/84: October 25 1659.

letter sent by Sir Henry Every, who was also under suspicion, to the Earl "the very Friday that the rebellion broke out in Derby and did cause Sir Henry Every to goe that night to the Earle."¹ Unfortunately the correspondence was never found and the defendants refused to divulge the content of their discussion. Ultimately Chesterfield's property was confiscated and his sons' complicity investigated,² but of their eventual conviction nothing is known. Nor does it seem likely that Frescheville or Vernon ever came under government scrutiny.

White's rising reflected a coalition of royalists and presbyterians drawn together in opposition to the Rump and the army grandees,³ but such an unholy alliance was regarded by many with suspicion. Major Nathaniel Barton, for instance,

"wondered that ever any Godly
Presbyterian ministers should ever
expect or have reason to believe
that the Cavalier Parti should forget⁴
his old hatred."

Yet, what was even more disturbing to the county

¹ C. C. C. pt. 2, p. 1264.

² C. C. C. pt. 5, p. 3249.

³ Wood, Nottingham, p. 176.

⁴ D. R. O. Sanders mss, 1232N/086; Barton to Sanders, August 14 1659.

commissioners for sequestration in Derbyshire was that they had identified many of White's accomplices as militia officers who, they argued, had been

"traytors in neglecting of theyre dutys att the breakinge out of the rebellion."

In particular they saw Thomas Sanders as the main culprit.

On his arrival in Dorby, Charles White had proclaimed Booth's declaration in the market place, "whereupon all the town rose [and] shut up their shops."² Disturbances produced confused shouts for a king and a free parliament³ and Captain Doughty the county treasurer and member for Dorby in Richard Cromwell's Parliament, asked White to clarify his position. White replied "he was for a free parliament." Doughty's lieutenant, William Broadhurst, then demanded from White "if he declared against Charles Stuart." According to Barton, from whom this report comes, "White answered, he did [and] thereupon captaine Doughty said to Broadhurst, we are all friends."⁴ Doughty responded enthusiastically, ordering the church bells to be rung to summon the people from the surrounding countryside; he also gave the insurgents £4000 from the county's excise and assessment money. However, some other officers

¹ P. R. O. SP23/263/56: Edward Hemings to Haberdashers Hall, November 8 1659; SP23/263/32; C. C. C. pt. 4, p. 747.

² B. L. E995(3).

³ Underdown, Royalist Conspiracy, p. 277.

⁴ D. R. O. Sanders mss, 1232M/0103.

witnessing these scenes were clearly suspicious of White's protestations. Doughty arrested one of them,¹ but meanwhile Broadhurst had gone to find Colonel Thomas Sanders who, despite the noise in the streets, had remained in his chambers in the George Inn.² Broadhurst described the rising to his commander:

"he perceived the business had noe bottoms and that the tumult was only a confused partie and he conceived it would be the best way to draw them out of the towne . . . and there, by delays and advice taken together, to appease the tumult and soo prevent a heading of them in the town by any disaffected partie." 3

Broadhurst, therefore, believed that the insurrection had little ideological foundation and that it was hopelessly disorganised; his over-riding concern was to prevent any manipulation of the disturbance by factions of men having a more definite purpose.

Yet Sanders' reaction was equivocal. At first he refused to draw the rioters out of Derby and only did so because Broadhurst was so insistent. Also the situation was getting out of hand. One of Sanders' subordinates, Captain Hope, advocated the use of force to dispel the insurgents and it was probably this incipient threat to law and order which compelled Sanders to act.⁴ He herded

¹ Ibid; Firth, 'Clarke Papers', Camden Society (1901), vol. 4, pp. 44-45.

² D. R. O. Sanders mss, 1232M/0103.

³ Ibid.

⁴ D. R. O. Sanders mss, 1232M/089.

White and his followers out of the town but then, perhaps to his own surprise, they requested him to assume command.

At this point Sanders

"would have gone away thence home, pretending he was not well but Mr Broadhurst . . . persuaded him to stay a while, for that while he was present, no one else durst lead them."¹

Not knowing what to do, Sanders gave no directions. His paralysis was crucial: the bewildered companions of Charles White slowly drifted back into Derby where Sanders "left them in confusion."²

Thomas Sanders' abdication of the responsibilities of his office argues strongly that he was not hostile to the rising. In fact, he very probably sympathised with White's demands for a free parliament. On the other hand it is unlikely, at this stage at least, that he supported the restoration of Charles II. He was later accused of being "privy to the late designe and insurrection of Sir George Booth for many weeks before the same broke forth" and that he had made plans and enlisted men.³ The presbyterian minister, Robert Seddon of Kirk Langley in Lancashire, who had been active for Booth, had been seen in Derbyshire and was believed to have met Sanders.⁴ Certainly, the county commissioners, in sending depositions against Sanders to Haberdashers Hall, were convinced of his guilt and warned,

¹ D. R. O. Sanders mss, 1232M/0403.

² D. R. O. Sanders mss, 1232M/0102.

³ D. R. O. Sanders mss, 1232M/096.

⁴ D. R. O. Sanders mss, 1232M/096 010.

"if Sanders come off, none should suffer for they all armed on his account."

The evidence appears to incriminate Sanders in the insurrection; and, perhaps, he had rather incautiously flirted with Booth. The first approach may not, after all, have been his. But, Sanders' ambiguous behaviour on the twelfth is the greatest indictment - not of royalism, because it is unlikely he would have so quickly repented of his republicanism - but of his disenchantment with the current regime. He could not honestly fault White's professed aspirations if they were also his own.

During the afternoon of August 12th a detachment from Lambert's army (who were already advancing against Booth's strongholds in Cheshire) arrived in Derby, where their commander, Colonel Mitchell, issued a warning to the insurrectionists and then withdrew to Uttoxeter.² If Sanders had been waiting to see which way the wind blew, there was little doubt now which way he should veer. He joined Mitchell at his base in north Staffordshire though he did attempt to delay the policing forces there, possibly to allow White to escape.³ Two days later, supported by cavalry from Leicester and Nottingham, Mitchell re-entered Derby where no resistance was offered.⁴

Preoccupied during the autumn with his defence

¹ P. R. O. SP23/263/56: November 8 1659.

² Underdown, Royalist Conspiracy, p. 278.

³ D. R. O. Sanders mss, 1232M/0102.

⁴ Wood, Nottingham, p. 177.

against charges of complicity in Booth's rising, Thomas Sanders was frequently resident in London, lodging at the 'Sugar Loafe' in Broad Sanctuary.¹ His presence in the capital brought him face to face with the breakdown in relations between the Rump and the army. Despite Sanders' earlier hopes, the restored remnants of the Long Parliament had not won the affections of the nation; its social basis was too narrow. Nor had it managed to work amicably with the army's leaders. But though the Rump had its faults it had a constitutional legacy which propelled Sanders to stand in its defence against the army's moves to throw it out.

Sanders did not regard with equanimity the rising tide of militarism and challenged the Derby petition of August and the more radical army petition of October 5 1659.

"Colonel Okey, Colonel Hacker, Colonel Sanders, Major Daberon, Major Barton and Major Bremon with many others, did much oppose the carrying on of this ² [latter] representation."

Old companions and like-minded thinkers, who had been Sanders' associates in opposing the Protectorate, now re-emerged in an attempt to block Lambert. With Morley, Okey, Markham and Allured, Sanders was present at the walls of Westminster hopelessly defending Parliament against Lambert's forces on October 14th. When they

¹ D. R. O. Sanders mss, 1232M/085.

² Richard Baker, A Chronicle of the Kings of England (London, 1684), pp. 656-659.

were told to withdraw by the army council on November 1st, these officers signed 'The Humble Representation of Some Officers' criticising the arbitrary dissolution of the Rump.¹

From this moment, Sanders threw himself openly onto the side of the constitutionalists. In December 1659, whilst Haselrige and Morley secured a base at Portsmouth in order to reinforce General Monck's march on London,² Thomas Sanders and Nathaniel Barton attempted unsuccessfully to arm the well-affected in Coventry and guarantee a stronghold in the midlands. Unfortunately, they were put under arrest until the Rump was restored, for the second time.³

No one knew, of course, just what George Monck's motives were and clearly Sanders was suspicious of the General's intentions as indeed Monck was wary of him. Although earlier in October Sanders had been amongst those officers who had applied to Monck to use his influence to prevent a rupture between Parliament and the army,⁴ relations between the two men were strained. Monck, in fact, revoked Sanders' commission⁵ and even when the

¹ Davies, The Restoration, p. 156.

² Woolrych, Milton, p. 146.

³ Firth and Davies, Regimental History, vol. 1, pp. 287-290; C. S. P. D. 1659-1660, pp. 298-299.

⁴ Baker, Chronicle, pp. 655-659.

⁵ Firth and Davies, Regimental History, pp. 287-290.

restored Rump ordered him to re-install the Colonel, Monck procrastinated claiming that the members had "advised mee to dispose of the commands of all such as had either deserted or neglected their commands."¹ It was not until February 1660 that Sanders received, not his old regiment, but Colonel Swallow's.² Probably Monck suspected that Sanders had not abandoned his republicanism; although there is no evidence that Sanders was in league with extreme republicans like Haselrige, there is no evidence either that he had, like Herbert Morley, discarded his ideals.³

Gradually as the Rump failed to provide a permanent settlement, Monck and Sanders reached rapprochement. On February 10 1660 Monck met Clarges, Thompson, Sanders and Barton; "the last being two of his officers known to favour the admission of the secluded members."⁴ From the ensuing discussions, the General emerged with the intention of breaking with the Rump, and on February 11th he declared for a free parliament.⁵ Sanders' unswerving loyalty to the principle of constitutionalism led him finally to discard the Rump because of its selfishness, but it is impossible to know whether he thought by allying with

¹ Firth, 'Clarke Papers', vol. 4, p. 190.

² C. J. 1651-1659, p. 839.

³ A. J. Fletcher, A County Community in Peace and War: Sussex 1600-1660 (London, 1975), pp. 318-319.

⁴ Davies, The Restoration, p. 280.

⁵ Ibid. pp. 280-284.

Monck he had set his hand to the restoration of the King. He must have guessed the logical conclusion of recalling those who had been purged from the Long Parliament in 1648 and perhaps to avert anarchy he thought a parliament to be worth a king.

Meanwhile, Thomas Sanders was also playing a crucial role in the political developments in Derbyshire. In the county the insurrections precipitated by Haselrige's activities in Portsmouth and by the closer disturbances in Warwickshire had an unsettling effect. The commissioners for sequestrations, Edward Kemings, James Fulwood and William Broadhurst, informed their superiors in London that,

"the rumours of commotions in these parts have given continual alarms and drawn some of us on service to secure the peace."

Contributing greatly to the collapse of their authority was Sanders, who must have been released from prison in Coventry early in January. Writing to Haberdashers Hall on January 14 1660, Fulwood explained that

"colonel Sanders has given power to captain Greenwood and Doughty to secure the arms of this county and send the soldiers home. We are incapable of serving, for they two were notorious in the rebellion raised by colonel Charles White at Derby."

In Stafford, at the same time, Barton was performing a similar function in "arming the well-affected . . . under such a commander as will freely engage to be faithful to

¹ C. C. C. pt. 1, p. 771: December 17 1659.

² C. C. C. pt. 1, p. 773.

this parliament." Clearly Sanders and Barton were heavily involved in trying to guarantee the submission of Derbyshire and Staffordshire to the Rump, but the attitude of the provinces towards the remnants of the Long Parliament was plainly hostile;

"the more I see the number of forces gathered together in such an unparliamentary way", Barton wrote to Haselrige, "the more I wonder at the turn that has of late opened the door to the sitting ¹ of this Parliament."

Sanders' activities only provoked rather than smoothed over antagonisms towards the Rump.

"Unless timely prevented", the Derbyshire commissioners warned, "the Parliament will lose this whole county. For since this transacon here, the justices have omitted to hould the sessions for the publique peace and all things are at ² a stand."

The failure to proceed with the epiphany sessions is strong testimony to the political uncertainty within the county on the eve of the restoration.

The county commissioners for sequestrations, who were still investigating the involvement of people in Booth's rising, worked in a vacuum under the protection of guards. They were obviously out of step with popular feeling and on January 18th, Fulwood and Thomlinson were disarmed by a troop of Sanders' regiment commanded by Captain Prince.³ Action against the commissioners was supplemented by a keen watch on the county committee who,

¹ C. S. P. D. 1659-1660, pp. 298-299.

² P. R. O. SP23/264/61: January 14 1659/60.

³ P. R. O. SP23/264/64.

according to Nathaniel Barton,

"have all been active against Parliament on their late interruption by the army and were actually engaged with Colonel Lambert on his expedition to the north."

Certainly there were radical republicans and militarists on the committee, like the Lambertonian William Mitchell.² Owing, perhaps, to the paralysis of more moderate members who were unsure of political developments, Mitchell may have been trying to influence the county against the Rump. Sanders had achieved a notable coup, yet he was not any more a representative of majority feelings than the commissioners or men like Mitchell had been. His alliance with General Monck in support of the return of the secluded members was probably a direct result of his experience of attitudes in Derbyshire. In this instance, provincial opinion had dictated national policy.

Thomas Sanders and Nathaniel Barton took no part in Lambert's rising in April 1660. Discontent in the army over pay was rife; writing to his Colonel, Barton complained that the county treasury was empty:

"People refuse to pay because the Act came out by the Rump, as people

¹ C. C. C. pt. 1, p. 775: Commissioners for Sequestration to the county committee, January 26 1659/60.

² C. H. Firth and R. S. Rait, Acts and Ordinances of the Interregnum (London, 1911), vol. 2, 1320-1342;

See above, p. 353.

call it, [and] the collectors
are backward."

It was this unrest which Lambert capitalised on; republican agitators worked quickly amongst part of Sanders' regiment at Nottingham² although at Coventry Sanders found to his relief, "all in peace and my regiment uningaged."³ In eighteen months Sanders had so shifted his political position to fit the mood of the country that he was not found amongst his republican colleagues of earlier years, whose hopes came to such an ignominious end under Lambert.

The composition of the county committee between 1657 and 1660 reflected the changing course of political events. The committee appointed in June 1657, for instance, saw an influx of gentry and ex-royalists into the ranks of local government: John Ferrers, Anchitel Grey, George Pierrepont, John Stanhope and Roger Allestry. sat beside republicans and presbyterians. (See appendix 16). It was an indication that Cromwell's search for settlement was beginning to show results. In particular, the reappearance of representatives of two major gentry families, Sir John Curzon and Sir George Gresley's son, Thomas, typified conservative trends in these years of Cromwellian rule.⁴

The departure of Richard Cromwell and the reinstallation

¹ D. R. O. Sanders mss, 1232H/0104; April 20 1660.

² D. R. O. Sanders mss, 1232H/0105; April 21 1660.

³ D. R. O. Sanders mss, 1232H/0106; 0107.

⁴ Firth and Rait, Acts and Ordinances, vol. 2, pp. 1058-1097.

of the Rump, however, reversed the process of reconciliation. Political uncertainty and the unpopularity of the Rump, led radicals to take the initiative. In June 1659, throughout England there were purges of local government officers¹; royalists and moderates who had eased their way onto the county committee in Derbyshire were removed. In all twenty six men who had sat on the committee in 1657 lost their places; some of them, like Randall Ashenhurst, Ralph Clarke and William Woolloy, had been activists since the early 1640s. As a consequence the ruling body in 1659 was a narrow clique, reduced from forty four to twenty one.² (See appendix 20). Not all these men served; there is a sense of paralysis creeping over the county committee, allowing it to be dominated by William Mitchell, until Thomas Sanders asserted himself. In fact, at times during 1659 the commissioners for sequestration, Broadhurst, Thomlinson and Fulwood, were the only active agents of local government until they too succumbed to Sanders.

The county committee which was appointed in March 1660 (see appendix 20), two months before Charles II set foot in England, witnessed the return of significant gentry and royalist families to government office: Henry Sacheverell of Morley, Sir George Sitwell of Renishaw

¹ Fletcher, Sussex, p. 317.

² Firth and Rait, Acts and Ordinances, vol. 2, pp. 1320-1342.

and George Vernon of Sudbury were the most notable. Curzon, Ferrers, Gresley, Grey and Stanhope also came back.¹ It is surprising, however, that there were many representatives of royalist families, like the Freschevilles, Fitzherberts, Everys and Harpurs, who did not look for, or achieve, seats on the county committee. Their major influence derived from their membership of the commission of the peace.² (See appendix 21).

There were other gentry of consequence on the county committee in 1660 who did not sympathise unconditionally with the restoration. For example Sir John Curzon, Sir Samuel Sleight, John Gell and Robert Eyre of Highlow were regarded by one royalist commentator as presbyterians and the King's enemies.³ Many lesser gentry who had served on the committee were also lukewarm towards Charles II: Edward Pegge and Edward Manlove were indicted by the same royalist commentator as presbyterian whilst Ralph Clarke and Nicholas Willimot were described as being only "reasonably honest". The

¹ Firth and Rait, Acts and Ordinances, vol. 2, pp. 1425-1455.

² P. R. O. C220/9/1.

³ P. R. O. SP29/66/35: A List of Gentlemen in Derbyshire and how they Stand Affected.

continuity of personnel on the county committee, represented in nine families who had been appointed before 1647, balanced the heady royalism of the new men of 1660.¹

Inevitably many gentry reconciled themselves to the return of the King. Bonfires were lit and celebrations arranged throughout the country; many men scurried down to the south coast to make their peace with Charles. Some supporters of the commonwealth and Protectorate were quick to change their colours, like William Woolley who was "once against the King, but (is) a very great penitent."² Sir John Gell, like many of his peers, applied for a free pardon under the articles of the Declaration of Breda. His pardon was confirmed on November 17 1660.³ But it is easy to over-simplify the picture of the early months of 1660 as a knitting together of the county community. In fact two decades of political and religious hostility were not instantly forgotten; the divisions shattering the county in 1642 did not heal in 1660.

The Derbyshire gentry responded quickly to the business of choosing the county's representatives to sit in the Convention Parliament. Although not all the nominees are known the successful candidates for the two county seats were Henry Cavendish, Viscount Mansfield, second

¹ Firth and Rait, Acts and Ordinances, vol. 1, pp. 49-51, 106-117, 223-241, 531-553, 630-646, 686-688, 958-984, 1072-1105, 1233-1251; vol. 2, pp. 24-57, 456-490, 653-688, 1058-1097, 1320-1342, 1425-1455.

² P. R. O. SP29/66/35.

³ D. R. O. Gell mss, 60/9(a), 52/16(a).

son and successor to the Marquis of Newcastle and John Ferrers, the son of Anne, Countess of Chesterfield by a former marriage. They were highly regarded and more important, socially superior; their election shows up the desire amongst the gentry to restore the age-old hierarchy and to reassert their obedience to their traditional rulers.

But the return of Cavendish and Ferrers in the poll was not necessarily a reflection of the unconditional blessing given to cavaliers and their sons by the electorate.¹ Ferrers' conduct during the civil war and interregnum had been shot through with masterly ambiguity. Although he was described in 1660 as well affected, in 1654 he had been a member of the committee for the ejection of scandalous ministers as well as sheriff of the county.² The election not only satisfied men's longing for a return to normal social and political relationships, it also combined with this an attempt to avoid making cavalier supremacy too stark. The gentry's drive for consensus during the elections to the Convention Parliament, is illustrated in a letter directed to either Cavendish or Ferrers (the name is not given) asking him to accept the nomination to stand as a candidate. The signatories attached are equivalent to a roll call of major and minor gentry who could wield considerable influence. Amongst the names were those of Richard and Edward Coke, Thomas Cockayne, Sir George Sitwell, Thomas Gresley, Sir Francis Burdett, Sir Henry Every, George Vernon, John Harpur of Calke and Sir John Harper of Swarkeston.³

¹ Davies, The Restoration, p. 324.

² A. M. Morton-Thorpe, 'The Gentry of Derbyshire 1640-1660 (Leicester University M.A. thesis, 1971), pp. 98-99.

³ D. R. O. Gell mss, 31/39(b).

The election for the borough of Derby was contested by four men: John Dalton, Roger Allestry, Sir John Gell and George Vernon. The successful candidates were John Dalton, who had been a member of Parliament under Richard Cromwell and a county committeeman since 1657,¹ and Roger Allestry who had also been appointed to the county committee in 1657.² Their opponents were Sir John Gell and George Vernon. Gell's bid for prominence, after years of political quiescence following his commital for treason in 1650, is perhaps surprising. He had, however, petitioned Monck for a free parliament.³ George Vernon, nephew of Sir Edward of Sudbury, succeeded to the Vernon estates in 1657. Along with other members of the Vernon family, he had been suspected of involvement in Booth's rising and was regarded as "very loyall". Neither Gell or Vernon, who was originally from Haslington in Cheshire, could be tainted with the odium of having held office under the commonwealth or Protectorate.⁴

¹ D. R. O. Gell mss, 60/29; Firth and Rait, Acts and Ordinances, vol. 2, 1058-1097, 1320-1342, 1425-1455.

² Firth and Rait, Acts and Ordinances, vol. 2, pp. 1058-1097, 1320-1342, 1425-1455.

³ H. M. C. 7th Report, p. 394.

⁴ S. C. Newton, 'The Gentry of Derbyshire in the Seventeenth Century', D. A. J. vol. 86 (1966), pp. 28-29; D. R. O. Vernon mss, 410M/139; P. R. O. SP29/66/35.

Gell was certainly keen to be elected, spending £203 on his accommodation in Derby and lavishing entertainment on the burgesses.¹ Nor did his will to win preclude an attempt to rig the result in favour of Vernon and himself. Apparently, the poll gave them a victory which the Committee of Privileges reversed after examining the miscarriage of the writ.² Gell and Vernon probably represent the county interest, intent on restoring the gentry's traditional political dominance. George Vernon's plans for rebuilding the manor house at Sudbury at this time,³ suggest that he hoped to find a respected place in county society. Political ambitions of a moderate kind would enhance his standing.

However, the gentry's bid for supremacy in Derby was resisted. The successful candidature of John Dalton and Roger Allestry, in fact, shows that voters preferred to have representatives at Westminster who were residents of Derby. In this sense the election result was a re-affirmation of the same kind of borough independence which had marked the contests in 1640 and 1645.⁴ But Dalton and Allestry were also part of the tide of political moderation which was sweeping the county as a whole. Roger Allestry came from a family containing

¹ D. R. O. Gell mas, 61/46(a).

² C. J. 1660-1667, p. 32: D. R. O. Gell mss, 61/41(c).

³ N. Pevsner, The Buildings of England: Derbyshire (London, 1953), pp. 226-228.

⁴ See above, pp. 74-80, 212-226.

royalists; like Dalton he had come into prominence on the county committee in 1657, along with several other men who can only be described as moderates.¹

The return of Roger Allestry and John Dalton in the elections to the Convention Parliament was particularly crucial because of the influence they had on the composition of the Derbyshire bench. Many men who had been at the centre of local government during the civil war and interregnum were dropped from the commission of the peace: Henry Huxton, Ralph Clarke, Edward Coke, Nathaniel Hallows, Robert Hope, Edward Manlove, Rowland Morewood, Edward Pegge, Thomas Sanders, John Spateman, Samuel Taylor and William Woolley. Back came the Earl of Devonshire, and the Earl of Rutland, and among the gentry, Henry Every, William Fitzherbert, John Frescheville, Anchitel Grey, John Harpur, John Milward, John Shallcross, John Stanhope, George and Richard Vernon. The pre-war county elite, on the face of it, were back in force in 1660.²

Yet there was a small but influential core of men, also appointed to the commission, who were in no way royalists. The presence of Sir John Curzon, "a great presbyterian", Sir Samuel Sleight who was considered "suitable to Curzon, if not worse", Gervase Bennett who "was ever against the King" and Robert Eyre, "a collonel

¹ Firth and Rait, Acts and Ordinances, vol. 2, pp. 1058-1097.

² P. R. O. C193/13/5; C193/13/6; C231/6; C22/9/1.

against the Kinge, a Presbyterian formerly but (I think) a convert", caused a split in the ranks of the justices.¹ It was reported that,

"Severall of the King's friends will not take oath whyle theis are in commission."

Significantly Allestry and Dalton were blamed for the inclusion of men on the bench who were presbyterians and ex-parliamentarians.²

At the beginning of the civil war in Derbyshire the gentry had divided, with a bias shown towards the King. Between 1642 and 1658, on the parliamentary side, there had ensued a drift of power away from the traditional social elite and, as the political changes at the centre dictated, men of a lower socio-economic background took control of local government. Meanwhile ex-royalists who had been defeated on the battlefield suffered pecuniary punishment and were politically proscribed from holding office. Cromwell's search for settlement and reconciliation had some effect in encouraging a few royalist gentry to re-emerge and participate in running administration and justice, but such results as were achieved were blotted out in the confusion following the Protector's death. It is true that the pre-war gentry rulers ultimately came back with the return of Charles II and secured their social and political dominance, but it is equally true that the unity of the gentry class was not accomplished by the restoration. The past two decades had left irrevocable divisions and the lack of religious conformity,

¹ P. R. O. SP29/66/35.

² Ibid.

above all, imposed serious strains on men's loyalty to the crown and on their relationships with one another. Men, however, strove to achieve a consensus. For example, on February 22 1660/61 a letter originating from manor houses in the west of Derbyshire was sent "to our ... friends, the gents of the Hundred of Scarsdale."

"His Majesty, for the great affaires of this kingdome", explained the authors of the letter, "intends speedily to call a Parliament. We doubt not that you know, we remembering the late calamities caused by our negligent choyce of members and now desiring to prevent future evils, wish that all the worthy gent(lemen) of your side of the countie will please, upon Tuesday next, at the George in Derby, by tenn of the clock, to meet to consider what persons are fitt to be elected for this shire for the ensueing Parliament; at which time you shall not faile to be waited on by most of the gentry of this countie."

The signatories to the letter, Henry Every, Edward Coke, German Pole, George Vernon, Sir Samuel Sleight, Richard Coke and Charles Agard, spanned the political spectrum of the previous twenty years.¹ On the eve of the Cavalier Parliament, old differences, it seems, were subordinated to political moderation. But there remained tensions within county society.

Writing on April 25 1661 to John Frescheville, the newly elected shire representative to the Cavalier Parliament, Sir George Sitwell revealed his concern and offered his countryman some advice.²

¹ D. R. O. Gell mss, 31/39(a).

² Sir George Sitwell (ed.), Letters of the Sitwells and Sacheverells (Scarborough, 1900), vol. 1, pp. 35-38.

"All honest true hearted Englishmen are bound to render hartly thanks and praise to our mercifull God, who hath miraculously restored our gracious soveraigne and us to our right, in a calme peace, in the throng of soe blustering and unnaturall a warr ... I beleve his Majesty hath cald this Parliament principally to preserve that right and peace, and to begatt a good understanding between him and his people: every honest man is obliged to further that good intention to the utmost of his power, and this is the reason why I presume thus to trouble you and to cast in my Mite".

Sir George gave Frescheville his judgement on the cause of the civil war; it began "about disputes in religion, soe that one did not unaply call it bellum episcopale". It was worth remembering the lessons of the past, Sitwell reminded the M.P;

"the world abounds in large volumes of controversies in Religion; my aime is not to medle with controverted points of faith, but only to mind you that there is a sort of factious, seditious, self-ended people, who, when they neither can nor dare begin a disturbance in Civile affaires, then they will quarrell about religion, and though they can find noe fault in the doctrinal or essential part, yet will quarrell at decent harmless ceremonies, pretending tenderness of conscience; hoping the people will take them for Godly persons, cry them up for saints, and soe adhere to them; but since our late sad experience hath unmaskt such men, and sufficiently taught us the woful issues of such pretences; soe that if any of them be found out, or dare to appeare, they are not to be suffered (least mercie to those turne to cruelty to the rest), but to be punished for proud, insolent, factious, seditious spiritts, who, when they have nothing materiall to quarrell at, will indevor the disturbance of the whole Nation for a trifle, hoping to make gain their godliness, will rather imbrew us in blood, then yeild to things in themselves till injoynd by Authority) indifferent."

Sitwell's words show typical gentry intolerance of religious extremism; it was this kind of thinking which led to the introduction of the Clarendon Code and to the growth of latitudinarianism in the second half of the seventeenth century. After the restoration non-conformity assumed clandestine forms; for example John Gell, esquire, held conventicles in his house at Hopton and gave extensive patronage to presbyterian ministers.¹ But undercurrents of discontent ran much deeper and in 1664, Thomas Sanders and Nathaniel Barton were implicated in a rising planned for Yorkshire, Staffordshire, Nottinghamshire and Derbyshire.² Religious divisions, therefore, continued to undermine the unity of the county community after 1660.

Sitwell also showed a shrewd perception of the nature of political conflict and the need for moderation. He reminded Frescheville, in his letter,

"that those who were the greatest flatterers of his father of happy memory (were) devisors and Promoters of Monopolies, and Revivers of ould obsolete Laws; thereby to lay uncoth and strang burdens upon the people, proved his bitterst and worst enimies."

To Sitwell, the law was sacred. "Justice is the sinews of all Comonwealths, the strongest tye that can be amongst men, for whilst that is supported there can be noe great dissentions amongst us (and) nothing left to an arbitrary power."

¹ D. R. Lacey, Dissent and Parliamentary Politics in England 1661-1689 (New Jersey, 1969), p. 399.

² Morton-Thorpe, 'Gentry of Derbyshire', p. 65; F. N. Fisher, 'A Further Note on Thomas Sanders', D. A. J. vol. 21 (1948), pp. 17-23.

"Let the King and people have their right", he told Frescheville, "and all will be preserved in peace, therefore those who prefer force before justice, and say the Laws are a nose of wax to be converted into any form, are dangerous Members of a Commonwealth. I will not descend to particulars, only mind you of two sorts of people chiefly to be taken heed of as subverters of all laws; they are both flatterers, the one of Sovereignty, the other of popularity; the best rule is to give to Caesar the things which are Caesars, and to the people that which is their due."

This was a plea for moderation which was likely to appeal to the majority of men. Indeed men with such attitudes coming to a consensus, sustained Charles II and placed his brother, a catholic, on the throne. The quest for stability, however, was invalidated by religious dissension; fears and tensions expressed in the harassment of non-conformists, anti-papery, the popish plot and the deposition of James II, undermined the unity of the county community and the community of the nation at large.

CONCLUSION

There have been many county studies in recent years, each contributing a little more to our knowledge of local institutions and society during the mid-seventeenth century. They have shown that counties were not alike in their response to the civil war and interregnum; idiosyncracies in local conditions coloured the reactions of the communities to war and governmental change. The preference given by historians to certain aspects of provincial history has been determined by interest and the availability of evidence. Dr Morrill's investigations of Cheshire, for instance, have produced important material on the machinery of local government.¹ The nature of Kentish society formed one of Professor Everitt's main preoccupations: he described how, in this part of south east England, the community was extremely close-knit.² In contrast A. J. Fletcher, in his study of Sussex, ranged across the whole spectrum of society, religion, politics and government.³

¹ J.S. Morrill, Cheshire 1630-1660 (London, 1974), pp. 75-138, 223-253.

² A.M. Everitt, The Community of Kent and the Great Rebellion (Leicester, 1966), pp. 33-55.

³ A.J. Fletcher, A County Community in Peace and War: Sussex 1600-1660 (London, 1975).

This study of Derbyshire fits into the traditional pattern of civil war local historiography, but its major contribution lies in the fields of politics and administration. A paucity of evidence prevented deep investigations into the social composition of the gentry and the extent of their wealth. Nor have archival researches led to significant discoveries about the characteristics of daily life and social intercourse. Instead, the extant papers of the Gell and Sanders families and the Letter Book of Sir George Gresley inevitably have led to a concentration on politics and the role of personalities. So far as local government administration is concerned the picture has been pieced together from a variety of sources, many of them inadequate in one way or another. Only the history of the county committee between 1640 and 1660, the relationship between finance and the militia, and the administration of ship money are well documented.

The relationship between central and local government is a major problem in civil war historiography. As the history of the East Midland Association shows, there existed a tense partnership frequently marked by quarrels.¹ The Derbyshire evidence confirms the view expressed elsewhere that the major generals were largely ineffective because of provincial opposition to what was regarded as unprecedented intrusion by central government into the life of the local community.² But the best evidence for the significance of central and local tensions comes in the behaviour of Sir John Gell and Thomas Sanders whose divided loyalties are a main theme of the thesis.

¹ See above, pp. 125-130, 132-133, 137-140, 146-147, 155-159.

² See above, pp. 322-336.

Politics

Between 1640 and 1660 politics in Derbyshire was dominated by the relationship between personalities. Although ideology was never entirely insignificant in political behaviour, there were times when personal friction and factionalism clouded beliefs and warped the traditional lines of allegiance. It is also fairly clear that political principle emanating from Westminster and York did not, at first, find a sympathetic response in Derbyshire. The county was remote from London and correspondence between M.P.s and kinsmen and friends back home did not trigger a major debate. It was the introduction of the Protestation and more significantly, the petitioning campaign of the spring of 1642 which brought the breakdown in relations between the Long Parliament and the King to the level of the county community. The petitions, however, only showed that for the most part men hoped for a restoration of harmony.¹ Whereas in other counties like Nottinghamshire and Cheshire, petitioning contrived to exacerbate divisions of opinion amongst the gentry, in Derbyshire the reverse happened; men subordinated their own personal prejudices to the ideal of peace and unity.²

¹ Morrill, Cheshire, p. 42; Everitt, Kent, pp. 95-110.

² A.C. Wood, Nottinghamshire in the Civil War (Wakefield, 1971), pp. 10-20; Morrill, Cheshire, pp. 46-59.

The civil war in Derbyshire aptly illustrates the relationship between provincial strategy and national campaigns. In most counties the fighting was conducted at two levels: on the one hand there were local skirmishes, sieges and the establishment of rival garrisons; on the other, a national war where local hostilities were subordinated to the claims of large field armies and regional strategy to county resources.¹ Yet, apart from The Eastern Association² which was an association exceptional amongst its type,³ other military associations have received scant attention. The analysis of the East Midland Association in this study of Derbyshire attempts to redress the balance in historiography by suggesting the reasons why regional associations, excepting the east anglian one, failed to fulfil the objectives for which they were established.

Military associations were devised to counter regressive localism. The depth of county particularism, at the beginning of the civil war, has been amply demonstrated in other studies; for example, examinations of neutrality treaties made in Cheshire, Cornwall and Yorkshire have shown that the preservation of law, order and the traditional social hierarchy, were matters close to the very heart of provincial sensibilities and gentry prejudice.⁴ From the

¹ Morrill, Revolt of the Provinces, (London, 1976), pp. 72-74.

² C. Holmes, The Eastern Association in the English Civil War (London, 1974).

³ Ibid, pp. 1-1.

⁴ Morrill, Cheshire, pp. 52-59; Clarendon, History of the Great Rebellion, vol. 2 (ed.), W.D. Macray (Oxford, 1888), p. 459.

first, military strategy was characterised by resistance to the invader and a marked reluctance by armies to cross their shire boundaries: the River Tamar was the geographical and military horizon of Sir Ralph Hopton's Cornishmen.¹

The East Midland Association had a crucial impact on Derbyshire's role in the war but, as has been shown, debilitating tensions existed between the centre and the periphery. Most men resisted the claims of the state to their loyalty. Instead, putting their counties foremost, military commanders squabbled about the priority their county should be given in terms of defence and supplies. Relations between Derbyshire and Nottinghamshire and Cheshire were especially undermined in this manner.² Yet, the opinions voiced by Derbyshiremen were echoed elsewhere: for example, in Sussex, Kent and Staffordshire.³ As Pennington and Roots said of the Staffordshire county committee; "it put the interest of the county as a whole before that of the district, the garrison or the company. At the same time it was understandably sensitive about its own authority and independence."⁴ Similarly, although Herbert Morley of Sussex was keen to assist Sir William Waller, "his colleagues sitting at Lewes exasperated the major general of the South Eastern Association by their clamour for the release of county forces for defensive duties."⁵ It was the predominating attitude of county particularism which undermined the East Midland Association and the majority of other associations as well.

¹ M. Coate, Cornwall in the Great Civil War and Interregnum (Oxford, 1933), p.40.

² See above, pp. 125-130, 132-133, 137-140, 146-147, 155-159.

³ Fletcher, Sussex, p. 284; Everitt, Kent, pp. 186-187; D.H. Pennington and I. Roots, The Committee at Stafford 1642-1645 (Manchester, 1957), pp. liii-liv.

⁴ Pennington and Roots, Stafford, p. liii.

⁵ Fletcher, Sussex, p. 284.

At first Sir John Gell seemed to be a man whose vision of political necessity and military strategy transcended the county boundary. He can be compared favourably with such men as Sir William Brereton in Cheshire and Herbert Morley in Sussex.¹ Surprisingly, however, far from becoming the aggressive exponent of total victory over the King and a man who would willingly subordinate his county's interests to regional priorities, Gell's enthusiasm for the war fell away.² Undoubtedly a revision of his views on the way in which hostilities should be brought to an end played a significant part in Sir John Gell's behaviour, as did his relations with his superior and subordinate officers.

At this stage, it is appropriate to devote greater attention to drawing together the strands of Gell's personal and political make-up. Of all the county bosses Sir John Gell looms largest. The excellent documentation provided by his papers makes possible a more rounded portrait of him than of, for instance, Herbert Morley, Sir William Brereton, Sir Anthony Weldon in Kent or John Pyne in Somerset.³ Gell was not a straight-forward political animal; he challenges historians' traditional conceptions of party allegiances by his sheer unpredictability and lack of principle. Gell was a man to whom the acquisition of prestige and the possession of power was what counted most. He was the supreme opportunist, calculating risks against the prospects of advancement or recognition and always, where possible, covering his tracks.

¹ Morrill, Cheshire, pp. 79-94, 139-179; Fletcher, Sussex, pp. 264-266, 275, 284, 289, 293-294.

² See above, pp. 112-179, 180-226.

³ Everitt, Kent, pp. 172-174, 199-200, 216-219, 234-236. D. Underdown, Somerset in the Civil War and Interregnum (Newton Abbot, 1973), pp. 121-122, 124-126, 135-136, 149-151, 153-154, 167-169.

In many ways Gell was like John Pyne.¹ Efficiency, ruthlessness, but hardly diplomatic tact marked the passage of both their careers. Inevitably Gell's over-bearing manner caused the growth of enmities; the factionalism described in chapter 4 illustrates the extent to which personal rivalries could warp the lines of political loyalties. Significantly it was at the point when the attack on Sir John Gell's supremacy was reaching its zenith, in 1644 and 1645, that Gell appears for the first time to clothe himself in an ideological mantle. Indeed, he experienced a political awakening; far from being a relentless exponent of a total parliamentary victory, albeit for whatever reasons, he turned away and balked at the implications of defeating the King.

The importance which should be ascribed to Gell stems from the fact that he was a revisionist: Sir John Gell provides us with a novel character study in political retreat. In particular his correspondence in 1647 and 1648 is a valuable testimony to the kinds of opinions which were doubtless held by many men in the provinces, during the events which culminated in Charles I trial and execution. The expressions of sympathy and discontent which Gell voiced during these years imply that his later involvement in royalist conspiracy was a logical progression.²

¹ Underdown, Somerset, pp. 135-136.

² See above, pp. 267-298.

In no county did the composition of the ruling personnel, between 1642 and 1660, go unchanged. War and the search for political and religious settlement led to repeated purges of the county committees and of the county bench; everywhere to one degree or another the traditional elite were usurped by men of a lesser social status. It was mainly the pace of these revolutions which varied from county to county. For example; whereas in Kent and Somerset there was a rapid transfer of power, stability in leadership characterised the committee in Northamptonshire.¹ In Derbyshire the transition was slow and hinged on the political demise of Sir John Gell, but here neither the county committee nor the bench became a radical stronghold.² It appears, however, that political extremists were dominant in the management of sequestrations and compositions. Unfortunately lack of evidence has made a full interpretation of the role of the Derbyshire commissioners for sequestration in the 1650s impossible; their significance can only be suggested and research into the activities of the commissioners in other counties would be valuable.³ After 1650 power in the county tended to reside in a small group of men and between 1650 and 1653, Gervase Bennett, Robert Mellor and Thomas Sanders were key figures. Although there were signs, especially in 1657, that the traditional elite were gradually returning to prominence, their displacement lasted longer in Derbyshire than in most other counties.⁴

¹ D. Underdown, Pride's Purge (London, 1971), pp. 29-39.

² See above, pp. 277-279, 306-310.

³ See above, p. 310.

⁴ See above, pp. 306-310.

The most prominent figure in Derbyshire during the republic and Protectorate was Thomas Sanders. He is particularly significant because the provincial republican has not received much attention in other county studies. But even more important Sanders' career, especially between 1658 and 1659, reflects the continued tensions between the centre and the periphery. The provincial desire for a return to normal constitutional forms proved irresistible; Sanders broke with republicanism to guarantee the peaceful restoration of the county into the welcoming arms of King Charles II.¹

Administration

The machinery of local government administration forms an important part of this study of Derbyshire during the mid-seventeenth century. For instance, Sir John Gell's ship money papers must rank as one of the largest surviving collections covering this aspect of Caroline government; the methods of assessment and collection of the tax, and Gell's role as sheriff, are clearly shown. The actual manner in which ship money was levied throws some light on administrative practices in local government and, in particular, shows that the commitment and energy of the sheriff was absolutely crucial to the success of the tax. Similarly the success of Charles' militia policies, in the late 1630s, hinged on the willingness of the lieutenancy to perform its duties. In part the loyalty and efficiency of the Crown's officers in Derbyshire may have prevented the kind of hostile reaction against the King which occurred, for instance, in Kent.²

¹ See above, pp. 299-372.

² See above, pp. 25-70; Everitt, Kent, p. 69.

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¹ See above, pp. 299-372.

² See above, pp. 25-70; Everitt, Kent, p. 69.

The county committee was the major vehicle of local government between 1642 and 1660 despite attempts to reduce its powers in the 1650s.¹ During the civil war the extent of committee control, particularly over military affairs and taxation, reached its zenith. The fact that the bench was moribund during the war probably added to the status of the committee and could not help but undermine the standing of justices when sessions were again held normally.² However, there was plenty of scope for friction: between committees and governors, and between committees and the sub-committee of accounts.³

The system of county committees was not uniform across the country. Whereas in Staffordshire⁴ and Derbyshire the same committee undertook numerous tasks, in Kent responsibilities were delegated to different groups of men.⁵ The tendency for committees to subdivide into hundredal or lathal administrative units is illustrated in Essex, Kent and Sussex.⁶ In Cheshire and Yorkshire sequestration business was undertaken by committees in the hundreds and Ridings.⁷ Committees alienated a large proportion of the county community: they were much more intrusive than the old local government institutions of the bench and the lieutenancy, and much more obviously agents of the central government. They obstructed local autonomy and by the narrowing of their social composition, they undermined social deference.

¹ Morrill, Revolt of the Provinces, pp. 122-124; See above, pp. 308-310.

² See above, pp. 130-226.

³ Morrill, Cheshire, pp. 223-230.

⁴ Pennington and Roots, Stafford, pp. xv-xvii.

⁵ Everitt, Kent, pp. 126-155.

⁶ B. Quintrell, "The Divisional Committee of Southern Essex During the Civil Wars" (University of Manchester M.A. thesis, 1962), *passim*; Everitt, Kent, pp. 131-132; Fletcher, Sussex, pp. 325-328.

⁷ Morrill, Revolt of the Provinces, p. 68.

It is difficult to gauge the efficiency of committee government; forever racked by factional struggles, it is a wonder that county committees functioned at all. Often one man took the initiative. For example, Sir John Gell's domination of committee business was a major source of grievance to military and civilian members. Another area of dispute concerned a belief held by civilian committeemen that commissioned officers were more privy to discussions and decision-making than they were. County committees were bodies extremely sensitive to internal tensions.

The appearance in the counties, in 1644 and 1645, of the sub-committee of accounts intensified the friction already existing in the county committees. Their powers of audit and their scrutiny of the machinery and efficiency of revenue collection had significant political consequences. In some counties, like Cheshire, Somerset and Lincolnshire, the sub-committees became a moderate pressure group whereas elsewhere, for instance in Montgomeryshire, they represented a more radical political movement. In Derbyshire, the sub-committee of accounts was one of the prime movers against Gell and became a tool of his opponents in a major factional struggle. Relations between Gell and the sub-committee smacked of personal vindictiveness. The activities of the Chichester sub-committee of accounts afford another clear example of this.¹

¹ D. Pennington, "The Accounts of the Kingdom 1642-1649" (ed.), F.J. Fisher, Essays in the Economic and Social History of Tudor and Stuart England (Cambridge, 1961), pp. 192-198; Morrill, Revolt of the Provinces, pp. 69-70; Morrill, Cheshire, pp. 90-91; Fletcher, Sussex, pp. 334-335; Everitt, Kent, p. 181.

Effective committee administration was hampered by inefficient and inadequate financing. Receipts rarely matched expenditure and popular opposition to taxation was fierce. In Derby, as in parts of Cheshire, the collection of the excise caused rioting. The villages and hamlets surrounding garrisons were heavily mulcted for money and provisions with the result that taxpayers' strikes were not uncommon. Lack of capital became crucial during 1646 and 1647. The inability of the counties to pay the military their arrears was the touch-paper to a radicalisation of politics in the provinces.¹

The civil war and the interregnum saw the introduction of novel forms of taxation - propositions, assessments, excise, sequestrations and compositions.² Inevitably the success with which assessments were collected varied from county to county. The yields in Kent and Somerset were high whilst in Cheshire, collectors had great difficulty in gathering the tax. In contrast the actual levy on Derbyshire was small,³ yet the revenue collected from ship money could not match that which was collected from assessments alone. The expedients used by Parliament to raise money were unprecedented. Probably local assessors determined the rates; petty constables

¹ See above, pp. 190-191, 227-266.

² See above, pp. 227-266.

³ Everitt, Kent p. 162; Fletcher, Sussex, p. 339; Morrill, Cheshire, p. 98. See above, p. 233.

collected the money and gave it to the high constables. Not every county followed this pattern.¹ But as the war caused dislocation and the normal administrative apparatus broke down, other methods of collection were devised. Sometimes soldiers merely plundered and stole from villages through which they passed. Perhaps to give legislative sanction to what was already happening, county committees, such as that in Lancashire,² designated areas of the countryside to companies or regiments of troops. Not infrequently officers were compelled to provide money from their own pockets and garrisons competed with one another for scarce resources.³ The administration of finance in most of the counties was chaotic because the cost of the military establishment in both peace and war drained the coffers. Central government hounded local assessors and collectors, but to no avail. In the end, to halt a rapidly deteriorating situation, the decimation tax was devised which, it was hoped, would maintain a standing army. The decimation of royalists in Derbyshire, however, proved to be a major financial and political miscalculation.⁴

¹ Morrill, Revolt of the Provinces, pp. 78-80.

² Ibid.

³ See above, pp. 238-240.

⁴ See above, pp. 264-265; 330-332.

Sequestrations were the most novel form of taxation and for a short period provided a lucrative form of income. As in Kent and Essex,¹ in Derbyshire receipts dwindled through the years and the bursts of royalist revolt involved too few Derbyshiremen to accrue much capital.² The acute financial shortfall gave rise to much ill feeling between the Derbyshire county committee and their masters in London; letters from the county bemoaned how their receipts were taken away from them and used for purposes which had no local relevance.³ Such was the clamour of discontent that, at one point, the central government was forced to concede half of the excise to the county's own use.⁴

Increasing gentry dissatisfaction with the failures of successive regimes marked the history of the commonwealth and Protectorate. With the dissolution of Barebones Parliament radical support for the revolution also fell away. In Sussex, Herbert Morley became an advocate, once again, of county autonomy.⁵ In Derbyshire Thomas Sanders assumed an active role in opposing the Instrument of Government.⁶ But at least Cromwell's conservative policies acted as a restraining leash on the county communities; most of the gentry remained sullen and aloof rather than openly hostile.⁷

¹ Everitt, Kent, p. 160; Quintrell, "Divisional Committee of Southern Essex," p. 105.

² See above, pp. 253-254.

³ See above, pp. 260-261.

⁴ See above, p. 243.

⁵ Fletcher, Sussex, p. 301.

⁶ See above, pp. 305, 339-340.

⁷ I. Roots, "Settlement in the Counties 1653-1658" in (ed.), G.E. Aylmer, The Interregnum: the Quest for Settlement 1646-1660 (London, 1974), pp. 165-182.

The olive branch which Oliver Cromwell extended to men in the provinces snapped however when, in the wake of Penruddock's rising, England was divided into eleven regions each placed under the command of a major general. The major generals' drive for social, economic and moral reform received an angry response; men hated the intrusion of strangers into their local affairs. A pattern of non co-operation developed throughout the country and the major generals had great difficulty in persuading men of status to join the militia commissions and become justices of the peace. In Derbyshire Thomas Sanders refused to join the commission whilst in Cheshire, Major General Worsley was particularly disappointed at the poor attendance of justices and the difficulty of achieving a quorum on the committee for ejecting scandalous ministers.¹ Local apathy combined with administrative inertia to block the introduction of godly rule.

Edward Whalley bewailed the lack of support from the counties under his jurisdiction and suggested that the legislative backing given to the major generals was too weak: he needed, for one thing, to become a member of the bench. But another reason for his failure to impress his will in the counties under his charge lay in the fact that the area under his supervision was far too large. The duties of law enforcement, economic regulation and religious reform could not be combined with the time-consuming task of assessing and collecting the decimation tax levied on royalists.²

¹ See above, p. 325; Morrill, Cheshire, pp. 284-285.

² See above, pp. 322-336.

It is not really appropriate to talk of arbitrary military rule when analysing the impact of the major generals in the provinces; the attitude of the major generals to their responsibilities varied so greatly. Whalley was notably less severe than Worsley in exacting sureties.¹ Perhaps amongst all of them, only Charles Worsley left behind him a "memory of the power and the intransigence of army rule."² The pecuniary penalisation of royalists, however, jarred when the whole pull of the community was towards joining together again. The extent of central government interference in all areas of life touched the nerve ends of local prejudice. Not surprisingly, the electoral voice was unanimous in its condemnation of the major generals at the polls. But whereas in Somerset, Sussex and Cheshire the election results represented a blatant disavowal of military rule in favour of the old county elite, in Derbyshire the eclipse of the gentry lasted much longer and republicanism remained still very much alive.³

The configuration of religious attitudes in Derbyshire before the civil war has been discussed in the introduction to this study. It was shown that non-conformity had grown strong roots, especially in the north west of the county where catholicism and puritanism competed with one another in the remote valley and moorland areas. It was on this puritan tradition that the later presbyterian settlement was built. In the development and organisation of a presbyterian classis, Derbyshire was quite exceptionally forward.⁴

¹ Morrill, Cheshire, p. 276

² Ibid, p. 288

³ Underdown, Somerset, pp. 102-185; Fletcher, Sussex, pp. 310-311; Morrill, Cheshire, pp. 287-288.

⁴ See above, pp. 18-22, 310-318.

With the abolition of episcopacy and the failure of the Westminster Assembly to come quickly to its decisions on forms of religious observance and administration, the county communities had been largely invited to shift for themselves. In contrast to Sussex, however, where the puritan gentry dominating the committee and bench took an active interest in securing a competent preaching ministry,¹ in Derbyshire there seems to have been no such active lay involvement. Unlike the classes in Manchester and Bury,² the Wirksworth Classis was virtually dominated by clerics and undermined by the unwillingness of the gentry to participate in local church government. In the absence of evidence from other classes in Derbyshire it is inappropriate to speculate about whether lay apathy was present throughout the county. Nor is it possible to conjecture whether there were ever-widening divisions within the presbyterian movement, similar to those in Cheshire.³ What is clear is that the presbyterian church settlement was sufficiently well grounded in Derbyshire to combat extreme religious radicalism.⁴ Apart from the appearance of Quakerism which caused the authorities some inconvenience and worry, there does not seem to have been any manifestation of seeking, ranting or other sectarianism.

¹ Fletcher, Sussex, pp. 106-107.

² C. Cross, "The Church in England 1646-1660" in (ed.), G.E. Aylmer, The Interrognum, pp. 108-109.

³ Morrill, Cheshire, pp. 264-276.

⁴ See above, pp. 15-22.

The termination of this study probably implies that the restoration saw a more significant and abrupt political change than was in fact the case. It is necessary, however, to adopt a note of caution when remarking upon the significance of events in 1660; the county community did not immediately bind itself together. Socially Derbyshire had not been wholly settled since the dissolution of the Shrewsbury inheritance in 1616 and religion was probably as much a divisive factor in the early part of the seventeenth century as it was later to become during the reigns of Charles II and James II. Clearly more local research on the latter decades of the seventeenth century would allow a more rounded evaluation of the impact of the restoration on the provinces.

APPENDIX 1Ship Money Ratings

	<u>1635</u>	<u>1636</u>	<u>1639</u>
Appletree hundred	617.10.0	589.12.0	617.07.0
Repton and Gresloy hundred	442.08.0	378.08.0	442.08.0
Morleston and Litchurch hundred	491.12.0	440.00.0	491.12.0
Wirksworth hundred	359.05.1	440.00.0	357.07.0
Scarsdale hundred	854.18.10	789.04.0	854.18.10
High Peak hundred	514.08.4	704.00.0	514.08.4
<u>Total</u>	<u>3279.12.3</u>	<u>3341.04.0</u>	<u>3278.01.2</u>
Nobility	120.00.0	?	120.00.0
Clergy	108.00.0	32.19.0	108.00.0
Derby	175.00.0	175.00.0	175.00.0
<u>Grand Total</u>	<u>3662.12.3</u>	<u>3600.03.7</u>	<u>3661.01.2</u>

These totals are arrived at by adding up the accounts of John Gell, John Harpur and John Agard. There are, however, certain discrepancies which, for the purposes of accuracy, ought to be mentioned although they do not affect the over-all picture. The sheriffs' figures of parish and hundred totals, which have been added to produce a grand total, do not match the sheriffs' declared accounts which were: 1635 = £3684.15.0; 1636 = £3541.12.0; 1639 = £3681.11.8. Four explanations may be posited: sheriff Harpur's account contains no sum for the nobility; there may have been money collected which was not recorded by the sheriffs; the sheriffs' arithmetical calculations may have been wrong as in Agard's case: he calculated that the nobility, clergy and Derby added to £403.10.6. Or, handicapped by difficulties in deciphering the source material, my own calculations may be subject to error. It is clear that the sheriffs collected slightly more than was due on the writ; probably this was

Appendix 1 cont.

in order to cover expenses. Gell was ordered to be reimbursed to the sum of £40 or £50 and Shallcross asked the Privy Council for their advice regarding a suitable allowance for himself and his subordinates employed in the service.

D. R. O. Gell mss, 28/6: Account books of John Gell.

P. R. O. SP16/348/54 I: Account of John Harpur.

D. R. O. Gell mss, 31/33(g): A note of the severall hundreds as they are assessed and have already paid the ship-monies, February 1639/40.

D. R. O. Gell mss, 31/10(ab): Privy Council to Gell, December 20, 1635.

C. S. P. D. 1636-1637, p. 291.

APPENDIX 2Ship Money Arrears

<u>Writ</u>	<u>Sheriff</u>	<u>Required Sum</u>			<u>Arrears</u>
		<u>County.</u>	<u>Dorby.</u>	<u>Chf'ld.</u>	
August 1635	Gell	£3500	£120	£50	
			*£175	£40	None
October 1636	Harpur	£3500	£175	£50	None
October 1637	Curzon	£3500	£175	£50	August 1638: £1250
			*£120		September 1638: £340
					January 1638/39: £192
					February 1639/40: £27.5.0
November 1638	Shallcross	£1300	£63	£18	March 1639: £600
					November 1639: £300
November 1639	Agard	£3500	£175	£50	June 1640: £3000

The arrears are based on the statements that the sheriffs themselves made on particular dates. They do not entirely accord with the sheriffs' declared accounts in the Audit Office: for example, Curzon had £86.5.0 outstanding and Shallcross, £26.0.0 outstanding. If the declared accounts are accurate, then Shallcross must have been collecting his arrears in 1640. But it is more difficult to answer for the discrepancy between Curzon's statement in February 1639/40 and the account in the Council register used by M. G. Gordon. Perhaps Curzon was mistaken. The declared accounts are taken from a table compiled by M. D. Gordon and the fact that she was mistaken about the proportion which Derby had to pay in 1637 must cast some doubt on her other statistics. Key: * rate reapportioned

C. S. P. D. 1636-1637, p. 291; C. S. P. D. 1637-1638, p. 597;
C. S. P. D. 1638-1639, pp. 29, 297; C. S. P. D. 1639-1640,
pp. 118, 454; C. S. P. D. 1640, p. 269; M. D. Gordon,
'The collection of ship money in the reign of Charles 1',
Royal Historical Society Transactions, third series,
vol. 4 (1910), p. 157.

APPENDIX 3Roll of able-bodied men
between the ages of 16 and 60December 1638.

<u>Hundred</u>	<u>Number of Parishes</u>	<u>Number of Men</u>
Scarsdale	30	4,060
High Peak	13	4,923
Morleston and Litchurch	54	1,915
Appletree	43	2,287
Repton and Gresley	24	1,556
Wirksworth	22	1,910
Derby		657
	<u>Total</u>	<u>17,308</u> ¹

APPENDIX 4Muster Roll of 1638 and 1639

	<u>1638</u>	<u>1639</u>
Trained band	400	398
		Gentlemen and Freeholders 940
Clerical contribution	51	53
Knights		
providing	C 34	42
horses	D 38	35 ²

Key:

C = Cuirassior

D = Dragoons

¹ P. R. O. SP16/40^r.² C. S. P. D. 1638-1639, p. 286; P. R. O. SP17/case E,
No. 14.

APPENDIX 5Muster Roll of the DerbyshireTrained BandsNovember 1639

<u>Hundred</u>	<u>Gentlemen & Freeholders</u>		<u>Trained Soldiers</u>	
Scarsdale	135		91	
High Peak	142		80	
Appletree	196		66	
Morleston and Litchurch	148		50	
Repton and Gresley	137		41	
Wirksworth	162		50	
Derby	20		20	
	<u>Total</u>	<u>940</u>	<u>Total</u>	<u>398</u>

Provision of Arms

<u>Hundred</u>	<u>Gentlemen & Freeholders</u>		<u>Trained Soldiers</u>	
	M	P	M	P
Scarsdale	76	24	54	36
High Peak	66	35	48	32
Appletree	59	26	42	25
Morleston and Litchurch	29	22	29	21
Repton and Gresley	26	16	25	18
Wirksworth	37	14	29	21
Derby	12	8	12	8
	<u>Total</u>	<u>305</u>	<u>Total</u>	<u>139</u>
		<u>145</u>		<u>161</u>

Key:

M = Muskets

P = Pikes

Clerical Contribution to
the Number of Trained Soldiers

<u>Hundred</u>	<u>Soldiers</u>
Scarsdale	22
Appletree	8
Morleston and Litchurch	6
Repton and Gresley	8
Wirksworth	9
	<u>53</u>

<u>Provision of Arms:</u>		M	33
		P	14

Knights Providing Horses

<u>Hundred</u>	<u>C</u>	<u>D</u>
Scarsdale	7	9
High Peak	4	6
Appletree	10	8
Morleston and Litchurch	10	5
Repton and Gresley	9	4
Wirksworth	2	4
	<u>42</u>	<u>35</u>

Key:

M = Muskets

P = Pikes

C = Cuirassier

D = Dragoons

APPENDIX 6The Commissioners of Array in DerbyshireJune and December 1642

<u>June 27 1642</u>	<u>December 19 1642</u>
John, Earl of Rutland	D
William, Earl of Devonshire	R
Philip, Earl of Chesterfield	R
Francis, Lord Deincourt	D
Henry Hastings esq.	R
Sir Henry Willoughby bart.	R
Sir John Harpur bart.	R
Sir Simon Every bart.	D
Sir Edward Loech	R
Sir John Fitzherbert of Norbury	R
Sir John Fitzherbert of Tissington	R
Sir Edward Vernon	R
Sir John Harpur of Calke	R
Sir Andrew Kniveton	R
Sir John Coke junior	D
John Frescheville	R
Christopher Fulwood esq.	R
John Agard esq.	R
John Bullock esq.	R
John Milward esq.	D

New Appointments

William, Earl of Newcastle
 Sir Thomas Milward
 Ellis Woodroffe esq.
 Edward Lowe

Key:

R = re-appointed

D = dropped

Northamptonshire Record Office, Finch Hatton mss, 133:
 list of the Commissioners of Array in each county kept
 by Sir William Dugdale.

APPENDIX 7The Militia CommitteeAugust 3 1642Committee for raising men, money,horse and arms, December 3 1642

Sir John Curzon	R
Sir John Coke	R
Nathaniel Hallows	R
Sir Henry Willoughby	D
Sir George Gresley	R
Sir Thomas Burdett	D
Sir Simon Every	D
Sir John Gell	R
Sir Edward Leech	R
Sir Edward Vernon	D
Sir Samuel Sleight	R
Thomas Gresley	R
Francis Burdett	R
Christopher Horton	R
John Agard	D
John Bullock	D
Francis Mundy	R
Thomas Gell	R
Gilbert Thacker	D
Gilbert Clarke	D
Randall Ashenhurst	D
Francis Revel	R
Henry Wigfall	R
Lionel Fanshawe	D
Rowland Morewood	D

New Appointments

Sir Edward Coke

Luke Whittington

Sir Henry Willoughby, Sir Simon Every, Sir Edward Leech, Sir Edward Vernon, Sir John Coke junior, John Agard and John Bullock were also appointed Commissioners of Array.

Key:

R = re-appointed

D = dropped

Northampton Record Office, Finch Hatton mss, 133; C. H. Firth and R. S. Rait, Acts and Ordinances of the Interregnum (London, 1911), vol. 1, pp. 1-5, 106-117; L. J. 1642-1643, p. 260.

APPENDIX 8The County Committee, October 1644 - May 1645

Randall Ashenhurst	O	A	August 1643
Edward Charlton	O	A	February 1645
Ralph Clarke	O	A	February 1645
Edward Coke	O	A	December 1642
Sir John Coke	-	A	December 1642
Sir John Curzon	G?	A	December 1642
Robert Eyre	O	A	October 1644
		D	May 1645
Sir John Gell	G	A	December 1642
Thomas Gell	G	A	December 1642
Sir George Gresley	G?	A	December 1642
Nathaniel Hallows	O	A	December 1642
Edward Leech	-	A	February 1645
Robert Mellor	O	A	October 1644
Francis Mundy	O	A	October 1644
John Mundy	O	A	February 1645
Rowland Morewood	O	A	February 1645
George Poole	-	A	February 1645
S ? Roper	-	A	May 1645
Thomas Sanders	O	A	October 1644
Sir Samuel Sleight	O	A	December 1642
Luke Whittington	O	A	December 1642
Henry Wigfall	G?	A	December 1642
John Wigley	G	A	October 1644
Robert Willmot	O?	A	October 1644
William Woolley	O	A	February 1645

Key:

- O = opponent of Sir John Gell
G = supporter of Sir John Gell
? = position not clearly defined
- = not known
A = Appointed
D = Dropped

C. H. Firth and R. S. Rait, Acts and Ordinances of the Interregnum (London, 1911), vol. 1, pp. 531-553, 630-648, 686-688; D. R. O. Gell mss, 30/5, 31/10, 34/10 passim; Sanders mss, 1232M passim.

APPENDIX 9The Sub-Committee of Accounts 1646-1648

	<u>Membership of the County Committee</u>	<u>Membership of the Commission of the Peace</u>
James Abney	1643, 1647-1660.	1647-1651.
William Bache (or Bago)		1649-1650.
Ralph Clarke	1645-1657.	1649-1651.
Henry Dackayne		
John Dalton (Mayor in 1646)	1657-1660.	1660.
Richard Duffield		
Thomas Forthe		
Edward Gill	1649-1657, 1660.	1650.
Anthony/Rowland Morewood	A. 1649-1652. R. 1645-1648, 1657, 1660.	A. 1647-1651. R. 1654-1658.
John Mundy	1647-1652.	1649-1651.
Edward Newton		
Richard Ontrim (Or Owtram)		
Edward Peggo senior	1648-1660.	1650-1659.
Edward Peggo junior	1647, 1657-1659.	1654-1659.
Francis Revel	1642-1643, 1645- 1648, 1650-1652.	1649, 1651.
Edward Walker		
Robert Willimot	1643, 1645-1650.	1647, 1650-1651.
Humphrey Yates		

P. R. O. SP28/256, no pagination, SP28/257, no pagination;
P. R. O. C231/6: Crown Office Docquet Book 1643-1660,
C193/13/3: Liber Pacis 1650; C. H. Firth and R. S. Rait,
Acts and Ordinances of the Interregnum (London, 1911),
vol. 1, pp. 49-51, 106-117, 531-553, 630-646, 686-688,
958-984, 1072-1105, 1233-1251; vol. 2, 24-57, 456-490,
653-688, 1058-1097.

APPENDIX 10Signatures appearing on County Committoe documents:

	<u>February 1644/45- March 1646</u>	<u>May 1646- March 1647</u>	<u>1647- Dec. 1648</u>
James Abney		xx	
Randall Ashenhurst		xx	xx
Gervase Bennett			xxxxxxxxxx
Edward Charlton	xxxxxxxx	xxxx	xx
Ralph Clarke	xxxx	xx	xxxx
Edward Coke	xxxxxxxx	xxxx	xxxxx
John Curzon	x	xx	xxxxxxxxxx
Robert Eyre	xxxx	xxxx	xxx
Lionel Fanshawe			xx
John Gell senior	xxxxxxxxxxxxxxxxxx	xx	xxxxxx
Thomas Gell	xxxxxxxxxx		xx
George Gresley	xxxxxxxxxxxxxxxxxx	xxx	xxxxxxxxxx
Nathaniel Hallows	xxxxx		xxxx
Edward Large		x	xxxxxxxx
Nicholas Leako	xx	x	
Robert Mellor	xx		xxxxxxxxxxxx
Francis Mundy	xx	x	xx
John Mundy	xxxxxx	xx	xxxxxx
Rowland Morewood	xxxxxx	xx	x
Edward Pegge senior			xxxx
Gorman Polo	xxxx	xxxx	xx
Francis Revel		xx	xxxxx
Thomas Sanders	x	xxxxxxxx	xxxxxxxxxx
Samuel Sleigh	xxxxxx	xxxx	xxx
Thomas Sleigh			xxx
Henry Wigfall	xxxx	xxxxx	xxxxxx
John Wigley	xxxxxxxxxxxxxxxxxx	x	x
Nicholas Willimot			x
Robert Willimot	xxxxxxx	x	
William Woolley	x		xx

APPENDIX 11Names of Committee Members who were dropped
in April 1649

John Coke	George Poole
John Curzon	Francis Revel
Thomas Gell	William Saville
George Grosley	Luke Whittington
Nicholas Leake	Henry Wigfall
Francis Mundy	John Wigley
Rowland Morewood	

APPENDIX 12Names of Committee Members appointed between
April 1649 and November 1650

Nathaniel Barton	Edward Manlove
Hugh Bateman	Anthony Morewood
Robert Cotchet	German Pole
Lionel Fanshawe	Richard Pole
Thomas Ford	Thomas Sleigh
Edward Gill	John Spateman
Robert Greenwood	Samuel Taylor
John Jackson	John White

C. H. Firth and R. S. Rait, Acts and Ordinances of the
Interregnum (London, 1911), vol. 2, pp. 24-57, 456-490.

APPENDIX 13The Commission of the Peace

<u>1636</u>		<u>1650</u>
William Cavendish, Earl of Newcastle	R	Francis Burdett
Philip Stanhope, Earl of Chesterfield	R	Edward Leech
Francis, Lord Deincourt	R	Samuel Sleight
John Coke senior	D	Nicholas Loake
George Gresley	D	John Gell junior
William Earle		John Mundy
Henry Willoughby		Nathaniel Hallowes
Thomas Burdett	P	Robert Willmot
Henry Harpur		Christopher Horton
John Curzon	P	Thomas Sanders
Francis Dacy		Randall Ashenhurst
John Stanhope	D	Lionel Fanshawe
Francis Coke	D	Anthony Morewood
Edward Leech		James Abney
John Fitzherbert of Tissington	R	William Woolley
Edward Vernon	R	Edward Gill
John Harpur	R	Robert Eyre
John Coke junior	P	Edward Pegge
Anthony Topham		Ralph Clarke
Richard Love		William Bache (or Bage)
John Manners	P	Edward Charleton
John Bullock	R	Gervase Bennett
Christopher Fulwood	R	Edward Manlove
John Gell senior	P	John Wright
Christopher Horton		Nathaniel Barton
Simon Every	R	John Spateman
Edward Revel		Samuel Taylor
Randall Ashenhurst	P	
John Greaves		
Key: R = Royalist		
P = Parliamentarian		
D = Died		

APPENDIX 14Accessions to the Commission of the Peace1647

James Abney
 Francis Burdett
 Lionel Fanshawe
 Nicholas Leake
 Thomas Sanders
 Robert Willimot
 John Wright

1649

William Bache (or Bage)
 Nachaniel Barton
 Edward Manlove
 Anthony Morwood
 John Mundy
 Francis Revel
 John Spateman
 Samuel Taylor

P. R. O. C231/6: Crown Office Docquet Book 1643-1660.

APPENDIX 15Commission of the PeaceIndividuals droppedMarch 1651July 1651

James Abney
 Randall Ashenhurst
 Nathaniel Barton
 Gervase Bennett
 Ralph Clarke
 Edward Coke
 Robert Eyre
 Lionel Fanshawe
 Nathaniel Hallowes
 Edward Leech
 Nicholas Leake
 Edward Manlove
 Anthony Morewood
 John Mundy
 Edward Pegge (senior)
 Francis Revel
 Thomas Sanders
 Samuel Sleigh
 John Spateman
 Samuel Taylor

William Bacho (or Bago)
 Edward Charleton
 John Gell (senior)
 Edward Gill
 Christopher Horton
 Robert Willimot
 William Woolley
 John Wright

APPENDIX 16

<u>County Committee</u>	
<u>December 1652</u>	<u>June 1657</u>
James Abney	James Abney
Randall Ashenhurst	Roger Alleystry R
William Bago (or Bago)	Randall Ashenhurst
Nathaniel Barton	John Blackwell
Hugh Bateman	Gervase Bennett
Gervase Bennett	Francis Burdett
Francis Burdett	Henry Buxton
Edward Charleton	Edward Charleton
Ralph Clarke	Godfrey Clarke
Edward Coke	Ralph Clarke
Robert Cotchet	William Clayton
Evosby Dorman	Edward Coke
Robery Eyre	Robert Cotchet
Lionel Fanshawe	John Curzon P
Thomas Ford	John Dalton
John Gell (junior)	Robert Eyre P
Edward Gill	John Ferrers R
Robert Greenwood	Thomas Ford
Christopher Horton	John Gell (junior) P
Nathaniel Hallows	Edward Gill
Robert Hope	Robert Greenwood
John Jackson	Thomas Gresley P
Edward Large	Anchitel Gray R
Edward Leech	Nathaniel Hallows
Edward Manlove	Robert Hope
Robert Mellor	John Jackson
John Mundy	Edward Large
Anthony Morewood	Edward Manlove
Edward Pegge (senior)	William Mitchell
Gorman Pole	Rowland Morewood
Richard Pole	Edward Pegge (senior)
Francis Revel	Edward Pegge (junior)
Thomas Sanders	George Pierrepont
William Saville	Gorman Pole
Samuel Sleigh	George Poole
Thomas Sleigh	Thomas Sanders

Appendix 16 cont.December 1652

Samuel Taylor
 Nicholas Willmot
 William Woolley

June 1657

William Savillo
 Samuel Sloigh
 John Spateman
 John Stanhope
 Gilbert Thacker R
 William Woolley

Key:

R = royalist

P = purged or father purged

C. H. Firth and R. S. Rait, Acts and Ordinances of the Interregnum (London, 1911), vol. 2, pp. 653-688, 1058-1097.

APPENDIX 17Militia Commissioners

Gervase Bennett	Edward Pegge (senior)
James Chadwick	Edward Pegge (junior)
John Ferrers	George Pole
Robert Hope	William Rhodes
Edward Manlove	Samuel Sleigh
Rowland Morewood	Alexander Stanhope ¹

APPENDIX 18Royalists taking bonds for SecurityIn Derbyshire:

Hewitt Brocke	John Milward
John Bonsall	John Poole
William Bullock	Ignatius Poole
Rowland Eyre	George Porter
Henry Gilbert	Thomas Wotter
Henry Merry	Alexander Wotter

In London:

Richard Clarke	James Lander
Thomas Gaunt	John Lowe (Aldervasley)
Timothy Greenwood	John Lowe (Youlgreave) ²
Gilbert Kniveton	

APPENDIX 19Royalists paying Decimation

Wolston Axe	John Milward
William Bullock	Thomas Milward
Rowland Eyre	Paul Neale
William Fitzherbert	William Orme
John Frescheville	Gervase Pole
Thomas Gaunt	John Shawcrosse (Shallcross)
Henry Gilbert	Earl of Shrewsbury
Thomas Godbehere	Henry Vernon ³
John Harpur	
Francis Leake	
John Lowe	
Henry Merry	

¹ P. R. O. SP28/226.² B. M. Add.mss, 34013,
34014, 19516.³ P. R. O. SP28/226.

APPENDIX 20Membership of the County Committee1659

James Abney
 Roger Allestry
 Nathaniel Barton
 Gervase Bennett
 Francis Burdett
 Henry Buxton
 Edward Coke
 Thomas Cole
 John Dalton
 Robert Eyre
 John Gell junior
 Nathaniel Hallowes
 Robert Hope
 William Mitchell
 Edward Pegge senior
 Edward Pegge junior
 German Pole
 Thomas Sanders
 Samuel Sleigh
 John Spateman
 John Wrey

1660

James Abney
 Charles Agard
 Roger Allestry
 Nathaniel Barton
 Gervase Bennett
 William Boothby
 Henry Buxton
 Godfrey Clarke
 Edward Coke
 John Curzon
 John Dalton
 Samuel Doughty
 Robert Eyre
 John Ferrers
 John Gell junior
 Edward Gill
 Robert Greenwood
 Thomas Gresley
 Anchitel Grey
 Nathaniel Hallowes
 Edward Manlove
 Rowland Morewood
 Edward Pegge senior
 German Pole
 George Pierrepont
 Henry Sacheverell
 Thomas Sanders
 George Sitwell
 Samuel Sleigh
 John Spateman
 John Stanhope
 Gilbert Thacker
 George Vernon
 Godfrey Watkinson
 Nicholas Willmot

APPENDIX 21The Commission of the Peace 1660

Charles Agard
 Randall Ashenhurst
 Gervase Bennett
 William Boothby
 William Bullock
 William Cavendish, Earl of Devonshire
 William Cavendish, Earl of Newcastle
 Godfrey Clarke
 Richard Coke
 John Curzon
 John Dalton
 Henry Every
 Robery Eyre
 John Ferrers
 William Fitzherbert
 John Frescheville
 Henry Gilbert
 Thomas Gresley
 Anchitel Grey
 John Harpur
 Nicholas Leake, Lord Scarsdale
 John Manners, Earl of Rutland
 John Milward
 Robert Milward
 German Pole
 John Shallicross
 Samuel Sleigh
 Philip Stanhope, Earl of Chesterfield
 John Stanhope
 George Vernon
 Richard Vernon
 Richard Willimot

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