

# Conflict and Complexity: Army and Gentry in Interregnum Herefordshire

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**T**he major problems of historical understanding of the 1650s in England revolve around the new power of the army and its relationship to the traditional power of the gentry. Detailed county studies can shed light on the complexities of this relationship and help answer related questions of national importance.<sup>1</sup> The main arguments of this article are interrelated. Herefordshire does not exhibit a strong military presence in the 1650s, and an emphasis should instead be on a gentry resurgence by the mid 1650s. Moreover, we should be aware of the profound fluidity of the 1650s, when army officers and local gentlemen were all involved in taking advantage of the many opportunities for buying land presented by the nationalization of crown, royalist, and church holdings—both groups working to advance themselves while in ignorance of the fate that would befall the republic in 1660. The re-creation of a durable equilibrium between old and new county elites was not achieved by unitary design, driven by a single leader or cabal, nor was it an intentional settlement. Instead, this process amounted to a medley of mixing, melting, and melding family, religious, and political motives and enterprises emerging from many Herefordshire actors' responses to each other's moves. That unique story is what we explore here.

## ***I. An army leader joins the gentry***

The lovely border county of Herefordshire, overwhelmingly royalist in sentiment in the first civil war, was subdued permanently by parliamentary forces only in 1645-6, and a garrison remained at Hereford until the Restoration.<sup>2</sup> No county could boast of two more outstanding leaders for its tragic divisions.

**Sir Robert Harley** of Brampton Bryan (1579-1656), although Master of the Mint from 1626 to 1635 and again from 1643 to 1649, became the leader of Herefordshire's small group of parliamentary gentry because of his strong puritan views.<sup>3</sup> His royalist counterpart was the only resident peer in the county, John Lord Scudamore of Holme Lacy (1601-71), a friend of Buckingham and Laud.<sup>4</sup> Harley worked just as hard to bring earnest preachers to the county as Scudamore did to restore churches, his most famous work probably being at Dore Abbey in the early 1630s.<sup>5</sup> Both leaders suffered huge financial losses in the 1640s as a result of the civil wars, Harley's estimated at almost £20,000 and Scudamore's at over £27,500.<sup>6</sup>

In spite of the destruction of his home, which had been defended by his wife in the first of two famous royalist sieges,<sup>7</sup> Harley looked forward to the time of parliamentary victory in both county and nation. But it was **Colonel John Birch**, the army leader primarily responsible for the defeat of the royalists in Herefordshire in late 1645 and 1646, who became governor of Hereford, and secured the county with a force of over 1,000 men in the beginning.<sup>8</sup> Harley and his eldest son, **Edward**, elected as the county's second MP in the 'recruiter' election of November 1646,<sup>9</sup> had not expected to share the fruits of victory with an upstart army man like Birch, who had risen through his leadership skills, ruthlessness, and attention to detail.<sup>10</sup> In 1646, Sir Robert spoke violently against Birch's activities in the House of Commons, and Birch organized a petition against the speech. Parliament referred the dispute to the county

committee then dominated by Harley's sons and friends. Feelings ran very high on both sides all through 1646 and early 1647, with the Harley faction at one point taking steps to protect the committee treasury from Birch's soldiers. Birch also tried in vain to prevent Edward's election for the county, having to content himself with the Leominster borough seat. Edward wrote frantically to his father in London about the urgent need to replace Birch as governor, preferably with their Shropshire friend *Colonel Samuel More*.<sup>11</sup>

The hostility between the Harleys and Birch was so bitter that only a profound national political crisis could have brought them together. That was exactly what happened in the spring and summer of 1647, with the politicization of the New Model Army and its determination to block the 'Presbyterian' effort in parliament to disband it. Birch, the over-zealous military outsider of 1645-6, showed his 'political Presbyterian' colours in 1647, when he chose the side of the Harleys in working hard to disband the local soldiers by paying them some of their arrears or by shipping them off to Ireland.<sup>12</sup> Edward Harley was a parliamentarian colonel whose provocative actions resulted in his regiment's being 'united ... in hostility to himself' and his being one of the famous 'Eleven Members' impeached by the newly assertive army in June, 1647.<sup>13</sup> Although it appears that Birch, the 'Pack Horse General', as the royalists snobbishly delighted in calling the former Bristol merchant, was permanently affected by the hostile actions of his own soldiers in 1647, he was nonetheless one of the most active members of the Indemnity Committee (formed following the first civil war by parliament to keep its soldiers and officeholders safe from royalist prosecution and persecution) in 1647 and 1648.<sup>14</sup> In any case, Colonel John Birch and the Harleys, all excluded at Pride's purge (1648), objected consistently to the 'military presence' of the interregnum years.

Birch managed to assimilate. He became a wealthy and influential figure in county society, in part by breaking with the army and buying the bishop's palace at Hereford and many episcopal manors in the county, including the large moated house of Whitbourne, his primary residence in the 1650s and 1660s.<sup>15</sup> Birch had effected a reconciliation with the Harleys on the basis of their common political-religious stance of 1647-8, and in 1649 we find him also on good terms with the Scudamores concerning the purchase of bishops' lands. So already some reconciliation between army and gentry was taking place.

The Scudamores, like many other royalist families, relied heavily on a friend or relative in London at one of the Inns of Court to help them through the post-war years. The key man here was *James Scudamore* of the Ballingham branch, a barrister at the Middle Temple, who managed his royalist father's estate and served as the guardian for his young nephew, Sir John the second baronet, and later, and Restoration sheriff. Writing to his father in 1649 about buying bishops' lands that Birch had contracted for, Scudamore claimed that the colonel had spent so 'much at Whitborne and with the Earle of Monmouth for houses here in London, hee hath noe more money yet ready for any more purchases'.<sup>16</sup> Birch was able, however, to continue buying lands in the 1650s,<sup>17</sup> when it appears that he was lending money to Edward Harley, who during Sir Robert's long illness and incapacity before his death in November 1656 was struggling to reduce the family's debts.<sup>18</sup>

## ***2. A Puritan governor in a Herefordshire in flux***

From 1648, Birch's place as governor was taken by *Wroth Rogers*, a representative of army and radical puritan interests, who was a major in 1648, and promoted to lieutenant colonel in 1649.<sup>19</sup> Evidence suggests that Governor Rogers, whose garrison strength declined from around two hundred to seventy between 1649 and 1656,<sup>20</sup> lived with some of his soldiers in the

beautiful late medieval College of Vicars Choral, between the cathedral and the castle precinct.<sup>21</sup>

The arrival of Wroth Rogers was the real turning point in the county's attitude towards the army. He was no newly rich and accommodating Colonel Birch, determined to be accepted as a country gentleman, but a protege of **John Lambert**, heroic parliamentary general, and a sincere believer in the rightness of the army's actions in 1647 and later.<sup>22</sup> According to a royalist report, Rogers had originally been a 'tailor', from Llanvaches, in Monmouthshire, the home of Welsh puritanism in this period, where the famous preacher **William Wroth** apparently made quite an impression on Rogers's parents.<sup>23</sup> A supporter and guardian of the religious radicals in Herefordshire during the 1650s, Wroth Rogers was a member of Barebone's parliament (1653) for the county with **John Herring**, and with another radical, the Fifth Monarchist **John James**, who sat for Worcestershire. Rogers, Herring and John James were also commissioners under the 1650 Act for the Propagation of the Gospel in Wales.

Rogers connected with the local gentry when he married the sister of **Richard Salwey**, respectable gentleman of Richard's Castle, Herefordshire, and a Rumper and 1653 MP (Worcestershire). Rogers himself had purchased the former royal manor of Marden, near Hereford, in 1650. James, who had good estates in both Worcestershire and Herefordshire, was much more radical religiously than Rogers; but he was rather exceptional, being one of only three or four active radical members of Barebone's parliament with county gentry status.<sup>24</sup> Rogers and James both built up networks of influence in Herefordshire in the early 1650s, Rogers concentrating on the city and the new militia committee and James working through the traditional system of Justices of the Peace [JPs].<sup>25</sup>

An ideological soul mate of these two, Colonel or Major-General **Thomas Harrison**, became a major force in the Welsh border area from August 1649, when Fairfax gave him the command of army units from Herefordshire to South Wales. The next year he became president of the new Commission for the Propagation of the Gospel in Wales, an area which he and his friends dominated until 1653. At some point in 1649 or 1650, Harrison took Sir Robert Harley's place as High Steward of Hereford, an interesting parallel to Harley's taking Lord Scudamore's place in 1647.<sup>26</sup> Harrison was personally occupied elsewhere for most of this period, but the troops of his regiment were quartered in the border counties (except for most of 1651), until ordered to Scotland in 1654.<sup>27</sup> The troop in his regiment commanded by **Stephen Winthrop**, son of the governor of Massachusetts, was definitely in the vicinity in 1650, early 1651, and 1653.<sup>28</sup>

The Rump government in 1650 was forced to suppress the beginnings of royalist conspiracy in the western counties, in which Edward Harley was briefly implicated.<sup>29</sup> In August of that year, Winthrop was quartered at Leominster in the county when he wrote to Edward Harley that the militia commissioners wanted him to arrest Harley, 'but I shall only at present lett you know that they expect you should appear before them in Hereford' the following week. Harley did as he was told, but not before writing a sarcastic letter blasting the new militia commissioners.<sup>30</sup> Soldiers, from either Winthrop's troop or Rogers's garrison, showed up and, according to Harley, 'searched and read all my papers and carried mee prisoner ... from Wigmore to Hereford'. But on 10 August, when Harley was a prisoner at Hereford, Rogers issued him a pass for three servants and four horses to go to London, after Harley promised to be at his father's house in Westminster by the eighteenth. More importantly, Harley also promised (or was ordered) not to reside in the county 'for ten yeares space after this'. Occasionally the devout Harley would write down some of the 'many mercies my God hath

vouchsafed unto mee’, and not long after Wroth Rogers’s leniency one such list contained the sentence ‘For delivering from restraint at Hereford, August, 1650, unexpectedly, and without any prejudice to the peace of my conscience’.<sup>31</sup> Governor Rogers correctly decided that Harley was safe enough on the royalist scare issue, and it was after all a time when Rogers was enjoying, with his radical friend John James, a temporary domination of the committee structure in Herefordshire relatively free from the influence of the financially embarrassed Harleys living in London. And Rogers, like most Welsh puritans, could not forget that old Sir Robert’s destroyed home of Brampton Bryan had once been the refuge of Welsh religious leaders such as *Walter Cradock* and *Morgan Llwyd*.<sup>32</sup> This is just one example of Rogers’s frequently moderate and accommodationist behaviour that we shall see at several points in this article. Taken together, the actions of Herefordshire leaders like Scudamore, Harley, Birch, and Rogers indicated a willingness among the survivors of the civil war to start setting aside old animosities. As we shall see, not even the royalist uprisings of 1655 would lead to a reopening of serious breaches among the gentry.

### ***3. Republican zeal triumphs and wanes***

The king’s execution in 1649, followed by the Rump Parliament’s declaration of a republic, sent shock waves through royalist Herefordshire. They took visible form in a resulting shift in personnel serving on county organs of government. As was true in almost every county, the new names that began to appear on committee lists and commissions of the peace in 1648, 1649, or 1650 were of lower social status.<sup>33</sup> Herefordshire had already seen a general decline in the social status of its committee members and leading public figures from 1642 to 1653.<sup>34</sup> Now the Harleys and their main supporters were purged from the justice bench early in 1649 and from the various local committees by the middle of 1650. Although over half of the JPs of *February* 1650 were of pre-war magisterial families, new men had been increasing rapidly in the county militia, assessment, and sequestration committees since 1648 and would dominate the justice bench by *November* 1650.<sup>35</sup> Many of the new men were radical puritans, including Wroth Rogers and John James.<sup>36</sup>

One of the fiercest local committee rivalries of the 1650s involved two Herefordshire sequestration commissioners, *Silas Taylor* and Captain *Benjamin Mason*. Taylor, a cultured antiquary and composer,<sup>37</sup> tended to prefer the company of the old county elite and sided more and more with the Harleys. Mason, a puritan dependent of Governor Rogers, attained JP status from 1653 to 1657 and, through Rogers’s chicanery (to be discussed later), became the only lieutenant of a county troop of militia in England to be elected to the parliament of 1656.<sup>38</sup> The complexities of the 1650s are illustrated in the careers of these two ambitious and difficult men who were out to enhance their income and social status in ways that only revolutionary turmoil would allow. Originally from Shropshire, Silas was the son of *Sylvanus Taylor*, who had done very well for himself as a London financier before returning to the West to serve on the county committee and commission of the peace in Herefordshire. He bought considerable church lands for Silas, who leased part of the bishop’s palace in 1655 from Colonel John Birch, by then well established at Whitbourne.<sup>39</sup>

Mason’s origins are more obscure; some sources suggest that he had a small estate in Herefordshire before the war, and he does appear to have raised a troop for *Sir William Waller*’s army at his own expense. But he may only have been manipulating sequestered estates in Herefordshire before marrying in 1648 the daughter of a ‘Popish delinquent’s family who have been active enemies’, according to the council of state in 1650, which did not take

kindly to the idea of his being appointed a sequestration commissioner in his wife's county of Somerset.<sup>40</sup> Colonel *John Pyne*, a native landed gentleman active in Somerset throughout the 1640s in the parliamentary cause, was much more of a 'county boss' in that county in the Rump period than Wroth Rogers, a social upstart recently arrived from Wales, ever was in Herefordshire. Whereas Pyne dominated Somerset almost single-handedly, Rogers had to share power with others. When Pyne successfully pushed Mason out of his job in Somerset in less than a year,<sup>41</sup> Mason quickly gained a similar post in his native county without clearing his Somerset accounts.

Taylor and Mason shared quarters in the bishop's palace, where all the county committees had met for years. In 1652 they could agree on 'improving' the rents on sequestered estates,<sup>42</sup> but by early 1653 their personal and ideological differences reached an acrimonious level.<sup>43</sup> Because Rogers was siding with Mason, Taylor was temporarily displaced. But after extensive hearings and depositions, the central London commissioners acquitted both of financial skulduggery in late 1653. The radical year of Barebone's parliament was reaching its conservative conclusion.

Mason, in spite of his loose bookkeeping in two counties, could hope for local office as long as the radical puritan regime in Herefordshire of Governor Rogers, Major-General Harrison, and John James continued, but the beginning of the Protectorate in mid-December put a permanent end to Harrison's influence, began a five-year decline in James's position, and inaugurated a more tough-minded approach to unsettled local accounts. By the spring of 1654, Mason was out of office and Taylor left as the sole commissioner. By July the London officials were threatening Mason with a £100 fine if he did not perfect his accounts for the two counties within three weeks. On 5 August, Mason wrote to London that he did not have '£20 in the world' and faced being a 'prisoner all my days'.<sup>44</sup>

Mason negotiated the changing landscapes fairly well. His protestations of poverty notwithstanding, Mason continued to profit from his temporary control of sequestered estates. By 1653 or 1654 he was considered an 'Esquire', and by 1656 he was writing to Sir Robert Harley on equal terms about the possibility of one clergyman serving two adjoining parishes of which they were patrons. He was named on a JP list in 1661 and rated at £126 in the militia assessments of 1663, owning three manors in Herefordshire and other lands in Essex and Somerset.<sup>45</sup> Mason had the patronage of Wroth Rogers, who had the patronage of John Lambert; a JP in 1653-7 and an MP in 1656-8, he clearly managed to escape financial harm. Although Mason had trouble in perfecting his accounts,<sup>46</sup> he was quite proficient in picking up estates, gaining the patronage of important military figures in the 1650s, and using his wife's relatives and his new gentle status to survive the Restoration in style.<sup>47</sup>

Silas Taylor fared less well. His wealthy father had given him an initial advantage, did not have the ruthless business sense to keep up with Mason.<sup>48</sup> Taylor was in chronic debt from 1660 on, first becoming dependent on Edward Harley, the new governor of Dunkirk, and later having to sell his manuscripts (many stolen or borrowed from Hereford and Worcester cathedrals), at very depressed prices.<sup>49</sup>

There are many signs in Herefordshire of the national shift to a more conservative climate of opinion in the Protectorate years (1654-59), and Mason's removal as a sequestration commissioner was only one of the earliest. Harrison had been the top army man in England when *Oliver Cromwell* was in Scotland in 1650, but he lost his commission in this period. John James, after the heady months of Barebone's parliament, decided to concentrate on being a squire in two counties and to keep his prestigious position of Custos Rotulorum, nominal head

of the county bench of JPs. The controversial appointment in 1653 of Wroth Rogers's choice, the eccentric radical **Richard Delamaine**, to be a prestigious cathedral preacher, ended abruptly early in 1654 when he was replaced by Edward Harley's friend, the solidly Presbyterian **Samuel Smith**.<sup>50</sup>

In addition to the departure or marked decline in influence of known radicals, the Protectorate in all counties saw the return to local offices of known conservatives. Although the newly issued commissions of the peace of March and May 1654 do not survive,<sup>51</sup> the ordinance in August naming the commissioners or 'Ejectors' in each county given the power to remove 'Scandalous, Ignorant and Insufficient Ministers and Schoolmasters' indicated the return of the Harleys to national recognition after a five-year eclipse.<sup>52</sup> Named with the Harleys were two of their old supporters, **Priamus Davies** and **Thomas Blayney**, and, according to Dr. McParlin, several Presbyterian minister friends.<sup>53</sup> Bringing the so-called Presbyterians back into governmental service had been made possible by the earlier ordinance of 19 January 1654,<sup>54</sup> which repealed the Rump's act of January 1650 that made subscribing to the Engagement necessary for any public office. Many sincere 'Presbyterians' such as the Harleys thought that this promise to 'be true and faithful to the Commonwealth of England, as it is now established, without a King or House of Lords' was a violation of earlier oaths and forced recantation of their objections to the army's harsh treatment of King Charles I. But Cromwell, as new Lord Protector, wanted Presbyterians, Independents, and Baptists to put aside differences and work together in local government. So we find Edward Harley's name listed first after the honorary national figures on the new JP commissions of both March 1655 and September 1656, with his old ally **Bennett Hoskyns** in third place.<sup>55</sup> A wealthy barrister and Hereford's greatest property owner in 1640, Hoskyns had joined Harley in parliament from 1646 to Pride's purge (as MP for Hereford), and in 1654 he was also given his father's old position as a Welsh Judge.<sup>56</sup>

So the parliamentary election in July 1654 took place in an atmosphere of conciliation and accommodation. There were still divisions in the county, but they were not between the parliamentarians and royalists of 1642-8, for winners such as Edward Harley and John Birch treated the losers very leniently.<sup>57</sup> Lord Scudamore, the wealthiest man in the county, paid his composition fine for being a royalist leader at the lowest allowable percentage of his estate's value, and **Fitzwilliam Coningsby**, the most active royalist in the county, never paid his fine at all, perhaps because his estate was heavily mortgaged, but more likely because he held the sequestered lease to Rogers's new and immensely valuable manor of Marden.<sup>58</sup> Very few Herefordshire royalists had their estates confiscated in the famous Rump acts of 1651-2. The four MPs elected for the county in 1654 came from different parts of the political spectrum. John Scudamore of Kentchurch, **John Pateshall** of Puddlestone, **John** and **Richard Read** of Lugwardine had served as JPs and sequestration, assessment, or militia commissioners during the 1649-53 period. Their selection obviously represented an effort on the part of the gentry, who dominated all free elections, to embrace both the best of the recent radical years and the promise of the new conservative trend.

#### **4. The saints' last stand**

On the other hand, the more enthusiastic puritans or 'honest radicals' around Wroth Rogers did not approve of the accommodationist trend in London and among the local gentry. Accordingly, they seized on the fact that many years before, delinquency charges had briefly been made against MPs Richard Read and Bennett Hoskyns (elected again for the city of

Hereford), and now they petitioned against their election. That the searing experience of civil war permanently marked the minds of contemporaries is brought home to us once again as we study the petitions of the 225 puritans in Herefordshire who could neither forgive their enemies nor forget the high hopes during the early republic, 1649-53.<sup>59</sup>

Hoskyns had surely proven his attachment to the victors in the first civil war, serving as MP and JP from 1646 to 1653, and Welsh Judge from early 1654. He was the richest man in the city of Hereford, and he bought the major estate of Harewood in 1654. Those actions indicated that he viewed the Protectorate as a stable and comfortable regime for 'Presbyterians' and lawyers such as himself; those two groups had been the targets of radicals in religion and politics since the late 1640s. In the petition, the radicals found a good chance to vent their anger and frustration at the Protectorate's conservative trend. To them, the first civil war was as yesterday, and the council of state should not trust men who had once been enemies. To us, it is obvious that Hoskyns was bound to be a major factor in Herefordshire politics, and indeed his son and great-grandson were later to be MPs for the county. But the 'honest radicals' were living through exciting and changing times, and they still dreamed of an England where 'honesty' or 'godliness' would count for more than wealth. So they brought up the old accusation against Hoskyns that he had in several ways helped the royalist cause in the first civil war.<sup>60</sup>

Likewise the former royalist Richard Read had been a JP and sequestration commissioner during some of the Rump years, but he also lost his place on the commission of the peace during 1653.<sup>61</sup> Although he had been voted a delinquent by the county committee early in 1648, the central commissioners in London (who deferred to Sir Robert Harley in such matters until Pride's purge) discharged him.<sup>62</sup> Here was another 'political Presbyterian' whom the radicals could attack for his royalist past. According to the 'Articles exhibited against' him,<sup>63</sup> Read had been one of the most active commissioners for the king in raising the 'County ... against the Parliament.'

Whereas their 'articles' or 'charges' have a political and military flavour to them, more of the puritans' religious worldview comes out in the accompanying 'humble petition and Remonstrance of divers Godly and well affected persons inhabiting within the City and County of Hereford'.<sup>64</sup> These 225 puritans supported the Instrument of Government's provision for triennial parliaments and its 'qualifications for the persons electors and the persons elected' which they thought 'would have proved sufficient to deterr the comon enemy from intermedling with', since those elected had to be of 'knowne integrity, fearing God and of a good conversation'. They believed strongly that those now elected lacked these qualifications and went on to complain that :

'...to the great grieffe of our hearts, and sorrow of our spiritts, wee have just cause to be afraid, and to stand amazed to thinke what may be the issue, or what fruits we may expect to receive from members which are chosen and elected for that great worke, by the whole rabble of people for the most parte, the worst sort of persons consisting of Papists, Malignants and men actually in armes for the late king.'<sup>65</sup>

For us, the puritan attitudes expressed here help explain Cromwell's continuing interest in 'reformation' and help justify the regime of the major-generals and the exclusion by the council of state of ten or so MPs in 1654 and 100 or so in 1656. We are not surprised that the small godly party in Herefordshire went on to express its fear that :

‘...not only in this city and county, but also in many places of this commonwealth (unless prevented by your highness and your honorable Councill’s careful scrutinie and examination) men of contrary principles will be advanced to high power, who are either manifestly malignants, prelati-cally or at the most neutors in the cause of Christ, and may prove to be averse to this present Government, and the interest of the Godly and well affected of this nation, and to the power of godlyness it selfe!’<sup>66</sup>

The godly party was obviously aghast at the easygoing pragmatism in vogue after the closing down of Barebone’s parliament.

But their petition failed. Although Cromwell may have been emotionally stirred by this petition from a minority of saints within a minority of avid parliamentary supporters in Herefordshire, the council of state nonetheless admitted all six MPs: Read, Scudamore, Flackett, and Pateshall for the county; Hoskyns for the city; and Colonel John Birch for Leominster, which he had dominated since at least 1648 when he became High Steward (if not 1646, when he began to sit for the town). Meanwhile Hoskyns, Read, and John Scudamore of Kentchurch, JP had certainly demonstrated remarkable political survival skills.

### ***5. Colonel Birch arrested and imprisoned***

Ironically, it was Birch, the old parliamentary governor of Hereford, and not the ex-royalist targets of the petition, who would cause the government so much trouble in the parliament of 1654. Birch was a leader in the effort to rewrite the Instrument of Government in a fashion designed to enhance the power of gentry MPs and to diminish the size, cost, and power of the army. He seemed weary of a strong military presence. This almost successful strategy was thwarted by Cromwell’s dissolution of the parliament in January before the ‘Government Bill’ had completed its passage.<sup>67</sup> But Birch’s anti-military stance in the parliament of 1654 was so vigorous as to get him excluded from the next parliament by the council of state in September 1656.

It was not, however, the cause of his arrest by Wroth Rogers in March 1655. Although he is named in *John Thurloe’s* notes concerning a possible Presbyterian-Republican plot in the late fall of 1654, that was not the cause either.<sup>68</sup> What caused Birch’s imprisonment was his casual attitude towards the nation-wide royalist uprisings attempted, but thwarted by the government, in February and March 1655. Even then it was on the initiative of Wroth Rogers rather than the council of state, which was not afraid to appoint Birch’s friends, such as Edward Harley and Bennett Hoskyns, to places of honor on the new commission of the peace that month.<sup>69</sup>

Governor Rogers decided to arrest Birch on 17 March 1655, when the governor was raising militia forces in Herefordshire and Monmouthshire to combat any royalist action that might occur in those counties. The general occasion was the meeting of the ‘county’ at the Assizes, and the specific precipitating cause was the nature of Birch’s remarks to the judges. Although everyone actively involved in central or local government knew that the uprisings of that month were part of a widespread royalist conspiracy, Birch chose to assert ‘that the present insurrections ... did not consist of cavaliers, but a company of silly quakers, with some other discontented persons’.<sup>70</sup> Rogers’s letter to Cromwell justifying the arrest of such an eminent figure as Birch, who loved to sway crowds with his down-to-earth oratory, reported with some anxiety that he not only did not surrender his famous short sword voluntarily, but also said as it



was being taken from him, ‘though my sword is short now, it may be long enough within a while’. There was an urgency in Rogers’s letter because Birch’s moated house, the former episcopal palace at Whitbourne, was on the Worcestershire border and ‘there is to be in Worcester City very shortly one of the greatest horse faires in England’. This was the type of gathering that royalists used to avoid suspicion, and as Rogers observed, ‘there are now no forces in that county’.<sup>71</sup>

Within a week the council of state had ordered Rogers to take depositions from those who had heard Birch speak and to send in the ‘examinations’. But the government, confident that the insurrection had been crushed, told Rogers to disband the soldiers ‘above the establishment’ and to pay off the ‘supernumeraries’ who had been on duty at Colonel Birch’s house and at Ludlow Castle.<sup>72</sup> On 20 April the council finally ordered that his house should ‘be made untenable by filling in the moat or by making sufficient breaches therein to give free passage to the house, and [Birch] ... is to have it done within two months, or col. Wroth Rogers shall do it speedily, as he is hereby empowered to do, and to remove the soldiers now garrisoning it’.<sup>73</sup> The question arises of how Birch could oversee this work if he were imprisoned in Hereford half a county away. The most likely answer involves a compromise between those seeking the political advantages of rewarding ‘Presbyterians’ for not joining the royalists in the recent uprisings and those concerned more with military or security issues. I suggest that the council intended to free Birch but to require him to make his moated house ‘untenable’. Such a compromise could be defended on both political and security grounds. However, if this plausible explanation is true, either the council neglected to inform Rogers or the record of the order has disappeared.<sup>74</sup>

Whatever the intentions of the council, *Major-General James Berry* found Birch a prisoner at Hereford when he arrived on his first visit in November.<sup>75</sup> He reported to Thurloe:

I mett with (as a prisoner here) Coll. Birch, who hath applied himselfe to me as to a little king, that could redresse every grievance. I confesse upon examination of the business, though there were some ground of jealousy, yet I cannot see any great reason he should now be kept in restraint. It is true, the man is popular in these parts, and he loves to be soe. He is taken for a great wit, and guilty of some honesty [has a good reputation], and upon that account able to doe hurt, if he have a mind to it, but he professeth desire of peace and settlement, and saith he is for the same things that we are ... And trully I thinke it were an easy matter to gaine him, if he be worth getting; but not to trouble you with my thoughts, I shall tell you of my actions. I have desired the governour (whose prisoner he is) to give him liberty to be at his owne house upon his promise to appeare, when he shal be called for.<sup>76</sup>

Here we have evidence of a politically shrewd Major-General Berry freeing the prisoner of Lieutenant Colonel and Governor Rogers, patron of the local religious radicals. It amounted to one more deposit toward the price of accommodation.

### **6. Major-General Berry vs. Governor Rogers**

Several pieces of evidence suggest that although Wroth Rogers certainly cut a few corners to find money to make repairs on the castle or to pay his soldiers,<sup>77</sup> he was not a grasping bully devoid of political skills. To be sure, he acted outrageously at the county elections in August

1656 and December 1658, as we shall see. But kinder assessments of his character come, for instance, in a letter from the local commissioners to the national committee on compounding in March 1650, which comments that Rogers ‘has demeaned himself with moderation and integrity, abstaining from the injustice and oppression by which many others of like place have heaped up good sums’.<sup>78</sup> Although 1655 was the year when major-generals and other officers treated many former royalists harshly, Rogers acted towards Lord Scudamore, the premier cavalier in the county, in a friendly and accommodating fashion. A few days after Berry’s visit in November, Rogers and four other new ‘commissioners for securing the peace’ (all JPs except for *Miles Hill*) agreed to go along with Scudamore’s efforts to get Cromwell to relieve him from paying the new decimation tax. Rogers and the others did ‘certifie all whome it maie concerne that...[Scudamore] haeth since his composition for his delinquency lived verie peaceabl and quiett at his habitacion there without offeringe the least disturbance to the publique peace of this Commonwealth...and haeth all waies, as far as wee could discerne, endeavored the peace of the nation and shewed himsealfe redie to doe all office of kindnes to the frinds of this present government.’<sup>79</sup> Rogers thus appears more interested in security than in oppressing former enemies.

To what extent can Rogers even be considered a ‘county boss’? Two of the most eminent historians of the late twentieth century held differing opinions on Governor Rogers’s role in Herefordshire in the 1650s. David Underdown called Rogers a ‘radical Puritan outsider’ and argued that this was one of the counties that ‘before and after the Major-Generals were ... controlled by military bosses assisted by a few minor local men’.<sup>80</sup> The late Gerald Aylmer, thinking this assessment somewhat misleading, asserted that Rogers ‘certainly ... did not rule the county single-handed as an autocrat in the 1650s any more than the Harleys had done in the later 1640s’.<sup>81</sup> However, the general absence of local JP records, as Aylmer said, ‘makes it impossible to say how far he dominated the day-do-day proceedings in local government under the Commonwealth or the Protectorate’.<sup>82</sup>

Governor Rogers and Major-General Berry had quite different people in mind for sheriff in 1656, and the governor’s recommendation of the moderate lawyer *William Powell (alias Hinson)* indicates his acceptance of at least part of Cromwell’s general plan of reconciliation. Powell, born Hinson, was a barrister of the Middle Temple who took his uncle’s name in 1653 when he inherited the Pengethley estate of his mother’s brother, *Sir Edward Powell, Bt.*, an early supporter of Sir Robert Harley. William Powell had been a militia captain and JP in Middlesex from 1650 to 1654 before moving to Herefordshire, where he became a JP on the commission in March 1655 that gave Edward Harley and Bennett Hoskyns, another Middle Temple barrister, such high places on the list. His second marriage on the last day of 1655 to the widow of *Sir John Brydges, Bt.*, made him even wealthier, and it is no surprise to find him serving as sheriff in 1658, being elected an MP for the county with Edward Harley to the Convention Parliament in 1660, and being created a baronet in 1661.<sup>83</sup>

Major-General Berry was gathering nominations from trusted figures as he rode through the counties in his district, but he summarily rejected Rogers’s choice.<sup>84</sup> Rogers knew more about security risks in Herefordshire than Berry, but Berry turned down Powell in favor of an earnest, proven worker, *John Flackett*, the 1654 MP who had been a JP and local commissioner since around 1649. It is clear that Berry was either suspicious or jealous of Rogers’s position in the county. He made necessary ‘stops’ in Hereford, but his longer ‘stays’ were in Worcestershire or at his headquarters in Shropshire. Any time Berry was near

Hereford, he would pointedly ask that his mail be sent to *Capt. Unton Croke*, an officer in his own horse regiment whose troop was sometimes quartered in Hereford.<sup>85</sup>

It is thus strange to find that after a long delay, Wroth Rogers was himself appointed sheriff of Herefordshire. Traditionally decided in early November, the sheriffs for 1656 were not appointed until January because of wrangling between factions on the council of state. In his army-slanted newsletters *Gilbert Mabbott* had to keep revising the names. Although Rogers was listed on 5 January,<sup>86</sup> the governor was one of the few army nominees to hold up over weeks of deliberations, with the chancery order not being dated until 21 January.<sup>87</sup> By the mid-1650s, Governor Rogers had settled into life among his Herefordshire neighbors, and into a more conciliatory approach than Major-General Berry, the outsider sent in to avert any more royalist uprisings.

The question of army influence on the selection of sheriffs for 1656 is a good introduction to the historical debate that has raged since the appearance in 1981 of Henry Reece's important doctoral thesis on the army of the interregnum.<sup>88</sup> The interpretation of Reece's thesis that asserted a continuously intrusive 'military presence' throughout the 1650s was considerably diminished by Austin Woolrych's 1988 Special Ford Lecture, 'The Cromwellian Protectorate: a military dictatorship?', published as an article in 1990.<sup>89</sup> A close reading of Reece's thesis reveals that he did not make general assertions concerning the whole interregnum period. Most of the thesis is devoted to 1649-51 and 1659-60, and Reece bemoans the relative lack of evidence for the Protectorate years. He does chronicle the gradual reduction of troops in England in the 1650s in all but a few towns of strategic importance. In Hereford, he gives the number of soldiers in the garrison as 200 in 1649 and 70 in 1655.<sup>90</sup> Not considering Hereford a major town, Reece says that 'for the last four years of the Protectorate not one major inland town, with the exception of Carlisle, held a permanent garrison.'<sup>91</sup>

Although the main task of the major-generals was to ensure that nothing like the widespread royalist uprisings of early 1655 would ever happen again, they were also given a moral reform agenda to implement that was impossibly ambitious, as Christopher Durston has emphasized. The likelihood of failure of such a moral crusade did not enter Berry's mind on his first trip to Herefordshire. In his letter to Secretary Thurloe, he was clearly pleased with the enthusiasm of the group of active puritans among the local gentry with whom he had met the day before. Berry claimed that 'the gentlemen of this county mett here, and with much readiness, and (indeed I thinke) joy began to put my lord's orders and instructions in execution, and I hope will carry on their business vigorously. Some that have seemed disatisfied, and have declined action formerly, have now declared their hopes of good by this dispensation, and are resolved to assist in this worke, and are persuaded it will bring forth some desireable reformation.'<sup>92</sup>

Gentlemen might reappear in local government for different reasons. Although the major-generals are often viewed as military satraps of an unpopular puritan regime, we must remember that many 'Presbyterian' gentlemen, shocked by regicide and annoyed by the temporary dominance of radical puritans in the early 1650s, could still be attentive to reform rhetoric if it was couched in a properly moderate form. Berry appears to have been good at this, and Quarter Sessions attendance in Shropshire, for example, increased during his tenure. Berry claimed that John Birch could be won over, and another famous gentleman, Edward Harley, had begun to reappear in county affairs even before Berry's arrival.

### 7. *Harley's return*

Edward Harley was able to return to the county's upper ranks as Herefordshire's melange of mixed factions emerged in the mid-1650s. On one of his many trips to London, he was clearly impressed by the city's reception of the Lord Protector in February 1654. Harley apparently interpreted the inauguration of the new government and its ordinance of January 1654, which revoked the Rump's prescription about taking the Engagement, as bringing an end to his banishment from the county for ten years back in 1650. Surviving accounts clearly show him moving among his estates while residing most of the time at the Harley house in the border town of Ludlow (Shropshire) only a few miles from the family estates in the Brampton Bryan and Wigmore area.<sup>93</sup> In the summer of 1654 he married the Devonshire heiress *Mary Button*, who brought a much-needed portion of £3000. Although Edward and Mary quibbled constantly about debts, jewels, and bills before her death in 1659, it was during 1654 that young Harley began to plan the rebuilding of the Brampton Bryan church, the 'parsonage', and the 'town' of nineteen cottages.<sup>94</sup>

Harley's political comeback was marked by his appointment as an Ejector ("of Scandalous Ministers") in 1654 and by his appearance among the JPs in March 1655. In September he, his brother *Thomas* and *John Tombes*, minister at Leominster, wrote to the 'Commissioners for approving of Public Preachers' to denounce the notorious *Richard Delamaine*, the preacher friend of Wroth Rogers and the enemy of Harley's ally Silas Taylor.<sup>95</sup> In November, Harley received a copy of a petition that Radnorshire sent to the Lord Protector following the 'General Sessions' there on 2 October. The county had approved of Mr. Cole, a minister appointed by Cromwell, but it needed the tithes 'lately belonging to the King' which the Lord Protector presumably controlled. Harley had also helped settle some local parish issues.<sup>96</sup> Such evidences of Harley's return to county affairs at this time are especially important, given the lack of Quarter Sessions records, for it is very unlikely that he would have been elected to parliament in 1656 without recent magisterial activity. But although viewed as a JP in 1655, it is quite possible that he did not return as an active JP until after the new constitution, the Humble Petition and Advice, was passed by a gentry-dominated parliament in 1657.<sup>97</sup>

Harley did not attend Quarter Sessions in April 1656, but many of his allies did. This is the only occasion in the mid-Protectorate years for which we have an attendance list, and it shows that a very diverse puritan group was running the county, though not as a monopoly. Colonel John James, the Fifth Monarchist squire, 1653 MP, and Custos Rotulorum, was inevitably named first among the thirteen, but Harley's ally, the wealthy Bennett Hoskyns, was next. Other moderate conservatives and Harley allies on the list were *Francis Pember*, *Thomas Rawlins*, and *Rudhall Gwilym*.<sup>98</sup> Six other JPs can, like James, be considered radical puritans: Benjamin Mason, John Pateshall, *John Cholmley*, *John Woodyate*, *Morgan Watkins*, and *Thomas Seaborne*. Not much is known about the attitudes of the remaining two, *Francis Hall* and *Charles Darley*, men of very small estates.

Seaborne had worked for years as a city JP with Governor Rogers, who was presumably present at this meeting in his new role as sheriff. But certainly not all the puritans were creatures of Rogers and James. For in comparing this list with those of October 1651 and January 1654, one is struck by the continuity of names and attitudes.<sup>99</sup> All but Seaborne had been JPs in the year of Barebone's parliament, and eight of them since at least 1650, with Hoskyns and Rawlins dating back to deputy-lieutenant service in 1642. So while Independents,

Baptists, and other zealous puritans were in a clear majority, the allies of Harley and Birch were never completely swamped.

But the Protectorate's conservative shift—and its greater success in other counties in attracting into local service gentlemen who could be called 'Presbyterians', or 'neuters' or 'royalists'—was frightening to the core of radical puritans around Wroth Rogers and John James. Such men in several counties must have appealed to their patrons at Westminster, prompting the remodelling of commissions of peace in July 1656 in several counties to 'insert' allies of the army and to 'omit' some gentlemen whose loyalties were much more conservative or traditional. Although Herefordshire experienced no similar change among its JPs, there was a parallel move affecting the list of 'Commissioners for ejection of Scandalous Ministers' on 14 August 1656.<sup>100</sup> The newly appointed 'Ejectors' included five radical puritan JPs appointed in 1653, and three of their minister friends. Two of the latter and three of the JPs had signed the puritans' petition in 1654 opposing the election of Hoskyns and Read as MPs. This is one of several hints that what is loosely called the 'military party' on the council of state wielded preponderant power during the preparations and elections for the parliament of 1656. The larger tug of war between a resurgent coalition of moderates and conservatives, and puritans trying to revive the 'Good Old Cause', was to take particularly dramatic form in the Herefordshire election of 1656.

### ***8. A stolen election***

The parliamentary election of 1656 was one of the most hotly contested of the century, marked in almost every county by opposing slates of 'Presbyterians', conservatives, or traditionalists opposing religious pluralism, versus minorities of radicals or zealous puritans allied with the army, hoping to establish toleration of diverse religious sects. Such tense and fluid contests emboldened Governor and Sheriff Wroth Rogers to perpetrate one of the most brazen denials of the 'voice of the county' experienced anywhere in England that year. On the county election day of 20 August, approximately 3,300 voters came together at Lugg Meadow, just outside the city walls of Hereford, to elect four MPs. The Herefordshire election was, as in so many counties that year, an explicit army-gentry conflict. But whereas the gentry won all other such contests (e.g., in Kent, the West Riding, Norfolk, Suffolk, Hertfordshire, and Cheshire), in Herefordshire Rogers was able to frustrate the will of the great majority of the county's voters. The gentry slate was comprised of Edward Harley and two of the 1654 MPs, John Scudamore and Richard Read. The radical puritan or army slate was Major-General James Berry, Colonel John James, and Captain Benjamin Mason, Governor Rogers's ally and now a lieutenant in his militia troop.

The county was entitled to four MPs, but a precious surviving election narrative focuses on only three.<sup>101</sup> After the prescribed reading of the writ, Sheriff Rogers named the persons standing for election, and the voters shouted their choices 'promiscuously'. Rogers then directed the electors 'to divide themselves into two companyes, to the end that he might take view of them and judge which should be the greater company.' The gentry's supporters 'drew off from the place where the writt was read' but not 'out of the same ground'. The sheriff and the supporters of Berry, James, and Mason stayed put, and those voters 'cryed up the said persons names, whereuppon the Sheriff said he heard none but voted for those last-named'. Just then William Gregory, the barrister friend of Harley and the Scudamores, rode up from the other group and demanded a poll, telling the sheriff that the 'greater parte of the electors were withdrawn into another company according to his direction'. Rogers asked Gregory for whom

he demanded the poll, and he named Harley, Scudamore, and Read. By this time Harley had become suspicious and had ridden over. As soon as Harley demanded the poll, he was 'declared to be elected notwithstanding that the company about the sheriff did not vote for him, but those that were withdrawen did'. Harley was given Colonel James's place, and Mason and Berry were also declared winners by the sheriff. Harley then 'demanded the poll for Mr. Read as against Captain Mason, and for Mr. Scudamore as against Major-General Berry.' By this time, many of the gentry group had come back to the sheriff, and Scudamore, John Birch, Silas Taylor, and *Thomas French*, an old neighbor of the Harleys',<sup>102</sup> also demanded the poll. 'But it was denied by the said High Sheriff, who theruppon took his horse and rodd out of the meadow.' The narrator, showing a gentry concern with matters of property and quality, closes his account by saying that at the same time 'two persons that voted for Captain Mason and stood on the table by the High Sherriff, were asked whether they were worth 200 l., and they confessed they were not.' Harley added a postscript in his own handwriting, which gave some of the names of those who had demanded the poll, noted that the undersheriff had said, 'You shal hav a pole next year'. It concluded with the anti-Rogers remark, 'The greatest number who were neer the Sherrif when he declared Berry & c. to be chosen were servants to the Sherrif, and soldiers'.

This narrative of Wroth Rogers's attempt to impose a military and radical puritan group on the county is confirmed and slightly amplified in a petition that now exists only in a late-seventeenth-century copy.<sup>103</sup> The 'humble petition of the freeholders and electors of the county of Hereford' states that 3,000 of them appeared 'at the time and place appointed ... to give their voices' for Harley, Scudamore, and Read. It claims that there were not 'three hundred dissenting persons and very few of those capable to give their voices'. But Wroth Rogers, 'Sheriff of the said county, did pretend to be dissatisfied whether the said persons so elected had the greater number of voices, whereupon your petitioners did demand a poll which hepurcge denied and forthwith declared James Berry and Benjamin Mason, Esquires, whome we neither elected nor do intrust to be chosen in the stead of the said John Scudamore and Richard Reed, and then [he] departed the place'. The petition was sent either to the council of state or to parliament, for it asked 'your Honours ... [to] reestablish your petitioners' said election and to right them against the bold infringements of their dearest Liberties'. Parliament on 2 October did refer the contested return to the Committee for Privileges,<sup>104</sup> which deliberated very slowly.<sup>105</sup>

The committee doubtless shared some of our confusion, for both the narrative and the petition mention only three places rather than the four Herefordshire was entitled to, and neither mentions Bennett Hoskyns, the fourth county member.<sup>106</sup> That the newsbooks did not print the results until 8 September<sup>107</sup> is clear evidence of some manipulation after 20 August. We do not know whether three or four winners had been proclaimed at Lugg Meadow. Since Hoskyns was elected for the city of Hereford in 1646 and 1654 and Wroth Rogers in 1656, it is quite plausible that both the gentry and the radical puritans agreed to a compromise allowing the powerful governor a place in parliament in return for the widely respected Hoskyns having an uncontested county seat. Would that not be exactly the sort of accommodation which Hoskyns himself could have originated and the frequently pliable Rogers endorsed?<sup>108</sup> As sheriff, Rogers could not return his own name in the indenture for the county, but there was ample precedent for a borough return, the most famous for many years being Sir Simonds D'Ewes's return for Sudbury to the Long Parliament.<sup>109</sup> Indeed, it is certain that there were several deals between Rogers and Hoskyns, for they were the two county members later

returned in the rigged election of December 1658, when Rogers's nineteen-year-old son *Nathan* was returned as one of the two members for Hereford City.<sup>110</sup> (Given Hoskyns's enormous influence in that borough, it is hard to imagine the election of a teenager without his acquiescence.)

Thus the 'Lugg Meadow Mystery' of 1656 has at least three plausible solutions: (1) Hoskyns is not mentioned in the controversy because he was agreed to by both sides, and Wroth Rogers allowed Edward Harley to take Colonel John James's place; (2) the radical puritan or army slate and Harley were declared winners at Lugg Meadow, but Rogers later dropped James in favor of Hoskyns when the governor somehow secured his own election for the city; (3) Rogers declared only Harley, Berry, and Mason elected at the time, saving the fourth place for either James or Hoskyns, depending on the outcome of the city election.

The election narrative and the petition show that all opinion groups wanted to be represented in Cromwell's second parliament. Harley had not presented himself in 1654 but was certainly eager to be elected in the year of the major-generals. He and Birch (elected again for Leominster) were rewarded for their pains with a rebuff by the council of state, but their exclusion does not detract from their desire to participate. By this time Harley was closer in attitude to the accommodationist Judge Hoskyns, but his brother *Robert Harley* was constantly getting involved in cavalier plots as well as helping to arrange the marriage of their cousin *Lord Fairfax*'s daughter Mary to the royalist Buckingham.<sup>111</sup> Wroth Rogers and John James, both Barebone's MPs, were prudent enough not to seek election in the conservative backlash year of 1654 but came forward in 1656, after the royalist uprisings of 1655 had been thwarted. Just as Benjamin Mason was the only *lieutenant* of a county militia troop to be returned, it is almost certain that James was the only Fifth Monarchist in England to seek election. Even Rogers was obviously a little embarrassed by James's candidacy, being so quick to drop him for either Harley or Hoskyns, as was suggested above.

There is no reason to doubt the petition's claim of 3,000 to under 300 against the radical puritans. The radical puritans' minority position in Herefordshire is also brought out in a petition about this time to Cromwell from *John Pateshall*, county MP in 1654 and the sometime mayor and now bailiff of Leominster, wanting the charter changed to reduce the governing body from twenty-four to either thirteen or seven, 'there being few well affected and alehouses, vice, and wickedness abound'.<sup>112</sup>

The gentlemen of the county had probably constructed their slate at the time of the Summer Assizes in late July, doubtless with the full knowledge and encouragement of the two conservative judges, *John Glynn* and *Hugh Wyndham* (and the full knowledge and disapproval of Sheriff Wroth Rogers). Harley-Read-Scudamore represented an unbeatable moderate-conservative coalition — unbeatable, that is, in an open, free election. That intended coalition was a victory for the 'political Presbyterians', who would elsewhere swamp the more reformation-minded puritan nominees of major-generals and others, and who would implore Cromwell to take the crown in 1657, dominate the Convention in 1660, and invite Charles Stuart to return home. As in many county elections in 1656, the more conservative slate had the indirect but weighty support of many old royalists. *William Gregory*, the first to call for a recount, was steward or agent in the county for royalists such as Lord Scudamore and the marquis of Hertford, and was here organizing votes for Scudamore of Kentchurch.<sup>113</sup>

### ***9. The reknitting of the landed elite***

That 3,000 of the 3,200 or 3,300 voters at Lugg Meadow tried to vote together for the gentry slate is striking evidence of gentry resurgence and reunification. Although royalists themselves were excluded from voting by the Instrument of Government, the Protectorate's army-inspired constitution, they could still join the equally conservative, traditionalist, and anti-army gentry in influencing their tenants and friends to vote for the gentry slate. This happened on a national scale, but the fascinating details of political history in the 1650s always come from individuals working in concrete local contexts.

In Herefordshire, the reuniting of the county gentry was closely related to the mediating talents and accommodationist temperaments of several key barristers and judges. For instance, William Gregory, the young Herefordshire barrister, was doing very well for himself at Assizes on this 'Oxford Circuit.' Besides being the agent for Scudamore and Hertford, he was also deputy high steward for the city of Hereford.<sup>114</sup> He and the wealthy barrister Bennett Hoskyns worked both with Wroth Rogers and other zealous puritans in the city, and with Presbyterian and 'royalist' gentry in the county, to put the unfortunate divisions of the 1642-1653 years behind them and place the vision of national unity and reconciliation before them. The reuniting of the gentry of Herefordshire after the 'late wars' is also reflected in an affectionate letter from young Sir John Scudamore, Bt., of Ballingham to Edward Harley in January 1656.<sup>115</sup> All the Scudamores were related, the latest connection having been in 1625 when Lord Scudamore's sister married the father of the young baronet of Ballingham. Both Lord Scudamore of Holme Lacy and James Scudamore of Ballingham, the Middle Temple lawyer, were uncles of young Sir John, who was to be sheriff at the time of the 1661 election to the Cavalier Parliament. That election in turn was arranged by Uncle James the lawyer in order to elect Cousin James, the eldest son of Lord Scudamore. Cousin James went on to give reconciliation speeches in both 1660 and 1661.<sup>116</sup> Uncle James the lawyer was often at Ballingham in the 1650s, and I suggest that he helped the lawyer William Gregory organize votes in 1654 and 1656 for the 'safe' Scudamore of that turbulent time, John of Kentchurch. Those voters could not have been markedly different from the ones who elected Lord Scudamore's son James in 1661.

All the networks of the gentry cannot be treated at length, but some are worth mentioning here. Hoskyns in 1655 married for his second wife the granddaughter of *Sir John Kyrle*, Bt., of Much Marcle (d. 1650), an ally of the Harleys in the 1640s, whose wife was a Scudamore of Kentchurch. Mrs Hoskyns's brother *Sir John Kyrle, 2nd Bt.*, would sit for the county from 1669 to 1678.<sup>117</sup> Richard Read, the gentry candidate and 1654 MP, became a steward for Colonel John Birch in the late 1650s.<sup>118</sup> Birch was one of Edward Harley's closest political and financial allies. Gregory, Harley, and Lord Scudamore were all friends.<sup>119</sup> Hoskyns had briefly been a deputy steward for Sir Robert Harley during his brief tenure as High Steward of the city of Hereford between Lord Scudamore and Major-General Harrison.<sup>120</sup>

Although the sentiments of gentry conciliation would prevail in 1660 and later, they were frustrated in August 1656 at Lugg Meadow by Wroth Rogers and at the council of state by supporters of Rogers such as Lambert. As we have seen, Rogers in late 1655 nominated Powell, a rich and moderate landed newcomer, for sheriff and endorsed Lord Scudamore's petition for relief from the decimation tax. It is at first surprising to find such an accommodating person behaving so outrageously at the election nine months later. But his appointment as sheriff in the year of the major-generals made Rogers more confident of governmental support for his efforts to bring religious light and moral reformation to the



backward majority of Herefordshire. All the available evidence suggests that Rogers made an important distinction between his civilian role of sheriff and his army positions of lieutenant colonel and governor. He was formally correct in his military duties, but sheriffs had traditionally manipulated elections. He could not be expected to stand idly by and watch a 'Presbyterian' coalition engineered by people he suspected of royalist tendencies help put an end to the religious and political hopes of a decade or longer.

He knew at least by the time of the Assizes on 25 July that the gentry was in the same conservative, anti-sectarian mood that Justice John Glynne encouraged in his charge to the Grand Jury.<sup>121</sup> By asking new MPs to strengthen the laws against blasphemers and disturbers of ministers and magistrates, Glynne was directly attacking the permissive views toward Quakers held by Rogers, James, and Major-General Berry. More personally, Rogers's friend Captain Mason was threatened with imprisonment for debt, and the sheriff was now in a position to keep an ally out of gaol.<sup>122</sup> And Colonel John James, the religious enthusiast, was after all the nominal head of the county magistracy, a squire in two counties, and the cousin of Mrs Rogers's brother, Richard Salwey, the famous Rumper, religious radical, former friend of Cromwell, recent ambassador to Constantinople, and landed gentleman of Herefordshire.<sup>123</sup> We should also remember that Rogers quickly acquiesced in Edward Harley's victory and somehow allowed or engineered Bennett Hoskyns's election. From Rogers's own point of view, the final tally for the whole county might be considered a moderate compromise, with three MPs each for the gentry and the 'Army', the latter by now a code word for religious toleration, moral reformation, and moderate social reform:

*Gentry*

Edward Harley, MP, County  
 Bennett Hoskyns, MP, County  
 John Birch, MP, Leominster

*Army*

Major-General James Berry, MP, County  
 Captain Benjamin Mason, MP, County  
 Lieut. Colonel Wroth Rogers, MP, Hereford, City

To Sheriff Rogers and Colonel John James we can apply Blair Worden's description of Richard Salwey, 'who like Cromwell seems often to have been torn between an instinctive tendency towards political moderation and a susceptibility to the persuasion of radical millenarians'.<sup>124</sup>

Rogers abandoned any sense of moderation or compromise as the traditionalist or conservative trend deepened after 1656, marked by the new gentry constitution of 1657 and the succession of Richard Cromwell in 1658. The governor of Hereford used his military connections to thwart the will of the gentry of Herefordshire again in the elections to **Richard Cromwell's** parliament in December 1658. According to another narrative by Edward Harley, Rogers somehow gained control of the writs and refused to convey them to the sheriff (Harley's ally, **Francis Pember**, Sr) until just before the election. The governor then arranged for the election, by only one-fifth of the usual number of voters, of himself and Bennett Hoskyns as knights of the shire.<sup>125</sup> For Hereford City, Rogers arranged the election of his nineteen-year-old son Nathan and a moderate local physician, **Dr Roger Bosworth**.<sup>126</sup>

**10. Conclusion**

The Herefordshire gentry was certainly frustrated by Governor Rogers's manipulation of the 1656 and 1658 elections and by his patronage in the 1649-53 years of radical puritans of less than desirable social status who had dangerous views on the nature and purpose of the church. But it would be profoundly misleading to conclude a study of Herefordshire in the 1650s on a

note of bitterness. We have repeatedly pointed to the county's success in overcoming the unfolding divisions of the civil war and commonwealth period and rallying behind Cromwell's efforts at reconciliation in the Protectorate years. The gentry electoral slate in 1654 gave two places to moderate new men and two places to more conservative representatives of older interests. In 1656 around three thousand gentlemen, freeholders, and their propertied allies endorsed what we would call a center-right coalition. This was the local manifestation of a national trend in popular opinion that would result in the 1656 parliament's offer of the crown to Cromwell in the spring of 1657.

Herefordshire's small group of radical puritans could not maintain the influence they enjoyed in the commonwealth period. Although their complaints against Read and Hoskyns in 1654 are valuable for identifying the two to three hundred men allied with Rogers, the petitions made no impact at Westminster. These crusading puritans would, especially in parliamentary elections, attempt to preserve their earlier grip on conservative Herefordshire during the Protectorate, but the changing climate of opinion and the actions and attitudes of their leaders Rogers and James would diminish their effectiveness. We have seen Rogers, whom we might call the 'new squire', nominating a rich, landed gentleman for sheriff in late 1655 and at about the same time endorsing Lord Scudamore's petition for relief from the new decimation tax on former royalists, which the wildly optimistic government thought would finance the new regime of the major-generals. The 'old squire' John James hated to lose the prestige of being *Custos Rotulorum* and obviously not only came to terms with Cromwell's success and popularity but also wanted to preserve political options for his son, who was appointed sheriff twice at the turn of the century, according to some authorities.<sup>127</sup> Although there are very few surviving judicial records for Herefordshire in this period, we know from a newsbook account that James attended Spring Assizes in late March 1656 when 'there was a very full Bench of Justices'.<sup>128</sup>

That correspondent for *The Publick Intelligencer* was obviously impressed with the extent of gentry attendance at the Assizes, remarking on the 400 gentlemen who had escorted the judges from the county border to the cathedral city. The reporter exclaimed, 'I have not seen such an appearance of the Countrey, and so much civility among so great a Company'. He was emphasizing both the sheer numbers of gentlemen along with their respectful allies and their good-hearted and friendly attitude towards each other. The reporter's observations bolster our argument for a widespread reconciliation in Herefordshire.

In his newsbook account of the Spring Assizes, the reporter also gave a very different view of Wroth Rogers from the picture we gain from the electoral narratives in the Harley papers. He observed that Sheriff Rogers was 'generally well behaved' and that he had ensured that two JPs 'were leading men of the grand Jury, the rest Esquires and Gentlemen of worth'. Rogers was the only army officer appointed a JP in Herefordshire in the 1650s, and while he was a JP for both the city and the county, he limited his magisterial role to the City Sessions. There he was shadowed by the young barrister William Gregory, the deputy High Steward, who was actively befriending men from the various camps of both royalism and parliamentarianism. Rogers himself was enjoying being a 'new squire' at Marden, where the other major landowner was the notorious royalist of the 1640s, *Sir Henry Lingen*, and where the steward was the accommodationist barrister Bennett Hoskyns. It is difficult to picture the socially ambitious Rogers, the commander of a garrison that diminished in size from 200 in 1649 to 70 in 1655, as exercising a dominant political or military control of the county throughout the decade.

The most important fact concerning Herefordshire political culture in the interregnum is the practically unanimous gentry opinion expressed in the election narrative and the petition of 1656. Approximately three thousand voters supported the gentry slate to only three hundred for the sheriff's. Students of comparative revolutions will consider a 90 per cent rate of reconciliation somewhat remarkable, and the reuniting of the overwhelming majority of the gentry by at least 1656 would outlast Wroth Rogers, Oliver Cromwell, and the later Stuarts. One mark of this continuity appears in a long letter written by Harley's brother Robert concerning the elections to the Convention Parliament early in 1660.<sup>129</sup> Telling Edward, an important member of the restored Long Parliament in London, of the plans for the county election, Robert saw the main candidates as Harley, Richard Read, Bennett Hoskyns, and John Scudamore of Kentchurch and discussed Harley's close ties with Hoskyns and Colonel John Birch. All these Cromwellian MPs might be considered 'conservative' in the more fluid situation of the mid 1650s, but they remained the obvious choices in 1660 as in 1656. When the Restoration brought exiled aristocrats and proscribed royalists back into the political fold, our gentry friends would appear as more of a center or moderate group—on the one hand fearful of the lower orders and sects, but on the other opposed to any suggestion of either authoritarian monarchy or the persecution of Dissenters on the other. They would emerge as the eventual winners of the next revolution, of 1688-89, and would help to give Anglo-American constitutionalism a permanent bias favoring the propertied groups in society.

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### REFERENCES

<sup>1</sup> Many excellent county studies have appeared in the last few decades. They are listed in the bibliography of Christopher Durston, *Cromwell's major-generals: Godly government during the English Revolution* (Manchester and New York, 2001). For my review of Durston's pioneering work, see *Albion*, 35 (2003), 121-24.

<sup>2</sup> See Gerald Aylmer's succinct introduction to Herefordshire in this period, 'Who was ruling Herefordshire from 1645 to 1661?' *Woolhope Naturalists' Field Club, Transactions (WNFC)*, 40 (1972), pp. 373-87.

<sup>3</sup> Jacqueline Eales, *Puritans and Roundheads: the Harleys of Brampton Bryan and the outbreak of the English civil war* (Cambridge, 1990) gives an excellent survey of the Harley family to 1643, emphasizing religious motivations; see also her important article on the nature of Harley's puritanism, 'Sir Robert Harley, K.B., (1579-1656) and the "character" of a Puritan,' in the *British Library Journal (BLJ)*, 15 (1989), pp. 134-57. Gerald Aylmer examined the possibility of a connection between Harley's controversial loss of office in the early 1630s and his allegiance of the 1640s in *The king's servants: the civil service of Charles I, 1625-1642* (London, 1961), pp. 372-9. Harley is also discussed in the *Dictionary of National Biography (DNB)*; Mary Frear Keeler, *The Long Parliament, 1640-41: a biographical study of its members* (Philadelphia, 1954), p. 203; T.T. Lewis, ed., *Letters of the Lady Brilliana Harley*, Camden Society, vol. 58 (London, 1854), pp. vi-xii, xxxi-xxxix; and the Historical Manuscripts Commission (HMC) report on the seventeenth-century Harley part of the Portland MSS, 14th R., App., II.

<sup>4</sup> On the civil war in Herefordshire, see Eales, *Puritans and Roundheads*, ch. 7; Ian Atherton, 'An account of Herefordshire in the first civil war', *Midland History*, 21 (1996), pp. 135-55; *Victoria history of the counties of England (V.C.H.)*, *Herefordshire*, I, pp. 386-98; John Webb, *Memorials of the civil war ... Herefordshire* (2 vols., London and Hereford, 1879), and his *Military memoir of Colonel John Birch*, ed. T.W. Webb, Camden Society, n.s., vol. 7 (1873); HMC, 14th R., App., II, pp. 62-220, gives the reader a personal feeling for the 1640-60 period in

Herefordshire from the Harleys' perspective. On matters concerning Lord Scudamore, see Ian Atherton, *Ambition and failure in Stuart England: the career of John, first Viscount Scudamore* (Manchester, 1999). Neither leader was a military commander, but both lost about three years' rents and had their houses either burned or plundered. The Harley papers are at Brampton Bryan (hereafter Harley MSS), the British Library (BL), the Nottinghamshire Archives office (NAO), the Nottinghamshire University Library (NUL), and Longleat. The two collections in Nottingham are fairly well indexed at the National Register of Archives (NRA). There is an old and not completely reliable card index to the Harley MSS at the Herefordshire Record Office (HRO). Eales, *Puritans and Roundheads*, pp. xvii-xviii, introduces the subject, but scholars should consult Clyve Jones, 'The Harley family and the Harley papers', *BLJ*, 15 (1989), pp. 123-33. The Scudamore papers appear to be at the BL, the Folger Library, and the Public Record Office (TNA), with the Scudamore of Kentchurch collection having been moved from the National Library of Wales (NLW) to the HRO. On the Scudamore papers, see the fascinating essay by Ian Atherton in his doctoral thesis, 'John, 1st Viscount Scudamore, 1606-71: a career at court and in the country, 1602-43' (D. Phil. thesis, Cambridge, 1993), pp. 12-17, and Appendix I on the Scudamore MSS and the Phillips Collections, pp. 256-61.

<sup>5</sup> Ian Atherton, 'Viscount Scudamore's "Laudianism": the religious practices of the first Viscount Scudamore', *Historical Journal*, 34 (1991), pp. 569-70, 585-6, and his *Ambition and failure*, ch. 3; Michael Neville, 'Dore Abbey, Herefordshire, 1536-1912', *WNFC*, 41 (1973-75), pp. 312-16; Charles J. Robinson, *A history of the mansions and manors of Herefordshire* (Hereford, 1873), pp. 139-40; Matthew Gibson, *A view of the ancient and present state of the churches of Door, Home-Lacy, and Hempsted* (London, 1727), app., pp. 185-238.

<sup>6</sup> HMC, 14th R., App., II, p. 188; a detailed list in the appendix to *Letters of Brilliana Harley*, p. 230, put the Harley total closer to £13,000. Scudamore's figure is from G.E. Cokayne, *The Complete Peerage*, ed. Vicary Gibbs (13 vols., London, 1910-59), XI, p. 573s

<sup>7</sup> One of the many tragic aspects of all this is that Lady Brilliana Harley died in 1643, without her husband or beloved eldest son Edward.

<sup>8</sup> Webb, *Memoir*, p. 232, and *Civil war*, pp. 250-1, 258. There is now a biography of Birch, E. Heath-Agnew's *Roundhead to royalist* (Hereford, 1978), but it contains little fresh material.

<sup>9</sup> HMC, 14th R., App., II, p. 147; Webb, *Memoir*, p. 231; David Underdown, 'Party management in the recruiter elections, 1645-1648', *English Historical Review* (*EHR*), 83 (1968), pp. 244-5.

<sup>10</sup> *DNB* and the books by the Webbs and Heath-Agnew.

<sup>11</sup> HRO, AK 43 (photocopies of Harley letters at BL or Brampton Bryan), Edward Harley to Sir Robert, 6 June 1647; NUL, PW2 HY 158 and 160; BL, Add. MSS 61989, fos. 171, 175, 218; 70061; very revealing 1646 letter from John Flackett to Edward Harley in 70058; HMC, 14th R., App., II, pp. 142-54. More was governor until the arrival of Wroth Rogers early in 1648.

<sup>12</sup> HMC, 14th R., App., II, pp. 154-8; See David Underdown, *Pride's purge: politics in the Puritan Revolution* (Oxford, 1971), passim; and Ian Gentles, *The New Model Army in England, Ireland and Scotland, 1645-1653* (Oxford, 1992), p. 179, for the army's attitude towards Birch. The paying off and disbanding of the 'supernumerary' soldiers in Herefordshire took until the end of 1648. The sometimes violent process may be traced in TNA, SP28/229.

<sup>13</sup> Austin Woolrych, *Soldiers and statesmen: the general council of the army and its debates, 1647-1648* (Oxford, 1987), pp. 82-3, 135-6; Sir Charles Firth and Godfrey Davies, *The regimental history of Cromwell's army* (2 vols., Oxford, 1940), I, pp. 359-64.

<sup>14</sup> Information from my student John Shedd and his doctoral thesis on the committee based on the largely untapped riches of the TNA, SP24: 'Friends of the revolution: the English parliamentary committee for indemnity, 1647-1655' (University of Tennessee, 1990).

<sup>15</sup> He was to reside at Whitbourne until the early 1670s. Many Birch papers are in the HRO, with some of his purchases of church lands at O57/2-7 and O57/9. Other Birch collections at HRO are AK10 and F78. Some of his purchases of church lands can be followed in Oxford, Bodleian Library (Bodl.), MSS Rawl. B236 and B239, but the most convenient summaries are in Webb, *Memoir*, pp. 154-5, and *Civil war*, p. 310. It does not appear possible to determine exactly how much money Birch received personally from parliament and from ransoming prisoners at Hereford, but that figure plus 'Public Faith' bills probably reached £9000; Webb, *Memoir*, pp. 152, 219, 223-5, 234, 236; *Committee for Compounding with Delinquents ... 1643-1660* (*CCC*), I, pp. 62, 132.

<sup>16</sup> BL, Add. MS 11, 047, fo. 111. Even Thomas, Lord Fairfax, bought episcopal lands in 1648; Bodl., MS Rawl. B236.

<sup>17</sup> Bodl., MS Rawl. B239, fos. 55-6, and HRO, Birch MSS as above.

<sup>18</sup> BL, Loan 29/73; inference about Birch's loans in the interregnum period from his letter of 5 June 1663 acknowledging receipt of £50 'in part of a Greater some, I say Received in Part'. See also some confusing mortgage and agreements of 1661 in the Harley MSS, Bundle 5. The debts are laid out by year in BL, Loan 29/53, from £5894 in 1652 to £2771 in 1659. See Harley MSS, Bundles 10, 27, 61; BL, Add. MSS 70007, 70118, 70058, 70065, 70066, 70086; *Letters of Brilliana Harley*, pp. 218-19; *DNB*; Basil Duke Henning, *The House of Commons, 1660-1690* (3

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vols., London, 1983), II, pp. 494-7. The pressure of debts can be felt when reading the 1650s section of HMC, 14th R., App., II.

<sup>19</sup> Firth and Davies, *Regimental history*, II, pp. 398-400.

<sup>20</sup> *Calendar of State Papers, Domestic (CSPD)*, 1656-7, p. 127.

<sup>21</sup> Webb, *Civil war*, p. 310, n. 3, with another hint at HMC, 13th R., App., IV, p. 346.

<sup>22</sup> Firth and Davies, *Regimental history*, II, p. 467.

<sup>23</sup> Perhaps there was a blood relation. Wroth Rogers witnessed the will of William Wroth, who has a brief notice in the *DNB*; Geoffrey Edward McParlin, 'The Herefordshire gentry in the county government, 1625-1661' (Ph.D. thesis, Aberystwyth, 1981), p. 138. This thesis is valuable for biographical information on obscure committee men, but it is also on occasion inaccurate, especially on John Birch's career in the 1650s.

<sup>24</sup> Austin Woolrych, *Commonwealth to Protectorate* (Oxford, 1982), pp. 175, 232; Charles J. Robinson, *A history of the castles of Herefordshire and their lords* (London and Hereford, 1869), p. 120; Ian Gentles, 'The debentures market and military purchases of crown land, 1649-1660' (Ph.D. thesis, London, 1969), p. 327. Rogers in a technical sense obtained the sequestered lease of Marden held by the wealthy and prominent royalist Fitzwilliam Coningsby. The latter's eccentric grandson Thomas, Lord Coningsby, compiled a huge folio volume on Marden, *Collections concerning the manor of Marden* (London, 1722), which claims both that Rogers was called 'Lord Farmer of the Manor of Marden', p. 51, and that Rogers held other lands sequestered from Coningsby, p. 408. Rogers at Marden had links with the other main royalist, Sir Henry Lingen, who had 1000 acres there, p. 301; the 1649 Survey of the manor is given in J. Duncombe and W.H. Cooke, *Collections toward the history and antiquities of the county of Hereford* (3 vols., Hereford, 1804-82), II, pp. 128-30.

<sup>25</sup> In the Rump period there was considerable overlap of militia commissioners and JPs. In a letter from the committee in February 1653, there were nine signatures, with Rogers's being first. Only two of the nine were not also JPs at that time; TNA, SP 28/229.

<sup>26</sup> HMC, 14th R., App., II, p. 154, 161, 165, 171; Richard Johnson, *The ancient customs of the city of Hereford* (London and Hereford, 1868), p. 165.

<sup>27</sup> His career and the history of his horse regiment are outlined in Firth and Davies, *Regimental history*, I, pp. 179-91.

<sup>28</sup> A group of his letters are in *Massachusetts Historical Society, Collections*, 5th ser., vol. 8 (1882), pp. 199-218; *CCC*, I, p. 637. Winthrop joined with a mixed group of county commissioners for 'charitable uses', led by Rogers but including four Harley allies in 1650; HRO, Hereford City Records, VII, fos. 5, 47, 78. This is the only example in the 1650s of a non-resident army officer acting in any official capacity in the county.

<sup>29</sup> David Underdown, *Royalist conspiracy in England, 1649-1660* (New Haven, 1960), pp. 21-35, 224.

<sup>30</sup> NUL, PW2 HY65; see also *Letters of Brilliana Harley*, pp. 233-4, and HMC, 14th R., App., II, p. 189.

<sup>31</sup> HMC, 14th R., App., II, pp. 189-91. The reader should keep in mind that several of Harley's fellow 'Presbyterians' arrested at the time of Pride's purge, such as his cousin Sir William Waller, were still imprisoned. Harley in 1650 and 1651 was urging Waller to 'acknowledge the authorities'; BL, Loan 29/84, Waller to Harley, 14 October 1651.

<sup>32</sup> Thomas Richards, *A history of the puritan movement in Wales ... 1639 to ... 1653* (London, 1920), pp. 26, 105. The main seat of the Harleys adjoined Radnorshire, where the family often found seats in parliament. One sore point between the Harleys and Rogers must have been the governor's purchase in 1650 of the royal manor of Presteigne in Radnorshire, an area long under Harley influence; Gentles, 'Debentures market', p. 327; Eales, *Puritans and Roundheads*, pp. 31-2.

<sup>33</sup> Aylmer, 'Who was ruling', p. 378.

<sup>34</sup> McParlin, 'Herefordshire gentry', p. 134.

<sup>35</sup> McParlin, 'Herefordshire gentry', pp. 135-36, 154-56; my analysis of the names in *The names of the Justices of Peace in England and Wales ... Michaelmas Terme. 1650*. (London, 1650), dated by Thomason in November.

<sup>36</sup> They all signed petitions that disclosed their attitudes; McParlin, 'Herefordshire gentry', p. 158, and my analysis of the petitions concerning the 1654 parliamentary election in TNA, SP 18/74.

<sup>37</sup> *DNB* under Domville. He is mentioned by Aubrey, Pepys, and Wood. Some of his local history work is in BL, Harl. MSS 6726 and 6766.

<sup>38</sup> This famous dispute is well documented in *CCC*, I, pp. 636-7, 640-1, 643-4, 646, 648-9, 656, 653-9, 661, 673, 679, 692-5, 697, 710, 718-19. It is discussed by Aylmer, 'Who was ruling' p. 381, but only through 1653; McParlin, 'Herefordshire gentry', pp. 160-4; and Webb, *Civil war*, pp. 310 n. 2, 313-14, 408-9.

<sup>39</sup> HRO, 057/8.

<sup>40</sup> *CCC*, I, 265; *CSPD*, 1650, pp. 391, 404, 421, 442, 614; W.R. Williams, *The parliamentary history of the county of Herefordshire* (Brecknock, 1896), pp. 52-4. Scholars should use Williams with caution. TNA, SP26/8, fos. 28, 160, and 161 show Mason buying crown lands in Somerset in 1650-3; BL, Add. MS 16178 is the Herefordshire

Sequestration Committee Book for parts of 1646 and 1647. It shows Mason obtaining delinquents' estates by July 1646.

<sup>41</sup> See David Underdown, *Somerset in the civil war and interregnum* (Newton Abbot, 1973), pp. 164, 167, and CCC pages noted there, for Pyne's contest with Mason, who later claimed that it had cost him £300; CCC, I, pp. 694-5.

<sup>42</sup> CCC, I, p. 604.

<sup>43</sup> Webb, *Civil war*, p. 314; CCC, I, p. 637. A possible sore point between Mason and Taylor had to do with the episcopal manor of Bishopston, which Taylor's wealthy father had bought in 1650 for over £1500; Bodl., MS Rawl. B 239. Many sources have Mason living there in the mid-1650s. Mason was brought up for trespass before the Mayor's Court in Hereford twice in the 1650s; HRO, Mayor's Court, 1650-1656, and 1657-1659.

<sup>44</sup> CCC, I, pp. 679, 692-5, 697.

<sup>45</sup> NLW, Calendar of Kentchurch Deeds, IB, p. 233. Those papers have been transferred to the HRO; Harley MSS, Bundle 84; TNA, C115/M21/7638; M.A. Faraday, *Herefordshire militia assessments*, Camden Society, 4th ser., vol. 10 (London, 1972), pp. 90, 101-2, 123. In a case concerning the tithes of Kingston in Much Marcle which reached the Exchequer in 1657, it is clear that the local people looked on Mason as a squire in the mid-1650s; TNA, E134/1657/Easter 10.

<sup>46</sup> They were still not clear in 1663; CSPD, 1663-4, pp. 203, 223.

<sup>47</sup> He was a JP in Somerset in 1660, and his name was linked with Sir Francis Doddington in 1664; *Ibid.*, p. 472. The number of new landed families created by the revolution has, in my opinion, been seriously underestimated.

<sup>48</sup> Several sharp practices on Mason's part are suggested, for example, in CCC, III, pp. 1714, 2202-3.

<sup>49</sup> Faraday, *Militia assessments*, p. 25, and DNB.

<sup>50</sup> See Gerald Aylmer's short but excellent summary of cathedral affairs in this period in chapter 5 of *Hereford Cathedral: a history*, ed. Gerald Aylmer and John Tiller (London, 2000), with the discussion of Delamaine on pp. 106-7.

<sup>51</sup> TNA, C 231/6, fos. 283, 288.

<sup>52</sup> C.H. Firth and R.S. Rait, eds., *Acts and ordinances of the interregnum, 1642-1660* (3 vols., London, 1911), II, p. 971.

<sup>53</sup> McParlin, 'Herefordshire gentry', p. 183; Firth and Rait, *Acts and ords.*, II, p. 980, names, among others, William Lowe, George Primrose, Samuel Smith, and William Voyle, <sup>53</sup>whom Sir Robert Harley had placed in Hereford Cathedral in 1648; Webb, *Civil war*, pp. 311-12.

<sup>54</sup> Firth and Rait, *Acts and ords.*, II, pp. 830-1.

<sup>55</sup> TNA, SP 18/95/72 I and C193/13/6, fo. 38. The *liber pacis* noted in the Crown Office Docquet Book (C231/6, fo. 306) as prepared for the council of state on 27 March 1655 has not come to light, and only the March lists for Herefordshire, Worcestershire, and Gloucestershire appear to be at the TNA.

<sup>56</sup> He was Second Justice for the counties of Carmarthen, Cardigan, and Pembroke until the end of Richard Cromwell's Protectorate and then Chief Justice for five months in 1660. He sat for Wendover in the Short Parliament, for the city again in 1654, and for the county in 1656 and 1659. He bought the family estate of Harewood in 1654. His father and son (both John) are apparently better known. Bennett gained a baronetage in 1676. Manchester, John Rylands Library, biographical notes on the members of Tudor and Stuart Parliament by W. Duncombe Pink (Pink MSS) largely agrees with G.E. Cokayne, *Complete Baronetage* (5 vols., Exeter, 1900-1906), II, p. 79, and Williams, *Parliamentary history of Herefordshire*, the latter two having slight errors. See also Robinson, *Mansions and manors*, pp. 130-3, Underdown, *Pride's purge*, pp. 70, 310, 376, and Henning, *House of Commons*, II, pp. 583-4. On the Property of his father (d. 1638) in Hereford, see two articles by Baird Whitlock in *WNFC*: 'John Hoskyns, almost mayor of Hereford', 36 (1958-60), 306-8, and 'The Hereford city properties of John Hoskyns', 37 (1961-63), 62-6.

<sup>57</sup> Webb, *Civil war*, pp. 287, 407n; Angus McInnes, *Robert Harley, puritan politician* (London, 1970), p. 24; Robinson, *Castles*, pp. 13-14. Apparently the estates of Sir Henry Lingen, probably the most zealous royalist officer in the county, were handed over to Harley in recompense for the destruction of Brampton Bryan, and Harley gave the documents back to Lady Lingen. This conciliatory and generous apTNAach helps to account for Harley's enormous popularity in the county.

<sup>58</sup> CCC, III, 1643, 2064-71.

<sup>59</sup> TNA, SP 18/74, fos. 185-6, 244-7. Although there are 247 names, 22 are repetitions. All the names are in the same hand except Matthew Price, first listed after the six JPs (five of whom were appointed in 1653) and eight ministers. Price and Benjamin Mason, one of the JPs, had worked together in sequestrations. Several radical puritan JPs must have been dropped from the bench in the missing commissions of March and May 1654, for John Pateshall and Richard Nicholetts signed the petition as individuals rather than as JPs.

<sup>60</sup> CCC, I, p. 541. On 10 February 1652, the committee on compounding ordered the local sequestrations commissioner to stop proceedings against Hoskyns, citing decisions of the Long Parliament in July 1647.

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<sup>61</sup> Williams, *Parliamentary history of Herefordshire*, pp. 49-50; McParlin, 'Herefordshire gentry', pp. 184-5.

<sup>62</sup> CCC, I, p. 86.

<sup>63</sup> TNA, 18/74, fo. 236.

<sup>64</sup> *Ibid.*, unnumbered but probably fo. 245.

<sup>65</sup> *Ibid.*

<sup>66</sup> *Ibid.*

<sup>67</sup> Birch's leadership role can be seen in the *Journals of the House of Commons* (7 vols., n.p., n.d.) (*CJ*) teller lists rather than in Goddard's diary, given in the *Diary of Thomas Burton* (4 vols., London, 1828), I, xvii-cxxii; cf. Gerald Aylmer, *The state's servants: the civil service of the English republic, 1649-1660* (London, 1973), p. 48, and Paul Derek Shuter, 'The role of Cromwell's councillors in the first and second Protectorate parliaments' (M.Litt. thesis, Lancaster, 1982), pp. 76, 83. Birch's 'country' attitudes were exhibited freely in the Restoration parliaments; Henning, *House of Commons*, I, pp. 653, 660.

<sup>68</sup> Thomas Birch, ed., *A collection of the state papers of John Thurloe Esq. (TSP)* (7 vols., London, 1742), III, p. 147. Birch was named in the same sentence with Sir George Booth and Herbert Morley, not a very dangerous bunch in 1654.

<sup>69</sup> TNA, SP 18/95/72 I.

<sup>70</sup> *TSP*, III, p. 262.

<sup>71</sup> By the summer of 1655, Colonel Berry's troop appears to have been at Worcester with Captain Unton Croke's at Hereford; Bodl., MS Rawl. A27, fo. 753.

<sup>72</sup> *CSPD*, 1655, pp. 90, 93.

<sup>73</sup> *Ibid.*, p. 136.

<sup>74</sup> Rogers had spent over £300 on the three companies of foot he raised at the time of the uprising in March. The council in August said that he could recover it from six old militia commissioners for the county, including Birch, who had raised that much at the time of Worcester. Would the council have expected Birch to pay Rogers his share if it had known that Birch was Rogers's prisoner? It took Rogers over two years to recover half his money, with Birch and two others paying £50 each in 1657. *Ibid.*, pp. 148, 272, 279; 1656-7, pp. 65, 86, 268; 1657-8, p. 186.

<sup>75</sup> Berry had commanded a cavalry regiment since 1651. He appears to have spent a few days in Hereford on three subsequent occasions, mid-March 1656, late April or early May 1656, and mid-August 1656; *TSP*, IV, pp. 237, 582, 742; V, p. 303. On Berry, see the excellent book by Sir James Berry and Stephen G. Lee, *A Cromwellian major-general* (Oxford, 1938); *DNB*; Firth and Davies, *Regimental history*, I, pp. 243-50; and Richard Greaves's short notice in Richard L. Greaves and Robert Zaller, *Biographical dictionary of British radicals in the seventeenth century* (3 vols., London, 1982-4). South Wales and Monmouthshire were added to his district in January 1656; *CSPD*, 1655-6, p. 102.

<sup>76</sup> *TSP*, IV, p. 237. On arriving in Shrewsbury, Berry released three men arrested in June; H. Owen and J.P. Blakeway, *A history of Shrewsbury* (2 vols., London, 1825), I, 475.

<sup>77</sup> CCC, I, pp. 140-1, 343.

<sup>78</sup> *Ibid.*, p. 183.

<sup>79</sup> Folger Library MS v.b. 3, no. 19, with related material in nos. 20-1. Lord Scudamore asked the brother of Thomas Rawlins, a Harley ally, one of the signing commissioners, a longtime JP, and county committee man from the 1640s, to handle his petition in London. Lord Scudamore had contributed three horses, three swords, three cases of pistols and three carbines to the New Militia in 1650. TNA, C115/M21/7638. I owe this reference to the late Gerald Aylmer. Ian Atherton has made brilliant use of this TNA collection in his doctoral thesis and book on Scudamore, and the List and Index Society has recognized its value in vol. 274, *Master Harvey's Exhibits: Duchess of Norfolk Deeds (C115)* (London, 1999).

<sup>80</sup> 'Settlement in the Counties, 1653-1658', p. 179, in *The Interregnum: the quest for settlement, 1646-1660*, ed. G.E. Aylmer (London, 1974).

<sup>81</sup> 'Who was ruling in Herefordshire from 1645 to 1661?', p. 387 n. 52.

<sup>82</sup> *Ibid.*

<sup>83</sup> Henning, *House of Commons*, III, pp. 269-790, which explains how some Hinson lands in Devonshire came to Lady Button and then to her son-in-law Edward Harley; Cokayne, *Baronetage*, III, p. 154; McParlin, 'Herefordshire gentry', pp. 185-6; Webb, *Civil war*, pp. 23, 410-11. For Powell's holdings in Herefordshire in 1663, see Faraday, *Militia assessments*, pp. 171-2, 174, 178-80, 182, 184.

<sup>84</sup> *TSP*, IV, p. 272.

<sup>85</sup> *TSP*, IV, pp. 394, 413, 582, 742; V, pp. 219, 242, 303, 751; Firth and Davies, *Regimental history*, I, pp. 244-253.

<sup>86</sup> Oxford, Worcester College, Clarke MS 27.

<sup>87</sup> TNA, C202/39/5. He took the oath of office on 4 February.

<sup>88</sup> 'The military presence in England 1649-60', D.Phil. thesis, Oxford, 1981.

<sup>89</sup> *History*, 75 (1990), pp. 207-231, summarized in his *Britain in revolution 1625-1660* (Oxford, 2002). I am grateful to Professor Woolrych for mentioning my research in both the lecture and the article.

<sup>90</sup> Reece, 'Military presence', p. 291.

<sup>91</sup> *Ibid.*, p. 133.

<sup>92</sup> *TSP*, IV, p. 237. Herefordshire is one of only a handful of counties for which we do not have a list of the new 'Commissioners for Securing the Peace', on whom see Durston, *Cromwell's major-generals*, ch. 4. Since all but one of the commissioners named on a short list in the Scudamore papers at the Folger Library were also JPs, I am assuming that Berry's use of the phrase 'gentlemen of this county' implies a general overlap of the two groups that would include a wide spectrum of puritans and moderates.

<sup>93</sup> Sir Robert, who had mortgaged lands to provide a suitable dowry (£1500?) for his daughter Brilliana's marriage to the earl of Lincoln's stepson in 1652, had expected to borrow an additional £8000 from Lady Button in 1654, but that part of the arrangements fell through; HMC, 14th R., App., II, pp. 199-205; BL, Add. MS 70007, fo. 40; Harley MSS Bundles 10, 61; NAO, DD 4P/37/4.

<sup>94</sup> Harley was at Brampton in April 1656; NAO, DD 4P/56/19/24; most of the letters to Harley in 1655-6 now in the BL are addressed to Ludlow, but his sister Dorothy addressed one in March 1655 to Brampton Bryan or Ludlow, implying that Harley sometimes resided in the county. See NAO, DD 4P/68/18 for an estimate of £2354 to rebuild Brampton Bryan church, parsonage and nineteen houses; cf. BL, Add. MS 70087, no. 78. A note in the church says that rebuilding the church cost £1200 and that material from the demolished castle was used; personal visit by author, August 1998. He did not rebuild the ancestral home until the 1660s. From 1657 he resided at 'Bucknill', still in Shropshire but only two or three miles from Brampton Bryan. He apparently stayed in the old Harley house in Ludlow helping to care for his invalid father until the latter's death in November 1656. BL Loan 29/73-4, 80, 82-4; HMC, 14th R., App., II, pp. 209-11; Thomas Froysell, *The beloved disciple* [funeral sermon for Sir Robert] (London, 1658), pp. 111-17.

<sup>95</sup> HMC, 14th R., App., II, p. 207; BL, Add. MS 70007, fo. 65. On Delamaine, see Aylmer and Tiller, *Hereford Cathedral*, pp. 106-7; Webb, *Civil war*, pp. 314-16; and Taylor's scathing and amusing attack, *Imposter Magnus, or the Legerdemain of Richard Delamain* (London, 1654) which accused Delamaine of gaining places through flattering Rogers, of marrying Mrs Rogers's maid, of preaching heresy, and of abusing his position as one of three Cathedral preachers in the Rump years and as Master of two important city charities. The extensive typed calendar of the Hereford Cathedral Muniments has no. 3063 indicating that although Delamaine left the county early in the Protectorate, he was still profiting from being master of St Ethelbert's Hospital in 1656.

<sup>96</sup> BL, Loan 29/82. Harley was active in 1655 and 1656 in settling a rectory dispute in Presteign as well as helping in their incorporation efforts. *Ibid.*, 29/365, now 70057; NAO, DD 4P/72/122.

<sup>97</sup> The change from an 'army constitution' to a 'gentry constitution' caused Harley's close associate John Birch to praise the latter rather extravagantly in Richard Cromwell's parliament; Burton, *Diary*, IV, pp. 60-62.

<sup>98</sup> Worcestershire Record Office, Quarter Session Files, 110 BA1/92; I found this stray document as part of my continuing effort to discern which appointed JPs in the 1650s were sufficiently active either to attend quarter sessions or to take recognizances near their homes.

<sup>99</sup> For the list of ten JPs attending in October 1651, which included Rogers, Hoskyns, Rawlins, Pateshall, Gwilym, and Darley, see McParlin, 'Herefordshire gentry', p. 157. The January 1654 combined city and county list of eleven JPs mentioned earlier included Rogers, Pateshall, Woodyate, Mason, Gwilym, Hall, and Rawlins in addition to two other Harley allies, John Scudamore and John Flackett, who make up for the absence of Hoskyns.

<sup>100</sup> *CSPD*, 1656-7, p. 72.

<sup>101</sup> The election narrative is in the Harley papers in the BL, Loan 29/177, printed in HMC, 14th R., App., II, p. 208.

<sup>102</sup> HMC, 14th R., App., II, p. 189. Another vocal gentry supporter was Peter Powys, a relative of Thomas Powys, one of Harley's legal advisers.

<sup>103</sup> Hereford City Library, Hill MSS, vol. II.

<sup>104</sup> *CJ*, VII, p. 432. Berry was elected for Worcestershire and Monmouthshire as well. He chose the former, and a new writ was ordered for the latter but not for Herefordshire, 'the election...being questioned'.

<sup>105</sup> Mason is not mentioned in Burton, *Diary*, until May 1657; II, 110, 145.

<sup>106</sup> Clear from *CJ*, Burton, and the indenture, TNA, C219/45, which is in terrible condition. Parts of Berry's and Mason's names are missing as well as all of Harley's.

<sup>107</sup> *Publick-Intelligencer*, no. 48, p. 818.

<sup>108</sup> Hoskyns was Harley's first choice for a running mate to the Convention in 1660; BL, Loan 29/177, letter from Robert to Edward Harley, 6 Apr. 1660, strangely misdated 1656, perhaps because Robert's likely list of winners for the second position (Hoskyns, Read, and Scudamore) made him think of the earlier year.



## CONFLICT AND COMPLEXITY: ARMY AND GENTRY IN INTERREGNUM HEREFORDSHIRE

<sup>109</sup> Although the vote of the 1654 parliament to allow sheriffs to sit except 'as knight for his own county' had no firm constitutional footing, since all of its decisions were part of the incomplete government bill rendered void at its dissolution, this and several other resolutions were quietly put into effect; Burton, *Diary*, I, xxi-xxiii.

<sup>110</sup> Williams, *Parliamentary history of Herefordshire*, pp. 54, 91. The elections to Richard Cromwell's parliament utilized both the franchise and the distribution of seats in effect before 1654, thus restoring Hereford's traditional number of MPs.

<sup>111</sup> Underdown, *Royalist conspiracy*, pp. 21, 221, 224-5. Robert's letter to Edward from the Tower on 22 June 1657 is in BL, Loan 29/177.

<sup>112</sup> CSPD, 1656-7, p. 220.

<sup>113</sup> HRO, A 31/4 (Bodenham Court Roll, 1654-1660); *DNB*; Cokayne, *Peerage*, XII, pp. 69-73; Henning, *House of Commons*, I, pp. 266-8; II, pp. 435-6. Gregory would briefly become Speaker in 1679 before being appointed a Baron of the Exchequer. Out of favor under James II, he was to become a Judge of the King's Bench after 1689. Hertford was at the Restoration to be briefly duke of Somerset and Lord Lieutenant of Wiltshire and Somerset before his death in October 1660. Gregory made a fortune at law in the Restoration period, buying his largest estates in the early 1680s. Many of his papers are in the HRO, L 38.

<sup>114</sup> HRO, Hereford City Records, Mayor's Court 1650-1656; Gaol Delivery, 1508-1659; City Quarter Sessions, 1651-1656 and 1657-1660. Gregory almost always attended the 'General Sessions of Peace' in the city and probably served as a moderating influence on Wroth Rogers, who attended almost as often.

<sup>115</sup> BL, Loan 29/82. Young Scudamore's mother and grandfather William had written letters to their 'cousin' Harley in the late 1640s. The young baronet had been allowed to study in France during the Rump period.

<sup>116</sup> BL, Add. MSS 11, 044 and 11, 047.

<sup>117</sup> Cokayne, *Baronetage*, II, pp. 17-18; Pink MSS; Henning, *House of Commons*, II, pp. 703-4, which says that the second baronet's election was largely due to Harley's influence.

<sup>118</sup> According to McParlin, 'Herefordshire gentry', p. 185.

<sup>119</sup> *Letters of Brilliana Harley*, pp. 245-6.

<sup>120</sup> HMC, 14th R., App., II, p. 161.

<sup>121</sup> I am making the reasonable assumption that Glynne gave roughly the same charge in all of his counties; that for the adjoining Worcestershire on 30 July is now Bodleian Library, Rawl. MS C182, fos. 101r-102v.

<sup>122</sup> Burton, *Diary*, I, p. 282, and *CJ*, VII, p. 477, show that his election was a financial-judicial godsend. Mason surprisingly voted for kingship in 1657; perhaps Cromwell had forgiven his old debts to the state, or perhaps Mason by that time was trying harder to fit in with gentry attitudes.

<sup>123</sup> *DNB*; CCC, I, p. 391; HMC, 10th R., App., IV, pp. 410-11; John B. Burke, *A genealogical and heraldic history of the commoners of Great Britain and Ireland* (4 vols., London, 1833-8), I, pp. 153-4; Blair Worden, *The Rump Parliament* (Cambridge, 1974), pp. 31, 71, 128, 184, 250, 256, 270, 336, 339; Woolrych, *Commonwealth to Protectorate*, pp. 28, 105-6, 108, 156, 159, 171, 175, 198, 209, 212-13, 216, 231-2, 339, 420-1, 426-7. James had twice been governor of Worcester, and Salwey was mayor in 1654 according to Burke, *Commoners*, I, p. 154. For a succinct account of Salwey in the 1640s and 1650s, see Stephen K. Roberts's 'Protecting the Rump', in *History Today*, 53 (2003), p. 92.

<sup>124</sup> Worden, *Rump Parliament*, p. 128.

<sup>125</sup> NUL, PW 2 HY 162, misleadingly titled in the lists prepared for the NRA.

<sup>126</sup> J. Foster, *Alumni Oxonienses* (4 vols., Oxford, 1888-92), III, p. 1275; Williams, *Parliamentary history of Herefordshire*, p. 91; Henning, *House of Commons*, I, p. 691.

<sup>127</sup> Woolrych, *Commonwealth to Protectorate*, p. 212, using sources listed on p. 213, n. 50.

<sup>128</sup> *The Publick Intelligencer*, 31 March-7 April 1656, pp. 449-51, report from Hereford dated 28 March 1656.

<sup>129</sup> BL, Loan 29/177; the Convention election cost Harley £178/19/06; NAO, DD 4P/56/19/41. Harley sat in almost every parliament until his death in 1700, Birch in every parliament except 1685 until his death in 1691; Henning, *The Commons, 1660-1690*, II, pp. 494-7; I, pp. 653-60. Harley, Clarendon, and the compliant Bishop Nicholas Monck, General Monck's brother, all helped Birch retain most of his episcopal lands at the Restoration; BL, Loan 29/49; HRO, 057/11; Webb, *Memoir*, pp. 197-8. On the long-forgotten Nicholas Monck, absentee bishop from January 1661 until his death that December, see Duncombe and Cooke, *Collections*, I, p. 491. The next bishop, Herbert Croft, fought for his rights in a struggle with Birch that lasted more than ten years; see over thirty documents concerning the battle in BL, Add. MS 70085. On Harley, Birch, and Croft in the Restoration period, see Newton E. Key, 'Comprehension and the breakdown of consensus in Restoration Herefordshire', in *The politics of religion in Restoration England*, ed. Tim Harris, Paul Seaward, and Mark Goldie (Oxford, 1990), pp. 191-215.

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