

CHAPTER VI

THE WORK OF THE PRIVY COUNCIL 1603-1645

TO UNDERSTAND the work of the English privy council in the seventeenth century there is no better point of departure than a saying of the astute Spanish ambassador, Gondomar. In 1613, just after arriving in England, he wrote: "In this kingdom there is only one council in which all matters are dealt with."¹ In France and in England the general tendency of conciliar development through a long course of time had been for a single group of great councillors to assist and advise the king. Numerous smaller bodies or groups had in course of time been detached from the principal body; yet the smaller ones had for a long while easily merged back into the parent body, then remained subsidiary to it, or finally become distinct bodies dealing with a small category of specialized business. Meanwhile the principal council had remained as before the great central executive, administrative, and advisory body assistant to the king and under him dealing with almost all affairs of government that lay within royal jurisdiction.

In Spain in the sixteenth and seventeenth centuries there was no large conciliar body like the privy council of England or like the *conseil privé* or *conseil d'état* in France. In Spain the functions of the central government were distributed among a number of small councils which worked separately under the king. In the time of Philip

¹"En éste Reyno no ay mas que un Consejo y en el se tratan todas las materias." Letter of Don Diego Sarmiento to the king of Spain, 6 September 1613 (N. S.): Spanish Transcripts, II, iii.

II there were twelve such councils: the council of Castile, most important of them all, with functions mainly judicial; the *camera* or chamber, originally a committee of the council of Castile; the council of Aragon; the council of Italy; the council of Flanders; the council of Portugal—after that country had been conquered; the council of the Indies, for administration of colonial possessions; the council of state, to deal with foreign affairs; the council of war; the council of the inquisition; the *hazienda*, which dealt with finance; and the council of the orders, which dealt with the affairs of the great military orders, then under the king.² All of these councils were directly subordinate to the crown and each one of them confined its activities especially to the business for which it was established. It is well known that Philip II attended to a great deal of business himself in his own chamber, causing directions to be taken by his secretary to the council concerned. In 1623 an English writer describing the government of Spain spoke of the council of state, which he said was the most prominent, and, in addition, of the councils of Castile, of Aragon, of Portugal, of Italy, of the military orders, of the Indies, of the treasury, and of the exchequer.³

In the England of Elizabeth, James I, and Charles I, the business of the central government was mostly carried on by the monarch with the assistance of the one privy council. There were other councils—such as the council of the north and the council of Wales—but they were directly subordinate to the privy council. Within the privy council itself there came to be various smaller groups or com-

²“Sommaro dell'ordine che se tiene alla corte di Spagna circa il governo delli stati del re catolico,” cited in Ranke. *Fürsten und Völker von Süd-Europa*, etc. (Berlin, 1837), i. 152; also E. R. Turner, *Europe, 1450-1789*, p. 336.

³*A True Relation . . . of the . . . Entertainment, Giuen to . . . Prince Charles . . . at Madrid* (1623), in S. P. D., James I, cxliii. 96.

mittees, some of which dealt with business handled in Spain by small particular councils, while others in course of time were seen to be a phase of the development of the great departments of government through which later on the work of managing England was largely carried on. For the most part, however, as will be shown, these committees of the council were not standing bodies of permanent existence with jurisdiction and duties sharply defined. They easily disappeared; they easily coalesced one with another; most of them vanished back into the larger body from which they had emerged. Development in Spain had been towards the establishment of several small councils distinctly defined, each having separate jurisdiction under the king. Very different was the development of committees of the council in England. On the one hand it was toward a general merging, so that by the beginning of the eighteenth century all committees of the privy council were as a rule merely aspects of the one committee of the whole privy council. On the other hand a particular committee of the privy council, which had during the first half of the seventeenth century been instituted to deal with foreign affairs, extended its jurisdiction until it dealt with important affairs of all kinds. From within the constantly enlarging body of the privy council it presently came forth as a small council of the most important and powerful members of the privy council. At the beginning of the eighteenth century it was much like the privy council itself a century before, except that in the course of that time the power of the monarch had been constantly abated, so that in the government of the state now the cabinet had an importance and power that the privy council had never possessed. For exposition at this point, however, the important matter to be noted is that the smaller body gradually emerging from the larger council was not a group of councillors with

activities restricted to some particular sort of business, however important, but, like the parent organism, a council that dealt with government in all its phases and aspects. So in England there continued to be throughout this time what Gondomar observed in the system under James I—one council that managed all the important matters of government and state.

Hence, it is not easy to describe the work of the privy council. Its activities were so numerous, with infinitude of variety and detail, that one might almost be tempted to the device of those who would describe the duties of the justice of the peace under alphabet letters. If a great deal of the council business is reduced to a few categories of matters dealt with that appear to the student to be related to each other, the reader might see artificial simplicity created thus for the sake of criticism and study, a result that would doubtless have seemed doctrinaire to councillors of the seventeenth century, something, indeed, different from the first impressions of the student who reads the minutes of meetings of the council and observes the variety and multitude of details that councillors had to do with a long time ago.

Generally speaking, the functions of the privy council were advisory and administrative. Within the executive or administrative field the principal divisions, perhaps, would concern foreign business and domestic affairs. The domestic matters dealt with were various and many. The whole council then was concerned not only with general supervision of affairs, but also with the actual administration of numerous details later on completely taken over by different departments of the executive portion of the government. It is not necessary here to assert that at the beginning of the seventeenth century in most cases only rudiments of departments existed, and that their development was the result of slow growth in

the period ensuing. At this time, therefore, the privy council concerned itself particularly with matters relating to revenue, taxation, and finance, with the army, with the navy, with ecclesiastical affairs, with trade, with colonies or plantations, with industry and commerce, with general and unremitting supervision of local government, and with the issuing of passes and licenses to travel. It was also busied with considering a vast number of petitions and hearing a multitude of disputes and causes, under a jurisdiction that represented the original and also the ultimate judicial authority of the king, in the exercise of which the council was in effect a primitive court and also a high court of justice, something like the court of a king in the ninth or tenth century and something like equity in its beginning. In this capacity it was a body in which a great deal of extra-law judicial work was determined. All this was in addition to the specifically judicial work performed by the council when it sat as the court of Star Chamber.

The original and primary function of the king's council was the giving of advice to the king. Of this there always continued to be much, though the records of the council, which generally contain no debates, naturally reveal less of it than they do of the routine of executive and administrative functions. Furthermore, advice upon the more important matters about which the king sought counsel had always been taken from a few of his abler and more trusted assistants, and during the seventeenth century was largely given by the members of the committee for foreign affairs, the select part of the privy council, which gradually became known as the cabinet council. From one point of view all that the council did was the outcome of its advice to the king or of the best wisdom it could use in his service. Sometimes, however, the work of the council was essentially the giving of advice or opinion,

in respect of general policy or some affair too unusual to be like any ordinary business of the council.

In 1616 a letter signed by six of the councillors was sent to Sir Walter Raleigh: ⁴

His Ma^{tie} out of his gracious inclination towards yo^w, being pleased to release yo^w of yo^r ymprisonm^t in the Tower to goe abroade wth a Keeper to make yo^r provision for yo^r intended voyage, wee thinke good to admonishe yo^w (though wee do not prejudicate yo^r owne discretioⁿ so much, as to thinke that yo^w would attempt it wthout leaue) that yo^w should not presume to report either to his Ma^{ts} Court, the Queenes, or Princes, nor goe into any publique assemblies wheresoever, wthout espetiall licence obtayned from his Ma^{tie} for yo^r warrant, But onely that yo^w use the benefitt of his Ma^{ts} grace to followe the businesse w^{ch} yo^w are to undertake, And for w^{ch} upon yo^r humble request his Ma^{tie} hath beene graciously pleased to graunt yo^w that freedome.

In June of that year the king held a privy council with the archbishop of Canterbury and sixteen others at Whitehall. He had specially commanded this council to be held, and he ordered the twelve judges to be present. He desired advice concerning the king's right to grant letters in commendam—the granting of benefices to be held, supposedly in trust, but actually with receipt of revenue and without performance of the duties, a practice to which John Selden adverted so severely. James stated what his previous proceedings had been. The legal arguments presented against his right to grant were explained. He declared that he had ordered the judges to postpone their verdict, they had refused. He then censured the form and the substance of their letter to him. Following his statement the judges all fell on their knees to beg

⁴ P. C. R., xxviii, 19 March 1615-16.

pardon. After further discussion each one was asked whether he would obey, if in future similar mandates came from the king. All promised excepting Lord Chief Justice Coke: "Hee would doe what would bee fitt for a Judge to doe." After more lecturing of the judges James dismissed them. Then he asked the opinion of the privy council. All expressed approval of what he had done.⁶

In March 1625, as soon as the members of Charles I's privy council had been sworn, they met to confer about the most important and pressing matters for his majesty's service, concerning which it would be well to advise him. They decided that a proclamation should go out into the shires in the new king's name. There should be commissions authorizing the great seal, the privy seal, and the signet until new commissions were issued. There should be new commissions and patents authorizing judges, justices of the peace, sheriffs, and other such officials to carry on their work. A general proclamation should go forth for the continuation of proceedings to preserve the peace, administer justice, and for the government of the state "as was 1^{mo} Jacobi." That English ambassadors with foreign princes should have letters authorizing their services to the new king. That special messengers should be sent out to foreign princes. Proclamations like those given in England should be sent into Scotland. Commissions for the deputy and officers in Ireland should be renewed. That work at the mint should go on, all things to be managed by the officers there as they then stood, until the king's further pleasure was known. That a new parliament be summoned at such time as Charles might appoint. That the council ascertain when the king wished to retire to the Tower of London; when the late king's funeral should be held; where the

⁶ S. P. D., James I, lxxxvii, 6 June 1616.

body should rest in the mean time; what was the king's pleasure concerning the time of his coronation. All of these counsels were sanctioned by the king when communicated to him.⁶ In 1626 the Venetian ambassador wrote: "the very important affair of the French attendants is occupying the privy council."⁷

Generally speaking, the conduct of foreign affairs was not one of the principal functions of the privy council, for diplomacy and management of foreign relations were jealously guarded by the sovereign, and were revealed in most cases only to a small group of his most important and trustiest servants. So it had been under Elizabeth; so it continued with James I and with Charles I; and so it was in times still later. In 1563 Elizabeth, writing to the earl of Warwick, about the English troops in Normandy, said that for the sake of secrecy "we have herin delt but with a certen nombre of our pryncipall and trustyest counsellors."⁸ Often James I ruled without any great consideration for his council, following his own ideas rather than their advice. After all, the function of the council was merely to assist the king, and generally the monarch strove to keep to himself and within his own power the most important and most secret governmental work. The weightier part of diplomacy and the control of foreign affairs James retained for a long time almost entirely to himself, assisted only by his secretaries, apart from his council, except on unusual occasions of emergency, trouble or stress. To a considerable extent in his reign the highest things in the rule of the realm, most of what related to his policy and his plans, the *arcana imperii*, were at first known only to himself and his par-

⁶ P. C. R., xxxiii, 28 March 1625.

⁷ Letter of Alvisé Contarini, 25 September 1626 (N.S.): Venetian Transcripts, xiii. 52.

⁸ Patrick Forbes, *A Full View of the Public Transactions in the Reign of Q. Elizabeth*, etc. (London, 1741), ii. 326.

ticular favorite at the time, or at most only to a small group of confidants around him. As long as Buckingham lived this was likewise so with Charles I; and afterwards in that monarch's dealings with his committee of foreign affairs it was so to a lesser extent. All of this has to do particularly with the origin of the cabinet council; but it also relates to the privy council from which foreign business was largely withheld.

James was often away from London, at Newmarket, Greenwich, Royston, or elsewhere. At times he had some of his councillors with him. Usually a secretary of state was at hand. In 1613 the Spanish ambassador is said to have related that the king resolved all important business with Viscount Rochester alone, and that there were many matters with which the council was never acquainted.⁹ During much of the reign of James I administration and policy were largely in the hands of the king and some favorite or some minister who was all-important. Buckingham held such power as long as he lived. In 1604 the French ambassador declared that James was governed entirely by the counsel of Cecil.¹⁰ In 1611 the Venetian ambassador reported that the king often did his most important business apart with three or four Scots.¹¹ Two years later the French ambassador wrote that the archbishop of Canterbury and other "principal ministers" had chief part in the king's affairs.¹² In 1614 Gondomar said that three councillors governed all for the king.¹³

None the less, the privy council at this time had some part in foreign affairs, and if generally it concerned

⁹ State Papers, Foreign, Spain, xx, 22 September 1613.

¹⁰ Transcripts from Paris, xxxviii. 216.

¹¹ *Relazioni degli Stati Europei*, IV. i. 121.

¹² Transcripts from Paris, xlvii. 175.

¹³ "El almirante y el Conde de Nortanton y el de Sufole que son los que gouiernan la maquina de aqui." Don Diego Sarmiento to the captain general of Milan, 12 June 1614 (N.S.): Spanish Transcripts, II. v. 138.

routine and the less important things in foreign relations, yet sometimes that part has interest enough. About 1603 councillors gave the king their opinion as to sending of aid to the Dutch.¹⁴ In 1605 the French ambassador wrote that he had conferred with the lords of the council about obtaining justice for the great number of poor French merchants unable to get it for many years past. The king of England expressed good will and desired to do justice.¹⁵ In 1610 the privy council of England wrote to the privy council of Scotland that the recent murder—of Henry IV—should excite the greatest vigilance for the safety of their royal master.¹⁶ In 1614, when there was the question of the marriage of the king's son with a princess of France, Gondomar says that the king summoned a council, calling all the members who could possibly attend, and made a long statement of the case, "as to His council and the rulers of this kingdom." He asked them to consider, then give their best advice irrespective of his own inclination. He laid before them correspondence and documents, then left them to themselves.¹⁷ Some months later he called all his councillors to meet

"The Arguments of two of the Privy Councill vnto King James the 1st imediatly after his coming to the Crowne of England Touching sending aid to the Vnited Provinces." Sloane MS. 1435, fos. 144-155.

"Je me suis trouvé avecq Messieurs du Conseil ainsy que je vous avois escript devoir faire par ma dernière du xxviii^e affin d'y procurer la justice pour une infinité de pauvres marchands qui ne la peuvent obtenir depuis plusieurs années. D'abord le Sieur de Cramborne prenant la parole pour tout me fist entendre qu'en l' absence du Roy ils avoient désiré conférer avecq moy." Beaumont to Villeroy, 12 March 1605 (N. S.): Transcripts from Paris, xl. 53.

¹⁶ S. P. D., James I, lvi, 29 July 1610.

"El Rey voluio ayer a juntar el Consejo, Mando que se hallasen en el hasta los muy impedidos y el Principe su hijo. Hizóles una muy larga platica diciendoles que a ellos tocava principalmente esta causa como a su Consejo y gobernadores deste Reyno . . . Con esto se volvio el Rey esta mañana a Roston a su casa y el Consejo se ha juntado oy a tratar destas materias." Don Diego Sarmiento to the king of Spain, 17 February 1614 (N. S.): Spanish Transcripts, II. vi. 64.

him at Hampton Court, and giving them an account of certain matters asked whether they advised a declaration of war on Spain.¹⁸ In 1616 instructions signed by fifteen councillors were sent to the governor of Flushing, bidding him surrender that and other places to the United Provinces.¹⁹ Certain English merchants wrote to Secretary Winwood about property of theirs confiscated in Lisbon: the privy council at once sent a letter concerning this to the English agent in Spain.²⁰ In 1617 Secretary Lake told the Venetian ambassador that the king would try to get information which the republic desired about a certain one, adding that "immediately on arriving in London [he] will be called before the privy council and compelled to give account of his negotiations with the viceroy of Naples."²¹ The ambassador relates that he had recently conferred with several of the lords of the council to explain to them thoroughly the state of affairs in Italy—referring to hostile acts of the Spaniards, so that if certain business were discussed in council those well-affected could support Venetian interests on good grounds. He found them all well-disposed.²² Next year a proclamation of the council ordered all persons who could give any information about a reputed attack by Sir Walter Raleigh on a Spanish town to repair to the council. Such attack was disapproved by the king, and was contrary to his instructions to preserve amity with Spain.²³

¹⁸ "Y asi fue de parecer que el Rey llamase a todos los de su Consejo y los juntase en Antoncort para los cinco deste mandando que no se excusase ninguno y que allí se les diese quenta de las cosas que pasavan para que viesen si eran bastantes para declarar la guerra con V. M. y el Señor Archiduque." Don Diego Sarmiento to the king of Spain, 7 October 1614 (N. S.): *ibid.*, II. vii. 118.

¹⁹ P. C. R., xxviii, 23 May 1616.

²⁰ *Ibid.*, 27 November 1616.

²¹ Letter of Piero Contarini, 24 November 1617 (N. S.): Venetian Transcripts, x. 26, 27.

²² Letter of Piero Contarini, 1 December 1617 (N. S.): *ibid.*, fo. 31.

²³ S. P. D., James I, xcvi. 98.

In 1619 news came to England of the election of a new emperor, and about the same time the Elector Palatine asked whether he should accept the crown of Bohemia. James called on the privy council for advice, but news followed that the elector had accepted. Then James asked for the councillors' opinion. Most of them urged that he fail not to succor his son-in-law in such a time.²⁴ In 1622 the privy council sent a letter to Sir Thomas Roe, the king's ambassador at Constantinople, directing him to complain of depredations by Barbary pirates upon English commerce, and to demand that English sailors captive should be set free. If this were not done the English government would seek satisfaction at once by reprisals at sea.²⁵ A little later the council resolved to move his majesty to confer with Count Mansfeld about a new expedition in Germany. They would consider what to do if the king were forced to begin war with Spain.²⁶ About this time the French ambassador said that three events—the taking of Heidelberg, the return from Spain of the English emissary ill-satisfied, and passage of the Spanish naval force through the Channel without leave of the king of England—had extremely disgusted the privy council and irritated the people against Spain. On these matters several privy councils had been held in presence of the king.²⁷ In 1624 the council considered the complaint of

²⁴ "Con esto este Rey congoxo muchisimo, y dixo a los del Consejo que se encargaba de tomar el expediente que conuiniese en tal negocio, y la mayor parte de los consejeros segun he entendido estaba inclinada a persuadir al Rey que tenia obligacion de no dexar de acudir y socorrer a su hierno en tal ocassion." Julian Sanchez de Ulloa to the king of Spain, 27 September 1619 (N. S.): Spanish Transcripts, II, xi.

²⁵ P. C. R., xxxi, 22 May 1622.

²⁶ Secretary Calvert to the lord admiral, 12 October 1622: *Clarendon State Papers*, i. 23.

²⁷ "Ces trois occasions . . . ont donné lieu à plusieurs Conseilz qui se sont tenus à Hampton Court en présence du Roy de la G^{de} Bretagne et du prince, son filz." M. de Tillières to M. de Puyieux, 18 October 1622 (N. S.): Transcripts from Paris, lvi. 128.

the East India Company about the execution of Englishmen in Amboyna along with the king's demand for satisfaction from the states general therefor. They advised James to fit out a fleet for seizing Dutch ships wherever found; and an order was given to the lord admiral for this.²⁸

In 1626, after the defeat of Christian IV of Denmark, the council held many meetings in the king's presence, and it was resolved to dispatch ten thousand soldiers in aid.²⁹ In the next year the privy council discussed the dispute with France and the danger to the Huguenots. The councillors advised the king that he was isolated in Europe, and favored entering into negotiations with the Spaniards.³⁰ Shortly after the Tuscan representative wrote that Lord Carleton, one of the privy council, was about to go on an embassy to Holland.³¹ "The Counsell," said a correspondent in 1634, "hath beene sitting verve close all these dayes by-past; & so farre as I can learne the cause is a packet sent to the King by the French King, wherin hee declareth a resolution to take a place lying in the Palatinat upon the Rhin, to haue a passage ouer it; the place is Udenheim alias Philipsburg."³² In the summer of 1634 a long report prepared by Secretary Coke, on relations between England and various foreign countries was read, by the king's command, at the council.³³ Next year in a council held with the king at Oatlands, there was discussion about sending assistance to his nephew. It was decided that the forces of the crown were needed at

²⁸ P. C. R., xxxii, 27, 30 September 1624.

²⁹ Salvetti to the grand duke of Tuscany, 2 October 1626 (N. S.): *H. M. C.*, 11th report, appendix, i. 84.

³⁰ Letter of Alvise Contarini, 19 March 1627 (N. S.): Venetian Transcripts, xiv. 355.

³¹ Salvetti to the grand duke of Tuscany, 18 June 1627 (N. S.): *H. M. C.*, 11th report, appendix, i. 119.

³² John Durie to Sir Thomas Roe, 16 January 1633-4; S. P. D., Charles I, cclviii.

³³ *Ibid.*, cclxix, 8 June 1634.

home, that nothing could be effected save by negotiating with the emperor.³⁴ About that time the mayor of Plymouth informed the council that a fleet of Dutch ships bound for Brazil had come into the harbor, that some of the sailors landing had insolently committed barbarities and cruelties on English soil. In the king's name the council ordered that these ships be stayed until further direction.³⁵ In 1636 the Venetian ambassador reported that the privy council held several meetings about the Palatinate and about whether it would be well for the king to side with France or with Spain.³⁶

Similar or closely related to what the council did with respect to foreign affairs was some of the business done in respect of Scotland, certain outlying dominions, plantations, and trading stations, or having to do with foreign commerce and trade, which were closely connected either with foreign affairs or with matters concerning the colonial possessions.

Generally speaking, in council business Scotland had a peculiar place. It was not entirely a foreign land, so the council had not in respect of it so much concern as it had with business arising from relations with countries abroad. On the other hand Scotland was not under the domestic administration of the English privy council, as England was, since it was governed by the Scots privy council and administrative organs under a king sovereign in each of the countries. From time to time the English privy council corresponded with the council of Scotland.³⁷ Occasionally some of the councillors accompanied the king to Scotland, and, perhaps, with him there took part in

³⁴ Letter of Angelo Correr, 9 August 1635 (N. S.): Venetian Transcripts, xix. 55.

³⁵ P. C. R., xlv, 18 December 1635.

³⁶ Letters of Angelo Correr, 29 February, 2 October 1633 (N. S.): Venetian Transcripts, xviii. 116, 202.

³⁷ S. P. D., James I, xv, 20 July 1605.

governmental work. "All our English Counsell," says a writer in 1617, "that wear in Scotland, wear made of the Kings Counsell there before the King departed that Kingdome."³⁸ Wentworth afterwards disapproved of the separation of English and Scottish business between the two councils and prophesied disaster resultant. "I never," he says, "was much in Love with the Way of King *James* his keeping of all the Affairs of that Kingdom of *Scotland* amongst those of that Nation, but carried indeed as a Mystery to all the Council of *England*; a Rule but over much kept by our Master also."³⁹

With respect to Jersey, Guernsey, and other islands about England, with respect to Ireland, and the more distant plantations and colonial possessions, the privy council of England was, under the king, the all-important organ of government and administration. These dominions were the king's possessions, and however local administration might accord with local privileges, charters, or agreements, all these domains continued to be under the supreme authority of the king, exercised for him largely by his privy council. For the Channel Islands there was often something of routine before the council, as there continued to be more later on. In 1618 the council drafted ordinances for Jersey, which were signed by the king and sealed with the privy signet.⁴⁰ In 1629 the council attended to numerous matters having to do with Jersey and with Guernsey.⁴¹

The council had usually some matter concerning Ireland before it, though not the vast mass of Irish business that took its attention so largely a century later when conditions had been rendered more settled in that island. Many

³⁸ George Gerrard to Sir Dudley Carleton, 10 July 1617: S. P. D., James I, xciii.

³⁹ The lord deputy to Sir Henry Vane, 16 April 1639: *Strafford Letters*, ii. 325.

⁴⁰ P. C. R., xxix, 15, 21 June 1618.

⁴¹ *Ibid.*, xxxix.

letters and communications were sent from the council to the lord deputy of Ireland or to the lords justices there,⁴² though after Strafford took charge of Irish government the English privy council concerned itself less with Irish affairs.

In 1605 the lords of the council forbade Irish beggars to land in England.⁴³ In 1609 a commission was given to certain ones to examine suitors to the privy council about matters concerning the plantation in Ulster, they to settle minor points and refer only difficult cases to the council.⁴⁴ At another time the council drew up orders to be observed in distributing escheated lands in County Wexford.⁴⁵ In 1626 a letter of general regulations was sent by the council to the deputy and the council of Ireland: British settlers to reside on their plantations; a mint to be established in Ireland.⁴⁶ In 1632 the privy council presented "Propositions to be Considered of by his ma^{tie} concerning the Governm^t of Ireland," which were by the royal command entered in the register of the council.⁴⁷ After the fall of Strafford more Irish business came before the English privy council until it ceased to do business.⁴⁸

Much business concerning the plantations over seas came before the privy council. In 1621 nine councillors agreed on the following order:

Whereas the Kings most excellent Ma^{tie} duely waighing in his princely iudgement the great advantages both of hono^r and profit^t w^{ch} this Crowne and state might receiue from a setled and well ordered plantation in Virginia was graciously pleased for the better encouragement and furtherance of the Vndertakers therein to grant vnto them sundrie verie large imūnities

⁴² *Ibid.*, xxvii, 10 June 1614; xxviii, *passim*.

⁴³ *H. M. C.*, 13th report, appendix, iv. 132.

⁴⁴ *S. P. D.*, James I, xlv, 11 May 1609.

⁴⁵ *P. C. R.*, xxvii, 25 July 1614 ⁴⁶ *Ibid.*, xxxv, 20 September 1626.

⁴⁷ *Ibid.*, xli, 17 February 1631-2.

⁴⁸ *Ibid.*, liii.

and priviledges, as not doubting but that they would apply themselves vnto such courses as might most firmly incorporate that plantation vnto this Cōmonwealth and be most beneficiall to the same, w^{ch} will best be done if the Cōmodities brought from thence were appropriated vnto his Ma^{ty}s subiects and not cōmunicated to forraine Countries but by way of Trade and cōmerce from hence onely. fforasmuch as their Lōpps having beene informed that the said Vndertakers haue for private respects setled their Māgazin of Cōmodities to be brought from Virginia in a forraine Countrie w^{ch} course in noe wise is to be suffered, neither in policie nor for the hono^r of the state (that being but a Colonie derived from hence), as also for that it may be a losse vnto his Ma^{ty}e in his Customes, if not the hazarding of the Trade w^{ch} in future times is well hoped may be of much profit Use and importance to this Cōmonwealth, Their Lōpps for these and sundry other reasons of state, and vpon full hearing of the foresaid Vndertakers now the second time called to the Board, thought fitt and accordingly ordered that from henceforth all Tobacco and other cōmodities whatsoever to be brought and traded from the foresaid plantations shall not be carried into any forraine parts vntill the same haue beene first landed here and his Ma^{ty}s Customes paid therefore.

This regulation was to be put into effect after four months so that such commodities in foreign parts then might be sold.⁴⁹

In 1626 long and detailed instructions were sent from the privy council to Sir George Yeardley, governor of Virginia, as were others two years later.⁵⁰ Many notices occur in the register about Virginia and less frequently

⁴⁹ P. C. R., xxxi, 24 October 1621.

⁵⁰ *Ibid.*, xxxiii, 19 April 1626; xxxviii, 6 August 1628.

about New England and other plantations, though during this period, when the colonies were comparatively neglected by the government in London, there is far less than there was after 1660, when gradually colonial business came to be so large a part of what was done in the council.

Connected, to some extent, with foreign matters, was the issuing of passes to travel and licenses for going abroad. For going forth from the kingdom then permission of the king was necessary—the equivalent of the passport still required in some countries. In 1630 the general regulation was made that all noblemen and noblemen's children who wished to go abroad were to have their passports under signature of the king. Licenses for persons of meaner rank were to be signed by one of the secretaries of state, who must make inquiries of the applicant about his religion and condition.⁵¹ Such passes to travel were usually signed by the members of the council present in the meeting where they were granted.⁵² There are numerous instances in the register of the council. In 1611 seven councillors granted a license for Mabel Griffith to pass beyond the seas and live abroad, but not to go to Rome.⁵³ In 1614 a pass was granted to John Southe to go to France for a convenient time.⁵⁴ In 1623 the council granted "A passe for the countesse of Tillieres, wife of the Count of Tillieres to passe into ffrance, wth her children, companie, servants, and wholl retinue wthout search. And to haue all kind of courtesie, respect and faouere shewed towards her, as was meet to a Ladie of her quallitie." ⁵⁵

The council then as afterward took much interest in commerce and merchants' affairs, since the crown desired

⁵¹ *Ibid.*, xl, 8 November 1630.

⁵² S. P. D., Charles I, cccix. 63.

⁵³ S. P. D., James I, lxxv, 19 July 1611.

⁵⁴ P. C. R., xxvii, 15 April 1614.

⁵⁵ *Ibid.*, xxxi, 24 January 1622-3.

to foster trade and advance the wealth of the kingdom. In 1604 memoranda were drawn up for the council answering the complaint of the Levant merchants against the impost put upon currants.⁵⁶ In 1607 the council directed the attorney general to stay an exchequer process entered by a certain one against two Dutch merchants for bringing pins into England.⁵⁷ Next year the council granted a "toleracon" for stretching and straining a certain number of cloths, made in various counties, contrary to the law then in force, and for transporting the same to the Eastland countries, Muscovy, and Barbary.⁵⁸ In 1612, at direction of the king, there was a meeting of the council and long discussion about trade with Flanders.⁵⁹ In 1616, at a council of seventeen, there was a full hearing of objections against the new company of the Merchant Adventurers. Another meeting was then arranged to which the company was to bring its charter and to which the king's learned counsel were to come.⁶⁰ In 1627 vessels were ordered to protect the English fisheries in the North Sea.⁶¹ At another time the council heard a cause arising from complaint made by the French Company about importing French wines contrary to a certain proclamation.⁶²

The councillors heard numerous petitions and representations from merchants. In 1605 they were asked to relieve the merchants trading to the Levant from the impost put upon currants, that they might trade on equal terms with the Venetians, and that the king bear the expense of a present to the grand seignior.⁶³ Shortly after the Merchant Strangers petitioned the council against the

⁵⁶ S. P. D., James I, x, 16 November 1604.

⁵⁷ *Ibid.*, xxvi, 25 January 1606-7.

⁵⁸ *Ibid.*, lxx, 3, 7 August 1612.

⁵⁹ P. C. R., xxviii, 16 January 1615-16.

⁶⁰ *Ibid.*, xxxvi, 27 August 1627, 24 January 1627-8.

⁶¹ S. P. D., Charles I, cliii, 18 December 1629.

⁶² S. P. D., James I, xv, July 1605.

⁶³ *Ibid.*, xl, 25.

proposed imposition upon them of a double duty on baize.⁶⁴ On another occasion the lord mayor and the aldermen of London presented grievances of the freemen of the city in that foreign artisans and traders were engrossing the Dutch trade and the French trade; and they asked that laws against foreigners be enforced.⁶⁵ To the council came reports from the commissioners for trade.⁶⁶ The council ordained regulations about trade.⁶⁷ It passed numerous orders and regulations concerning the customs.⁶⁸ Frequently it dealt with the affairs of trading companies, like the East India Company, the Eastland Merchants, and the Merchant Adventurers.⁶⁹

With respect to domestic affairs the privy council assisted the king in his administrative and executive functions, that is, in carrying on the central government of England. Such matters were in the prerogative of the crown, but from convenience and necessity most of this business was carried out by the lords of the council and their subordinates, the council relieving the monarch of much of the drudgery and routine inseparable from any great organization, and leaving him freer for foreign relations, for statecraft, and for general consideration of policy. None the less, the king in council took interest and part not only in the greater domestic matters but often in routine and detail as well.

Most important, on the whole, in domestic affairs, was what the lords of the council did in connection with imposing and raising a revenue. During the first half of the seventeenth century the council was more active with respect to finance and the collecting of revenue than it was destined ever to be in the future. Peculiar circum-

⁶⁴ *Ibid.*, xxvi, January 1606-7.

⁶⁵ *Ibid.*, lxxv, 23 July 1611.

⁶⁶ P. C. R., xxxii, 3 July 1624

⁶⁷ "An Act of Counsell about the Persian Trade": *ibid.*, 13 January 1624-5.

⁶⁸ *Ibid.*, xxxvi.

⁶⁹ *Ibid.*, li, lii.

stances of that time, when the Stuarts disagreed with their parliaments, strove to raise revenue without them, and presently dispensed with parliaments entirely, gave the council more importance in respect of taxation and finance than it had had in the century preceding, a position much like that which the principal advisers of Henry VII had had long before. After 1660 this situation never recurred. Moreover, after 1660 gradually the treasury became a well-organized department, taking over much of the financial routine that had occupied councillors in the period of James I and Charles I.

Under the two first Stuarts king and council deliberated concerning means by which revenue was to be obtained, strove to raise revenue for support of the government, and often busied themselves in the actual process of collection, while in certain desperate emergencies councillors helped the king to tide over his most pressing needs by taking collections among themselves. It was in the council that impositions, gifts, ship money were decided on. The councillors undertook the regulation of these devices and even the gathering of the money therefrom. Furthermore they took part in expenditure and appropriation. All in all, during this period taxation and finance had a great part of the council's attention, and there were times when it virtually performed many of the duties earlier carried through by treasury, exchequer, and sheriffs.

The council along with the king determined how additional revenue not given by parliament, that is revenue beyond the ordinary resources of the crown—such as yield from the royal estates, feudal perquisites, and well-established fees and payments—but not parliamentary grants, should be raised. In 1612 the council gave opinion how an aid for marrying the Princess Elizabeth might be levied.⁷⁰ In 1617 one of Carleton's correspondents wrote:

⁷⁰ S. P. D., James I, lxx, 8 August 1612.

“ There hath ben of late imposed a great Taske by the king upon the Lords for the examyning of the State of the Reveneue, and the moderating of his expenses, wherein there hath ben much paines taken but wee fynd o^rselves troubled . . . to settle any good order for the supporting of his expense without the assistance of a Parlam^t.” ⁷¹ During these years James’s finances were in hopeless confusion, all payments in arrears, his servants begging for disbursal of some portion of what was owed to them lest they and their families starve, and sometimes there was no money for payment of the very household expenses of the king. In this same year, accordingly the privy council was again considering how the king’s expenses might be retrenched.⁷² In 1622 after the dissolution of parliament the privy council was busy trying to raise benevolences. In the papers of this time there is a list of seventy-four persons to be summoned before the council in connection with such a payment.⁷³ That year in a council of the prince and nineteen others, “ It is this day vpon speciall considera^on thought fitt and ordred that there bee an Imposi^on of 10^s layd vpon everie hundred of forraine Hopps to bee brought into this kingdom from anie the parts beyond the Seas. And that the lo: high Treasurer of Englaund doe giue order for leavyinge the same vntill further order bee given by Parliament.” ⁷⁴

In 1625, at the very beginning of the reign of Charles I, the lord treasurer told the lords of the council at how low an ebb the king’s treasury was, and what great charges were coming upon the king in addition to the mighty arrear of debts that lay upon the state, and asked the lords to join in suit to the king to stay his bounty making no

⁷¹ Thomas Edmondes to [Sir Dudley Carleton]: State Papers Foreign, Holland, lxxvi, 6 March 1616-17.

⁷² P. C. R., xxix, 5 December 1617.

⁷³ S. P. D., James I, cxxvii. 48.

⁷⁴ P. C. R., xxxi, 30 September 1622.

new grants of lands or pensions until his estate might be some way repaired, this not to affect what the late king, under his hand, privy seal or signet, had declared his intention to have passed.⁷⁵

The new king and his council at once busied themselves in efforts to increase the revenue of the crown. In September 1625, in a council at which ten were present, writs of privy seal were arranged. After other business that day is the entry:

The Copies of diuers things resolved on by their Lo^{pp}s
for formes to be written by his Ma^{tie}, as followeth
(viz^t)

and in the margin is the note: "Forme of a lre for his Ma^{tie} to write of to the LL^s of the Councell concerning the Privy Seale." Then followed the form of the document, with marginal annotations embodying the ideas of the king as to the best method and procedure. The council finally decided on the following:

Forme of lre for his Ma^{tie} to write to the ll^s lieutenants
concerning the Loane Mony.

Forme of the Kings lre to the Lo. Priuy Seale.

Forme of the Priuy Seale.

Draught of a lre for the ll^s to write to the seuerall
Collectors in euery Countie.⁷⁶

In 1626 a council of sixteen attended by Charles gravely considered the straits into which the crown revenues had fallen, the necessity of his affairs, and how impossible it would be to provide for his wants or prevent dangers from this situation. At the instance of the council the king then resolved, and so it was ordered, that for two years no one urge suits or requests for the king's bounty that would make his revenue less.⁷⁷

⁷⁵ P. C. R., xxxiii, 29 March 1625.

⁷⁶ *Ibid.*, 7 September 1625.

⁷⁷ *Ibid.*, xxxiii, 29 June 1626.

In 1626, in a large privy council, the king determined to levy subsidies not granted by parliament: ⁷⁸

This daie their lopps taking into their Consideraōns the present State of his Mats Reueneu arysing by Customes Subsidie and Imposts upon goods and Merchandize exported and imported, and fynding that it hath beene Constantly Contynewed for many Ages and is now a principall pte of the Reueneu of the Crowne and is of necessity soe to bee Contynewed for the supportaōn thereof, w^{ch} in his two last Parliam^{ts} hath beene thought upon, but could not bee there settled by authority of Parliam^t, as from tyme to tyme by many ages and descents past it hath beene by reason of the dissoluōn of those Parliam^{ts} before those things wch weare theare treated of could be pfected. Itt is therefore ordered by this Board for the reasons afforesaid, and for that it was intended to haue beene confirmed by Parliam^t as it hath beene in all Ages euer since the tyme of King Henry the Sixt, that all those duties upon goods and Merchaundize called by the seuerall names of Customes Subsidy and Imposts shalbe leavyed Collected and receiued for his Ma^{ty} use in such manner and forme, as the same were levied Collected and receiued at the Tyme of the decease of his late Ma^{ty} King James.

In September the king informed his councillors of the defeat of his uncle, the king of Denmark, and of other foreign events that made necessary further preparations of men and money for defence of England and for the support of friends and allies abroad. There was serious consideration of the pressing need for immediate provision and aid, especially assisting and supplying the king of Denmark at once. The council advised that each man should

⁷⁸ *Ibid.*, xxxiii, 8 July 1626.

be asked to lend to the crown in proportion and according to the sum he had been assessed in the last subsidy rolls.⁷⁹

The councillors found it necessary to assist the king from their personal funds. Later that year at a council of twenty, the king present, it was ordered "that the moneys collected vpon the Loane, to his ma^{tie} from the LLo: of the Councill, and the rest of the Nobillitie" should be issued for the satisfaction of one of the king's most helpful creditors.⁸⁰ "The Counsaile," said a correspondent in 1628, "is very assiduou, and all other businesses layd aside, they only consider of wayes how to get mony, which many thinke must conclude in a Parliament."⁸¹ At this time the register is filled with references to the activity of the councillors in raising and applying money for the king's service.⁸² "Nothing is thought of but the raising of money, the council assembling daily," says the Venetian ambassador.⁸³

It was in a committee of the privy council, probably, that the project of levying ship money was considered and perfected. In 1634 Lord Keeper Coventry wrote to the king, the councillors had reasoned that when the localities asked to make the payment were commanded both by writ and a letter from the council they would hardly dare refuse a meeting of local authorities to consider the payment; if upon meeting they should decline the assessment, they would answer it to the council board; the councillors expected payment if for no other reasons, because ships of the burden required were not to be supplied; "And it hath beene hertofore thought that the counsail board would be the fittest place to settle the busines

⁷⁹ P. C. R., xxxiv, 14 September 1626.

⁸⁰ *Ibid.*, 12 November 1626.

⁸¹ Rowland Woodward to Francis Windebank: S. P. D., Charles I, xc, 9 January 1627-8.

⁸² P. C. R., xxxvi.

⁸³ Letter of Alvise Contarini, 30 January 1628 (N. S.): Venetian Transcripts, xv. 936.

wth any townes that shalbe either doubtfull or refractory." ⁸⁴ Later that year a council of the king and twenty sent out the king's writs to all maritime cities, towns, and counties of the kingdom to make assessments; and shortly after the Cinque Ports were ordered to furnish the king with a ship of eight hundred tons. ⁸⁵

The privy council not only assisted in determining financial policy and sent forth orders concerning taxation, but took active part in seeing that the required revenue was collected, punished the negligent or refractory, and even took some part in paying out what was collected. In the course of this business a vast number of orders and letters were sent out to local officials and numerous letters and petitions were received by the council from the various local jurisdictions.

In 1608 the council sent a communication to the earl of Sussex requiring payment of the second installment of the subsidy due from him. ⁸⁶ In 1609 commissioners collecting the aid for the knighting of Prince Henry complained to the council of the smallness of the composition offered by Sir John Hollis for his property in St. Clement Danes, and of disrespectful language from him. ⁸⁷ During that year the council received numerous reports from various places about progress made in collecting this aid. ⁸⁸ In 1613 the council sent a letter to a certain one in Gloucestershire warning him to pay £133 rated on his manor, or property of his would be seized for use of the king. ⁸⁹ A little later the councillors were communicating with the justices of the peace in Kent about a benevolence to pay the king's debts. ⁹⁰ During 1614 the council was sending

⁸⁴ Coventry to the king: S. P. D., Charles I, cclxxii, 22 July 1634.

⁸⁵ P. C. R., xliv, 31 October, 24 November 1634.

⁸⁶ S. P. D., James I, xxxi, 22 March 1607-8.

⁸⁷ *Ibid.*, xlv, 15 June 1609.

⁸⁸ *Ibid.*, xlv, xlvii.

⁸⁹ *H. M. C.*, 10th report, appendix, iv. 162.

⁹⁰ *Ibid.*, p. 17.

many letters to sheriffs and justices of the peace in several counties of England and Wales concerning voluntary contributions for relief of the king's urgent necessities in supplying Ireland and the cautionary towns in Holland and Zealand.⁹¹ In 1617 the council directed the attorney general to bring suit against the goldsmiths who had infringed the letters patent granted to certain ones for making gold and silver thread.⁹² In 1620 a letter went to the mayor of Plymouth concerning payment from towns in western England to help send out an expedition against the pirates of Tunis and Algiers.⁹³

In collecting revenue by privy seals and by levy of ship money the council was zealous and active. As time went on councillors' attention was principally engrossed with collection and management of ship money.

In 1626 the register contains "The Names of such persons wthin the County Pallatine of Dirrham thought fitt to bee charged wth Priuy Seales":⁹⁴ a long list with amount opposite each name, as

	£	s	d
S ^r Thomas Tempest Barr	25	0	0
S ^r Willm Kennett Kn ^t	20	0	0
S ^r Thomas Riddell Kn ^t	20	0	0

A little later there was a list of "The names of Strangers to lend vppon Priuie seales."⁹⁵ Numerous orders from the council went forth, as to London, to Yorkshire, to Buckinghamshire, to other places, about the collection of loans for the king, the commissioners to admonish those who had not paid, making clear the inconvenience that might ensue to them, thus giving again to "benevolence" the meaning it had had under Henry VII.⁹⁶

⁹¹ P. C. R., xxvii, 17 September 1614.

⁹² *Ibid.*, xxix, 25 April 1617.

⁹³ *Ibid.*, xxxiii, 30 April 1626.

⁹⁴ *Ibid.*, xxxiv, 4 August 1626; xxxv, 12 January 1626-7, 24 April 1627.

⁹⁵ *Ibid.*, xxx, 7 July 1620.

⁹⁶ *Ibid.*, xxxiv, 22 July 1626.

In 1626 thirteen persons were called before the privy council and required to lend to the king in accordance with the sums they were assessed for in the roll of the last subsidy granted. Alleging poverty, they refused. They were told to subscribe, and if investigation showed them too poor, they would then be released:

All w^{ch} notwthstanding they stiffely, and contemptuisly refused to subscribe their names, or to say they were willing, if they were able, w^{ch} refusall rising from A willfull Contempt as manifestly appeared by their behavio^r: The lls. haueing first acquainted his Ma^{ty} herewth gaue order that these Contemptuous persons should presently be pressed, and sent to serue in the Shippes now goeing out, or els where.⁹⁷

At this time, according to the reports of a foreign observer, the greater number of the members of the council were in the shires trying to raise money.⁹⁸ In the register of the council for 1626 and 1627, just before the contemporary index which was probably made by one of the clerks of the council, and in the same hand, is the note: "All psons that refused to pay the Loane to his Ma^{ty} or were Default^{rs} in the Must^{rs} are noted in this Index vnder : D: as Default^{rs}." ⁹⁹ There are numerous bonds constraining individuals to appear before the council for refusing to pay the forced loan,¹⁰⁰ while many communications to the council came from those who were trying to make the collection. In 1628 when an indenture was entered into between the crown and the city of London for assurance of certain lands of the annual value of £ 12496 in fee farm to the city in discharge of the sum of £ 229,897 loaned already and a further sum of £ 120,000 to be given

⁹⁷ *Ibid.*, xxxiv, 11 October 1626.

⁹⁸ Salvetti to the grand duke of Tuscany, 25 December 1626, 22 January 1627 (N.S.): *H. M. C.*, 11th rep., appendix, i. 101, 105, 110, 111.

⁹⁹ *P. C. R.*, xxxv. [316].

¹⁰⁰ *S. P. D.*, Charles I, liv, 17 February 1627-8.

by the city to the king, the contract was made between the king and the lords of the privy council on the one hand and the mayor and the commonalty of the city of London on the other. It was signed by the king and twenty-two members of the council.¹⁰¹

In 1634 the council sent letters to the sheriffs of the various counties to make assessments for the ship money in default of the local magistrates so doing. A schedule of the counties and the sums to be levied was drawn up. For example, the sheriff of Gloucestershire was to make the assessment for Bristol, Gloucester, Bridgewater, and Minehead, the magistrates of those places not having done so.¹⁰² At the same time letters of censure were dispatched to the mayors of various corporations because they had not assessed their own towns for the ship money.¹⁰³ When Kent offered to supply a merchant ship to the king, the council declined to receive it, replying that the king would furnish the county with a ship of his own at their cost.¹⁰⁴ When the sheriff of Chester complained that he had been menaced in respect of the ship money, the council promised him support.¹⁰⁵ When the sheriffs of Gloucester and Somerset offered to furnish a ship for less than the assessment, the council replied well, if that could be done, but they believed it could not be, in that case not to dally with the order.¹⁰⁶ When Bristol complained of over-assessment, the council decided she should bear only one-third of the £ 6500 assessed upon the counties of Somerset and Gloucester.¹⁰⁷ About the same time it was ordered that distresses be issued in Devon against those who had not yet paid.¹⁰⁸ A little later the council messenger was sent down to bring up the mayor of Weymouth with the

¹⁰¹ P. C. R., xxxviii, 30 May 1628.

¹⁰² *Ibid.*, xlv, 3 December 1634.

¹⁰⁴ *Ibid.*, 19 December 1634.

¹⁰⁶ *Ibid.*, 13 January 1634-5.

¹⁰⁸ *Ibid.*, 22 February 1634-5.

¹⁰³ *Ibid.*, 9 December 1634.

¹⁰⁵ *Ibid.*, xlv, 4 January 1634-5.

¹⁰⁷ *Ibid.*, 11 February 1634-5.

sum in arrears from that place.¹⁰⁹ So hardly did the council push this business that in June it suspended nearly all the council messengers for neglect in delivering writs relating to ship money, though later on they were reinstated by the king.¹¹⁰

From this time on, until the crumbling of the power of Charles I, privy council business was largely concerned with ship money.¹¹¹ In 1638 the council having been petitioned by the inhabitants of Warwickshire to be excused from a moiety of the ship money levied upon them, the council wrote to the sheriff that the county was rated easy, directing him to levy the full sum.¹¹² Meanwhile the sheriffs were complaining of the difficulties which they encountered. In 1638 the sheriff of Hertfordshire wrote that some of his people refused to pay or to suffer any restraint.¹¹³ The sheriff of Nottinghamshire wrote that he was having much trouble, since the arguments of some of the judges encouraged recalcitrants. "I pray," asked this diplomat, "you do me the fauor as to write me word what the lords of the Councell would haue done with those that refuses: that I may as neare as I can satisfy the kings expectation, wrong no body, and keepe my self out of danger."¹¹⁴ When Charles was in the north in 1639 he urged the council to take particular care for collection of the ship money.¹¹⁵ Well into 1640 the council was largely engrossed with this work.¹¹⁶

The privy council took part also in the disbursement of money, and the regulation of the coinage, though the mechanism for this was better organized then. In 1616 the council issued a warrant to the treasurer of the chamber

¹⁰⁹ *Ibid.*, 5 May 1635. ¹¹⁰ *Ibid.*, 3 June 1635; xlv, 8 November 1635.

¹¹¹ *Ibid.*, xlv, xlvi, xlvii, xlix, l.

¹¹² S. P. D., Charles I, ccclxxix, 26 January 1637-8.

¹¹³ *Ibid.*, ccclxxxvii, 10 April 1638.

¹¹⁴ *Ibid.*, cccxc, 18 May 1638.

¹¹⁵ Secretary Coke to Secretary Windebank: *ibid.*, ccccxvii, 9 April 1639.

¹¹⁶ P. C. R., li, lii.

to pay certain ones twenty pounds for bringing over an elk sent by the marquis of Brandenburg to the king.¹¹⁷ In 1618 there were "Orders of Councell touching the Mynt."¹¹⁸ In 1622 the following business was settled:¹¹⁹

Whereas vpon order given by his Ma^{tie} by Privey Seale to assigne order to his deerest daughter the Princess Electresse the Sumē of fīve Thousand pounds for necessary prouisions now against the tyme of her Lying downe in Child Bedd, It was agreed vpon and ordered by the Board, that the foresaid Sumē should be paid out of the Contribuōn Moneys by a Thousand pounds a Weeke; to w^{ch} purpose L̄res were then addressed to the Lo: Treasurer, and M^r Chancellor of the Exchequer, In conformitie whereunto there was one Thousand pounds payd over the first weeke: And the Lo: Treasurer being moued to give the Like order the second weeke, his Lp promised forthwth to make over the Whole by one intyre Sumē. But nothing hauing ben since don. M^r Secretary Caluert this day moued the Boarde, that some speedie course might be taken therein in regard of her Heighⁿ vrgent and presing occasions, Wherevpon the Lo. Treasurer answered that he would take order in it.

The council assisted the king in the management of the army and the navy, there being for the most part no well-organized departments of war and admiralty then. It was still the period when England had no strong army and generally no strong navy. From this there was to be no change until a powerful standing navy was equipped by Charles I and later by the Protectorate and a strong standing army was created by rebels in the revolution soon to come. At this time there were in France, in Spain,

¹¹⁷ P. C. R., xxviii, 14 January 1615-16.

¹¹⁸ *Ibid.*, xxx, 18 November 1618.

¹¹⁹ *Ibid.*, xxxi, 6 April 1622.

in the Ottoman Empire small, though as things were, powerful permanent forces of well-trained and veteran troops, but not in the British Isles. The king of England had a small bodyguard, but nothing else upon which he could certainly rely. The country had almost forgot the art of war. It knew little of military science as it was being then developed, except in so far as soldiers of fortune came back from the Thirty Years War with understanding of the methods employed there. The military system in England was based upon the militia to be called out in time of danger for defense of the realm. It was essentially what it had been under Elizabeth and Henry VIII, and differed little from what had prevailed under Edward IV and Edward I, save that the noblemen had now given over their retainers and feudal levies could no longer be expected. With respect to the navy there was marked improvement in this period. The Spanish Armada had been defeated by a small standing navy of the crown powerfully augmented by a larger force of volunteer ships. Under James I the royal navy had declined. As late as 1639 a Spanish fleet was demoralized through attack right upon the English shore by the Dutch, with the English government powerless to interfere. Meanwhile, however, Charles I was building up his naval forces, for part of the ship money actually went for construction of warships. At this time was being laid the foundation of a navy that would later on make England the predominant sea power. In the management of such army as could be raised and of the navy the privy council took active part.

In 1608 the council issued an order against unlawful transporting of ordnance.¹²⁰ In 1612 it permitted citizens of London to the number of two hundred and fifty to drill in the Artillery Gardens or in other convenient place.¹²¹ It received many reports from the counties concerning the

¹²⁰ S. P. D., James I, xxxviii, 8 December 1608.

¹²¹ *Ibid.*, lxx, 3 July 1612.

musters held there,¹²² and it sent out letters to the lord lieutenants and the commissioners of the musters in the various counties.¹²³ In 1618 the earl of Southampton wrote to the council that he had held the musters in Hampshire, but that many were backward, obstinately unwilling to do their share, some refusing to pay the tax for an allowance to the muster master.¹²⁴ "There were many persons sent for by warrant, and diuers committed for defaults at Mustres," says a note in the register of the council, referring to the years 1619-21.¹²⁵ Concerning the musters, which were the basis of such ordinary preparation for war as then existed in England, there continued to be not a little in the work of the council.¹²⁶

The council superintended the management of ordnance and military supply. In 1619 it sent out letters and gave directions concerning quotas of powder and match to be provided in the several counties, and the places where they were to be stored.¹²⁷ There were numerous orders of the council about supplying, distributing, allowing the transport of arms and military supplies. In 1627 permission was granted to import arms and ammunition free of duty into Guernsey and the Isle of Man.¹²⁸ That autumn there was a detailed statement of provisions to be furnished out of the office of the ordnance and sent to the Isle of Ré.¹²⁹ There were many orders about the making, furnishing, and distribution of gunpowder.¹³⁰ The council conferred with and directed "the officers of the ordinance."¹³¹

There was much also in respect of raising, equipping, and paying troops, whenever any military expedition was undertaken or intended. In 1626 the council directed the

¹²² S. P. D., James I, lxxii.

¹²³ P. C. R., xxix, 25 April 1618.

¹²⁴ S. P. D., James I, xcvi, 13 June 1618.

¹²⁵ P. C. R., xxx. 690.

¹²⁶ *Ibid.*, xlix.

¹²⁷ *Ibid.*, xxx, 11 February 1618-19.

¹²⁸ *Ibid.*, xxxvi, 15, 27 June 1627.

¹²⁹ *Ibid.*, 5 October 1627.

¹³⁰ *Ibid.*, xli.

¹³¹ *Ibid.*, xxxix, 5 June 1629, and *passim*.

taking of measures to resist possible invasion.¹³² Early next year it ordered that certain ones, formerly sent for by warrant from the board for refusing to receive press money for service in the king's armies, and certain others, who had refused to obey the injunction of the commissioners of the loan to appear, should be proceeded with *ore tenus* in the Star Chamber a few days later.¹³³ About this time orders of council were issued for certain regiments to go on the expedition, and concerning the reorganization of a number of companies.¹³⁴ In 1627 the council ordered the lord treasurer and the chancellor of the exchequer to disburse various large sums of money to the treasurer of the army.¹³⁵ It also sent letters to the lord lieutenants of certain counties respecting the billeting of soldiers returned from Ré.¹³⁶ Next year the council of war—practically an enlarged committee of the privy council—reported to the council the sums due to officers discharged lately at Portsmouth. The council ordered payment, and that the lord treasurer command the paymaster of the army to attend to it.¹³⁷ In 1639 and in 1640 there was usually much business before the privy council concerning the raising, supporting, supplying, and disposing of soldiers, about the musters, and about the ordnance.¹³⁸

As instances of miscellaneous matters attended to by the council in ordinary times respecting military things, the following may be cited. In 1632 certain soldiers were to be stopped at Gravesend and turned over to Colonel Fleetwood, under a warrant with a clause of assistance. A certain one in Wilts to be repaid money advanced for billeting soldiers.¹³⁹ A warrant allowed two thousand

¹³² *Ibid.*, xxxiii, 10 July 1626.

¹³³ *Ibid.*, xxxv, 16 March 1626-7.

¹³⁴ *Ibid.*, 31 March 1627.

¹³⁵ *Ibid.*, xxxvi, 11, 13 June, 2 August 1627.

¹³⁶ *Ibid.*, 16 November 1627.

¹³⁷ *Ibid.*, xxxix, 24 December 1628.

¹³⁸ *Ibid.*, li, lii.

¹³⁹ *Ibid.*, xlii, 16 May 1632.

soldiers to be raised for Russia under Colonel Sir Alexander Lesley. A letter was sent to the lords justices of Ireland to permit Colonel Lumsdell to raise three hundred volunteers for Sweden.¹⁴⁰ An order to the lord treasurer and the chancellor of the exchequer directed payment to a certain one for his arrears as paymaster of the late armies.¹⁴¹ A warrant was issued to set at liberty one illegally pressed.¹⁴² Two convicted coiners of farthings were ordered to serve in the army being raised to go to Russia.¹⁴³ For the future it was ordered that no officers or others should engage in foreign service.¹⁴⁴

During this period the council attended to much that related to the fleet, though sometimes there is so little in the register about admiralty matters that one might suppose the admiralty department was functioning largely by itself. Certainly at times the admiralty was well organized and determined to brook no infringement upon its jurisdiction. In 1626 in a council of the king and nineteen there were "Proposiçons this day made by the Lo: Duke then in Councill and allowed of & ordered by the Boarde."¹⁴⁵ But early in the following year the lord admiral complained of some encroachment on the jurisdiction of himself and the court of admiralty, by council orders to the lord treasurer and the farmers of the customs for stay and release of ships on several occasions. Humble motion being made by his grace, the king commanded that henceforth no directions should be given by the board for the arrest or release of any ships, or for anything to be done about shipping or any admiralty business, without the privy and particular notice of the lord admiral; and this was ordered to be registered as an act of council.¹⁴⁶ With the passing of Buckingham the privy

¹⁴⁰ P. C. R., xlii, 25 May 1632.

¹⁴¹ *Ibid.*, 27 June 1632.

¹⁴² *Ibid.*, 27 July 1632.

¹⁴³ *Ibid.*, xxxiii, 8 July 1626.

¹⁴⁴ *Ibid.*, 18 July 1632.

¹⁴⁵ *Ibid.*, 7 December 1632.

¹⁴⁶ *Ibid.*, xxxv, 28 January 1626-7.

council was again on occasion active in naval and admiralty matters. In 1629 the lords commissioners for marine affairs along with a judge of the admiralty were ordered to attend the council.¹⁴⁷ In 1638 "His ma^{tie} did this day declare, at the Board that he is pleased to conferr on Prince James his Second Sonne for his Life the office of Lo: high Admirall of England, Ireland, Wales, Calie, Normandie, Gascoigne & Aquitane, and all other his ma^{ties} Dominions."¹⁴⁸

The council busied itself with the building of warships, but more especially with equipping them with crews and supplies. Impressing men to serve on the ships often occupied the council's attention. In 1620, when an expedition was being planned against the pirates, "Instructions to be obserued by yo^w his Ma^{ties} Commissioners for prestring of Marriners" were sent out to various counties.¹⁴⁹ The justices of the peace in Norfolk were ordered to impress eighty seamen.¹⁵⁰ Numerous orders were issued for impressing soldiers and sailors to serve in the campaign against France.¹⁵¹ In 1636 the council ordered a general impressment of two thousand mariners for the fleet, warrants being directed to all vice-admirals, mayors, sheriffs, and justices of the peace of the specified counties, cities and towns.¹⁵² There was also care for provisioning the fleet and paying for its maintenance. In 1625 an order of the council was sent to seven counties that they furnish wheat for a part of the royal navy about to go to sea.¹⁵³ In 1630, in a council of twenty-two, the lord treasurer informed the board that he had partly provided and would take further order for moneys for sending out a number of the king's ships to guard the narrow seas and protect

¹⁴⁷ *Ibid.*, xxxix, 11 September 1629.

¹⁴⁸ *Ibid.*, xlix, 18 March 1637-8.

¹⁵⁰ *H. M. C.*, 11th report, appendix, iv. 20.

¹⁵² *Ibid.*, xlv, 10 February 1635-6.

¹⁵³ *Ibid.*, xxxii, 28 January 1624-5.

¹⁴⁹ *Ibid.*, xxx, 12 July 1620.

¹⁵¹ *P. C. R.*, xxxvi.

the coasts; also for preparing and furnishing the whole navy, that it might be ready on any sudden occasion for the king's service and defence of the realm. The council acknowledged and approved the work of the lord treasurer, and ordered that "the officers of the Nauy" speedily survey the present state of the king's ships and magazines, and take order for and provide supplies necessary to put into serviceable order all of the navy, according to such further orders as might be given by "his ma^{ty}s Com^{ty}s for the Admiraltie."¹⁵⁴ In 1630 the county of Oxford was ordered to provide wagons and carts to convey timber for the navy.¹⁵⁵ The council sometimes busied itself with providing the vessels themselves. In 1626 orders went to various places to furnish ships for the navy.¹⁵⁶ In 1631, when two new warships were to be built, order of the council issued for 1,300 trees to be selected from certain forests, and letters were dispatched to the justices of peace of Oxfordshire and Berks directing carriage of the timber, an open warrant being granted by the lord treasurer to the surveyor of the navy authorizing him to press carts and teams for transportation.¹⁵⁷

Various navy matters passed through the council. In 1625 a letter to the commissioners of the navy ordered that three ships cruise off the west coast to guard against pirates.¹⁵⁸ In 1626 a warrant for impressing seamen was vacated. A little later an order was issued for two months' pay for the fleet at Portsmouth.¹⁵⁹ In 1632 an open warrant to one of the messengers of the king's chamber in ordinary directed that he bring up certain officers from one of the king's ships at Bristol.¹⁶⁰ An order of the coun-

¹⁵⁴ P. C. R., xxxix, 12 February 1629-30.

¹⁵⁵ *Ibid.*, xl, 7 June 1630.

¹⁵⁶ *Ibid.*, xxxiv, 24, 30 July 1626.

¹⁵⁷ *Ibid.*, xli, 29 June, 28 September 1631.

¹⁵⁸ *Ibid.*, xxxiii, 19 May 1625.

¹⁵⁹ *Ibid.*, xxxiv, 19 July, 26 August 1626.

¹⁶⁰ *Ibid.*, xli, 7 March 1631-2.

cil went to the commissioners of the admiralty directing them to provide shipping for defence of Ireland against pirates.¹⁶¹ A question between the admiralty and the city of London about jurisdiction on the Thames was ordered to be heard. The commissioners of the admiralty were directed to compel ships from the plantations to come to London to discharge their cargoes.¹⁶²

The king of England was head of the Church of England. His council assisted him in various ecclesiastical matters. This part of its activity had to do mostly with recusants and Catholics, but various other things came before it. In 1605 the French ambassador reported it had been resolved in the council that Catholics should pay fines and the arrears of their fines.¹⁶³ About this time the council directed the bishop of Durham to permit a recusant restricted within the limits of the county to come to London to pay his fines.¹⁶⁴ At the time of the Gunpowder Plot a certain Catholic was examined by the council.¹⁶⁵ In 1608 the council wrote to the bishop of Chester concerning proceedings against recusants: the king wished him not to stop them altogether, yet to proceed moderately and only against obstinate persons.¹⁶⁶ Next year an order of council went to the clerk of assize and the clerk of the peace of Salop that no proceedings should be taken against a certain one for recusancy, he being seventy-seven years old and well behaved.¹⁶⁷ In 1612 the council ordered the justices of the peace in Kent to disarm

¹⁶¹ *Ibid.*, 9 March 1631-2.

¹⁶² *Ibid.*, xli, 27 March, 4 April 1632.

¹⁶³ "Il a esté résolu au Conseil de ce Prince que les catholicques recusants payront le tribut ordinaire tant du passé qui ne leur a point esté exigé que du présent." De Beaumont to Villeroy, 1 June 1605 (N. S.): Transcripts from Paris, xl, 124.

¹⁶⁴ S. P. D., James I, xv, 28 September 1605.

¹⁶⁵ *Ibid.*, xvii, 7 December 1605.

¹⁶⁶ *Ibid.*, xxxvii, 24 October 1608.

¹⁶⁷ *Ibid.*, xlviii, 16 September 1609.

all recusants.¹⁶⁸ The bishop of Durham, sending the council an account of musters in the county, enclosed a list of the principal recusants in his diocese, with a list of those reclaimed.¹⁶⁹ During 1629 and 1630 the council ordered the arrest or imprisonment of priests and others; proceedings against recusants and priests; measures to prevent celebration of Romish services and masses; release of priests from prison and the sending them out of the kingdom.¹⁷⁰

Many other ecclesiastical matters were dealt with. In 1626 the council ordered clergymen in the Isle of Wight to reside in their benefices.¹⁷¹ In 1630 the council in communications to the archbishop of York, the lord president of the North, the lord mayor and six of the oldest aldermen of York, ordered an increase of maintenance for ministers in York by a tax on inhabitants.¹⁷² In 1633 the king and a council of sixteen deliberated "About placing the Communion Table in St Gregories Church," which was near St. Paul's.¹⁷³ In 1636 a warrant was given to the king's serjeant at arms to send Lady Davis to Bedlam, because she had committed profanations in Lichfield Cathedral. Merchant strangers were forbidden to have their children christened in their houses by popish priests.¹⁷⁴ Next year a vicar in Surrey having petitioned the council, the impropiator was ordered to increase his stipend.¹⁷⁵ About the same time a charge of simony in a Devon vicarage was referred to the bishop having jurisdiction. A little later a day was appointed for hearing a difference between the canons and prebends of Exeter.¹⁷⁶

¹⁶⁸ *H. M. C.*, 10th report, appendix, iv. 11.

¹⁶⁹ *S. P. D.*, James I, lxxv, 4 November 1613.

¹⁷⁰ *P. C. R.*, xxxix.

¹⁷¹ *Ibid.*, xxxiv. 63 (August 1626).

¹⁷² *Ibid.*, xxxix, 24 May 1630.

¹⁷³ *Ibid.*, xliii, 3 November 1633.

¹⁷⁴ *Ibid.*, xlvii, 18 December 1636.

¹⁷⁵ *Ibid.*, 17 March 1636-7.

¹⁷⁶ *Ibid.*, 24 March 1636-7, 10 May 1637.