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OLIVER CROMWELL'S POLICY TOWARD THE ENGLISH CATHOLICS: THE APPRAISAL BY DIPLOMATS, 1654–1658

BY

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For four years there were reports in western Europe concerning the persecution of the English Catholics by the Lord Protector, so that it was not unusual for the Catholic foreign diplomats residing in London to include their current views of their predicament in many surviving letters in the files of their foreign secretaries.¹ At least seven of these diplomats were appointed during this period, and a close look at their reactions can offer a new and informative picture of the recusants as they saw it at different occasions. There were four princes usually represented. The Doge of Venice followed the custom of appointing a representative for a short term so that there were three Venetians sent to the Lord Protector. For a year and a half Lorenzo Paulucci was Agent and Secretary and then recalled in July, 1655. His successor, Giovanni Sagredo, had the rank of ambassador but was appointed elsewhere after eight months, and his embassy was closed for nine months. In April, 1657, Francesco Giavarina reopened it, but he too served for less than a year

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¹Manuscript sources: London, British Library [hereafter B.L.], Harleian MS., Vol. 4549, original copies, Letters of Bordeaux, January 11, 1657–December 23, 1658. Additional MS. 27962, vols. I and P; Amerigo and Giovanni Salvetti letters to Florence, 1655–1658. Kew, Public Record Office, PRO 31/3 vols. 99, 100, transcripts: letters of Bordeaux, 1653–1658, Paris, *Ministère des Affaires Etrangères*, *Correspondance d'Angleterre*, tomes 1 to 70, original correspondence of Bordeaux, 1652–1660. Printed Sources: *Calendar of State Papers* [hereafter CSP], *Venetian and Domestic*. Biographies: Peter Gaunt, *Oliver Cromwell* (Oxford, 1996); Derek Hirst, "The Lord Protector, 1653–58," in John Morrill (ed.), *Oliver Cromwell and the English Revolution* (New York, 1990), pp. 119–148; Charles H. Firth, *The Last Years of the Protectorate, 1656–58* (2 vols.; London, 1909). Regional Studies of Catholics: Hugh Aveling, *Northern Catholics: The Catholic Recusants of the North Riding of Yorkshire, 1558–1790* (London, 1966); Terence Stephen Smith, "The Persecution of Staffordshire Roman Catholic Recusants, 1625–1660," *Journal of Ecclesiastical History*, 30 (1979), 327–351.

until January, 1658. As will be seen, all three were curious about the Catholics and enjoyed giving them access to their embassy chapels. The grand duke of Tuscany was pleased with the services of his veteran agent, Amerigo Salvetti, who limited access to his chapel to Italian traders and visitors, but wrote bulletins about the regime's restraints on the "papists." His son Giovanni, born in London, was named his successor in April, 1658. As the diplomats of Portugal were concentrating at this time on commercial agreements, they will not be included here. There remain the diplomats of the two great monarchies of western Europe, Spain and France, who played more visible roles in the Catholic question at different times but without competition.

Alonso de Cárdenas of Spain was at first the most prominent of all. He had arrived in London in 1638 and maintained many links to the Catholic community in and near London through his well-staffed chapel. His one confrontation with Cromwell occurred when he requested the custody of the aged English priest John Southworth, who had been condemned under a mandate of the protector, and was refused. The priest became the sole martyr of this regime, but remained a drawback to Cromwell's ineffective efforts to gain the friendship of Catholic princes.² Cárdenas had to close the Spanish embassy in October, 1655, after Cromwell's misguided attack on Santo Domingo led to his costly naval war against the domains of Philip IV. In mid-1656, accordingly, Antoine de Bordeaux assumed a new role among the resident Catholic diplomats, as shall be seen shortly.

The laws against Catholics were enacted a decade earlier than when Cromwell accepted the office of protector in December, 1653. The Long Parliament passed a new law on March 27, 1643, requiring a Catholic aged twenty-one or over to subscribe on demand to an "oath of abjuration" which denied specific traditional Catholic beliefs. If this was refused the offender suffered "sequestration" of his estate, which meant that two-thirds of his "lands, rents, goods and chattels" were to be possessed by a county commission of sequestrations, who leased the property to non-Catholics, who paid rent to the exchequer. Furthermore, if a royalist, the Catholic faced a loss of four-fifths of his estate.³

²Oxford University, Bodleian Library, Rawlinson MS., Series A, vol. 15, vols. 532, 533, June 26 and July 6, 1654. Albert Loomie, "London's Spanish Chapel before and after the Civil War," *Recusant History*, 18 (1987), 402-417.

³G. E. Aylmer states that "most English Catholics, at least nobility and gentry, were active royalists." Cromwell told Parliament on September 17, 1656: "it is certain that papists, priests and Jesuits have great influence in the Cavalier party." G. E. Aylmer, "Collective Men-

This draconian penalty had been preceded by the act of February 3, 1643, that required each Catholic to pay every tax assessment at twice the official rate, and lastly by an act of February 23, by which any tithe still attached to a Catholic's inherited lands was also confiscated.⁴ Obviously, all sequestered properties risked two more hazards in that any incompetence by the new proprietor could produce a decline in both value and income, which might take years to recover after the return of the property to the Catholic owner.⁵ Regional studies have shown that the Catholic minor gentry with typical lower income "almost certainly suffered more severely than the greater gentry and the peerage," since sequestration usually forced them to sell a small part of their holdings.⁶ In some counties even the marginally poor Catholics were not spared, for Richard Challoner has shown how all classes endured sequestrations in the West Riding of Yorkshire from 1647 to 1650.⁷

The damage from sequestration was far-reaching to the head of the household. If the parent sought adequate funds for a dowry for his daughter or an annuity for an elderly relative, far more time and effort was needed to acquire it. Consequently, numerous recusants faced the grim threat of pauperization. Research by Terence Smith into the county of Staffordshire for this period has concluded that "the intensity of the financial persecution between 1642 and 1660 can have been, in general, little less than staggering for Catholics."⁸ Obviously, not every Catholic suffered sequestration, but there is evidence that each level of society was touched. The Catholic Edward Somerset, 2nd marquis of Worcester, was sentenced to the sequestration of his estates in 1652, then after confinement in the Tower for two years, his pension was fixed at £3 a week in 1655 during the protectorate.⁹ After the 4th Lord Vaux endured sequestration in 1653 his household had to get by on

talities in Mid-Seventeenth-Century England: Royalist Attitudes," *Royal Historical Society Transactions*, Fifth Series, 37 (1987), 11; Wilbur C. Abbott, *Writings and Speeches of Oliver Cromwell* (Cambridge, Massachusetts, 1947), IV, 368.

⁴Charles A. Firth and Robert S. Rait (eds.), *Acts and Ordinances of the Interregnum 1642-1660* (London, 1911), I, 75, 84, 107, 255-256.

⁵B. G. Blackwood, *The Lancashire Gentry and the Great Rebellion 1640-60* (Chetham Society, 3rd Series, vol. 25 [Manchester, 1978]), pp. 113-115, 124-125.

⁶Chris Clay, "Landlords and Estate Management in England," in Joan Thirsk (ed.), *Agrarian History of England and Wales* (Cambridge, 1985), vol. 5 part 2, pp. 146-151.

⁷John H. Pollen (ed.), *Richard Challoner, Memoirs of Missionary Priests* (London, 1924), pp. 491-499.

⁸T. S. Smith, *op. cit.*, pp. 340-351.

⁹George E. Cokayne (ed.), *Complete Peerage of England*, 2nd ed. (London, 1959), vol. 12 *sub* Worcester, 2nd Marquis, Edward Somerset (1603-67).

£300 a year.¹⁰ Even the 2nd Baron of Forfar had to sell lands while barely enduring sequestration.¹¹ A few Catholics managed to conceal ownership of their estates by selling their lands to Protestant friends for a limited period, but this still required expensive legal fees. Sir William Blundell of Lancashire recalled later: "My whole estate was purchased and compounded for with my own money for my use . . .," but the price for his evasion of a sequestration was £1109. The Constable family of Yorkshire and the Eyres of Derbyshire were also able to resort to a similar escape but at a similar high cost.¹²

Complete totals of each yearly income by penalizing Catholics in this period are not at hand, but a reasonable example on record for the year ending in March, 1651, states that the "Non-Delinquent [i.e., non-Royalist]" Catholic estates produced £42,000.¹³ Not every wealthy landowner was treated with this heavy hand. An unusual case was the Catholic 5th Viscount Fairfax of Emley, who was protected by his Protestant cousin Lord Fairfax of Denton, a general in Cromwell's army, so that he escaped both fines and sequestration.¹⁴ However, other Catholic peers felt compelled to take the oath of abjuration as the only alternative for the family's survival. The near penniless 2nd Earl Rivers took the oath in 1649, and the 4th Baron Petre, overcome by his losses during the civil war, had to salvage his diminished estate by taking the oath in May, 1652.¹⁵ It was an ironical result of this type of persecution that each time a Catholic conformed, the Commonwealth or the Protectorate lost money.

When Cromwell assumed the office of protector, the statutes of the Commonwealth were continued, but on January 19, 1654, he issued an ordinance that declared that all penal laws of Elizabeth I and James I "continued in full force and effect in every clause thereof. . . ." Later, on February 10, he announced the continuation of all current sequestra-

¹⁰Godfrey Anstruther, *Vaux of Harrowden* (Newport, 1953), pp. 469-475.

¹¹T. S. Smith, *op. cit.*, p. 349.

¹²M. Blundell, *Cavalier: Letters of William Blundell to his Friends 1620-98* (London, 1933), pp. 40-41; P. Roebuck, "The Constables of Everingham: The Fortunes of a Catholic Royalist Family during the Civil War and Interregnum," *Recusant History*, 9 (1967), 75-88; R. Meredith, "A Derbyshire Family in the Seventeenth Century: The Eyres of Hassop and Their Forfeited Estates," *Recusant History*, 8 (1965), 55-59.

¹³Mary Anne Everett Green (ed.), *Calendar of the proceedings of the Committee for Compounding 1643-60* (London, 1889-1892), I, 429.

¹⁴Hugh Aveling, "The Catholic Recusancy of the Yorkshire Fairfaxes," *Recusant History*, 4 (1957), 81-85.

¹⁵Chris Clay, "The Misfortunes of William Fourth Lord Petre, 1638-55," *Recusant History*, 11 (1971), 87-116; John Morrill, *Cheshire 1630-60* (London, 1974), pp. 114-115.

tions but that new ones were at present put in abeyance.¹⁶ Disturbed at the continuance of the unpopular penal codes, an ad-hoc committee of Catholics that included three peers, Arundell of Wardour, Brudenell, and Montague, privately met Cromwell to plead for restraint in future anti-Catholic ordinances. Although they left the meeting “with the impression that Cromwell would withstand pressures from his council to put the screw still further on Catholics,”¹⁷ a year later they saw that they were deceived.

On April 24, 1655, Cromwell issued a new proclamation demanding full conformity to the laws against priests, “who resort to say masses and seduce people to the church of Rome,” and the “speedy conviction” of popish recusants “for there had been great neglect.” Furthermore, the protector’s council sent to each county’s justices of the peace a new printed form on which to list the names of all “refusers and neglecters” to swear the oath of abjuration. These completed forms were to be sent to the barons of the exchequer.¹⁸ Still uncertain of the Protectorate’s security, the council decided to create a new militia of soldiers. On September 21 it announced that these veteran soldiers would be supported by a “decimation tax,” or 10%, on the royalists as a supplement to their sequestration penalty. Eighteen Catholics were named on the first list of selected royalists, but fortunately the unpopularity of the tax led to its repeal later in January, 1657.¹⁹

Inevitably there were times when the policy of Cromwell toward Catholics would be misstated. For example, in October, 1655, Giovanni Sagredo reported to the Doge of Venice that “though the present government deprives the Catholics of their goods . . . it allows them to hear as many masses as they wish.”²⁰ This was quite contrary to Cromwell’s proclamation of April, 1655, and early in January, 1656, Sagredo would see a strict watch at his own embassy. At about the same period across the channel misleading reports circulated of a possible Cromwellian overture toward Rome. Two exiled Catholic royalists, Marmaduke Langdale in Brussels and Charles Longland in Livorno, believed that Cromwell was cultivating some leading Catholic gentry so that when they heard that Dr. Thomas Bayly, a recent convert, and William Metham, a

¹⁶Firth and Rait, *op. cit.*, II, 831–835, 842.

¹⁷Aveling, *Northern Catholics*, p. 315.

¹⁸*CSP Domestic*, 1655, pp. 139–140, 286, 314–315.

¹⁹J. T. Cliffe (ed.), “The Cromwellian Decimation Tax of 1655: The Assessment Lists,” *Camden Miscellany XXXIII* (Camden Fifth Series, vol. 7), Royal Historical Society (London, 1996), pp. 403–492.

²⁰*CSP Venetian*, 1655–56, p. 129.

Yorkshire estate-owner, were on a pilgrimage to Rome to represent the Lord Protector, they reported it in alarm to Charles II. However, there is no reliable evidence that their visit had significance to the papal curia.²¹ Equally dubious were the rumors concerning Sir Kenelm Digby, a leading Catholic in the household of Henrietta Maria in exile. There is no doubt that Digby had won Cromwell's friendship during his first extended visit to London, for in May, 1654, he secured the release of his family's property from sequestration.²² Later the royalist Edward Hyde denounced Digby in print for encouraging Catholics to obey solely the authority of the protector, as if the exiled Charles II did not deserve loyalty. As proof Hyde noted the dedication to Digby of a controversial tract by an English priest, Thomas White, which many thought was in support of pro-Protectorate politics.²³ However, the book, labeled *The Grounds of Obedience and Government*, was not an endorsement of Cromwell, but it undermined the divine-right hereditary monarchy by declaring the legitimacy of removing any ruler who failed to serve the public interests of his subjects.²⁴ Once again Kenelm Digby was the subject of a misleading report in 1655 that he was an emissary of Cromwell for Rome when he secured leave to go to the continent. Instead he intended to lecture in Toulouse and Montpellier about his discovery of a powder which he believed was able to cure wounds.²⁵ In brief, despite the wide circulation of misleading reports there had never been a rapprochement until then of the English Catholics with the Lord Protector.

However, on November 3, 1655, the French ambassador, with the approval of Cardinal Mazarin and the young Louis XIV, had signed a treaty with Cromwell's negotiators, also named "the treaty of Westminster," which in less than a year gave unintended benefits to the English Cath-

²¹For Langdale, George F. Warner (ed.), *Correspondence of Sir Edward Nicholas* (Camden Society, London, 1886-1920), II, 272, and III, 52-53; for Longland, Thomas Birch (ed.), *A Collection of State Papers of John Thurloe* (London, 1738-1743), IV, 59, 92, 200, 232, 310.

²²Thomas Longueville, *The Life of Sir Kenelm Digby* (London, 1896), p. 282.

²³Thomas White, *The Grounds of Obedience and Government* (1655, Gregg Reprint 1968); H. W. Jones, "Thomas White, or Blacklo, 1593-1676: New Data," *Notes and Queries*, 218 (1973), 381-388; Anon. (Edward Hyde), *A Letter from a True and Lawful Member of Parliament . . .* (1656), pp. 64-65.

²⁴B. C. Southgate, "That Damned Book': *The Grounds of Obedience and Government* (1655), and the downfall of Thomas White," *Recusant History*, 17 (1985), 238-253; Robert J. Bradley, "Blacklo and the Counter-Reformation," in Charles H. Carter (ed.), *From the Renaissance to the Counter-Reformation* (New York, 1965), pp. 348-370.

²⁵Edward Chaney, *The Grand Tour and the Great Rebellion* (Geneva, 1985), pp. 325-328.

olics. Antoine de Bordeaux II, Seigneur de Génitoy et de Neufville, had labored for three years to resolve the commercial tension between England and France. There was also included a secret article by which each side agreed not to shelter the domestic enemies of the other, which shortly led to the exclusion of Charles II and his retinue from France.²⁶ When Bordeaux returned to Paris the cardinal's euphoria was evident in his brief comment that with Louis XIV he was about to attend a banquet where "you may believe that we shall not forget to remember in a solemn manner the health of the Lord Protector." The unexpected benefit was the number of advocates of the better treatment of the English Catholics amid the entourage of the exiled Henrietta Maria, the *dévots* and the followers of the Cardinal de Retz, who formed a chorus of petitioners to Cardinal Mazarin to "pleas earnestly in the name of our king to show favor to the Catholics."²⁷ Consequently Bordeaux's letters to the secretary for foreign affairs, Henri Auguste de Loménie, Comte de Brienne, regularly included a bulletin on the present status of the Catholics. Unfortunately, in early 1656 their situation took a turn for the worse.

Sagredo, the diplomat who only a short time before had written to the Doge that Catholics were attending "as many masses as they wish," was embarrassed to see in January, 1656, a large number of recusants who were ready to enter his embassy chapel but were arrested instead. They were sent as prisoners to Hicks Hall, where the following day "many of them were released on security by the Lieutenant of the Tower." A week later the troops returned to arrest four hundred others, "who were afterwards released on paying a fine according to their means." When Sagredo left for a new assignment his embassy was closed so that, with the absence of the Spanish and French diplomats for this period, the remaining chapel of Portugal was crowded with Londoners, many of whom were arrested nearby "and compelled to make considerable payments."²⁸

Meanwhile in March, 1656, the barons of the exchequer, in obedience to an order of Cromwell in September, 1655, had compiled a summary

²⁶For Bordeaux's diplomatic career see J.J. Jusserand (ed.), *Recueil des Instructions données aux Ambassadeurs et Ministres de France*, vol. 24: *Angleterre*, Tome Premier: 1648-65 (Paris, 1929), pp. 149-232. For the treaty see Ruth Kleinman, "Belated Crusaders: Religious Fears in Anglo-French Diplomacy, 1654-1655," *Church History*, 44 (1975), 34-46; Philip A. Knachel, *England and the Fronde* (Ithaca, New York, 1967), pp. 254-255, 272-273.

²⁷B. L. Additional MS. 4157, fol. 24, Mazarin to Bordeaux, December 8, 1655; Pierre-Adolphe Chéruel and G. D'Avenel (eds.), *Lettres du Cardinal Mazarin* (Paris, 1872-1906), VIII, 236, 661: letters of December 30, 1656, December 13, 1657, January 9, 1658; Knachel, *op. cit.*, pp. 248-275.

²⁸*CSP Domestic 1655-56*, pp. 109-110; *CSP Venetian 1655-56*, pp. 167, 185.

of the certificates forwarded by the justices of the peace from the counties.²⁹ Inevitably the number of “neglecters and refusers” to take the oath of abjuration had regional variations, but there was no surprise when Lancashire far outdistanced the others with 992 recusants soon to be penalized by the process of sequestration. It was ominous that thirty-seven other towns and counties had still not sent their certificates to the exchequer.³⁰ Still the penalties were indeed mounting up, as the total number of recently sequestered properties in forty-eight counties in England and Wales reached 1538. Again Lancashire topped the list with 505, and Yorkshire was next at 130.³¹ This report was incomplete, and there are, of course, other lacunae in the files of the exchequer, but the trend of this evidence appears to be that many Catholics faced financial ruin during the protectorate.³²

Bordeaux had much to learn of the economic condition of the recusants. When he first came to London in December, 1652, he explained to Brienne: “I am using considerable restraint towards the Catholics,” since he presumed that the English negotiators would become hostile if many Catholics were seen at his residence.³³ In 1656, therefore, he was mistaken in his report: “The Catholics now appear better off than under the late kings,” although he had not served in London during the Stuart regime. He compounded his error by adding that Catholics were visiting embassy chapels, “without being hunted down.”³⁴ Apparently he had not even learned of the arrests by troops on the watch currently at other embassies.³⁵

²⁹Further citations in note 18.

³⁰*CSP Domestic 1655–56*, p. 251.

³¹M. A. E. Green, *op. cit.*, I, 741–742.

³²At Public Record office at Kew, Records of the Protectorate, recusants in the Exchequer: (E370, vol. 106/1): List of at least 500 Lancashire recusants to be fined. Another list of over 400 names of “Refusers and Neglecters” in Warwickshire (E 377, vols. 59–64) has six Recusant Rolls of those who refused the oath and are “convicts.” For more details see J. A. Williams, “Sources for Recusant History (1559–1791) in English Official Archives,” *Recusant History*, 16 (1983), 338–340, 394.

³³Paris, *Ministère des Affaires Etrangères. Archives, Correspondance d'Angleterre*, tome 61, fol. 42, Bordeaux to Brienne, February 13, 1653.

³⁴Kew, Public Record Office: PRO 31/3, vol. 100, fols. 51, 64, same to same, September 14 and October 5, 1656.

³⁵Eventually by law Catholic embassy chapels were no longer open to visitors, although Amerigo Salvetti carefully limited his chapel to Italians (B.L. Additional MS 27962, Section I, fol. 4, January 28, 1655). The Spanish embassy chapel was closed with the departure of Cárdenas in October, 1655. See note 2. By late June, 1657, the remaining embassies (France, Venice, and Portugal) were forbidden to have visitors in their chapels, so that Catholics sought only private houses.

Only when the second protectorate parliament on November 29, 1656, gave a first reading to a more stringent bill against Catholics did Bordeaux become aware of the fears among the English Catholics. Most diplomats knew of the heavy debts that Cromwell had accumulated by his costly wars in recent years and were not surprised when Francesco Giavarina of Venice announced that Cromwell was about "to confiscate some property of the Catholics . . . from whom they mean to extract an even larger sum."³⁶ Bordeaux had also heard how inadequate were the revenues of the lord protector so that he was resigned to the decision that the regime would again exercise "a more unusual severity upon the Catholics."³⁷ When the second reading of the act occurred on December 3, 1656, his Catholic informants assured him that the new act had the encouragement of Cromwell while they were alarmed at its consequences if it passed.³⁸

In the coming weeks Bordeaux's informants speculated on Cromwell's purpose with this draconian act. Some suggested that the protector wished it enacted so that he could later suspend it for a foreign prince, such as Louis XIV, who would then be indebted to him.³⁹ At the French court, however, Cromwell's ambassador, William Lockhart, assured the queen mother Anne of Austria that the protector would be lenient in enforcing it. Relieved by this hint, Brienne wrote to Bordeaux, "You need not press to make any offers in favour of the Catholics."⁴⁰ However, Bordeaux's informants were uneasy during the debates over the third reading in May of the *Act for the discovery, correcting and repressing of popish recusants*. Its centerpiece was a new objectionable oath of abjuration to be presented to any recusant of sixteen years or more, whereas the earlier version had been directed to those of twenty-one years. It stated bluntly, "I do not believe the church of Rome to be the true church," followed by various other traditional beliefs. There were unexpected provisions such as, the male Protestant who married a recusant thereby became a recusant, or a deceased recusant's wife and children lost their right to the inheritance if they remained Catholic. There was a stir among Londoners when the act declared all embassy chapels to be closed to visitors under penalty of a fine of £100 and six

³⁶*CSP Venetian* 1655-56, p. 279.

³⁷Kew, Public Record Office: PRO 31/3, vol. 100, fols. 123-124, Bordeaux to Brienne, December 18, 1656.

³⁸*Ibid.*, fol. 128, December 25, 1656: "Ils decouvrent qu'elle est suscitée par M. le Protecteur et apprehendent les suites."

³⁹B.L. Harleian MS 4549, fol. 33', same to same, February 26, 1657.

⁴⁰Birch, *State Papers of John Thurloe*, VI, 214-215, Brienne to Bordeaux, February 16 and April 28, 1657.

months in prison, for the chapel was restricted henceforth to the ambassador's household.⁴¹

In the carefully detailed diary of Thomas Burton, a Member of Parliament, the critical opinions of this act dominate the text. For example, two members agree privately that the new oath is similar to the Spanish Inquisition, for this "racks and tortures the purse, the other the person and the body." Even a member of the council of Cromwell, Walter Strickland, demanded for the recusant a due process of two witnesses and a jury. The M.P. for Cumberland argued that no one is bound to betray himself in court, yet this oath tried to discover "a man's thoughts and his conscience before God" so that it was virtually the *ex officio* oath that had years before been rejected by Parliament. He queried the reliability of each recusant's statement before a justice of the peace, where some will be "most conscientious," but others will be merely "drinking another glass of sack."⁴² Since the vote at the debate was too close—fifty-one "Yeas" against fifty-three "Noes"—the Act was returned to the committee.

Disturbed at this threat to the Catholics, Bordeaux asked for a meeting with Cromwell in which he protested strongly against the Act. When Giavarina heard of it he declared his surprise at the concern of the French ambassador, who clearly acted on Mazarin's instructions. The Venetian speculated how strange the intercession of Paris on the behalf of the Catholics appeared: "they are exhausted, downtrodden, almost entirely stripped of their possessions, disarmed and in no condition to render the slightest service to any one." Despite Bordeaux's protest, Cromwell approved the bill after its third reading with a majority, which Giavarina attributed to "the creatures and prime favorites of his Highness [i.e., Cromwell] who had been observed pushing the bill and showing themselves more eager than ever against them."⁴³ Bordeaux at once requested two personal interviews to lodge a protest against such a threat against the Catholics. In the first he was surprised that Cromwell in effect denied responsibility, assuring him that "he regretted parliament's approval of a law so contrary to his own promises while he had tried at the final session to prevent it." In the next meeting he promised the Frenchman that he hoped to provide favorable treatment for the Catholics some time in the future, once he was no longer

⁴¹Complete text in Firth and Rait, *op. cit.*, II, 1170–1180.

⁴²J. T. Rutt (ed.), *The Diary of Thomas Burton* (London, 1826), II, 140–155.

⁴³*Ibid.*, pp. 257, 310; *Journals of the House of Commons*, VII, 577.

compelled to satisfy persons who have nothing more on their minds than "the annihilation of the religion of Rome."⁴⁴

Behind Cromwell's confidential remarks to Bordeaux were two influential political considerations for the survival of his regime. He had to retain the loyalty of a strong Presbyterian faction which had an open anti-Catholic animus. Furthermore, he felt compelled to have a new round of sequestrations of Catholics, even if the returns might be smaller than the income during the commonwealth.⁴⁵ Accordingly, steps to enforce the law were taken at once in certain regions of England and Ireland, but Scotland was not included in the new act. For example, at the French embassy, although Bordeaux had warned the English that his chapel was no longer open, he was very displeased that the French Catholics who came to Mass were arrested and fined as well. Six months later he was appalled to hear that French Catholics, usually resident in London for mercantile affairs, were also summoned to take the new oath of abjuration while facing the penalty of sequestration.⁴⁶ Elsewhere steps toward convictions had begun in the autumn of 1657, in Staffordshire, for example. There survives an unusual list of 1019 Catholics in rural areas of that county who were to be summoned to local assizes to take the new oath. Not only is its length noteworthy, but the large majority of the Catholics listed are of marginal income as the livelihood of each recusant is identified. A typical page has "a husbandman and his wife," a glover, a blacksmith, a laborer, a mason, a widow, or a spinster.⁴⁷ Here the prospects of large financial returns were minimal.

In Ireland there was widespread disapproval of the new Act according to Oliver's son, Henry Cromwell, who was to become Lord Deputy there in November, 1657. He complained to Secretary Thurloe that most of the Irish Catholics "account the sending into Connaught and

⁴⁴*CSP Venetian, 1657-1659*, pp. 72-73, 78; B.L. Harleian MS. 4549, fols. 162 and 167, letters of July 16 and 30, 1657.

⁴⁵Firth, *Last years*, I, 79 note 4, states the revenue of the Receivers General of the Exchequer for 1658-59 "arising chiefly by Papists and Delinquents [i.e., Royalists] estates," at £54,087. Maurice P. Ashley, *Financial and Commercial Policy under the Cromwellian Protectorate*, 2d ed. (London, 1962), p. 185, provides evidence that gives revenues at Michaelmas, 1654, to 1656 at £75,033 and for 1656 to 1658 at £89,455.

⁴⁶B.L. Harleian MS. 4549, fols. 208, 251, 386. Bordeaux to Brienne, September 4, October 25, 1657, and May 6, 1658.

⁴⁷M. Greenslade (ed.), "A List of Staffordshire Recusants, 1657," *Collections for a History of Staffordshire*, 4th Series, vol. 2 (1958), pp. 71-100.

the losing of their estates nothing in comparison to this oath. . . . Sober men are very apprehensive of this business, I wish this extreme course had not been taken.”⁴⁸ Determined to keep the peace, Henry Cromwell postponed the enforcement of the law in Ireland. At the same time Bordeaux was pleased to learn that in London at least Cromwell had ordered the justices of the peace to halt temporarily proceedings against recusants.⁴⁹ At the same time Mazarin did not escape criticism from both the French hierarchy and the *dévots* of the royal court for the severe articles of the new Act.⁵⁰ The situation of the Catholics worsened in December, 1657, because of a new search for priests with sequestrations as well.⁵¹ Bordeaux protested publicly to Secretary Thurloe that “such seizures of property have not been seen since my first arrival.” A different reaction was noted by Francesco Giavarina, who wrote to the Doge that some Catholics were refusing to take the oath and announcing that they “would rather commit their souls to God than their purses and effects to the Protector.”⁵² Mazarin wrote a special note to Bordeaux asking him to “double your requests” to Cromwell to be generous to the Catholics, for this new Act “still gives grounds to many people to speak against me.” Widespread discontent was noted in London after a proclamation against religious services on Christmas day. Anglicans suffered alongside of papists on this occasion, for John Evelyn was arrested and closely interrogated at Whitehall, as he recorded in his diary.⁵³

The increasing militancy against Catholics, Anglicans, and royalists probably came from this Protectorate’s need to avoid all criticism for neglecting “popery and prelacy” before the next session of Parliament convened. Uncertainty increased when it was widely revealed that Cromwell’s health was declining. His recent biographer, Peter Gaunt, has estimated that of the seventy-two meetings of his council from January, 1658, until his death on September 3 the protector attended only nineteen. In February, 1658, a royalist invasion was quickly defeated but re-

⁴⁸Firth, *Last Years*, II, 148; Birch (ed.), *State Papers of John Thurloe*, VI, 527.

⁴⁹B.L. Harleian MS. 4549, fol. 251, Bordeaux to Brienne, October 25, 1657; *CSP Venetian* 1657–59, pp. 124–125.

⁵⁰B.L. Harleian MS. 4549, fols. 190–203, is a handwritten French translation of the entire Act with a two-page commentary on its harassment of Catholics.

⁵¹B.L. Harleian MS. 4549, fol. 283, “Ils sont tousjours poursuivis dans leur biens,” Bordeaux to Brienne, December 3, 1657, and fol. 292, letter of December 17, 1657.

⁵²*Ibid.*, fol. 297, same to same, December 24, 1657; *CSP Venetian* 1657–59, pp. 147–148.

⁵³E. S. de Beer (ed.), *The Diary of John Evelyn* (London, 1955), III, 203–204.

sulted in a proclamation requiring papists and royalists to leave Westminster and London unless they dwelt there.⁵⁴ According to Giovanni Salvetti, the new agent for Florence, the Lord Mayor of London had ordered the city's parish constables and church wardens to send to the court of aldermen the names of the Catholics who ought to be summoned at the next quarter session to take the oath of abjuration.⁵⁵ By March 19, 1658, the list of "Papists and Popishly affected" had over seventy names from the city, including an aristocrat such as John Paulet, 5th Marquess of Winchester, of the parish of All Hallows.⁵⁶ Disturbed at this continuing harassment of Catholics, Bordeaux asked for another meeting of Cromwell, where he heard an excuse similar to that of a few months earlier. Oliver insisted that he was obliged to "satisfy the presbyterians who are also hostile to the enemies of this regime, so that he had to act with severity." He predicted that there would be a milder treatment of Catholics when his government became stronger against its numerous political enemies.⁵⁷ Meanwhile elsewhere new cases against individual Catholics continued. In Northamptonshire attention turned to the eighty-year-old Lord Thomas Brudenell of Deene, who refused along with ten others to sign the new oath in January as well as after Easter. They were all placed under "house arrest," which required that they be accompanied by a soldier if they appeared out of doors.⁵⁸ Farther north in the city of York the committee for sequestrations summoned the sons and daughters of each family already under sequestration to command them to pay all assessments at a double rate.⁵⁹

In Ireland Henry Cromwell concluded that he must not further postpone the enforcement of the new law, for on September 12, 1658, it was announced that 112 Catholics were summoned to appear at Naas (Kildare) to take the new oath of abjuration. However, following the news of his father's death it is uncertain that he fully enforced a law of which he never approved.⁶⁰ Elsewhere it is likely that some Catholics decided

⁵⁴Gaunt, *op. cit.*, p. 203; *CSP Domestic 1657-58*, pp. 296, 301, 303.

⁵⁵B.L. Additional MS. 27962, vol. P, fol. 91, Giovanni Salvetti, letter of January 25, 1658.

⁵⁶Hugh Bowler (ed.), *London Session Records 1605-85* (Catholic Record Society, vol. 34 [London, 1934]), pp. 130-144.

⁵⁷*CSP Domestic 1657-58*, pp. 357, 373; B.L. Harleian MS. 4549, fols. 370, 375, Bordeaux to Brienne, April 8 and 15, 1658.

⁵⁸Joan Wake, *The Brudenells of Deene* (London, 1953), pp. 153-155.

⁵⁹Hugh Aveling, *Catholic Recusancy in the City of York, 1558-1791* (Catholic Record Society Monographs, Vol. 2 [London, 1970]), p. 89.

⁶⁰P. J. Corish, *The Catholic Community in the 17th and 18th Centuries [Ireland]* (Dublin, 1981), p. 48; and "The Cromwellian Regime, 1650-60," in T. W. Moody, F. X. Martin, and F. J. Byrne (eds.), *The New History of Ireland* (Oxford, 1976), III, 380-386.

that an oath sworn under coercion was not binding,⁶¹ or a gesture on a par with a "glass of sack" as Thomas Burton's diary predicted [see note 42]. It was significant that Bordeaux's first report on December 17, 1657, of the reaction of the leaders among the Catholics was that they decided it was best to endure quietly the impact of the new act. He believed that they did not wish it said publicly that they reached any agreement with the Lord Protector, for "this qualm seems to me to arise from a thorough detestation of the present regime."⁶² Unfortunately, after Cromwell's death, during the tenure of the next protector, his son Richard Cromwell, Bordeaux thought the treatment of the Catholics had not improved; as he commented to Brienne: "the condition of the Catholics has not become worse."⁶³

It is obvious that a leader of the status of Oliver Cromwell was free to show kindness rather than severity toward Catholics when he wished. In a personal letter to Mazarin in late 1656, in response to the cardinal's appeal for their milder treatment, he insisted that he had "saved" a number of them from "the raging fire of persecution which did tyrannize over their consciences and encroached . . . upon their estates."⁶⁴ Pardons from the onerous sequestrations were welcome indeed, but it should be understood that Oliver was restricted by his personal alienation from Catholicism. Blair Worden has established that he considered it heretical and engulfed in error in addition to its prohibition by the *Instrument of Government*, which was the constitution of the Protectorate.⁶⁵ Undoubtedly, his leniency to Kenelm Digby or Viscount Fairfax of Gilling deserved praise as it was known to many contemporaries. Less known but equally generous was his permission to Lord Thomas Brudenell to retain the full revenues of his sequestered estate for one year in order to pay the ransom of his son who was at that time held captive in a Turkish prison. It is quite likely that he was aware that John Rushworth, his legal secretary, had a profitable legal business of preserving the estates of certain wealthy Catholics from sequestration by arranging their repurchase in his own name.⁶⁶

⁶¹John Spurr, "A Profane History of Early Modern Oaths," *Royal Historical Society Transactions*, Sixth series, vol. 11 (2001), p. 61.

⁶²B.L. Harleian MS. 4549, fols. 293–294, Bordeaux to Brienne, December 17, 1657.

⁶³*Ibid.*, fols. 526–527, same to same, December 23, 1658.

⁶⁴Abbott, *op. cit.*, IV, 368, December 26, 1656.

⁶⁵Blair Worden, "Toleration and the Cromwellian Protectorate," in W.J. Sheils (ed.), *Persecution and Toleration* ("Studies in Church History," vol. 21 [Oxford, 1984]), pp. 199–233.

⁶⁶Wake, *op. cit.*, pp. 150–151; Aveling, *Northern Catholics*, p. 306.

Careful to escape foreign criticism, Cromwell respected the rights of Catholics in newly acquired territories. A famous case was his defense of Lord Baltimore to remain the proprietor of Maryland despite the loud protests in Parliament and in Virginia. He also approved a private agreement of Cardinal Mazarin and William Lockhart to assure the freedom of worship of the Catholic townspeople of the fortress of Mardych and the harbor enclave of Dunkirk, after they were placed under English control.⁶⁷ He was courteous to the Catholic diplomats in London. In May, 1657, he gave to Bordeaux a passport for a party of fourteen Spanish friars and four native Indian Catholics who had been captured on a ship in the Caribbean and brought to London. Bordeaux escorted them to Dover, where he arranged for their crossing of the channel and a safe journey through France and then on to Rome. The Protector's unusual permission for a solemn funeral Mass and burial in St. Bartholemew Priory's sanctuary of Amerigo Salvetti, the Tuscan agent, was gladly attended by the other Catholic diplomats and foreign residents. In January, 1658, during another search for priests in London chaplains of the French and Venetian embassies were arrested on different days, but Secretary Thurloe released them both and escorted them to Bordeaux with apologies. Even then Cromwell never abandoned his determined effort to remove Catholic clergy from England. During his final weeks of active service on June 27 and July 1, 1658, he summoned the French ambassador twice to a private meeting where he offered him the freedom of every priest imprisoned in London, if Bordeaux would then arrange for their removal overseas. However, each time the priests replied to Bordeaux that they found advantages in the prisons and declined to move.⁶⁸

The correspondence of the diplomats resident in London during the Protectorate has shed new light on the problems that faced the Catholic community. Particularly striking were the excuses which Cromwell offered to Bordeaux toward the end of his career by 1657, where he admitted he won loyalty from Presbyterians by the harassment of the Catholics but that he expected one day to no longer have to rely for survival on the factions that sought the "annihilation of Rome." It is still surprising to discover historians and biographers who believe that Cromwell treated Catholics as benignly as he treated the various schools

⁶⁷J. W. Vardaman, "Lord Baltimore, Parliament and Cromwell," *Journal of Church and State*, 4 (1962), 31-46; Firth, *Last Years*, II, 214-221.

⁶⁸B.L. Additional MS. 27962, vol. P, fols. 242-244, Giovanni Salvetti to Florence, September 7, 1657; B.L. Harleian MS. 4549, fol. 107, May 28, 1657, and fol. 323, February 4, 1658, Bordeaux to Brienne.

of Protestantism. Christopher Hill pointed to "Oliver's *de facto* tolerance" as a deliberate gesture to all Catholics "prepared to give guarantees of loyalty." Claire Cross stressed that Catholics "had greater freedom than under any monarch since 1558." Antonia Fraser observed that he "showed an interesting predilection towards Catholics." Roger Howell clearly praised the Lord Protector, for there had been "some genuine measure of toleration" during his regime.⁶⁹ However, Bordeaux does not share this misleading viewpoint, for in his letter of December 17, 1657, he concluded that Catholics had "*une véritable aversion contre le présent regime*" (see note 62). In the final pages of his biography of Cromwell, Peter Gaunt observed that much of Oliver's work as protector "either failed during his lifetime or collapsed soon after his death."⁷⁰ Hence for the persecuted majority of the English Catholic community in Ireland and England, Cromwell's demise was a welcome liberation from a policy for which most of them had little reason to be grateful.

⁶⁹Christopher Hill, *God's Englishman: Oliver Cromwell and the English Revolution* (New York, 1970), pp. 190, 214; Claire Cross, "The Church in England, 1646–1660," in G. E. Aylmer (ed.), *The Interregnum, the Quest for Settlement* (London, 1987), p. 115; Antonia Fraser, *Cromwell, The Lord Protector* (New York, 1973), p. 489; Roger Howell, "Cromwell and English Liberty," in P. C. Richardson (ed.), *Images of Oliver Cromwell* (Manchester, 1993), p. 163.

⁷⁰Gaunt, *op. cit.*, p. 205.