



<http://kentarchaeology.org.uk/research/archaeologia-cantiana/>

Kent Archaeological Society is a registered charity number 223382

© 2017 Kent Archaeological Society

## SIR ROGER TWYSDEN'S JOURNAL.

(Continued from Vol. II. p. 220.)

113. Beefore I could bee fit for y<sup>e</sup> journey, they sent carts to fetch away those few goods I had in Redcrosse-streete, on pretence of not satisfying the ticket, of w<sup>ch</sup> N<sup>o</sup> 67. After which, I made myself ready w<sup>th</sup> all hast; and, having the Councell's passe, thought to steal over w<sup>th</sup>out other thought then of living quiately there. I did assure myself, and of y<sup>e</sup> same opinion were as good judgments as I could then meete w<sup>th</sup>, I was w<sup>th</sup>in no words of y<sup>e</sup> Order of Sequestration, And hoped I might bee freer from giving offence out of y<sup>e</sup> kingdome, then in it.

114. So, fynding a quanty of French and Portugalls ready for y<sup>e</sup> designe, I embarqued myself amongst them, desirous not to bee knowne, if I could avoyd it, having no servant, but w<sup>th</sup> men I never saw, all strangers to me, except one onely Frenchman; and beeside, I knwe myself nothing favord by some potent men then in Kent; so was desirous to passe through that shyre as a traveler. Thus appoynted, I went from London, in y<sup>e</sup> after noone y<sup>e</sup> 9 June, 1643, and came to Bromeley, where the Committee for Kent then sate. There was Sir John Sedly,<sup>1</sup> S<sup>r</sup> Anthony Weldon,<sup>2</sup> w<sup>th</sup> whom our famly had heere-tofore some disputes, S<sup>r</sup> Henry Heyman,<sup>3</sup> S<sup>r</sup> Thomas Walsingham,<sup>4</sup> Augustine Skinner,<sup>5</sup> M<sup>r</sup> James,<sup>6</sup> M<sup>r</sup> Boys, and others. I was desirous to have past away as one of

<sup>1</sup> Of St. Clere, in Ightham.<sup>2</sup> See note 2, Vol. II. p. 196.<sup>3</sup> See note 2, Vol. II. p. 181.<sup>4</sup> See note 5, *ibid.*<sup>5</sup> See note 3, Vol. II. p. 182.<sup>6</sup> Of the Court Lodge, Ightham.—ED.

y<sup>e</sup> croude, w<sup>ch</sup> I was in hope I might have done ; having then, upon some weaknesse in my head, wore a cap of hayr, w<sup>ch</sup> they had never seene me in, w<sup>ch</sup>, having used for some tyme, I left of for y<sup>e</sup> troublesomnesse, and not finding y<sup>e</sup> good I expected.

115. Falling thus into their hands, I would not (I confesse) tell them at first who I was ; as what then was there to compell me to acknowledge myself to them ? and what law was there then to barre me of passing y<sup>e</sup> seas, the statute of Richard y<sup>e</sup> 2<sup>d</sup><sup>1</sup> beeing repealed, and I having the Councell's passe ? But this was so great an affront offered the Parlyament, as S<sup>r</sup> Anthony Weldon sayd, if I were not Sir Roger Twysden I was a rouge and ought to bee whipped. Of this gentleman I shall say the lesse, beecause there had beene former differences beetwixt our two families ; (I pray God he did not now take an oportunitie of revenging that by power, he fayled of doing by justice) yet I can not deny hym to have beene a person had noble principles ; yet shadowed w<sup>th</sup> many vanities, if not vices ; a good friend where he tooke, no lesse an enemy ; in w<sup>ch</sup> notion he had long looked on our name ; one, I dare say, did not in hys hart approve y<sup>e</sup> actions of the two howses, yet y<sup>e</sup> desire of rule brought hym to run w<sup>th</sup> y<sup>e</sup> forwardest.<sup>2</sup>

116. For y<sup>e</sup> making good of w<sup>ch</sup>, I shall heere remember, beeing one day w<sup>th</sup> S<sup>r</sup> Simondz D'ieux, he was told in my hearing, as from one present at y<sup>e</sup> tyme, that S<sup>r</sup> Anthony Weldon, beeing at S<sup>r</sup> Robert Mansell's table soone after y<sup>e</sup> passing y<sup>e</sup> byll for perpetuating that Parlyament, should say, "if hys sonne had given hys Majesty y<sup>t</sup> advise, and he would after hang hym for it, hee could not desire hys pardon ;" upon w<sup>ch</sup>, S<sup>r</sup> Simondz turned to me, smylyng sayd, "if thou or I should have sayd thus much, it would undoe us ; but to hym, were

<sup>1</sup> 5 Ric. II. c. 2.—T.

<sup>2</sup> "Nihil abnuens dum dominationis apisceretur."—Tacit. Annal. 6.—T.

it spoke in y<sup>e</sup> howse of Commons, nothing would bee sayd." Such was their justice !

117. But to returne to Bromly, where they searched all I had in my pocket, tooke away my sword, watch, (w<sup>ch</sup> Captayn Skinner<sup>1</sup> told me afterward y<sup>e</sup> Committee gave hym, and he sold in to France,) some 15<sup>l</sup> in gold I had given a Frenchman to secure, thinking they would never take from an alyen so small a summe ; but, seeing it lost otherwise, I acknowledged it for myne, and desired to have it ; but y<sup>t</sup> could not bee ; and under y<sup>t</sup> pretence, layd hold on rings of another bodies ; (w<sup>ch</sup> whether they ever restored God knowes, I am suer long after they were not) sent me up a prisoner to the howse of Commons, w<sup>th</sup> a Letter accusatory. When I came beefore y<sup>e</sup> Committee, I complayned of my usage ; they, on the other side, demanded of me what I had given on the propositions ; I told them, "nothing ; I had lost enough by y<sup>e</sup> Parlyament, had layn long in prison, yet was never charged w<sup>th</sup> any crime." They bade me retyre ; and, instead of fixing ought upon me, sent me this warrant :—

118.

"10 Junij, 1643.

"At the Committee of y<sup>e</sup> Howse of Commons for examinations.

"Whereas y<sup>e</sup> howse of Commons have ordered that S<sup>r</sup> Roger Twysden shall bee committed to prison, and have referred it to this Committee to consider to what prison he shall bee committed ; It is this day ordered ; that, upon sight heereof, you receive into your custody the body of y<sup>e</sup> sayd S<sup>r</sup> Roger Twysden, and hym safely to keepe in the prison of the Counter in Southwarke, and not permit hym to goe out of y<sup>e</sup> same, w<sup>th</sup> out speciall order of this Committee, or y<sup>e</sup> howse of Commons.

"JOHN LISLE.

"To M<sup>r</sup> Samuell Warecoppe,  
Keeper of y<sup>e</sup> Counter Prison,  
in Southwarke."

119. How often have I heard it affirmed in Parlya-

<sup>1</sup> Augustine Skinner.—T. The Member for the County.—Ed.

ment, commitments, even by y<sup>e</sup> Councell boord, expressing no cause in y<sup>e</sup> warrant, to bee illegall; and one reason given, for that the party was ignorant how to defend hymself,<sup>1</sup> nor y<sup>e</sup> court take notice of y<sup>e</sup> fault. Yet now those very men, at least y<sup>e</sup> members of that howse wherein it had beene so highly condemned, sent me to prison, w<sup>th</sup> out assignment of the least crime whatsoever. But now was a tyme violence and injustice broke in upon the subject, under a pretence of maynteyning them in their rights and liberties; neyther can the maxime, that "*silent leges inter arma*," bee an excuse unto them; for "*qui belli non sunt participes, contra hos nullo jure belli proceditur*."

120. Beeing thus committed, the Diurnall soone after tooke notice of it, that I carryed intelligence of great consequence w<sup>th</sup> me, subtilly conveighed into Nut shells. The thing, I conceive, arose from this: a learned phisition had given me a little round ball, to bee worne as an Antidote against infection: this I had; and, as it should seeme, beeing searched, the supposed preservative (for I never tooke it other) was found to have layn in a Nut shell; w<sup>ch</sup> for my part, as I did not know, so, to this hower, can not say what y<sup>e</sup> ingredients it conteyned.

121. Placed now in Southwarke, I beegan to understand my estate was sequestred. There had beene beefore a speech of such an intent; but, beeing to my apprehension cleerely out of y<sup>e</sup> Words of y<sup>e</sup> Ordenance, and so absolutely in opposition of y<sup>e</sup> 29 chapter of Magna Charta; and, as y<sup>e</sup> Emper<sup>or</sup><sup>2</sup> says, it is y<sup>e</sup> chiefe care of governors, y<sup>t</sup> no man " *suis inique nudatus facultatibus defleat*," I could not much fear it; till S<sup>r</sup> Edward Monins, my neere kinsman and good friend, came to me in prison, and not onely assured me I had beene sequestred ever since May; but, w<sup>th</sup> all that, the Com-

<sup>1</sup> Cooke, Inst. ii. p. 52, 53, 55.—T.

<sup>2</sup> Novel. Theodos. 47; in nonnullis 44.—T.

mittee could get nothing of this half year's rent, my tenants answering them they had allready payd it me.

122. Not long after this, some from S<sup>r</sup> Edward Scot having visited certayn goods I had in Great Chart, the nwes thereof was sent unto me, and w<sup>th</sup> all, that they excepted against a roome whereof I had y<sup>e</sup> kea. This truly startled me. I knw how hard it had beene to get of<sup>1</sup> any accusation. To comply with so great tyranny as I saw bore out by y<sup>e</sup> name of a Parlyament, was what in conscience I could not doe; To joyn w<sup>th</sup> y<sup>e</sup> royalist and goe to Oxford, was to give them a coullor and expose me and mine to utter ruine. I hoped I might at least lived quiately in prison; but I proved the proverb, "*Nemo tenetur rationem reddere sui otij*" to bee deceivable, the pulpits ringing of no text so much as y<sup>e</sup> of Judges, y<sup>e</sup> cursing of Meroz.

123. Whilst I was full of these thoughts, I was taken of<sup>1</sup> from them, by beeing sent with others a prisoner into the shippes; the occasion, as I suppose, this. His Maties forces, having slayn M<sup>r</sup> Hamden (a person very considerable in y<sup>e</sup> Parlyament's Army) y<sup>e</sup> 18 June, 1643;—The Yorkshire Men under y<sup>e</sup> Lord Fayrfax defeated by y<sup>e</sup> Earl of Newcastle y<sup>e</sup> 31 June;—The 13 July, S<sup>r</sup> W<sup>m</sup> Waller's army worsted by my Lord Wilmot;—The 27 July, Bristoll w<sup>th</sup> the arms and amunition in it yeilded up to hys Ma<sup>ty</sup>;—and no considerable body of the Parlyament's then in arms, but those w<sup>th</sup> my Lord of Essex;—it was a generall opinion, the King would have draune to London on one side, and Newcastle on y<sup>e</sup> other; w<sup>ch</sup>, had it beene followed, there is no peradventure but our miseries had ended.

124. It is trwe, great cities in publick commotions are not allwaies for peace, as Mon<sup>sr</sup> la Noue observes,<sup>2</sup>

<sup>1</sup> i.e. "off."

<sup>2</sup> Discours des Troubles de France, imprimes a Basle, 1587, p. 700, p. 703, p. 679.—T.

tyll they have the whyppe at their gate ; and therefore the Protestants there could not hope for a good one, w<sup>th</sup> out transporting their arms nigh Paris. Men apprehend most blowes made at y<sup>e</sup> head ; and therefore wee find Henry the 4<sup>th</sup> continually lying about y<sup>t</sup> towne ;— and these men did what they could to let the world understand how much they dreaded it ; telling them by an Ordinance,<sup>1</sup> y<sup>e</sup> 15 October, 1642, the fruitfull countries in y<sup>e</sup> way to London would yeild y<sup>e</sup> Cavaliers a supply, and y<sup>e</sup> wealth of London a full satisfaction of their hopes, where they were like to meete a party, upon hys Ma<sup>ty</sup>s approach, ready to make a disturbance.

125. As it is certayn there was at this tyme no party considerable of y<sup>e</sup> Parlyament's, but those w<sup>th</sup> my Lord of Essex, to oppose hys Ma<sup>ty</sup>e, and hys men perhaps dishartened ; yet there is no doubt they, w<sup>th</sup> such as y<sup>e</sup> City would have lent hym, might have beene enough to have made honorable conditions, not to have left y<sup>e</sup> City and kingdome wholly to y<sup>e</sup> rage of a Conqueror and fury of an Army. And I remember I heard some citizens then to have beene designed for the treating w<sup>th</sup> the King ; and it was spoke by some of no mean note, they must buy their peace, did hys army looke this way, on any terms ; and I have beene told from y<sup>e</sup> mouth of one then in great auctoryty, it was resolved in y<sup>e</sup> close Committee, (for y<sup>e</sup> howse did nothing but what they first projected,) upon y<sup>e</sup> King's march hitherward, they had such conditions prepared privately as would have beene accepted.

126. It is certayn, it beeing about this tyme moved<sup>2</sup> in the howse, "to consider of fitting propositions to bee sent to Court," it was diverted, on consideration of their present weaknesse ; but as it seemed to me, to see how hys Ma<sup>ty</sup> disposed hys armies. And, for my part, I

<sup>1</sup> Collect. of Orders, to. 1, p. 640.—T.

<sup>2</sup> By Sir Simon Dieux, as he told me.—T.

could never bee satisfied on y<sup>e</sup> grounds induced the leading them to Gloucester and Hull. If it bee sayd they were then but weak, certaynly Essex's was not strong;—beesides the lesse fit to sit downe beefore two such strong holds: and I take it undoubted, coming this way would have increased like a snow ball his forces. <sup>1</sup>The French remember Henry y<sup>e</sup> 4, 1590, to have bee-sieged Paris, St Denis; Dammartin presented battayl to y<sup>e</sup> Duke of Mayn, and tooke Chasteaudun w<sup>th</sup> lesse than nine thousand foot and twelve hundred hors, in one and the same day.

127. So that I am at a stoppe, what y<sup>e</sup> grounds of those counsels should bee; neither can I imagine but that they were, eyther from such as desired to see hys Mat<sup>y</sup> come in an absolute Conqueror; (w<sup>ch</sup> I was never Cavalier enough to wish;) or those who held it their gayn to continue our miseries. However, it is certayn the sitting downe beefore Gloucester gave the E. of Essex power to recruict himself and w<sup>th</sup> great honor to relieve the towne under the King's nose;—to fight hym at Newbery;—to return hym self to London w<sup>th</sup> an high repute; and, if Aulicus say trwe that he had y<sup>e</sup> worst in y<sup>e</sup> fight, yet hee did what he went for, and hys Mat<sup>y</sup> never came to y<sup>e</sup> like oportunyty afterwards.

128. This unhappy expedition makes me remember a Maxime I have read<sup>2</sup> of Francis, Duke of Guise. That a commander pursuing a poynt of greater consequence was never to sit downe beefore a place well provyded for defence; and certaynly one of y<sup>e</sup> King's chiefe aymes eyther was, or ought to have beene, the reducing hys Parlyament to such a condition as all y<sup>e</sup> members might, voyd of fear or overawing, have freely given their Votes w<sup>th</sup> out disturbance or menace; w<sup>ch</sup> if it had beene, the subject needed no fear of Sequestration, nor hys Mat<sup>y</sup>

<sup>1</sup> La Vie de Mons<sup>r</sup> de Plessis, p. 148, edit. a Leyde, 1647.—T.

<sup>2</sup> La Noue, ibid. quo supra.—T.

the legall prerogatives of the Crowne; Parlyaments kept in their right bounds beeing the happest constitution tyme hath produced, for y<sup>e</sup> preserving eyther Lyberty or Prerogative.

129. But, to retorne where I left. The howse of Commons, seeing y<sup>e</sup> great successe of y<sup>e</sup> King's Arms, and expecting hym every day at y<sup>e</sup> gates of London; eyther fearing such as were imprisoned would, upon occasion, bee ready to head a party; or, if he prevayled, by exchange, ransom, or some other way, hoping to make their peace; ordered, the 10 of August, severall prisoners to bee committed to certayn ships ryding in y<sup>e</sup> Thames. Of y<sup>e</sup> warrant from y<sup>e</sup> Speaker to M<sup>r</sup> Wacop's, where I was, this is y<sup>e</sup> copy.—

130. "By virtue of a warrant this day made by the howse of Commons, these are to will and require you to deliver to those appoynted by the Militia of London, the bodies of Doctor Fairfax, S<sup>r</sup> Roger Twysden, Captayn John Hichwell, D<sup>r</sup> Middleton, D<sup>r</sup> Layfield, to bee by them delivered to George Hawes, Master of the Shippe called the 'PROSPEROUS SARAH,' now riding in the river of y<sup>e</sup> Thames, to bee kept in safe custody, as prisoners in y<sup>e</sup> sayd shippe, by y<sup>e</sup> sayd George Hawes, untill the pleasure of the howse bee signified to y<sup>e</sup> contrary. And for so doing this shall bee your warrant.

"W<sup>m</sup> LIENTAL, Speaker.

"Dated y<sup>e</sup> 10<sup>th</sup> August, 1643."

131. This warrant first shewed to us Prisoners towards night, August 11; when wee much prest the person assigned to receive us and y<sup>t</sup> brought it, he would bee pleased to respite the execution of it tyll y<sup>e</sup> next day, when wee would bee ready to attend hym; w<sup>ch</sup>, beeing a civel person he did condescend unto. So, then, after dinner he came for us, and wee went w<sup>th</sup> him, yet leaving some beehind us whose names were not in y<sup>e</sup> warrant. When I came to the Shyppe, I observed none but persons of good qualyty lodged in it; some whom I knwe to have beene in the King's army omitted.

132. Heere I lay not long; for my restreynt falling into consideration y<sup>e</sup> 14 August, I was by Order remanded to y<sup>e</sup> prison whence I came, there to remain in sauf custody tyll farther order of y<sup>e</sup> howse. And not long after, they, perceiving the King vainly ingaged at Gloucester, w<sup>th</sup> out y<sup>e</sup> least hope of carrying it, remitted back to severall prisons all others. But beefore wee had any thing out of the shippe w<sup>ch</sup> for necessity wee carryed in, 20 shillings was to bee payd for our lodging, in a small Collyer's barke where wee lay, styfled w<sup>th</sup> heat and lack of ayr, pent in an unhealthy, uneasy, obscure roome; and this to bee done by those from whom they had by Sequestration tooke all they could possibly rake! As I beeleeve our auncestors never received such measure, especyally beeing not convicted of offending against law; so I beseech Christ, our posterity may never know y<sup>e</sup> like; w<sup>ch</sup> they may looke for, when ever they see a perpetuity added to y<sup>e</sup> howse of Commons, The Cyty and themselves joyn w<sup>th</sup> will and power in continweing an army.

133. Beeing setteled again in y<sup>e</sup> Counter, though there were dayly great hopes of hys Ma<sup>ty</sup> relieving us by victory; (w<sup>ch</sup> to bee by an absolute conquest I could never wish) yet for my part I ever stood on my justification. I found my tenants prohibyted paying me their rent; my estate, as they called, sequestred; but who did it I could not learne: I feared it to have beene y<sup>e</sup> Committee of Lords and Commons at Westminster; but y<sup>t</sup> was denied. Some were of opinion it was by an especyall<sup>1</sup> of both howses, or of the howse of Commons onely; but neyther was to bee found. The first thing I did was, to procure the Ordinance, w<sup>ch</sup> I found bare date 31 March,<sup>2</sup> or as some copies, Aprill 1, 1643. I observed it, by y<sup>e</sup> tytle, to bee against "Notorious Delinquents" described in it. I conceived, beeing a penall

<sup>1</sup> *i. e.* "especyall order."—Ed.

<sup>2</sup> 1 April, 1643. Collect. of Orders, to. 2, p. 13.—T.

law, it was not to have beene construed by equity. I gathered out y<sup>e</sup> heads of it, viz.—

134. Fourteene Bishops named, Dean and Chapters, and others that have or shall rayse arms against y<sup>e</sup> Parlyament.

ij. That contribute (not beeing under y<sup>e</sup> power of the King's army) mony, etc., against y<sup>e</sup> Parlyament, or such as have yeilded obedience to their commands.

iiij. That have or shall joyn in any oath, or act of Association against y<sup>e</sup> Parlyament.

iv. Or shall impose any Taxe for mayntenance of this war.

v. Or shall use any force for y<sup>e</sup> leavying y<sup>e</sup> same.

135. Under w<sup>ch</sup> of these heads I fell, I professe I could not imagine. It was apparent they must refer my case to some one of them, there beeing no other Ordenance could concerne me extant, my tenants beeing commanded to pay me no rent beefore y<sup>e</sup> first of June 1643. But under what qualyfication my case was, I could not at all guesse; nor indeede the best Counsel I could get; who ever assured my wife there was something against me she would not reveal. But whilst I lay thus studdijng my own mysery, there came out an other Ordenance of 19 August,<sup>1</sup> 1643, explyning, as y<sup>e</sup> tytle carryed it, the former; but indeede bringing more with in y<sup>t</sup> dreadfull sentence of Sequestration, viz.—

136. Such as, voluntarily absenting themselves, have or shall goe to y<sup>e</sup> King's army, there continue, and not w<sup>th</sup> in ten dayes after seizure of their goods, or stay of rents, shew cause to y<sup>e</sup> Committee of y<sup>e</sup> County.

ij. That shall fraudulently conveigh away their goods or estates for avoyding the payment of any Taxe.

iiij. Or that after such Taxe, absent themselves, or refuse to bee spoken with, whereby such Taxe can not bee levied.

<sup>1</sup> Collect. of Orders, to. 2, p. 296.—T.

iv. That harbor or conceal y<sup>e</sup> goods of any Delinquent.

v. That had any hand in y<sup>e</sup> conspiracy of Waler, Tomkins, Chalanor.

vj. That shall sue<sup>1</sup> or molest such as have yeilded obedience to y<sup>e</sup> Orders or Ordinances of both howses of Parlyament, or of any employed by them.

vij. Or y<sup>t</sup> have harbored any Popish Priests or Jesuites since y<sup>e</sup> 29 of Nov<sup>r</sup>, 1643.

viii. Or, beeing above y<sup>e</sup> age of xxi, shall refuse y<sup>e</sup> oath expressed in y<sup>e</sup> sayd Ordenance for abjuration of Popery.

137. These were y<sup>e</sup> heads of both Ordynances; and under w<sup>ch</sup> I came I could not conceive. I lay far of,<sup>2</sup> had none to sollicit my buisnesse but my brother (who, in these tymes of my trouble, tooke great payns for me) good Frank, and my poore wife. I lay far from Westminster in Southwark; it was very chargable for her, beesides y<sup>e</sup> toyle of a weak body, to goe by water two or three tymes a day. I desired therefore, having beene there (*sic*) monthes, to bee remoeved neerer; but could not think of any but Ely howse,<sup>3</sup> w<sup>ch</sup> I got moeved, but it would not bee, w<sup>ch</sup> M<sup>r</sup> Wacop y<sup>e</sup> keeper tooke ill; but in y<sup>e</sup> end, my brother Yelverton<sup>4</sup> did procure my remoevall to Lambeth, by y<sup>e</sup> means of M<sup>r</sup> Richard Knightly, chayr man of the Committee for Prisoners, a person of worth and honor.

138. But beefore I went thense, I desired my brother Frank, then in y<sup>e</sup> Country, to learn of y<sup>e</sup> Committee what my fault? what my crime was? hee, poore man, did what he could; but, solliciting to know what law, order, or Ordenance, I had trangrest, was, instead of an answer, sent up a prisoner, and committed to Peter

<sup>1</sup> Nota bene.—Of men professing to maynteyn law!—T.

<sup>2</sup> "off."

<sup>3</sup> 1642-3, Jan. 23. The House of Commons ordered that Ely House, the palace of the Bishops of Ely, in Holborn, should be converted into a prison.

<sup>4</sup> Sir Christopher Yelverton, Bart., of Easton Maudit, in the county of Northampton, was son of the distinguished Sir Henry Yelverton. Sir Roger Twysden's youngest sister was married to Sir Christopher.—Ed.

howse,<sup>1</sup> on y<sup>e</sup> pretence of having writ certayn letters into France and by them intercepted; w<sup>ch</sup>, beeing not able to make good, after they had kept hym about a month, they let hym out.

139. He beeing thus taken of,<sup>2</sup> and my self destitute of any sollicitor, I knwe no means so likely to know my accusation as to write to M<sup>r</sup> Dyke the Sequestrator Generall of Kent, w<sup>ch</sup> I did. The letter was this,—

“M<sup>r</sup> Dyke, I understand you have warned my tenants not to pay me their rent. If it bee, (as I conceive,) in respect of any Ordynance of Parlyament, I desire you will informe me against w<sup>ch</sup> I have offended, y<sup>t</sup> I may apply my selfe to a remedy. As for my owne particular, I professe I am ignorant, and am confident, (relying on y<sup>e</sup> justice of my cause,) that, when y<sup>e</sup> howse of Commons shall bee at leisure, they will free me w<sup>th</sup> credit. I suppose every man is to have of hys owne to live, tyll hee bee convicted of some enormous offence, and then, in some reasonable measure to bee kept. What my estate is I hear you know as well, if not better, then myself who have beene long absent from any part of it. I have a wife and five children, w<sup>th</sup> y<sup>e</sup> care of xx<sup>ty</sup> that lie upon it; I stand imprisoned in such a place as the charge is not ordynary;—That I am not beefore hand, you can not bee ignorant, by my wanting mony to pay my debts, to w<sup>ch</sup> you are no stranger; I shall intreat you, therefore, not onely out of favour, but justice, to bee a means of remooving this restreynt from my estate, or at least letting hym know what is y<sup>e</sup> cause, who for it shall ever

“hold hymself much beehoulding to you,

“ROGER TWYSDEN.

“*Counter, Southwark,*  
23 October, 1643.”

but to this no answer was returned; and beeing impatient I could know nothing why I was bard of my rents,

<sup>1</sup> In Aldersgate Street, the town house of Henry Pierrepont, Marquis of Dorchester: it was converted into a prison by Cromwell, and subsequently bought by the See of London, when the Great Fire of 1666 destroyed the episcopal residence in St. Paul's Churchyard.—Ed.

<sup>2</sup> “off.”

and they put into others' hands, I writ to S<sup>r</sup> Edward Scot; w<sup>th</sup> whom, both as a kinsman and an acquaintance, I had beene formerly very intymate,—

“Noble Sir,

“Understanding, by this bearer, he hath beene distreyned, in respect of not paying hys rent to y<sup>e</sup> Parlyament; And from Chart, that one, as I remember, someway perteyning to you, did give there formerly touching y<sup>e</sup> rest such warning, I am forced to have recourse to you, to desire you let me know what my offence is, deserving so sharpe a punishment as there should bee taken from me all menes, not onely of paying those trwe debts I owe, but of putting meat in my mouth, my wife, and children's. That I have not beene w<sup>th</sup> y<sup>e</sup> King no man doubts;—That I never did any disservice to y<sup>e</sup> Parlyament, is manyfest by my beeing out of y<sup>e</sup> County now about a year and an half, and so disabled from medling w<sup>th</sup> ought in it, or elce where; beeing for a good part of y<sup>t</sup> tyme restreyned of all liberty in prison;—That I have sent ought to Oxford no reasonable man can think, if he know I have wanted for my owne necessary occasions. So y<sup>t</sup> I assure me I am out of all Orders whatsoever for malignantie or Sequestration. And therefore must in-treat you, by all our auntient friendship, to bee a means of freeing my rents, w<sup>ch</sup> I am, w<sup>th</sup> y<sup>e</sup> more earnestnesse constreyned to presse you to, in respect of y<sup>e</sup> many inconvenyences y<sup>e</sup> want of them in this place, where y<sup>e</sup> charge is not ordinary, makes me undergoe. Sir, I have long experyence of your Justice and conscience, and know nothing can make you doe what will not stand w<sup>th</sup> both; by w<sup>ch</sup> I hope too I shall bee ever dyrected, that am,

“S<sup>r</sup>,

“Your humble Servant,

“ROGER TWYSDEN.

“Counter, Southwarke,  
30 November, 1643.”

dyrected,

“To my noble friend S<sup>r</sup> Edward  
Scot, at hys howse at Scotshall  
in Kent.”

But to this I had no answer at all, more then to y<sup>e</sup> former.

141. That w<sup>ch</sup> was to most purpos came from Mr James, whom I did not write unto: my brother Francis onely had spoke to hym; and, beeing indeed much a gentleman, and as I suppose by these letters knowing my desires, wrote unto me y<sup>e</sup> 18<sup>th</sup> of November, That he had demanded y<sup>e</sup> reason of my sequestration, had in effect y<sup>e</sup> answer of Luke 24, 18, ("art thou a stranger in Israel?") saw hys demand rather wonderd at then answerd, and hearing no more from me, thought I had beene satisfyed. However, for justice sake and old acquaintance, he should once agayn propose my demand, (however it were interpreted,) what their particular charge was against me; though, as he remembered, they objected against me my not appearing when I was upon bayl, my attempt to make an escape.

142. I shall not neede to tell you I tooke this letter very kindly from a gentleman oblyged by no tye of allyance, not written unto by me, nor sought unto; but, by a second hand, thus of hys owne noblenesse, to prevent me, who, to speak truth, despayred of it from hym, w<sup>ch</sup> I could not attayn from some other from whom I did expect more favor. And for myself, I did ever since, and ever shall hold an hon<sup>ble</sup> esteeme of his disposition for it. And upon this I writ unto hym, thanked hym for y<sup>e</sup> favor, and sent my wife downe to attend the Committee in Kent. But I know not what fate hung over me, hee beeing not present at y<sup>e</sup> tyme of her attending them, as I take it. I could not possibly learn y<sup>e</sup> cause; onely y<sup>e</sup> Committee told her, if I acknowledged myself justly sequestered, they would allow her a Fifth part of my Estate; otherwise, nothing at all; and for y<sup>e</sup> reason, would assign none of theyr doings. So she came back again to me y<sup>e</sup> 21 December.

143. About these tymes, they, seeing God and my auncestors' care had blest me w<sup>th</sup> good woods, as necessary provisions for my howse in y<sup>e</sup> country, beegan to

cause, such as they interpreted coppice woods, to bee felled. I was very desirous to have preserved them, beeing guifts, easily destroyed, but w<sup>th</sup> difficulty repayed; but fayled in my hopes.

144. In this sad condition I stood, at y<sup>e</sup> conclusion of y<sup>e</sup> year 1643, and y<sup>e</sup> beeginning of 1644. My estate in a posture of beeing ruined by y<sup>e</sup> Kentish Committee, nothing alowed me to live on, and myself in a prison. In this extreamyty, (for I could think of no other waye,) I caused a petition to bee delivered to the Lords and Commons for Sequestrations at Westminster; who, upon the 16<sup>th</sup> February, 1643-4, thought fit and ordered that

“It bee referred to the Committee for Sequestrations in y<sup>e</sup> County of Kent, to certyfy y<sup>e</sup> grownds and causes of y<sup>e</sup> Sequestration of y<sup>e</sup> sayd S<sup>r</sup> Roger Twysden to this Committee; and, in y<sup>e</sup> mean tyme, to forbear the cutting downe or spoyle of any Tymber Trees, or other woods, w<sup>th</sup> in y<sup>e</sup> scite, or for y<sup>e</sup> defence of any hys mansion howses.

“JOHN WYLDE.”

145. Upon this warrant, the Committee of Kent, the 20<sup>th</sup> of February, made this Certificate following, w<sup>ch</sup> yet was not given to me tyll y<sup>e</sup> 14 of March; ceasing not from cutting the woods; as indeede the Order was, in that particular, playnly delusory; for they denyed y<sup>e</sup> felling of any w<sup>th</sup> in y<sup>e</sup> scite of y<sup>e</sup> howse, or y<sup>t</sup> was Tymber, by their construction.

146. The causes by them sent up, as given me, were these:—

“20 Febr. 1643.

“The Certificate from y<sup>e</sup> Committee in Kent, towching y<sup>e</sup> Sequestration of S<sup>r</sup> Roger Twysden's Estate.

“For y<sup>e</sup> causes of Sequestration, wee hope the Parlyament will not put such a trust by their Ordinances to men y<sup>t</sup> will sequester w<sup>th</sup> out cause. And, although it may very well happen, y<sup>t</sup> in some cases, wee can not carry the Sequestration and cause in mynd, to give a speedy accoumpt thereof; yet, in this case of S<sup>r</sup> Roger Twysden's, wee could not expect now to be called

to an accoumpt, there beeing so many concurrent causes even knowne to all y<sup>e</sup> Parlyament. First, he stood committed about the Petition, formed and framed by hym self and S<sup>t</sup> Edward Dering, w<sup>ch</sup> hath beene y<sup>e</sup> principall (if not the onely) cause of all y<sup>e</sup> rebellion in Kent. Upon hys releas by band not to come in to Kent w<sup>th</sup> out leave, after his long obscuring, was taken by y<sup>e</sup> Committees flying into France, in a false disguise, w<sup>th</sup> a false passe, and under a false name, denying hymself and byrth, so far as to abuse hymself to bee a serving man to a stranger and a Papist.

147. "Besides all this, he hath beene refractory to all proceedings of Parlyament; not onely in hymself, but in anymating hys neighborhood, in so much, there was scarce one neere hym not in y<sup>e</sup> rebellion; Hys holding correspondence by letters intercepted, both to Priests in hys owne County, and strangers abroad, of ille consequence; If there were no other witnesse, his absenting hymself is, by y<sup>e</sup> Ordinance, one of those characters for Sequestration; If all this together bee not sufficient to sequester hym who had sequestred hymself from hys name, hys famly, hys estate, and even from hymself, untill, by the pulling of<sup>1</sup> hys disguise, he beegan to call hymself to remembrance, wee confesse wee understand not how to proceede upon y<sup>t</sup> Ordinance; but shall bee very tender heereafter, when such an accoumpt is required, for so notorious a Delinquent, of

"JOHN WILD.

"Knowle, this 20th of February, 1643."

148. Who subscribed, I might not know; nor ever to this day did. Of w<sup>ch</sup>, one reason might bee, that themselves conceiving it fuller of mallice then matter, did not think fit to let them appear otherwise then under Sergeant Wild's hand, Chayr man of y<sup>t</sup> Committee, *pro tempore*. And, indeede, these men, following y<sup>e</sup> rules of th' Inquisition, did unwillingly let any know their accusers, unlesse they were some tymes at a tryall forced unto it. And, where as that Court (the most severe tyme ever produced) admits no enemy<sup>2</sup> for a witnesse,

<sup>1</sup> "off."

<sup>2</sup> Eymerici Directorium Inquisitionis, part. 3, quæst. 67; et Francisci Pegnæ Comment. 116, n. 656, et sequent.—T.

and therefore (as such as have beene in those parts have informed me) bids the suspected name whom he mistrusts to carry ille will unto hym, and discharge such from beeing witnesse or accuser; and, if y<sup>e</sup> information come from no other, free y<sup>e</sup> party;—these men would allow no exception against any party whatsoever; because they must not disgrace y<sup>e</sup> State's witnesse. And certayn, if that might have beene, I had good reason to have S<sup>r</sup> John Sedly and S<sup>r</sup> Anthony Weldon strooke out from having any thing to doe w<sup>th</sup> me; w<sup>th</sup> whom our famly had beene formerly at odds, and y<sup>t</sup> would never bee reconciled unto it, and who beeing not able to injure us in a legall way, did now take y<sup>e</sup> advantage of power.

149. For who, indued w<sup>th</sup> humanyty, much more generosity, not carrying an implacable hatred, w<sup>th</sup> an intent to ruine a gentleman, could have been induced to pen and send up against hym so scurrilous a paper, I had almost sayd a Lybell, conteyning not any one passage of truth, as set downe in it? I conceive Sir Anthony Weldon to have beene y<sup>e</sup> penman of it; for I have heard hee did dictat all things of this nature as Chayrman to y<sup>e</sup> Committee; and I have seene and had some of the lyke streyn to my father, tyll they were taken from me; since these tymes made it lawfull to take what the searcher list from any man. But who soever did it, I think I may say he had y<sup>e</sup> boldnesse to calumniate, and shamfastnesse to aver things had no couller of truth; yet, if they had, were little to y<sup>e</sup> purpos.

150. I will examine them in order, and confesse more then they did or could prove.

i. For my forming and framing y<sup>e</sup> petition they speak of; there is nothing of it trwe. I was not well, but in bed when it was done; and who did it, I doe not to this day know. The truth is, I did subscribe my giving out a trwe copy of it; and, on y<sup>e</sup> Parlyament's mislike,

called in all I had distributed, neyther is there any one copy w<sup>th</sup> my hand to it in y<sup>e</sup> world out of my custody.

ij. That I would have gone into France is trwe, as I have largely sheude beefore. As for a passe, false or trwe, I had not any at all:<sup>1</sup> but, for getting out of London it was necessary to have my Lord Mayor's; some body had for more then themselves, so I desired to goe as pertheyning to y<sup>t</sup> person.

ijj. That I came into Kent with out leave beeing tyed to the contrary, or

iv. Absented myself, since y<sup>t</sup> was a character of Sequestration, hath no word of truth.

Let y<sup>e</sup> condition of my band bee looked into; or if I had, there were my suerties; why did they not call on them, as they did at first, when I appeared? and for y<sup>e</sup> other, I was secured in prison long beefore that was made a character to take away men's estates, and themselves had sequestred me, y<sup>e</sup> 17 May, 1643.

v. For raysing stir in Kent, there is no word of truth; and I dare say, most of them in their harts did acquit me in y<sup>e</sup> particular.

vj. That which I place y<sup>e</sup> last, my "holding correspondency, by letters intercepted, both to Priests in my own County, and strangers abroad of ill consequence;" they could not prove of it any thing in y<sup>e</sup> world. "*Calumniare audacter, herebit aliquid.*"

151. Yet I confesse this was y<sup>e</sup> article myself and Councell did most apprehend. That I had written some tymes, and perhaps lately, to strangers beeyond seas, I can not absolutely deny; but whither Priests or others, I cannot say. They were such whose eyes I never saw; but beecause some may wonder how I came to bee charged w<sup>th</sup> it, and y<sup>t</sup> y<sup>e</sup> Lawyers did most reflect upon, as what would condemne me, I am heere resolved to set downe my owne accusation.

<sup>1</sup> I had a passe from his Ma<sup>ties</sup> privy councell; but, assuring myself it would not be alowed, I left it with my wife.—See n<sup>o</sup> 65.—T.

152. Assoone as I came sensible of the differences in religion, I did conceive many poynts in dispute w<sup>th</sup> the church of Rome backt by no auntient Councell; and, indeede, not many of them made good (as they are now held) by other then y<sup>e</sup> late assembly at Trent. I observed Manutius, in hys epistle at Rome, 1564, beefore y<sup>e</sup> Acts of it, bade us dayly expect the History of y<sup>t</sup> Councell; yet it appeared not. I found by Cardinall Perron,<sup>1</sup> the entyre Acts and disputes of it, w<sup>th</sup> all y<sup>e</sup> History and proceedings in y<sup>e</sup> same, to bee extant at Rome; but shewed hym w<sup>th</sup> so great a charge of secresy as S<sup>r</sup> Edwine Sandis<sup>2</sup> might not unfitly write it, to have beene guided w<sup>th</sup> such infinite guile and craft, w<sup>th</sup> out any sinceryty, upright dealing, or truth, as themselves will even smile in the tryumph of their wits, when they hear it mentioned as a Master Stratagem, That they did not in their late Councells<sup>3</sup> set more of y<sup>e</sup> causes of summoning of it, then in y<sup>e</sup> papall letters indicting it, not prefixing any hystory as of others.

153. By all w<sup>ch</sup>, I concluded it would trouble any man at Rome to write a trwe discourse how things past in it; especially when, after 50 years, nothing of that nature appeared thense: Ney, when one did come from Italy; though apparently writ by one of y<sup>e</sup> Roman communion, yet no approver of y<sup>e</sup> abuses in y<sup>t</sup> Court, it was prohiyted by the Inquisition there;<sup>4</sup> allthough it appeared to me writ with so great moderation, learning, and wisdom, as it might deserve a place amongst y<sup>e</sup> most exactest peeces of Ecclesiastick story any age hath produced.

154. But it beeing given out, an History of y<sup>t</sup> Councell<sup>5</sup> was in hand at Rome, composed by one Terentio Alciati, a Jesuite; though it seemes he hath not hitherto

<sup>1</sup> Epist. Romæ, ii Julii, 1606, au Roy Hen. 4.—T.

<sup>2</sup> His relation of the religion in the West.—T. "Europæ Speculum."—Ed.

<sup>3</sup> Concil. gen. Romæ, 1608, to. 4, 1612.—T.

<sup>4</sup> Decreto 22 Novembris, 1619.—T.

<sup>5</sup> Lit. dat. Romæ, 26 November, 1633.—T.

finisht y<sup>e</sup> worke; I writ to a friend of myne, then in travel, to get it me as soone as it came out; and, in my letter, spake somewhat of y<sup>e</sup> Geneva edition of y<sup>t</sup> all-ready printed, w<sup>ch</sup> I took not so well done as y<sup>e</sup> English, and gave some reasons of my opinion.

155. I know not by what fate, that I thus writ to a private friend came after to Padre Fulgentio's eare or eye; and I, having recovered from beyond seas y<sup>e</sup> life of Padre Paolo, MSS., many years beefore it was printed; and by it finding y<sup>t</sup> learned man to have writ divers peeces not seene publiquely, I did (by a noble friend of myne, S<sup>r</sup> Francis Biondi<sup>1</sup>) sometymes write to Padre Fulgentio;<sup>2</sup> the subject was, eyther an inquisition of some particular I was not so wel satisfyed w<sup>th</sup> in y<sup>e</sup> History of that Councell, or elce, what means I might use to get those other peeces of Padre Paolo's. To y<sup>e</sup> first, I doe not remember what answer he returned; to y<sup>e</sup> second, w<sup>ch</sup> was y<sup>e</sup> most considerable, this of y<sup>e</sup> 21 Aprill, 1638. "D'aver alcune cose, etc.," 'that he had some things, w<sup>ch</sup> beefore hys death he would place in y<sup>e</sup> hands of some who might render them useful; but, not trusting any Italian, he must have a stranger for y<sup>e</sup> scribe; yet one of supream fydelity, exquisite knowledge in y<sup>e</sup> Italian tounge; w<sup>th</sup> out w<sup>ch</sup> conditions, he would admit of none to undertake it.'

156. Upon this I writ to a friend of myne in Italy, to treat w<sup>th</sup> hym; and, if hee would part w<sup>th</sup> these peeces, I would eyther give hym mony for y<sup>e</sup> originalls, upon his assurance of their beeing Padre Paolo's, or find

<sup>1</sup> A very elegant writer, who was introduced to James I. by Sir Henry Wotton, and was made a Gentleman of the Bedehamber. He was the author of 'The History of the Wars betwixt the Houses of York and Lancaster.'—Ed.

<sup>2</sup> It would seem that much of Sir Roger's foreign correspondence had been intercepted by the Parliament (see Nos. 147, 159) which may account for our finding only a very few fragments of it among his papers. Such as we have we purpose printing, from time to time, in our "Miscellanea" department.

means to have them transcribed. Upon w<sup>ch</sup> he writ unto me in effect, y<sup>e</sup> 15 October, 1638, that having treated with Padre Fulgentio, hee did not perceive I was likely to have eyther Copy or Originall; hys propositions carrying allmost impossibilities of beeing perfourmed; w<sup>ch</sup> he attributed to y<sup>e</sup> many eies were over hys actions; that some others beefore me had treated for y<sup>e</sup> same, yet w<sup>th</sup> no better successe.

157. I had likewise Correspondence with some French, as w<sup>th</sup> Mon<sup>sr</sup> de Cordes. And y<sup>e</sup> State matters past beetweene a brother<sup>1</sup> of myne, (by whom I was brought in,) my self, and him, were,—w<sup>ch</sup> were y<sup>e</sup> auntient Councills received in France? whether Sardis were one?—what were y<sup>e</sup> grounds of their *appellationes ab abusu*?—whither Kaynan were in y<sup>e</sup> auntient greek copy at St James'?—An arrest of y<sup>e</sup> Court of Parlyament at Paris, 18 September, 1641, against a Bul of Urban y<sup>e</sup> 8<sup>th</sup>, of y<sup>e</sup> 5<sup>th</sup> June, 1641,—whether hee had seene any catalogue of such as were in y<sup>e</sup> Councill of Trent did omit Laynes?—and if none, what might move the auctor of that History to say he was not found in some?

158. To the last of w<sup>ch</sup> I will give you hys very words from Paris the 6<sup>th</sup> of February, 1635; beecaus they serve somewhat for cleering y<sup>t</sup> poynt w<sup>ch</sup> may by some bee conceived erroneious in that excelent peece.

“Quant a ce que vous trouves estrange, qu'en L'Histoire du concile<sup>2</sup> on eust escrit que dans le catalogue de ceux qui avoyent assiste au concile, Le generall des Jesuites n'y avoit este mis, a cause de la preseance, et neant moins il se trouvoit dans les catalogues imprimez; sur quoy Je vous diray, que dans un vieil catalogue que J'ay, imprime a Paris l'an 1563, que fust le mesme que le conceil finist, il ny est poynt; Et, pource que ce catalogue est le plus ancien que J'aye ven, l'auteur de l'histoire du concile a eu quelque rayson de parler ainsi qu'il a fait.

“De Paris, le 6 Fevrier, 1635 selon nostre stil.”

<sup>1</sup> William.—T.

<sup>2</sup> de Trent.—T. See p. 566, ed. Geneva, 1629, ed. London, 1619.—Ed.

159. Truly I saw no hurt in all this ; for if theis men were Priests, they were such as I never saw in all my life. My Councill were confident y<sup>e</sup> holding this intelligence they had got some inkling of, and would charge me w<sup>th</sup> it. And I could not bee confident, my sonne then in France, but they might have intercepted some letter, of w<sup>ch</sup> they might make more then ever was meant ; w<sup>ch</sup> was but a folly ; for they had nothing at all of y<sup>t</sup> nature to lay against me ; but spake onely on surmise.

160. The 23 Feb. 1643-4, my brother Yelverton, eyther seeing the inconvenience of my lodging so far from my buisnesse, or out of some other respect, w<sup>th</sup> out my privity, caused me, by warrant from y<sup>e</sup> Committee for prisoners, to bee remoeved to Lambeth ; for w<sup>ch</sup> favor I had afterwards great cause of thanking hym ; though at first I did not apprehend y<sup>e</sup> good I received by it.

161. About w<sup>ch</sup> tyme I petitioned the howse of Commons (beecause I would not bee fayling to myself in any thing) "That having never medled in ought I conceived might offend them, that they would bee pleased to think of some course for y<sup>e</sup> freeing of me and my estate." Upon w<sup>ch</sup>, y<sup>e</sup> 27 of February, 1643-4, they ordered my petition to bee referred to y<sup>e</sup> consideration of y<sup>e</sup> Committee appoynted to confer w<sup>th</sup> y<sup>e</sup> Scottish Commissioners, to consider of some course for y<sup>e</sup> Petitioner, and others of like nature. But I never made great hast in poursuance of this, out of two respects ; first, beecause I saw there would bee nothing done in it, w<sup>th</sup> out taking the Covenant, w<sup>ch</sup> I could not fancy y<sup>e</sup> doing, in y<sup>e</sup> Scottish sense ; the second, beecause their intent was, I must have come in as confessing myself a Delinquent, when I intended to stand in justification of my innocentie.

162. But to returne to y<sup>e</sup> certificate from Knoll, of the 20 February, 1643-4, delivered me y<sup>e</sup> 14 March following ; at y<sup>e</sup> reading of w<sup>ch</sup> by y<sup>e</sup> Committee of Lords and<sup>1</sup>

<sup>1</sup> See No. 167.

Commons, at Westminster for Sequestrations, it was y<sup>e</sup> generall voyce at y<sup>e</sup> boord sayd, *I was by no order or Ordinance, upon y<sup>e</sup> complaynt, sequestrable*; w<sup>ch</sup>, as it was sayd publicquely above, so they likewise wrote as much to them in Kent; who thereupon were highly displeased, and expressed as much to their favorers in y<sup>e</sup> howse; in so much as one of them (w<sup>ch</sup> I take to bee S<sup>r</sup> Henry Heyman, a person little knowne to me) came to a very good friend of myne, my cosen Richard Browne, and told hym, if they did not looke to it, I would get of<sup>2</sup> my sequestration; who replyed, he saw no reason why I should not, for he thought I had very hard measure to have it lye so long upon me; upon w<sup>ch</sup> the other replyed no farther.

163. S<sup>r</sup> John Sedly, of whose affection to our famly, I have spoken beefore; eyther out of hys owne desire to ruine me, (who yet lived to see hym more out w<sup>th</sup> y<sup>e</sup> howse of Commons then myself,) or perhaps sent by y<sup>e</sup> Committee of Kent, came to London to M<sup>r</sup> Samuel Browne (now Sergeant Browne) a considerable person in y<sup>e</sup> Committee of Lords and Commons for Sequestrations, to speak w<sup>th</sup> hym about sequestring me. To whom the sayd Browne replyed, in y<sup>e</sup> hearing of a friend of myne, (from whom I had it,) "Truly you must then find causes, for in those you have hitherto, there is none." Yet y<sup>t</sup> very man sate afterwards in y<sup>e</sup> chayr<sup>1</sup> when I was by hym or by others sequestred; and proved that in y<sup>e</sup> lawes of King Ethelred and Henry y<sup>e</sup> first to bee trwe, y<sup>t</sup> "*gravius lacerantur homines a pravis iudiciis, quam a cruentis hostibus.*"<sup>3</sup>

164. My poore Wife (for myself lockt up could not), following close my discharge, the 15<sup>th</sup> of May, 1644, obteyned from y<sup>e</sup> Lords and Commons this Order for Sequestrations.

<sup>1</sup> See No. 184.

<sup>2</sup> i.e. "off."

<sup>3</sup> leges Ethelred, apud Jorval. col. 903, 25; Hen. I. cap. 23, p. 186, 37.  
—T.

"That Mr Vaughan y<sup>e</sup> Clark should enquire whither my estate were sequestred by speciall Order of y<sup>e</sup> howse of Commons,—The Gentlemen of Kent by whom y<sup>e</sup> Sequestration was made,—And likewise the Certificate, to certyfy the proofs and evydences of the ground of y<sup>e</sup> Certifycate, by that day month,—That stay bee made, in y<sup>e</sup> mean tyme, of felling any Tymber trees, or other woods fellable by y<sup>e</sup> Ordenance for Woods or Sequestrations,—the woods already felled to bee remoeved out of y<sup>e</sup> Springs,—and all persons employed in y<sup>e</sup> service, to take notice heereof, at theyr perills,—The Committee of Kent to have tymely notice of this Order for their farther Certificate,—and to secure the estate sequestred in y<sup>e</sup> mean tyme.

"JO. WYLDE."

165. When this past y<sup>e</sup> Committee, my friends beegan to hope I might find some Justice. A gentleman of y<sup>e</sup> Army told my brother Frank, he durst warrant hym for a groat my Sequestration would bee remoeved; Another that, w<sup>th</sup> my wife, heard all past, assured me there was no doubt of it. I confesse I could not be confydent of it; having, to my understanding, never met greater labour to maynteyn sides then,<sup>1</sup> in former Parlyaments, I have seene in Committees of y<sup>e</sup> Commons: as is indeede in all popular elections; amongst whom y<sup>t</sup> of Tacitus is most trwe, "*Vera aut in deterius credita iudice ab uno facilius discerni, odium et invidia apud plures valere.*"<sup>2</sup> And why did they defer it one whole month? but onely to give y<sup>e</sup> Committee of Kent farther oportunyty of arming themselves. Though I know some are of opinion y<sup>t</sup> was to see if they could take them of<sup>3</sup> the prosecution of me, as those who they resolved rather then to distast them, to doe any thing; yet would not have complied in so palpable an injustice.

166. And indeede, when I consider it, how could I expect other? these beeing their favorites, that had y<sup>e</sup> promis of protection, in all they did, from both howses of Parlyament; w<sup>ch</sup> was no other imaginable securyty

<sup>1</sup> i.e. "than."

<sup>2</sup> Annal. 3.

<sup>3</sup> i.e. "off."

to them; but onely an incouragment to injure others against law, whilst these had y<sup>e</sup> power; w<sup>ch</sup>, if ever things had returned to theyr own channell, the law, in y<sup>e</sup> former strength, could not have awayed threepence to y<sup>e</sup> employed, or employers.

167. Beesides the publick Order, y<sup>e</sup> Committee of Kent had a letter from them more private;—*That in their opinions I was not sequestrable*; but, neyther y<sup>e</sup> Copy of this, nor the originall, could I ever procure; though I have beene assured of it by undoubted testimony of such as both saw and read it, and is enough proved by y<sup>e</sup> second Certificate out of Kent.

168. The Committee of Kent startled w<sup>th</sup> this Order and letter, not lyking to have any thing they did questioned, endeavored all they could against me. S<sup>r</sup> John Sedly, as is sayd beefore, came to London; and in May they sent a second charge against me.

“The Certificate, in S<sup>r</sup> Roger Twysden’s Case, from y<sup>e</sup> Committee of Kent, 22 Maij, 1644.

“That, beesides the matters in y<sup>e</sup> former Certificate, his breach of trust to y<sup>e</sup> Country hath brought such an odium upon hym, that it will bee a great discouragment to all well affected, to have hym unsequestred,—That for Tymber they neyther know of any feld, nor gave Order for y<sup>e</sup> felling of any, nor had power so to doe,—they conceive, if none of y<sup>e</sup> sayd crimes were sufficient, yet the accumulation of so many are sufficient.

“Vera copia, ex

“Knoll, 22 Maij, 1644.”

“R. VAUGHAN.

By this extract, given me y<sup>e</sup> 7<sup>th</sup> of June, 1644, I saw what y<sup>e</sup> opinion of y<sup>e</sup> Committee at Westminster was, if they might have beene permitted by them of Kent.

169. I remember about this tyme, S<sup>r</sup> Edward Monyngs<sup>1</sup> and S<sup>r</sup> Thomas Styles,<sup>2</sup> coming to see me in Prison at Lambeth, advised me, as two noble Friends, not to have my case refered to a decision in Kent; “for though,” says one of them,<sup>3</sup> “some of us are of opinion you are not

<sup>1</sup> Of Waldershare, Bart. <sup>2</sup> Of Wateringbury, Bart. <sup>3</sup> Sir Ed. Monings.

comprised w<sup>th</sup> in y<sup>e</sup> order of Sequestration; yet there is no question the greater vote will carry it against you."

170. To w<sup>ch</sup> purpos it will not bee unfit to remember, that one day going to Mr W<sup>m</sup> Say, a Member of the howse of Commons and a Counselor at law, to confer w<sup>th</sup> hym about my case, and how I might get of that incumbrance I lay under; he told me playnly, though he did not conceive me w<sup>th</sup> in y<sup>e</sup> Ordenance of Sequestration, yet it would bee vayn for me to have an hope of beeing freede in y<sup>e</sup> howse of Commons, (Now grown to bee called y<sup>e</sup> Parlyament;) for they did take much more delight to punish, then free, any man, and it was an hard taske to get any discharged by y<sup>t</sup> howse; and therefore advised me not to hope it; though he confest he did not understand me to bee with in y<sup>e</sup> foresayd Ordenance; "for it must bee," sayd he, "a notorious warlick association intended by it; or elce no man knowes when he is out," that mine could not bee consterd such, beeing beefore y<sup>e</sup> war.

171. But nothing was more strange than theyr speech of accumulative crimes; when, it is impossible they should bee ignorant, no one of them transmitted from them was trwe. Neyther did they ever insist or goe about urging any one of them against me, but onely the Petition of Kent. "Deliver me o' God from y<sup>e</sup> deceitfull and unjust man." Psal. xliii. 1.

172. The tyme now growing nigh expiration w<sup>ch</sup> restreyned the Committee of Kent from cutting my woods, my wife was forced, the 14<sup>th</sup> of May, out of her desire if possible of preserving them, to petition the Lords and Commons to bee heard; if not, that there might bee a respit from having any proceeding against me in y<sup>e</sup> poynt of woods; who, thereupon, obteyned this Order y<sup>e</sup> 14 June. "That my case should bee peremptoryly heard upon this day sevenight;—The Committee of Kent to send or bring in their proofes against y<sup>e</sup> sayd hearing;—

in the mean tyme, that there bee a respite of cutting downe, felling, or carrying any woods, as is mentioned in a former Order of the sayd Committee."

173. This beeing shewde y<sup>e</sup> Committee of Kent, they having dealt w<sup>th</sup> their friends above to bear them out; and, as it seemes to me, having hopes that, bee y<sup>e</sup> justice what it would, on their desires, I should be sacrificyd unto their wills, doubted nothing by their private opinion to make this former uselesse. I shall transcribe it verbatim.

174. "By y<sup>e</sup> Order dated y<sup>e</sup> 14 June, 1644.

"Whereas y<sup>e</sup> Committee of Lords and Commons for Sequestrations have ordered that there should bee a respite of felling or carrying away any woods of S<sup>r</sup> Roger Twysden, untill y<sup>e</sup> day of hearing appoynted by the last Order; Upon complaynt made to this Committee, and on the beehalf of such as have contracted for woods of S<sup>r</sup> Roger Twysden's, w<sup>th</sup> were felled and sold beefore the last Order, Wee are of opinion that the sayd Order does not extend anywayes to y<sup>e</sup> prejudice of any such former contracts; but y<sup>t</sup> y<sup>e</sup> sayd parties may lawfully take and cary away such woods so bargained or contracted for, and y<sup>t</sup> such wood as was cut beefore y<sup>e</sup> last Order, may bee sold.

"Knoll, y<sup>e</sup> 19 June, 1644."

I shall not neede heere set downe who were the subscribers of this Order. It shall suffice to say it was done by seven; Three of w<sup>ch</sup>, I am persuaded, did not in their hart approve it; but, carryed w<sup>th</sup> y<sup>e</sup> hurry, might not refuse.

175. And heere I should desire to know what that of y<sup>e</sup> Lords and Commons did signify. The 19<sup>th</sup> June was past felling for this year,—my Lady day's rents they had allready received,—All woods contracted for might bee carried away!—all felled, not yet exposed to sale, might bee sold!—thus, following y<sup>e</sup> example of their Masters y<sup>e</sup> howse of Commons, they did, by their viperine glosses, wipe me of receiving any benefit by y<sup>e</sup> former Order;

and when my wife complained above, the onely answer she received was, "The committee of Kent would doe what they would doe."

176. But now, Fryday y<sup>e</sup> 21 June, peremtoryly for hearing my cause, approached; when my wife prepared herself w<sup>th</sup> Councill to attend y<sup>e</sup> Committee, but were put of. The 26<sup>th</sup> she got an Order to bee heard y<sup>e</sup> 3<sup>d</sup> of July, and thus put of all June, July, to y<sup>e</sup> 23 August; she beeing forced, w<sup>th</sup> out any allowance, so much as of a fifth part, to attend every day they appoynted her, Councill feede, and every day at y<sup>e</sup> trouble of solliciting her friends.

177. The most advantagious Order I at any tyme got, was on Fryday y<sup>e</sup> 26 July, 1644. I shall give it as it is.

"26 July, 1644.

"At y<sup>e</sup> Committee of Lords and Commons for Sequestrations.

"Upon y<sup>e</sup> Petition of S<sup>r</sup> Roger Twysden, Kn<sup>t</sup> and Baronet, It is this day ordered, that all things shall remayn and continue in y<sup>e</sup> same state they are now in, untill y<sup>e</sup> cause bee heard and determined, the same beeing ordered to bee heard upon Wensday next come fortnight.

"SAM. BROWNE."

178. I, seeing the Committee of Kent by this restreyned, styrd no farther, but onely to acquaynt them w<sup>th</sup> it; who, upon the thirtieth of July, subscribed by nine, in contradiction of it.

"30 July, 1644.

"This Committee is of opinion that, if any such order be, it is not the intent of y<sup>e</sup> Hon<sup>ble</sup> Committee, to prejudice the intereste or right of any person w<sup>ch</sup> have bought any woods of S<sup>r</sup> Roger Twysden's already felled; but that they may enjoy their bargayns; and doe therefore auctorise all such persons to take and cary all such woods as they have bought or contracted for, at any tyme beefore y<sup>e</sup> making of y<sup>e</sup> sayd Order, dated at Knowle, y<sup>e</sup> 30 July, 1644."

179. By this order, thus differing from y<sup>t</sup> of y<sup>e</sup> 19 June beefore, (w<sup>ch</sup> was but a bare opinion, and onely for y<sup>e</sup> tyme preceded y<sup>e</sup> 14 June; whereas this doth auctorise y<sup>e</sup> carrying any wood sold beefore y<sup>e</sup> 26 July, in opposition of y<sup>e</sup> sayd 14 of June,) together w<sup>th</sup> that my wife could get no redresse upon her complaynt,—made me playnly see the compliance betweene the two Committees, and what I was to expect. For none could bee so simple to think, they in Kent durst so palpably have contradicted them above, had they not understood their minds.

180. Yet however the Committee of Kent, seeing y<sup>t</sup> of y<sup>e</sup> 26 July, rowled every stone to couller their actions; but nothing came to hand. Myself examyned every word in y<sup>e</sup> Ordenances of Sequestrations,—so did my Councell,—but none of us could pytch upon what it should bee. Sometymes they were of opinion it must bee a compliance or holding intelligence w<sup>th</sup> Priests; but of that, I was well assured there could bee nothing, having to my knowledge never seene Popish Priest in England. Some, therefore, would have y<sup>e</sup> obscuring myself to avoyd taxes; but y<sup>t</sup> could not bee, for y<sup>t</sup> Ordinance came out the 19 August, 1643, when my imprisonment and sequestration was beefore. When I spake to them of this petition, they laughed, M<sup>r</sup> Heron and M<sup>r</sup> Neudigate, now Sergeant Newdigate, beeing both most confident that was in no Ordinance whatsoever.

181. During this, they in Kent beestyrd themselves to get some colorabble cause, knowing they at Westminster would make good what ever was such against me. In y<sup>e</sup> end, all the concurrent causes, “the accumulative crimes,” concluded onely, in charging mee w<sup>th</sup> subscribing the Kentish Petition, w<sup>ch</sup> yet I never did, otherwise then what I had distributed was a trwe copy, w<sup>ch</sup> were recalled on their command, so soone as I found it mislyked by them. But to doe this was a matter of great consequence:

My cosen Rich. Browne, one of y<sup>e</sup> Cinque Ports, serving for New Romney, had beene twice sent by the Kentish Committee to y<sup>e</sup> howse of Commons, to desire their resolution in the poynt; who declyned y<sup>e</sup> giving any, w<sup>ch</sup> was taken for an affirmation they ought not to bee; as no man but my self, not those who delivered it, were ever sequestered for y<sup>t</sup> onely. And y<sup>e</sup> Act it self did describe men sequestrable, to bee such notorious Delinquents as had employed their estates to y<sup>e</sup> fomenting and nourishing these miserable distractions; w<sup>ch</sup> could not bee applyed to me, who did never petition, but onely thought of one, and y<sup>t</sup> too, beefore any appearance of a war, or y<sup>e</sup> 20th of May, 1642, to w<sup>ch</sup> day compositions, and pardons on them, had reference.

182. But y<sup>e</sup> knot y<sup>t</sup> can not bee untyed must bee cut. And the Committee of Kent, finding nothing at all they layd could bee made good against me, resolved to fixe onely on that; and, by power, to effect what, in justice, they came short in.

183. The 19 August, one Pead, from Goldsmiths' Hall, acquaynted the prisoners in Lambeth, w<sup>th</sup> an order he had from y<sup>e</sup> office of Treasury for Sequestrations in Goldsmiths' Hall, by w<sup>ch</sup> he was to enquire and make return to y<sup>e</sup> sayd Committee, what the estate in goods and lands were of certayn persons in Lambeth, viz. S<sup>r</sup> Roger Twysden, Knight and Baronet, of Kent,—S<sup>r</sup> Edward Yates, Knight and Baronet,—Alderman Abell of London,—M<sup>r</sup> Danyel Harvy of London, Merchant,—M<sup>r</sup> Rose of Cambridge,—M<sup>r</sup> Hodges, Servant to y<sup>e</sup> Duke of Richmond; he was likewise to inform the Keeper to send y<sup>e</sup> originall warrant of their commitments; and the Keeper to inform hys prisoners, that if they sent any on their beehalf, they would hear them at y<sup>e</sup> sayd place. But myself and Councell beeing not without hope of beeing freedde otherwise, I did not much regard this warrant.

184. The 21 of August now come, there appeared in

the paynted chamber beefore y<sup>e</sup> Lords and Commons sitting, (M<sup>r</sup> Sergeant Brown, then M<sup>r</sup> Samuel Browne, in y<sup>e</sup> chayr,) all persons I think I had ever spoken to about that Petition, w<sup>th</sup> M<sup>r</sup> Lambert Godfry as Sequestrator Generall of Kent. M<sup>r</sup> James spake very little, could not deny I had recommended it unto hym;—S<sup>r</sup> John Rivers,<sup>1</sup> that hee knwe I was for it, for I told hym he had not wit to understand it.

185. S<sup>r</sup> John Sedly, having now opurtunty of shewing hys affection to me, urged w<sup>th</sup> much vehemence, that I was w<sup>th</sup> hym when it was considered of at Maydstone. To w<sup>ch</sup> y<sup>e</sup> Chayr man replied, "Why did not you come away? what, did hee shut the doore upon you?" At w<sup>ch</sup> having stayd, as a little stund w<sup>th</sup> y<sup>e</sup> question, in y<sup>e</sup> end as it were recollecting hymself, he answerd, "Yes, he did, and would not let me come out." In w<sup>ch</sup> he was absolutely mistaken, for I sate not on y<sup>e</sup> side w<sup>th</sup> hym; neyther was there any styrring tyll all were called to supper;—neyther did I see any man more forward then hymself, tyll (as report went) he was taken of,<sup>2</sup> beeing informed hee was made a Deputy Lieutenant by y<sup>e</sup> Commons.

186. To bee short, hee spake w<sup>th</sup> so much earnestnesse, a gentleman then at y<sup>e</sup> boord told me afterwards, he never saw so good a witnesse in hys life, "for I saw by hym, (sayd he,) let us but let hym know what wee would have hym swear to, and it was done immediately." An other gentleman of the howse, too, after I was freedde of prison, speaking to me of my Sequestration, "Well (says he) you may thank your countrymen and the earnestnesse of S<sup>r</sup> John Sedly for it, yet truly (addes he) I will say this though he spake for us, and you I know in opinion are (if not in prooffe) against us, yet I hold you

<sup>1</sup> Of Chafford, in Penshurst, where the family were many years seated; but the property has been long since alienated, and the mansion destroyed.

<sup>2</sup> *i.e.* "off."

the honester man ;" so little are they gayners who seeke others' ruine, not, in justice, but out of revenge !

187. I think it not amisse to insert heere a passage happened to myself, after I well understood Sr John Sedly's love to me, but somewhat beefore these tymes. Upon a speech of making all y<sup>e</sup> Deputy Lieutenants of this County Collonells, Sr John Sedly standing by me and Sr John Rivers on y<sup>e</sup> bench, Sr Tho<sup>s</sup> Walsingham coming up on y<sup>e</sup> other side, Sr John Sedly as it were calling to hym, yet so as he could not hear hym, cries out, "Collonell Tom, Collonell Coxcombe, a company of Coxcombe Collonelles," w<sup>ch</sup> words coming abroad, (though never by me,) I was dealt w<sup>th</sup> to see if I would witnesse them, there beeing an intent to call hym to y<sup>e</sup> Councell boord for so rash a speech ; but I, considering how unworthy it was to take upon me the Divel's office of an Accuser, ever excused myself ; and this, too, in a case of lesse consequence then the outer undoing of hym, as he expected this might me, and therefore (if report bee trwe) did not forbear to say, "ere he had done he would not leave a Twysden worth a groat in Kent." But I return to my Councell.

188. Mr Heron and Mr Newdigate, who spake excellently well, shewde petitioning could not bee within the Ordinance of Sequestration ;—many were involved in it, yet none but myself ever suffered in that kind ;—that by the scope of the Ordenance 1 Aprill, the Association, there mentioned, must bee understoode<sup>1</sup> of such as joyned in an hostile manner.<sup>1</sup> The Chair man hymself seemed to bee of that opinion too ; but what could awayle, when the major part was resolved beefore they came ? I dare say whatsoever was or could bee sayd, my estate must be exposed to y<sup>e</sup> fury of y<sup>e</sup> Kentish Committee ; had I beene as inocent as Abel, or as guilty as Judas, all one.

<sup>1</sup> *Intelligentia verborum ex causis est assumenda dicendi.*—T.