

PRINCE CHARLES IN THE PARLIAMENTS OF 1621 AND 1624*

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ABSTRACT. *This article explores the actions of Prince Charles in the parliaments of 1621 and 1624. It discusses his role in the electoral process, his activities in parliaments, and the legislation which affected his interests. It begins by exploring the precedents for the heir to the throne being summoned to parliament, before examining his political apprenticeship in 1621, and how his actions in 1624 reveal the difficulties in controlling the reversionary interest. Throughout the two parliaments, Charles was an active participant, taking part in debates in the House of Lords, committee meetings, joint conferences, and in liaising between the king and parliament. The article concludes by suggesting that Charles, although successful in achieving some of his aims, believed that he had been able to manipulate parliament for his own ends when in fact the tide of events ran with him and deluded him. This led to a false assumption that he could control parliament – a notion which had disastrous consequences when he summoned his own parliaments after he had succeeded to the throne in 1625.*

I

That King Charles I played a significant and active role in the three parliaments of the 1620s over which he presided is beyond doubt. His motives, ambitions, speeches, and actions have caught the attention of historians and commentators from the early seventeenth century to the present day. But what of his role and activities in the parliaments before he ascended the throne, more specifically those of 1621 and 1624? In recent years, historians such as Conrad Russell, Thomas Cogswell, and Robert Ruigh have discussed elements of his position in agitating for a parliament, his electoral patronage, and his supposed influence over his father, King James I.¹ However, none has closely studied his influence in parliament, his day-to-day attendance in the Lords, or his interest in the more prosaic activities of a parliament: legislation, committees, joint conferences, and the occasional speech. Even his biographers gloss over the period before he became king, focusing primarily on his twenty-four years on the throne and their more dramatic later phases: personal rule, divisions in the governing class, and war. What self-respecting biography would be without a

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¹ Conrad Russell, *Parliaments and English politics, 1621–1629* (Oxford, 1979); Thomas Cogswell, *The Blessed Revolution: English politics and the coming of war, 1621–1624* (Cambridge, 1989); Robert E. Ruigh, *The parliament of 1624: politics and foreign policy* (Cambridge, MA, 1971).

Van Dyck and the woodcut of the Banqueting House on 30 January 1649? But Charles was a prominent actor in the last two Jacobean parliaments and an analysis of his activities therein will shed some light on his experience of, and attitude toward, parliament when, as king of England, he summoned his first meeting of the highest court in the land for 17 May 1625.

The calling of Prince Charles to the 1621 parliament as prince of Wales, duke of Cornwall and of York, and earl of Chester did not create a precedent; eligibility to sit in the Lords depended upon the receipt of a writ of summons from the king. By custom this was issued to all the peers (temporal and spiritual) but on occasion writs were denied for reasons that the party was a minor, an idiot, poverty-stricken, or simply out of royal favour.² Upon the receipt of a first writ of summons, the new peer was required to pay a fee to the clerk of the parliaments, ranging from £10 for a duke to £2 10s. for a baron.³ It would appear, however, that Charles neglected to remunerate the clerk and in 1624 his name headed a list entitled ‘p[ai]d not [the] last Parlement’.⁴ Nor is there any indication that his £10 was any more forthcoming that year. The last time the heir apparent sat in the Lords on other than ceremonial occasions was in the period 1410–13. This was Henry of Monmouth, prince of Wales, the son of Henry IV. He dominated the 1410 parliament due to the illness of his father and also sat in 1411 and 1413.⁵ Henry also had at least eleven retainers (9 per cent) of the 121 identifiable members in 1410.⁶

Charles was not the first Stuart to receive the title of prince of Wales. In a special joint sitting of the Lords and Commons on 4 June 1610, James’s elder son, Henry, was invested with the title.⁷ Although Henry was only sixteen at the time there was no fixed age of royal majority nor at which an heir could be created prince of Wales. As Dr Croft has established, the impetus for the ceremony came from a Cornish servant of Lord Buckhurst, Richard Connock, and a restive and increasingly politically active Henry. In turn, the involvement of Robert Cecil, earl of Salisbury, was crucial. Salisbury guided the investiture from theory and the collection of precedents to reality. It served not only to ingratiate Salisbury with the future ‘Henry IX’ but achieved his desire to convince James of the need for another session of parliament and, hopefully, to present a spectacle which would encourage the Commons to loosen the purse strings.⁸ But, despite his investiture on 4 June 1610, Henry played no further role in the parliament apart from ceremonial attendance at the prorogation, and he died in 1612 before the next parliament was convened.⁹

² Elizabeth Read Foster, *The House of Lords, 1603–1649* (Chapel Hill, 1983), pp. 13–18.

³ *Ibid.*, p. 56.

⁴ House of Lords Record Office (HLRO), Manuscript Minutes (MS Mins.), II, fo. 54v, III, fo. 80.

⁵ Linda Clark, ‘The composition of the parliaments of 1410, 1411 and 1413’, in J. S. Roskell, Linda Clark, and Carole Rawcliffe, eds., *History of parliament, 1386–1421* (4 vols., Stroud, Gloucestershire, 1992), I, pp. 218–9, 225, 230–1.

⁶ *Ibid.*, p. 218.

⁷ Public Record Office (PRO), State Papers (SP) 14/53/70, SP 15/39/119; cf. Elizabeth Read Foster, ed., *Proceedings in parliament, 1610* (2 vols., New Haven, 1966), I, pp. 95–8.

⁸ Pauline Croft, ‘The parliamentary installation of Henry, prince of Wales’, *Historical Research*, 65 (1992), pp. 177–93.

⁹ *Lords Journal (LJ)*, II, p. 657.

At the age of fourteen Charles had attended his first parliament when he was present at the opening of what came to be known as the Addled Parliament (1614).¹⁰ Two years later, in a court ceremony, he was created prince of Wales and earl of Chester.¹¹ As the detailed antiquarian research for Henry's investiture shows, it was not necessary for the prince to be created in parliament – the matter rested solely at the discretion of the king. Three precedents had been discovered: Richard II, Edward V, and Edward, the son of Richard III.¹² This detailed quest for justification which served Salisbury so well and later enabled Charles to be invested at court had its origins in the lack of recent precedent; the sixteenth century having been marked by the accession of the ten-year-old Edward VI and then two monarchs, Mary I and Elizabeth I, who were both childless. The last creation of a prince of Wales was the future Henry VIII in 1504.

Charles rode to his first parliament as prince of Wales in 1621 in traditional ceremonial splendour:

first came messengers and trumpeters, then the royal judges and privy councillors, bishops in ecclesiastical robes, peers in their robes of velvet trimmed with ermine. There followed the Prince in his Parliament robes, with cap and coronet, and at last the King, preceded by his cap of estate and sword, wearing his Parliament robes and crown, flanked by gentlemen pensioners and followed by his guard. Heralds, splendid in ceremonial attire, marshalled each group.¹³

Charles heard the king's opening speech from a chair placed to the left and slightly below the throne. On days when the king was not present he occupied the head of the earls' bench on the left of the chamber. By tradition, 'as all peers in the house were equal', the lords remained covered while he was in the house.¹⁴ While parliament was in session, a room, the prince's chamber, was set aside for his use – in 1621 the prince paid 35*s.* 4*d.* to one of his gentlemen ushers, Peter Newton, for two days preparation of the chamber whilst in 1624 the room was refitted before parliament opened.¹⁵

The ceremony surrounding the opening was not unusual but it reinforced the concept of parliament as theatre; an institutional event where the projection of majesty was an important part of the new dynasty.¹⁶ When Henry was granted the titles, as has been seen, all but three previous princes of Wales had been created in parliament. And, as Croft has noted, there was a recent foreign precedent when the Spanish infante was installed with the traditional

¹⁰ Ibid., p. 687.

¹¹ *The letters of John Chamberlain* ed. N. E. McClure (2 vols., Philadelphia, 1939), II, pp. 29, 31–2.

¹² Croft, 'Henry, prince of Wales', p. 178.

¹³ Elizabeth Read Foster, 'Staging a parliament in early Stuart England' in Peter Clark, Alan G. R. Smith, and Nicholas Tyacke, eds., *The English Commonwealth, 1547–1640* (Leicester, 1979), p. 129.

¹⁴ Lady de Villiers, ed., 'The Hastings journal of the parliament of 1621', *Camden Miscellany*, 20 (1953), p. 8.

¹⁵ Foster, 'Staging a parliament', p. 134; PRO, Special Collection (SC) 6/James I, 1685.

¹⁶ On the Tudor use of ceremony in parliament, see D. M. Dean, 'Image and ritual in the Tudor parliaments', in D. Hoak, ed., *Tudor political culture* (Cambridge, 1992), pp. 243–71.

participation of the Castilian cortes.¹⁷ James, in contrast to his predecessor, who had refused to ensure the succession, involved his family in public affairs and ceremonies – this made visible the new dynasty's settled succession to the throne. The investiture and attendance of the princes were a way of demonstrating this not only to the body politic, but to foreign ambassadors, household officials, and members of the Scottish and Irish nobility.

Seven years after his attendance in 1614, Charles's role in parliament was not merely ceremonial but that of a regular participant. Unfortunately, little is known of the decision to issue a writ of summons or whether he was involved in the discussions on calling the parliament. But in 1624 it was the prince and the duke of Buckingham who persuaded a reluctant king to call parliament. Professor Russell once commented that 'mercifully it is not necessary in a book on parliaments to explain the motives for [Prince Charles's] trip to Madrid'.¹⁸ But it is important to note that Charles returned an adamant advocate of war with Spain and feeling that both his and the nation's pride depended upon it. Realistically, the only way this could be achieved was by the endorsement and financial support provided by parliament. To this end Charles, in alliance with Buckingham, sought to persuade James and the privy council that a parliament should be assembled. In recent years, much research has been undertaken on what Thomas Cogswell has termed 'the patriot coalition' and the pressure placed upon the king to call the parliament.¹⁹ It is unnecessary to repeat most of this here. It is useful, though, to explain briefly the make-up of the 'coalition'. It was designed to force James into a war with Spain through the medium of court and parliamentary pressure. But in the early 1620s the court was fragmented. It was divided into anti-Buckingham factions, hispanophiles, pro-war supporters, and men like the lord treasurer, Lionel Cranfield, earl of Middlesex, who exercised his duty in serving the crown and commonweal by reducing expenditure and balancing the books. Furthermore, many of the influential Commons-men such as Sir Edward Coke, Sir Edwin Sandys, Sir Dudley Digges, Sir Thomas Crew, and Sir Robert Phelips remained out of favour after their actions in the 1621 parliament. It was also necessary therefore to persuade James not to exclude such members from the parliament.²⁰ As Cogswell has noted, the combination of pressure from the prince and the voters of Coventry and Kent saved Coke and Sandys from the 'joys' of an Irish commission to which James had wanted to appoint them both, thus excluding them from parliament.²¹

Another important achievement of Charles and Buckingham was that they managed to unite the 'grandees'²² in the Lords. In particular, they managed

¹⁷ Croft, 'Henry, prince of Wales', p. 183.

¹⁸ Russell, *Parliaments*, p. 146.

¹⁹ Cogswell, *English politics*, passim; idem, 'A low road to extinction? Supply and the redress of grievances in the parliaments of the 1620s', *Historical Journal (HJ)*, 32, (1990), pp. 283–303; Mark E. Kennedy, 'Legislation, foreign policy, and the 'proper business' of the parliament of 1624', *Albion*, 23, (1991), pp. 41–60.

²⁰ British Library (BL), Trumbull Additional (Trumb. Add.) MS xvii, unfoliated.

²¹ Cogswell, *English politics*, p. 164.

²² The term is utilized in *ibid.*, pp. 103–4 especially.

to draw into their orbit Pembroke and Hamilton.²³ In the case of the former, Russell has commented that in 1624 ‘Pembroke allowed his hostility to Spain to beat his hostility to Buckingham by a short head, and gave wary but energetic assistance to Buckingham’s plans during Parliament.’²⁴ Also allied with the prince and the favourite were the influential earls of Essex, Oxford, Southampton, and Warwick. All these men were avidly anti-Spanish and all desired military commands in any ensuing war.²⁵ Other adamant war supporters included Lords Brooke, Russell, Saye and Sele, Sheffield, and Spencer. On the spiritual bench there appears to have been a unanimity for war. The bishop of London, George Montaigne (probably relieved that his offer was not accepted), volunteered to spend all his estate and to take up arms and lead the battle. He did, however, qualify his enthusiasm by claiming that his feet were not as strong as his heart.²⁶ Charles and Buckingham had acted astutely and had been successful in reconciling the various factions before parliament commenced. The first steps of the grand political aim of using parliament as a tool for a war against Spain were complete.

II

Charles also had one great advantage – as the duke of Cornwall he controlled vast estates in the West Country and various other landholdings and manors in at least fourteen other counties. Additionally he maintained the right to appoint the sheriff of Cornwall, to collect the profits from Cornish ports and from the hundred and shire courts as well as holding the shipwreck and royal fishing rights for Cornwall.²⁷ An approximate listing of duchy land gives ten castles, fifty-three manors, plus various towns and nine hundreds with an annual income of around £4,500 in the early seventeenth century.²⁸ By 1621, however, through efficient management and an increase in the lands, this had risen to a gross income of approximately £12,000.²⁹ These holdings gave Charles electoral influence over a number of parliamentary boroughs which was duly exercised in 1621 and 1624 by his appointees on the duchy of Cornwall council. In 1621 the duchy nominated members of parliament for at least sixteen boroughs and was successful in placing candidates in eleven of the seats.³⁰ In total, however, fifteen of the nominees secured seats somewhere. But only four nominees to West Country seats, Sir John Walter (East Looe), Sir Robert Carey (Grampound), Thomas Bond (Launceston), and Sir Edward Barrett (Newport), were returned for the boroughs in which they were

²³ The duke of Lennox had also been reconciled with Buckingham but his death in Feb. 1624 meant that he played no part in the parliament. ²⁴ Russell, *Parliaments*, p. 148.

²⁵ Cogswell, *English politics*, pp. 100–3.

²⁶ *Notes of debates in the house of Lords... 1624 and 1626 (LD 1624 and 1626)*, ed. Samuel Rawson Gardiner (Camden Society, new ser., 24, 1879), pp. 8–9.

²⁷ Sir John Doddridge, *An historical account... of the principality of Wales, duchy of Cornwall, and earldom of Chester...* (2nd edn., London, 1714), pp. 83–96. ²⁸ *Ibid.*, p. 118.

²⁹ R. W. Hoyle, ‘Introduction’, in *idem*, ed., *The estates of the English crown, 1558–1640* (Cambridge, 1992), p. 10.

³⁰ Duchy of Cornwall Record Office (DCRO), Letters and Patents, 1620–1, fo. 39v.

nominated. Nevertheless, after some shifting of seats and candidates Sir Edward Coke and Edward Salter (after Sir Henry Vane chose to serve for Carlisle) were returned for Liskeard, Sir Thomas Trevor at Saltash, and William Noy at Helston. Of these Walter was the prince's attorney-general, Trevor the solicitor-general, Vane the cofferer and steward of the duchy honour of Peareth, Salter one of the carvers to Prince Charles, Noy one of the prince's counsellors, and Carey chamberlain of the prince's household.³¹ Of those others nominated, Sir Edward Coke was a duchy tenant³² and privy councillor while Sir Lionel Cranfield (St Ives), Sir Robert Naunton (Lostwithiel), and Sir Fulke Greville (Camelford) were also privy councillors. The nominations of the latter three were not required as they secured places elsewhere.³³ Of the two remaining candidates, one failed to win a seat: Sir Oliver Cromwell, the prince's master of forests and chases, was rejected by Saltash. The other nominee, Heneage Finch (counsel to Charles),³⁴ was returned for West Looe. It is also possible that the duchy exerted electoral influence in Yorkshire as it subsequently did in 1624. In 1621, Knaresborough, in which the manor and castle were owned by the duchy,³⁵ returned Sir Henry Slingsby, receiver of the bailiwick of Knaresborough and the honours of Pontefract and Tickhill, Yorkshire, whilst Pontefract's senior MP George Shilleto was the receiver of the honour of Knaresborough.³⁶ The prince's council also nominated the captain of the king's guard, Sir Henry Rich, although Pontefract declined the invitation to elect two duchy candidates.³⁷

The picture is somewhat clearer for 1624. The duchy nominated candidates for the thirteen Cornish boroughs as well as for Plymouth. The latter again rebuffed the duchy but Bossiney, East Looe, Saltash, Fowey, and Launceston returned Sir Richard Weston (chancellor of the exchequer and privy councillor), Sir John Walter, Sir Thomas Trevor, William Noy, and Sir Francis Crane (auditor-general to Charles). In like manner to 1621, 'constituency-shuffling' took Thomas Carey (groom of Charles's bedchamber) from his nomination at Grampound to Helston, and Sir John Hobart, the son of the prince's chancellor, from West Looe to Lostwithiel. The prince also nominated his secretary, Sir Francis Cottington, at Chester, Warwick, and Bury St Edmunds, before he eventually secured a seat at Camelford.³⁸ Sir Thomas Crew, the Speaker of the 1624 Commons, was put forward at Helston but found a place at Aylesbury, Buckinghamshire.³⁹

Yorkshire came under severe pressure from the duchy. John Cartwright, the feodary of the honour of Pontefract, received a letter for communication to the

³¹ Membership of the prince's council, officeholders, and other officials can be found in the household accounts of Charles. PRO, SC 6/James I 1680-7.

³² DCRO, Warrants and Letters 1623-6, fo. 50.

³³ Cranfield (Arundel); Naunton (Cambridge University); Greville (Warwickshire in November sitting of parliament).

³⁴ PRO, SC 6/James I 1682-7.

³⁵ PRO, Exchequer (E) 306/12, box 2, no. 21, item 17.

³⁶ PRO, SC 6/James I 1680, 1682.

³⁷ DCRO, Letters and Patents 1620-1, fo. 98.

³⁸ DCRO, R/t/2, fos. 34v, 35v-36.

³⁹ DCRO, fo. 33r-v.

mayors or bailiffs of Pontefract, Beverley, Knaresborough, Boroughbridge, and Aldborough with a list of candidates attached.⁴⁰ Sir Henry Holcroft, the Pontefract nominee and successful candidate, was returned probably on duchy of Lancaster influence for Stockbridge, Hampshire,⁴¹ and the duchy of Cornwall attempted to place Robert Mynne in his position. However, the prince's council was ignored in a Yorkshire gentry squabble between the Saviles, Jacksons, and Beaumonts which was eventually mediated by the Commons' privileges committee.⁴² Charles had more luck at Beverley where Sir Henry Fane was elected (he chose to sit for Carlisle) and in his stead Sir Henry Carey received the first place.⁴³ Knaresborough, which had become parcel of the duchy in 1616, fought off the challenge of the duchy candidate, Sir Arthur Mainwaring, who was subsequently returned for Huntingdon. The impoverished twin settlements of Aldborough and Boroughbridge, rather surprisingly, were also able to withstand the duchy although the nominee at Boroughbridge, Sir Edward Verney, did find a seat at Buckingham.

The 'not anciently famous' town of Bewdley, Worcestershire, habitually elected courtiers after its enfranchisement in 1614.⁴⁴ In 1621, Sir Thomas Edmondes held the one burgess-ship and three years later a local landowner and servant of Prince Charles, Ralph Clare, was elected. The prince pressured the town through the earl of Northampton who was rather peremptorily informed that 'his Highness expects not to be disappointed herein'.⁴⁵ Edmondes was nominated for Coventry and St Albans. For the latter seat the council wrote to Viscount St Albans and William, second earl of Salisbury, urging them to use their influence, but to no avail. Edmondes eventually secured a place at Chichester, probably through the influence of his friend, the earl of Arundel, whilst the prince was probably content with Sir Edward Coke's election at Coventry. More success was had at Eye, Suffolk, where the honour had been added to the duchy in 1610 and 1616 as an apanage.⁴⁶ The council nominee, Francis Finch, was elected unopposed. In Hertford it was a different story. The borough was enfranchised in 1624 as a result of the pressure of the prince's council and at their charge, but when the election was held the duchy influence was not strong enough to overcome local interests and that of the earl of Salisbury.

J. K. Gruenfelder has been critical of the effectiveness of the prince's council,⁴⁷ but the duchy was among the most significant patrons in the realm. The 'relative' lack of success of the prince's electioneering must be balanced against the number of Charles's servants and nominees who secured seats in St

⁴⁰ DCRO, fo. 34.

⁴¹ History of Parliament Trust (HPT) unpublished draft biography of Sir Henry Holcroft.

⁴² *Commons Journal (CJ)*, 1, pp. 751, 797–8; *Wentworth papers, 1597–1628* (Camden Society, 4th ser., 12, (1973), pp. 202–3.

⁴³ DCRO, R/t/2, fo. 39r–v.

⁴⁴ Thomas Habington, *A survey of Worcestershire*, ed. John Amphlett (2 vols., Oxford, 1895), 1, 530; HPT unpublished draft constituency article of Bewdley.

⁴⁵ DCRO, R/t/2, fo. 35.

⁴⁶ W.A. Copinger, *The manors of Suffolk* (7 vols., London, 1905–11), III, p. 259.

⁴⁷ John K. Gruenfelder, *Influence in early Stuart elections, 1604–1640* (Columbus, OH, 1981), pp. 96–7.

Stephen's Chapel. As the appendix below illustrates, the prince could rely upon a formidable power bloc in the Commons. Furthermore, those nominated but not returned for duchy seats can still be counted as owing a debt to the prince, and it should not be forgotten that these men included his council officers. Thus, whilst Gruenfelder may be partly correct, Charles, as is demonstrated below, in alliance with his clients in the Commons and old and new allies in the Lords, was able to achieve many of his political and legislative aims.

III

Charles's intention to attend the daily sittings of parliament and influence its course was well known from the beginning of the 1621 session. John Chamberlain informed Sir Dudley Carleton that 'the Prince with a faire retinue and his guard went on foot on Thursday through King Street and Westminster Hall to the higher house of Parlemt, meaning he sayes to sit often there with the Lordes'.⁴⁸ And throughout both 1621 and 1624 his attendance was frequently commented upon: 'yt seems he is much improved by his diligent frequenting the parlement house, and observing how matters passed for he could not have lighted on such a schoole in a whole age to learne experience, and true diversitie of witts and humors'.⁴⁹ In March 1624, Alvise Valaresso, the Venetian ambassador to England, noted that 'the prince was present at all the parliamentary sessions of this week with the greatest diligence and increasing his reputation every moment'.⁵⁰

These comments are confirmed by an analysis of his attendance record in the Lords Journal. In 1621 the upper house sat for 109 sittings on 93 days. Of these Charles was noted as present in the register for 63 sittings (58 per cent) on 50 days (54 per cent). In her study of Henrician attendance, Helen Miller adopted a figure of 75 per cent (the 'Miller Index'), to denote a regular attendee – a figure also utilized by Michael Graves in his study of the mid-Tudor Lords.⁵¹ Superficially, it would appear that Charles falls a long way short of this, but as Graves has also noted, the Lords Journals cannot always be relied upon.⁵² In 1621 it is possible to discover that Charles was present at eight further sittings from the text of the Journal and three more from the Manuscript Minutes in the House of Lords' Record Office. This provides a total of 74 sittings or 68 per cent. A further complication is that from 27 November to 19 December, the last day of the session, the clerk of the parliaments did not record Charles's name in the register. The reason for this is unknown. This leaves the prince attending 74 of 92 sittings for which his name was recorded in the Journal (80 per cent). The matter is clearer in 1624 when he was recorded at 82 of 93 sittings (88 per

⁴⁸ *Letters of Chamberlain*, II, p. 343.

⁴⁹ *Ibid.*, p. 359.

⁵⁰ *Calendar of State Papers Venetian 1623–1625 (CSP Ven.)*, p. 242.

⁵¹ Helen Miller, 'Attendance in the House of Lords during the reign of Henry VIII', *HJ*, 10, (1967), p. 336; Michael A. R. Graves, *The House of Lords in the parliaments of Edward VI and Mary I* (Cambridge, 1981), p. 59.

⁵² Michael A. R. Graves, 'The two Lords' Journals of 1542', *Bulletin of the Institute of Historical Research*, 43, (1970), pp. 182–9.

cent) for 71 of 75 days (95 per cent). For both 1621 and more especially 1624, the use of the 'Miller Index' illustrates that Charles was a regular attender at parliament.

In the 1624 parliament Charles was very active politically and immediately plunged into the heart of parliamentary business when he assisted Buckingham in his relation of the events in Spain on 24 February. Indeed, Charles wasted little time, moving on 23 February for the Commons to be sent for to hear the Relation.⁵³ The following day Buckingham, ably assisted by the prince, delivered the 'selective' version of the events surrounding the Spanish Match.⁵⁴ Copies of the Relation, along with breviates, were ordered by many. As Thomas Cogswell has noted, 'a copy of the Relation was almost de rigeur for a gentleman's separate collection'.⁵⁵ Charles did his utmost to further the breaking of the treaties and attempted to sway his father into a precipitate course of action. In the Lords he suggested on 28 February that urgent preparations should be made for war 'after they have determined not to treat. To begin[n]e w[i]th Spaine other wise they will beginne w[i]th us.'⁵⁶ The Lords, taking the prince's motion to heart, plunged headlong into war preparations. Charles, of course, ultimately got his wish – the treaties were broken and England went to war. However, this was not achieved without considerable effort and, effectively, after the death of his father. The treaties were already broken, in spirit if not in fact, and the prospect of a Spanish marriage had long since receded. It is also necessary to temper enthusiasm for the influence which Charles was able to exert. The eventual amount of the subsidies was inadequate to finance an offensive war, and even amongst the war supporters, Sir Benjamin Rudyerd, Digges, John Pym, Thomas Wentworth, and to a lesser extent Coke, Phelips, and Sandys, there was no great push for sufficient finance. Russell is right to stress the importance of Edward Alford's 'country/county' sentiments and the localism of the majority of MPs.⁵⁷ Nevertheless, Charles was not thwarted in his aspirations: he succeeded in convincing the Commons to provide subsidies earmarked for a war against Spain and nurtured and played to the general anti-Spanish feeling always present in the lower house.

The other activities of the 'prince in parliament' bear close scrutiny. It is not possible to determine which committees he was appointed to or attended after 24 April 1621 when the Lords agreed to the motion by the lord chief justice, Sir James Ley, 'that the Prince at his pleasure may bee to any Com[m]ittee though not nomynated'⁵⁸ and ordered that it be entered in the Journal. It is, however, possible to determine many of the matters which interested him and to see how his presence affected the House. Despite the equality of the peers it is clear that Charles brought a new dimension to the Lords. In a dispute between the earl of Berkshire and Lord Scrope, which resulted in Berkshire physically pushing Scrope, part of the general condemnation was not only that it had taken place

⁵³ *LD 1624 and 1626*, p. 1; *LJ*, III, pp. 215–16.

⁵⁵ Cogswell, *English politics*, p. 172.

⁵⁷ Russell, *Parliaments*, pp. 18–21, 181.

⁵⁴ *LJ*, III, pp. 220–33.

⁵⁶ HLRO, MS Mins., II, fo. 20.

⁵⁸ HLRO, MS Mins., I, fo. 38.

in the Lords but in front of the prince. When Berkshire apologized for his behaviour he also

went up to the Prince, in the upper end of the House, and on his knee, used private speech unto his highness, with a low voice not to be heard, nor audible to the Lords present, which seemed to be an acknowledgement and submission, in respect that his offence was committed in his highness' presence.

Berkshire and Scrope were then publicly reconciled in front of Charles.⁵⁹

One of Charles's most significant roles was to act as a conduit between the king and the two Houses. He carried messages from the king appointing the time and place of royal audiences, requested meetings on behalf of the houses and delivered the commissions adjourning parliament on 4 June and 19 December 1621.⁶⁰ James was impressed by his son's conduct and his role as messenger. On 26 March he informed the Lords that '... the Lords have taken the right Way to catch a King ... by speaking to Him by His son.'⁶¹ However, Charles did not always know his father's mind and caused great consternation in the clerk's office when he interrupted the king's speech on 13 March 1624, commenting that his father would not ask for supply for his own needs. This was certainly not James's intention, and as Professor Russell has noted, the clerk interlined the interruption between square brackets on the side of the parliament roll.⁶² Charles also got himself into a tangle over the praemunire clause in the Monopolies Bill when he claimed that the king would not pass the measure without a saving for privy councillors.⁶³ The king had no objections, however; Charles withdrew his opposition and the bill was enacted as 21 James I cap. 3. Indeed, Charles's support for the measure was crucial and he appears to have induced the Lords into giving the measure a reluctant third reading late in the session.⁶⁴

The prince was also involved in procedure. Clearly weary of the protracted dispute over Sir Giles Mompesson, on 22 March 1621 he moved that no lord should speak twice to one matter on a single day.⁶⁵ On other occasions he requested that orders of the House be entered in the Journal and that the Lords should not sit on 19 April 1624 as it was the day of the duke of Richmond's funeral.⁶⁶ But in 1621 the matter with which Charles was most involved was the proceeding against Sir Henry Yelverton. The latter, under attack in the Commons for his refereeship of some of the more odious monopolies, was already imprisoned in the Tower for infringing the crown's rights when he drafted and approved London's new charter. Yelverton did not help his cause by comparing Buckingham and James with Hugh Le Despenser and Edward II.⁶⁷ Charles, never the most patient when in the House, chided the Lords on 8 May, 'yo[u]r lo[rdshi]ps have heard the answeres of Sir Yelverton. I humbly desire yo[u]r lo[rdshi]ps that you will proceed on as the king has desired either

⁵⁹ *LJ*, III, p. 23.

⁶⁰ *Ibid.*, pp. 158, 200.

⁶¹ *Ibid.*, p. 72.

⁶² Russell, *Parliaments*, p. 186.

⁶³ *LD 1624 and 1626*, p. 97.

⁶⁴ *LJ*, III, p. 400; *LD 1624 and 1626*, p. 101.

⁶⁵ *LJ*, III, p. 63.

⁶⁶ *Ibid.*, p. 312.

⁶⁷ *Ibid.*, p. 121.

to clere him or Condempned.⁶⁸ After an inconclusive debate later in the day he moved that the attorney-general should collect Yelverton's notes and bring them into the House.⁶⁹ Six days later he agreed to inform the king of Yelverton's conduct in the House that day. On 15 May Charles again sought judgement on the disgraced ex-attorney-general and 'putt their lo[rds]hips in mynde that yt was this afternoone appointed to passe to Sentence touching Sir Hen[ry] Yelverton [and] whether his speech yesterday hath altered any of yo[u]r lo[rds]hips'.⁷⁰ The sustained pressure from the king, through Charles's and Buckingham's faction, could no longer be resisted – Yelverton was sentenced the same day for impugning the king's honour and the following day for his attack on Buckingham.⁷¹ Charles was also involved with the proceedings against the lord chancellor, Francis Viscount St Albans, although mainly as a messenger between the king and the Houses.⁷² Furthermore he supported the attack on Francis Mitchell, but when the bishop of Landaff, Theophilus Field, came under scrutiny for alleged bribery, he again wished the Lords to make haste in deciding whether to condemn or clear him.⁷³

In another area he achieved the aims of both himself and Buckingham – the removal of Lord Treasurer Middlesex from office in 1624.⁷⁴ However, whilst the Commons, through the medium of the committee of trade, organized its case for Cranfield accepting bribes, Charles was not content to wait. He suggested on 12 April that if the expected charges failed to materialize from the lower house then 'we shall be ready to goe on yt otherwise alone'.⁷⁵ Three days later, the Commons presented the charges, and the alliance of the duke and the prince ensured the downfall of Cranfield. James, although unwilling to protect Middlesex because of the weight of evidence against him, uttered the oft-quoted and prophetic statement that the prince 'would live to have his belly full of parliaments: and when he should be dead, he would have much cause to remember, how much he had contributed to the weakening of the crown, by this precedent he was now so fond of'.⁷⁶

There is a fundamental difference in the participation of Charles in 1621 and 1624. The former was a political apprenticeship probably designed by James to educate the prince in the realities of politics and kingship. He primarily acted as a messenger between the king and the two Houses. But his summoning of Charles backfired on James in 1624 when a now politically active prince with a personal agenda used his established place and position in parliament to hijack the king's foreign policy. Charles busied himself with important political questions and continually chided and cajoled parliament in the direction he wanted it to go. The prince's activism is also manifest from his involvement in the proceedings against Middlesex, in an increased attendance level and a

⁶⁸ HLRO, MS Mins., I, fo. 106. ⁶⁹ Ibid., fo. 107. ⁷⁰ Ibid., fo. 112.

⁷¹ *LJ*, III, pp. 123–5. ⁷² Ibid., pp. 101, 102, 106; HLRO, MS Mins., I, fos. 30, 48.

⁷³ *LJ*, III, p. 128; HLRO, MS Mins., I, fos. 69, 123

⁷⁴ On Cranfield's demise cf. Ruigh, *Parliament of 1624*, ch. vi.

⁷⁵ HLRO, MS Mins., III, fo. 16v.

⁷⁶ Edward Hyde, earl of Clarendon, *History of the rebellion*, I, p. 37. Quoted in Ruigh, *Parliament of 1624*, p. 336.

heightened impatience with the slowness of proceedings. His extraordinary behaviour in interrupting the king's speech vividly illustrates the ever-present problem of handling the reversionary interest.

IV

Charles did not only use parliament in order to further his political objectives but also to promote legislation to benefit himself and the duchy of Cornwall. The three bills which most directly concerned the prince in 1621 and 1624 were 'An Act to enable the most excellent Prince Charles to make leases of lands, parcel of His Highness Duchy of Cornwall, or annexed to the same', 'An Act for the Confirmation of an Exchange of Lands between the most Excellent Prince Charles and Sir Lewis Watson Knight and Baronet', and 'An Act to enable Dame Alice Dudley, wife of Sir Robert Dudley Knight, to assure her estate in the Manor of Killingworth ... for valuable consideration to the Prince His Highness and His Heirs'. The leases measure clarified a legal question of inheritance which related to the validity of leases made by Prince Charles. It enacted that all leases to be made hereafter by Charles were valid against any claims from the crown, the prince himself, or any lessee or inheritor. Leases were not to exceed three lives or thirty-one years. Furthermore, the rental was to continue at the rate it had been for the last twenty years. If the amount could not be determined according to this formula, then the rental should be 'reasonable' but not under a twentieth part of the clear yearly capital value of the lands, tenements, and hereditaments contained in the lease. One saving clause allowed claims to the land through the customary judicial channels from anyone other than the crown, prince, or lessee.⁷⁷ The *raison d'être* of the bill was the actions of Charles who had attempted to improve profitability by arguing that all leases made before his creation as duke of Cornwall were invalid. This meant that all the leases could be renegotiated. These attempts had a two-fold effect: they caused great concern amongst duchy tenants and lessened the desirability of the leases.⁷⁸ Thus the bill was a concession from the prince to his tenants.

On 22 February 1621 the Lords gave two readings to the bill and committed it to a large committee of twenty-four peers, with four legal assistants and counsel to the prince in attendance. Four days later the lord chancellor reported the measure with certain amendments which received two readings and the bill was ordered to be engrossed. The following day it received a third reading and passed the upper house.⁷⁹ After its expeditious passage through the Lords it arrived in the Commons on 27 February and was immediately given a first reading.⁸⁰ It was read for a second time the next day, after which the

⁷⁷ 21 James I cap. 29.

⁷⁸ I am grateful to Dr Paul Hunneyball for a discussion of this matter.

⁷⁹ *LJ*, III, pp. 26, 29, 31.

⁸⁰ *CJ*, I, p. 529; *Commons Debates 1621 (CD 1621)*, eds. Wallace Notestein, Frances Helen Relf, and Hartley Simpson (7 vols., New Haven, 1935), II, p. 144; IV, p. 110, V, pp. 259–60, VI, p. 14.

debate was started by Edward Alford who considered that the bill should be extended to encompass those leases which had already been made. John Wood then explained the difference between the old duchy lands and those recently acquired.⁸¹ He hoped that no changes would be made to the old customary estates and tendered a proviso to that effect. William Noy, acting for the prince, answered Alford and Wood. He noted there was a saving to protect customary estates and informed Alford that no leases had ever been granted. Coke then entered the discussion, praising the intention of Charles to secure the leases of his tenants but considering that the bill should be reviewed. John Glanville concurred with Coke that the bill was of good intent but needed some amendment. He considered that previous leases should be included and that it should extend to the time after the prince became king. In addition, he wished to amend the measure to allow any duke of Cornwall to make binding leases. To these suggestions, another of the prince's legal advisers replied – his attorney-general, Sir John Walter. He stated that it was Charles's wish to remove uncertainty from his tenants. Walter received support from the prince's solicitor-general, Sir Thomas Trevor. It was then committed to all the privy council, the knights and burgesses of Devon and Cornwall, those of the prince's tenants who sat in the Commons, all the prince's counsel, and seven named members.⁸² Coke reported the bill on 3 March with minor wording amendments⁸³ and on 15 March the Commons gave the measure a third reading at which time it passed the House 'without one negative' and was returned to the Lords.⁸⁴ However, like other 1621 bills it was not presented for the royal assent.

In 1624 the bill was introduced in the Commons. It received a first reading on 3 March and was committed at the second reading six days later.⁸⁵ John Sawle, however, was not satisfied with the bill.⁸⁶ He held land in one of the ancient manors of the 1377 charter, Tewington, and these conventional tenures were meant to be renewed every seven years.⁸⁷ This arrangement in practice offered a high degree of security, but a legal case in 1594, finally resolved by a direct appeal to Queen Elizabeth, highlighted the conflict of opinion between the duchy and its conventional tenants over the nature of the inheritance. The duchy claimed that the tenants only held their land *ad voluntatem domini*, whilst the tenants considered that their tenure was hereditary.⁸⁸ The duchy, however, had failed to renew many of these tenures after 1607 and the proposed bill seemed to remove the ancient conventional

⁸¹ Duchy land was divided into two types. The 'ancient' lands were those included in the charter of Edward III when the Black Prince was created duke of Cornwall. The second category was those which had subsequently been annexed to the Duchy. Doddridge, *Duchy*, pp. 82–3.

⁸² *CJ*, I, p. 531; *CD 1621*, II, p. 148, IV, pp. 114–15, V, pp. 264, 529–31, VI, pp. 18–19.

⁸³ *CJ*, I, p. 537; *CD 1621*, V, p. 270.

⁸⁴ *CJ*, I, p. 555; *CD 1621*, II, p. 231, IV, p. 159, V, pp. 43, 301.

⁸⁵ *CJ*, I, pp. 676, 680, 726, 731.

⁸⁶ BL, Harleian (Harl.) 6383, diary of John Holles, 1624 parliament, fo. 94v.

⁸⁷ PRO, E 317/Corn/43.

⁸⁸ P. L. Hull, 'Richard Carew's discourse about the duchy suit, 1594', *Journal of the Royal Institute of Cornwall*, new ser., 4, (1962), pp. 181–98.

tenure. Coke reported the measure on 11 March with some minor amendments, none of which took into consideration Sawle's concerns, and it was ordered to be engrossed.⁸⁹ Two days later it passed the house at the third reading and was carried up to the Lords 'alone with recommendation of affection' by Sir Thomas Edmondes.⁹⁰ In the upper house it received a first and second reading, was committed and reported without amendment and expedited at the third reading all on 16 March.⁹¹ At the end of the session it was enacted as 21 James I cap. 29.

Two interesting points arise from the introduction and passage of the bill. First, the phraseology of the preamble. It is a direct appeal from Charles to his father to pass the bill through the forum of parliament. It reads 'in most humble wise beseecheth your most excellent Majestie your humble and obedient Sonne and Suppliant Charles Prince of Wales'. This style of wording is not present in any other 1624 act. Indeed, neither is it present in the acts passed for Arthur or Henry Tudor when they were princes of Wales. The form of preamble, whilst specific to the prince of Wales (or possibly any child of the king) was probably drawn by one of the prince's legal advisers – Finch, Noy, Walter, or Trevor. Furthermore, the passage of the bill in 1621 differs from that in 1624. In the earlier parliament it was introduced in the Lords; three years later it started in the Commons. There does not appear to be any obvious reason for this course of action apart from the possibility that the draft was held by a member of the prince's council who sat in the Commons.

The two other bills, the exchange of lands with Sir Lewis Watson and the jointure of Dame Alice Dudley, both started in the Lords in 1621 and 1624. They proceeded slowly through parliament in 1621⁹² but three years later quickly progressed through the Houses before being enacted.⁹³ The Dudley bill arrived in the Commons singly, as the underclerk of the parliaments noted: 'the Eminency of the Prince his Highness considered, they have sent it alone'.⁹⁴

The Dudley bill resolved a problem which had continued throughout James's reign. Alice Dudley, the daughter of Sir Thomas Leigh of Stoneleigh, Warwickshire, married Sir Robert Dudley, the son of Robert, earl of Leicester, in 1597. Sir Robert was engaged in an attempt to prove his legitimacy and thus to claim the titles of the earldoms of Leicester (from his father) and Warwick (from his uncle). After lengthy court proceedings, Dudley obtained a licence to travel overseas and left with his 'page', Elizabeth Southwell, by whom he subsequently had thirteen children. He settled in Florence, converted to Catholicism, and married Elizabeth by papal dispensation. Subsequently, he served a variety of Italian nobles and wrote a number of authoritative works on mathematics, engineering, and naval design. In 1620 he was created earl of

⁸⁹ *CJ*, 1, pp. 682, 732.

⁹⁰ *Ibid.*, pp. 685, 736; BL, Harl. 159, fo. 84, diary of Sir Simonds D'Ewes, 1624 parliament.

⁹¹ *LJ*, III, p. 263.

⁹² *Ibid.*, pp. 114, 126, 172, 173, 182, 184, 185, 188; *CJ*, 1, pp. 627, 652.

⁹³ *LJ*, III, pp. 243, 244, 246, 250, 257, 260, 268; *CJ*, 1, pp. 685, 736, 744, 747, 748–9, 758, 763.

⁹⁴ *CJ*, 1, pp. 685, 736.

Warwick and duke of Northumberland in the honours of the Holy Roman Empire.⁹⁵

Whilst Dudley's career was on the rise on the continent, his wife was left to solve the problems created by his departure from England. He was ordered to return to England to answer charges that he had styled himself earl of Warwick.⁹⁶ His failure to appear resulted in the crown's forced sale of his property, including the jointure lands.⁹⁷ The most substantial of these, Kenilworth, was purchased by Prince Henry in 1611 but no money ever reached Sir Robert.⁹⁸ Henry's death in 1612 reopened claims to the land. In 1616 Alice's father Sir Thomas Leigh petitioned the privy council to sell the lands for the benefit of his daughter and her children.⁹⁹ Finally, it appears that an agreement was reached between Prince Charles and Alice. He agreed to purchase the lands for the sum of £4,000 and obtain an act of parliament to clarify and fully validate the transaction.¹⁰⁰ Charles, now with his title to the land assured, leased it to his long-term friend, servant, and member of the Lords' committee on the bill, Robert Lord Carey of Leppington.¹⁰¹

The Watson bill also has interesting and revealing origins. Watson was a close friend of the duke of Buckingham and a constant fixture at court.¹⁰² He succeeded to his father's estates in 1617 and obtained a patent to the fee of Rockingham Castle.¹⁰³ The bill introduced to parliament gave statutory authority to the indenture made between Charles and Watson for Rockingham. The indenture was an exchange of lands: Watson obtained Rockingham and deeded to Charles the manor of Garthorp in Leicestershire. The reason for the exchange can be found in the preamble to the bill:

butt forasmuch as the said Mannor or Rockingham, had for soe long tyme continued in the possession of the said Sir Lewes Watson, and his Auncestors... [and] as that the marks, Meeres, and boundaries of the said Landes... were altogether decayed, and worne out of memory. Insomuch as the said lands lying amongst other freehold lands there of the said Sir Lewes Watson, the same could not be certenly knowne and distinguished.¹⁰⁴

It went on to note that Watson was desirous to retain Rockingham and had thus become a suitor to the prince. The bill was introduced to parliament 'as noe perfect assurance canne be made to the aforesaid Sir Lewes Watson but by Acte of Parleiamet'.¹⁰⁵

An examination of those who were named to the above bill committees and who spoke in the debates reveals a high degree of parliamentary organization and politicking. During the passage of Charles's bill concerning duchy leases

⁹⁵ *Dictionary of National Biography (DNB)*.

⁹⁶ PRO, SP 14/26/41.

⁹⁷ *Victoria county history of England, Warwickshire* (8 vols., London, 1904–69), vi, p. 138.

⁹⁸ *Ibid.* Cf. PRO, SP 14/61/52, 14/71/40, 14/72/93, 14/74/35.

⁹⁹ *Acts of the Privy Council, 1615–1616*, xxxiv, pp. 555–6. ¹⁰⁰ PRO, SP 14/127/128.

¹⁰¹ Carey was chamberlain of the household to Prince Charles and was subsequently created earl of Monmouth. P. W. Hasler, ed., *The House of Commons, 1558–1603* (London, HPT, 1981), 1, pp. 550–1.

¹⁰² *DNB*.

¹⁰³ PRO, Chancery (C) 66/2073.

¹⁰⁴ 21 James I cap. 47.

¹⁰⁵ *Ibid.*

those appointed to the committee in the Commons included Sir Thomas Edmondson (privy councillor, treasurer of the household and an electoral nominee of the duchy); Sir Francis Cottington (secretary to the prince); Sir Thomas Trevor (solicitor-general to Charles); Sir John Walter (attorney-general to Charles); Sir John Scudamore, Sir Francis Fane, and Sir Francis Crane (prince's councillors); Sir Edmund Verney and Sir Ralph Clare (gentlemen of the prince's chamber); Sir Richard Vaughan (son of the prince's comptroller); Sir Oliver Cromwell (master of the prince's game); Heneage Finch and William Noy (counsel to Charles); and Sir John Hobart (son of the prince's chancellor). In the appendix below, the membership of the 1624 Commons' committees for the three bills is set out. The table illustrates a direct connection between Charles and seventeen of the twenty-one named members to the duchy bill. A similar pattern can be discerned with the Watson and Dudley bills. Whilst it is not possible to discover who attended the committee meetings the evidence here for 'packing' the committees is substantial.

Charles's and the duchy's interest in legislation did not end here. The council was active in promoting the bill to enfranchise Durham because one of the projected parliamentary seats was Barnard Castle, which was parcel of the duchy. In 1621 the bill was sponsored and promoted by Ralph Fetherstonhaugh and Sir Talbot Bowes. Fetherstonhaugh, of Stanhope Hall, co. Durham, was a tenant of the prince in the Lordship of Brancpath, co. Durham¹⁰⁶ and for his expenses incurred 'it pleased the Princes highnes to bestowe the som[m]e of xxli. towards the charges of the passing of the Bill of the Burgesses for the towne of Barney Castle in the Bis[hop]rick of Durham in the high Court of Parliam[en]t.'¹⁰⁷ Bowes was the largest local landowner in Teesside and held the position of constable of Barnard Castle from the duchy.¹⁰⁸ He was named to the bill committee and when Sir Thomas Wentworth moved to leave out Barnard Castle in favour of the seaport, Hartlepool, he noted that 'in Hartlepool not a sufficient man dwelling to serve; in Barnard Castle many. This the Prince's town, Hartlepool a subject's.'¹⁰⁹ The debate concluded with the vote to maintain Barnard Castle in preference to Hartlepool. In 1624 the prince's hopes of gaining further electoral patronage were defeated by his father who vetoed the Durham bill, stating 'ye have manie burgesses that come to Parliam[en]t from burroughes quite decayed as from ould Sarum where there is nothing but Conies'.¹¹⁰

'An Act concerning Brewhouses in and about London and Westminster' was probably officially sponsored by Charles. It enacted that no brewhouse could use sea-coal within a mile of the residences of the king or prince.¹¹¹ More specifically, it was designed to benefit Prince Charles who, from his residence of St James's Palace, was annoyed with the brewhouses on 'Tuttle Street'.

¹⁰⁶ DCRO, Warrants and Letters 1621–3, fo. 157v.

¹⁰⁷ DCRO, Letters and Patents 1620–1, fo. 121v, Warrants and Letters 1621–3, fo. 157v.

¹⁰⁸ PRO, C 66/1842/2, E 112/261/194, rots. 1, 3; Durham Record Office, D/St/D1/3/26 (ii).

I am grateful to Simon Healy for these references.

¹⁰⁹ *CJ*, 1, pp. 539, 553.

¹¹⁰ BL, Harl. 159, fo. 133r–v.

¹¹¹ BL, Add. 26,639, fo. 35, diary of John Pym, 1624 parliament.

Thus it sought the removal of any such establishments between Westminster Bridge and Tothill Fields.¹¹² The bill was introduced in the Lords, received two readings and was committed on 19 March 1624.¹¹³ After some delays, seemingly in getting the committee to meet, the bill was reported on 5 May. The amendments received two readings and the measure was ordered to be engrossed.¹¹⁴ On 8 May it passed the upper house and was carried to the Commons with a message that it was ‘specially commended by the Prince his Highness’.¹¹⁵ The lower house gave the bill a first reading as soon as it was received and it was committed at the second reading on 19 May.¹¹⁶ On the last day of parliament the solicitor-general informed the house that the committee considered the bill was ‘fit to rest’ and the Commons agreed with the committee.¹¹⁷ Sir Francis Nethersole had informed Sir Dudley Carleton that the Commons hesitated to pass the bill since it would damage the estates of many people. Nevertheless, as he went on, ‘they may do so to please the Prince’.¹¹⁸ Nethersole was incorrect and Charles was forced to suffer the pollution of Tothill Street for another ten months before his elevation to the throne enabled him to change residences.

Duchy influence can also be traced in the 1621 Pewterers bill and the measure to suppress Henry Heron’s West Country monopoly of drying and salting fish. The former bill would have adversely affected Charles’s interests in the Cornish tin mining industry and Edward Salter, a duchy nominee and carver in the prince’s household,¹¹⁹ joined Sir George More and Sir Robert Killigrew in ensuring the bill was rejected at the first reading on 14 May 1621.¹²⁰ The Heron bill was promoted by John Arundell of Trerice, Cornwall, and William Noy, the counsel to Charles, who had recently acted against Heron’s patent in a legal case. At the end of the session the bill was enacted as 21 James I cap. 11.¹²¹

V

Charles’s legislative success in 1621 and 1624 was impressive. Indeed, whether seeking to enact legislation or disrupt its progress, the only times Charles was thwarted were over the brewhouses measure and his father’s veto of the Durham bill. Parliament, although an effective forum, was certainly not a cheap one. In 1621 the officers of the parliament divided £14 3s. 4d. for the Kenilworth bill whilst the Kenilworth and Rockingham measures in 1624 cost

¹¹² Westminster Bridge was the name for the landing place by the west gate of Westminster Palace. From there, Tothill Street ran parallel to St James Park. The entrance to Tothill Fields was Petty France. John Stow, *Survey of London*, ed. Charles Lethbridge Kingsford (2 vols., Oxford, 1908), II, pp. 122–3. See also the maps of Faithorne and Newcourt (1658) and William Morgan (1682). ¹¹³ *LJ*, III, p. 269. ¹¹⁴ *Ibid.*, p. 342. ¹¹⁵ *Ibid.*, pp. 362–3.

¹¹⁶ *CJ*, I, pp. 701, 705, 786, 790.

¹¹⁷ *Ibid.*, pp. 715, 798.

¹¹⁸ PRO, SP 14/165/34.

¹¹⁹ PRO, Star Chamber (STAC) 8/262/9, rot. 2; *ibid.*, Lord Chamberlain (LC) 2/4/5, fo. 43v; *ibid.*, SC 6/James I, 1685–6.

¹²⁰ HLRO, Main papers, 14 May 1621; HPT, unpublished draft biography of Edward Salter.

¹²¹ Chris R. Kyle, ‘Lex loquens: legislation in the parliament of 1624’ (Ph.D. dissertation, Auckland, 1993), pp. 148–52.

the prince in excess of £100 in fees alone.¹²² In addition, William Mylnes in 1624 received £14 for riding to Yorkshire with the election letters for John Cartwright.¹²³ The emphasis here in discussing Charles and the duchy has been upon the former. But as Graham Haslam has shown, a duchy lobby can be identified as early as 1606.¹²⁴ Charles, it is true, acted in concert with his officers and clients. Nevertheless, it was his attendance and presence in the Lords which gave the legislative agenda impetus and weight. It was also his and Buckingham's political programme which necessitated the pressure so evident in the electioneering. And, as has been seen above, Charles was personally involved in both the elections and the legislative process.

Charles's attendance at parliament and his day-to-day activities in the House of Lords greatly enhanced his personal standing. Sir Edward Coke, of whom Charles rashly stated that 'he was never wearie with heareinge Cooke, he mingled mirth with busines to so good purpose',¹²⁵ commented in 1621, that 'he was happy to have a Prince a director in parliament'.¹²⁶ Indeed, Coke was full of praise for Charles. He later noted that '[the prince] was an excellent instrument for us in parliament in his father's time and obtained for us a limitation of *nullum tempus occurrit regi*, and many other good laws'.¹²⁷ In his closing speech on 29 May 1624, Bishop John Williams, the lord keeper, was effusive in his thanks: 'as for the bill of grace for the Prince whoe is grace it self, and must bee full of goodnes, if that hee bee the sonne of such as gracious father'.¹²⁸ In 1621, the Venetian ambassador, Girolamo Lando, was impressed by Charles's behaviour

very remarkable is the popularity acquired by the prince during the time that parliament has met, as he devoted his talents and prudence there to, which has overcome prejudice, but it is even more remarkable that the King has seemed highly gratified, as in some sense the prince has served as a tie to unite his Majesty and his people.¹²⁹

The political apprenticeship of Charles exceeded that of any other monarch, perhaps since Henry V. In 1626 Charles was reminded of this apprenticeship when he attempted to deny counsel to the earl of Bristol – 'that in 1624, when he had been present in the House as Prince, the Standing Orders concerning counsel had been passed'.¹³⁰ But he also remembered his days there, commenting on the earl of Arundel's imprisonment, 'I have been of the house myself and never knew such a message to be sent from one house to another.'¹³¹ The impression is that of a king who when he ascended the throne came with

¹²² DCRO, Warrants and Letters 1621–3, fo. 9, Warrants and Letters 1623–6, fo. 87v, Acts of the Council 1624, fo. 44.

¹²³ DCRO, Acts of the Council, 1624, fo. 37.

¹²⁴ G. Haslam, 'An administrative study of the duchy of Cornwall' (Ph.D. dissertation, Louisiana State University, 1995), pp. xi–xxii.

¹²⁵ *CD 1621*, v, p. 43. Quoted in Robert Zaller, *The parliament of 1621: a study in constitutional conflict* (Berkeley, 1971) p. 74.

¹²⁶ *CD 1621*, III, p. 40.

¹²⁷ BL, Stowe MS 366, fo. 38v. Coke was referring to the Concealments' Act, 21 James I cap. 2.

¹²⁸ BL, Harl. 6799, fo. 116v.

¹²⁹ *CSP Ven. 1621–1623*, pp. 67–8.

¹³⁰ *LD 1624 and 1626*, pp. 200–1; *LJ*, III, p. 627; *Historical Manuscripts Commission (HMC) Buccleuch*, III, p. 293.

¹³¹ *HMC Buccleuch*, III, p. 289.

an excellent working knowledge of parliament. He could not only view it from the lofty standpoint of his predecessors, making occasional appearances and hearing the business, speeches, and gossip second-hand, but as an integral part of its workings. He was aware of the minutiae of procedure, the partaking of wafers and hypocras in committees, the attendance on the open fire in the Lords by functionaries. Christopher Brooke had called the 1624 session ‘the Prince’s parliament’,¹³² Rudyerd remembered him as ‘a prince bred up in parliaments’.¹³³

Charles acted on a miscellany of platforms whilst in parliament. He had become an experienced parliament-man and an assiduous attender in the upper house. He had also assisted those in the Commons who, over opposition from the Lords, promoted some of the more important bills in the period, such as those on monopolies and concealments. But he had also used it as his own forum to achieve his personal aims. In essence, in manipulating parliament on a variety of levels – elections, legislation, grand political designs, and in the removal of those opposed to his policies – Charles had shown the highest court in the land little respect. He treated it simply as an instrument of his own ‘personal rule’ and perhaps therein set the pattern for the later 1620s. For Charles was not the MP for, say, a corporate town, able to concentrate on the narrow interests of his locality and acting in isolation, he was the heir to the throne and soon to become king.

When Charles summoned his first parliament in 1625 he knew how it operated and should have known what to expect, but his cavalier attitude towards parliamentary procedure continued after his accession. His astonishing desire to continue the 1624 parliament, which was automatically dissolved upon James’s death, and not call new elections, bespoke a monarch who would disregard procedure if it did not suit him.¹³⁴ However, Charles was not unwilling to take counsel, and writs were sent out for a new parliament. From the beginning the omens were not good, when MPs waited in London hearing little but rumours of Catholic toleration embodied in the still uncompleted French marriage negotiations, news of further prorogations, and English ships serving under the French to attack Protestants.¹³⁵ By the time parliament eventually assembled on 18 June, two days after Henrietta Maria’s arrival in London, one of the worst plagues of the century was rampant in London.¹³⁶ Parliament, and the Commons in particular, was already in a worried and fractious mood. The war, such as it was, was not a great success, and there was not a legislative programme of any consequence – indeed parliament was brutally and simply assembled for supply. The London sitting, hampered by an ever diminishing attendance in both the Lords and Commons, achieved little. The decision to adjourn it to Oxford, which was also affected by the plague,

¹³² BL, Harl. 6383, fo. 96v, diary of John Holles, 1624 parliament.

¹³³ Russell, *Parliaments*, p. 212.

¹³⁴ J. Hackett, *Scrinia Reserata* (Cambridge, 1700), pp. 157–8.

¹³⁵ Russell, *Parliaments*, pp. 204–5.

¹³⁶ Peter Clark and Paul Slack, *English towns in transition, 1500–1700* (London, 1976), p. 89.

can only be viewed as the height of folly, especially as the experiences of 1621 and 1624 should have taught the king that an additional vote of supply would not be forthcoming. Why then did the ‘prince bred up in parliaments’ so mismanage his first as king?

The answer to this lies in a combination of circumstances. To some degree, as Russell has acknowledged, bad luck played its part: the death of James in the spring, the severity of the plague, and the difficulties in concluding the marriage negotiations.¹³⁷ But Charles and Buckingham must also share the blame. Russell has noted that only a principled belief in parliamentary institutions can explain the effort Charles made to work them between 1625 and 1628.¹³⁸ Yet perhaps Charles made the mistake Russell attributes to modern historians: he treated parliament as a continuous institution, rather than an occasional ‘institutional event’, and assumed that his influence in 1624 would persist effortlessly into the new parliament. It is doubtful that Charles grasped how transient parliaments were. As monarchs before him had discovered, it was not possible to rely on past successes, but necessary to manage each session. To sit in the Lords in 1624 riding a wave of anti-popish and anti-Spanish feeling was one thing; to preside over one as king when the war had started and fears of religious change were being openly voiced was another matter entirely. Charles’s manipulation of parliament in 1624 coincided with the general mood of the assembly; the attempt to do the same in 1625 in different political and diplomatic circumstances was a failure. The apparent political triumph of Charles in 1624 was illusory in so far as it rode with the tide; the memory of it was a snare and delusion for Charles. It gave him a fatal self-confidence that he could manipulate parliament whatever the circumstances. When Salisbury addressed a joint sitting of the Lords and Commons in 1610 on the precedents for Henry’s creation as prince of Wales in parliament he stated that ‘every one of those [princes of Wales] that have been made out of parliament have been princes of infortunity’. He called this an ‘an old wives tale’.¹³⁹ I wonder.

Appendix: Membership of Committees for Bills of Prince Charles in 1624

Name	Offices Held/Patronage	Committees
Beecher, Sir William	Clerk of the Privy Council Client of Buckingham	Watson
Bertie, Sir Montague	Nephew-in-law of Watson	Watson
Calvert, Sir George	Secretary of State	Watson Dudley
Chichester, Sir John		Duchy leases
Clare, Sir Ralph	Gent. of prince’s privy chamber Attended prince in Spain 1623 Electoral nominee, prince’s council	Duchy leases

¹³⁷ Russell, *Parliaments*, pp. 204–5.

¹³⁸ *Ibid.*, pp. 422–3.

¹³⁹ *Proceedings in parliament* 1610, II, pp. 11–13.

Appendix (cont.)

Name	Offices Held/Patronage	Committees
Coke, Sir Edward	Duchy tenant Electoral nominee, prince's council 1621	Duchy leases Dudley
Cotterell, Clement	Court candidate Client of Buckingham	Watson
Cottingham, Sir Francis	Secretary to Prince Charles Prince's council Electoral nominee	Duchy leases Watson
Crane, Sir Francis	Prince's council Auditor-general to Prince Charles Electoral nominee	Duchy leases Dudley
Cromwell, Sir Oliver	Prince's council Master of the prince's game	Duchy leases
Drake, Sir John	Brother-in-law of Sir Edward Howard Married into Villier's family	Watson
Edmondes, Sir Thomas	Treasurer king's household Privy councillor Electoral nominee	Duchy leases Dudley
Fane, Sir Francis	Prince's council	Duchy leases Dudley
Fanshawe, Thomas	Prince's council Surveyor-general to Prince Charles Clerk of the crown, King's Bench	Dudley
Finch, Heneage	Counsel to Prince Charles Electoral nominee, 1621 Recorder, London	Duchy leases
Glanville, John	Recorder, Plymouth Spoke in favour of leases' bill, 1624	Duchy leases
Goring, Sir George	Attended prince in Spain 1623	Dudley
Grantham, Thomas	Watson married into Grantham family	Watson
Harley, Sir Robert	Member, council of Wales Son-in-law of Secretary Conway	Duchy leases
Hatcher, Thomas	Burgess for Lincoln (with Watson)	Watson
Heath, Sir Robert	Solicitor-general	Watson Dudley
Hobart, Sir John	Son of prince's chancellor Electoral nominee Sole committee appointment in 1624	Duchy leases
Howard, Sir Edward	Brother of Sir Thomas, master of the prince's horse	Duchy leases
Jermyn, Sir Thomas	Son is page to Prince Charles Electoral nominee	Duchy leases Dudley
Lucy, Sir Thomas		Dudley

Appendix (cont.)

Name	Offices Held/Patronage	Committees
Mainwaring, Sir Arthur	Electoral nominee	Watson
Mildmay, Sir Henry	Master jewel house	Dudley
	Obtained seat by patronage of Sir James Ley of the prince's council	
Montagu, Sir Charles	Kinsman of Sir Lewis Watson	Watson
More, Sir George	Chancellor of the Garter	Dudley
Noy, William	Counsel to Prince Charles	Duchy leases
	Electoral nominee	Watson
		Dudley
Pye, Sir Walter	Attorney of the court of wards	Duchy leases
	Client of Buckingham	Dudley
Rich, Sir Nathaniel		Dudley
St John, Sir Alexander		Watson
Scudamore, Sir John	Member council of Wales	Duchy leases
	Steward Carmarthenshire crown manors	
Spencer, Richard	Cupbearer to King James	Watson
	Gentleman of privy chamber 1626	Dudley
Suckling, Sir John	Comptroller of royal household	Dudley
	Privy councillor	
	Electoral nominee	
Throckmorton, Sir Clement		Dudley
Trevor, Sir Thomas	Solicitor-General to Prince Charles	Duchy leases
		Watson
		Dudley
Vaughan, Sir Richard	Son of comptroller of prince's household	Duchy leases
Verney, Sir Edmund	Gentleman of the prince's chamber	Duchy leases
	Attended Prince Charles in Spain, 1623	Dudley
Walter, Sir John	Attorney-general to Prince Charles	Duchy leases
	Electoral nominee	Watson
		Dudley