

DECLARATION AND IMPEACHMENT AGAINST THE DUKE OF BUCKINGHAM

House of Commons

10 May 1626

For the speedy redress of great evils and mischiefs, and of the chief of these evils and mischiefs which this kingdom of England now grievously suffers, and of late years has suffered, and to the honour and safety of our Sovereign Lord the King, and of his crown and dignity, and to the good and welfare of his people; the Commons in this present Parliament, by the authority of our said Sovereign Lord the King assembled, do, by this their bill, show and declare against George, Duke, Marquis and Earl of Buckingham, Earl of Coventry, Viscount Villiers, Baron of Whaddon, Great Admiral of the kingdoms of England and Ireland, and of the principality of Wales and of the dominions and islands of the same, of the town of Calais and of the marches of the same, and of Normandy, Gascony, and Guienne, General Governor of the seas and ships of the said Kingdoms, Lieutenant General, Admiral, Captain General and Governor of His Majesty's Royal Fleet and Army, lately set forth, Master of the Horse of our Sovereign Lord the King, Lord Warden, Chancellor, and Admiral of the Cinque Ports and of the members thereof, Constable of Dover Castle, Justice in Eyre of all the forests and chases on this side of the river of Trent, Constable of the Castle of Windsor, Gentleman of His Majesty's Bedchamber, one of His Majesty's most Honourable Privy Council in his realms both in England, Scotland and Ireland, and Knight of the most Honourable Order of the Garter; the misdemeanours, misprisions, offences, crimes, and other matters, comprised in the articles hereafter following; and him the said Duke do accuse and impeach of the said misdemeanours, misprisions, offences and crimes.

1. First, that whereas the great offices expressed in the said Duke's style and title have been the singular preferments of several persons eminent in wisdom and trust, and fully able for the weighty service and greatest employment of the State, whereby the said offices were both carefully and sufficiently executed, by several persons of such wisdom, trust, and ability; and others also that were employed by the royal progenitors of our Sovereign Lord the King, in places of less dignity were much encouraged with the hopes of advancement; and whereas divers of the said places, severally of themselves, and necessarily, require the whole care, industry, and attendance of a most able person; he the said Duke, being young and inexperienced, has of late years, with exorbitant ambition and for his own profit and advantage, procured and engrossed into his own hands the said several offices both to the danger of the State, the prejudice of that service which should have been performed in them, and to the great discouragement of others, that, by this procuring and engrossing of the said offices, are precluded from such hopes as their virtues, abilities, and public employments might otherwise have given them.

2. Whereas by the laws and statutes of this kingdom of England, if any person whatsoever give or pay any sum of money, fee, or reward, directly or indirectly, for any office or offices which in any wise touch or concern the administration of justice, or the keeping of any of the King's Majesty's towns, fortresses, or castles, being used, occupied, or appointed as places of strength and defence, the same person is immediately, upon the same fee, money, or reward, given or paid, to be adjudged a disabled person in the law to all intents and purposes, to have, occupy, and enjoy the said office or offices for the which he so gives or pays any sum of money, fee, or reward; he the said Duke did, in or about the month of January, in the sixteenth year of the late King James, of famous memory, give and pay unto the Right Honourable Charles, then Earl of Nottingham, for the office of Great Admiral of England and Ireland and the principality of Wales, and office of the General Governor of the seas and ships, to the intent that the said Duke might obtain the said offices to his own use, the sum of three thousand pounds of lawful money of England; and did also about the same time, procure from the said King a further reward for the surrender of the said office to the said Earl, of an annuity of a thousand pounds by the year, for and during the life of the said Earl; and, by the procurement of the said Duke the said King of famous memory, did by his letters patents, dated the 27th day of January, in the said year of his reign, under the Great Seal of England, grant to the said Earl the said annuity, which he the said Earl accordingly had and enjoyed during his life; and, by reason of the said sum of money so as aforesaid paid by the said Duke, and of his the said Duke's procurement of the said annuity, the said Earl of Nottingham did, in the same month, surrender unto the said late King of famous memory, his said offices, and his letters patents of them; and thereupon, and by reason of the premises, the said offices were obtained by the said Duke, for his life, from the said King of famous memory, by letters patents made to the said Duke of the same offices under the Great Seal of England, dated the 28th day of January, in the said sixteenth year of the said King of famous memory: And the said offices of Great Admiral and Governor, as aforesaid, are offices that highly touch and concern the administration and execution of justice, within the provision of the said laws and statutes of this realm;

which notwithstanding, the said Duke has unlawfully, ever since the first unlawful obtaining of the said grant of the said offices, retained in his hands, and exercised them against the laws and statutes aforesaid....

4. Whereas the said Duke, by reason of his said offices of Great Admiral of the kingdoms of England and Ireland, and of the principality of Wales, and of Admiral of the Cinque Ports, and General Governor of the seas and ships of the said kingdoms, and by reason of the trust thereunto belonging, ought at all times since the said offices obtained, to have safely guarded, kept, and preserved the said seas, and the dominion of them; and ought also, whensoever there wanted men, ships, munition, or other strength whatsoever that might conduce to the better safe-guard of them, to have used, from time to time, his utmost endeavour for the supply of such wants to the Right Honourable the Lords and others of the Privy Council, and by procuring such supply from his sovereign or otherwise; he the said Duke has ever since the dissolution of the two treaties mentioned in the Act of Subsidy of the one and twentieth year of the late King, of famous memory, that is to say, the space of two years last past, neglected the just performance of his said office and duty; and broken the said trust therewith committed unto him; and has not, according to his said offices, during the time aforesaid, safely kept the said seas, in so much that, by reason of his neglect and default therein, not only the trade and strength of this kingdom of England has been, during the said time, much decayed, but the same seas also have been, during the same time, ignominiously infested by pirates and enemies, to the loss both of very many ships and goods, and of many of the subjects of our Sovereign Lord the King; and the dominion of the said seas being the undoubted patrimony of the Kings of England, is thereby also in most eminent danger to be utterly lost.

5. Whereas, about Michaelmas last year, a ship, called the SAINT PETER OF NEWHAVEN (whereof John Mallewe was master) laden with divers goods, merchandises, monies, jewels, and commodities, to the value of forty thousand pounds or thereabouts, for the proper account of Monsieur de Villiers, the then Governor of Newhaven, and other subjects of the French king, being in perfect amity and league with our Sovereign Lord the King, was taken at sea, by some of the ships of His Majesty's late fleet, set forth under the command of the said Duke, as well by direction from the said Duke as Great Admiral of England as by the authority of the extraordinary commission which he then had, for the command of the said fleet; and was by them, together with the said goods and lading, brought into the port of Plymouth as a prize, amongst many others, upon probabilities that the said ship or goods belonged to the subjects of the King of Spain; and that divers parcels of the said goods and loading were thence taken out of the said ship of ST. PETER; that is to say sixteen barrels of cochineal, eight bags of gold, three and twenty bags of silver, two boxes of pearls and emeralds, a chain of gold, jewels, monies, and commodities, to the value of twenty thousand pounds or thereabouts; and by the said Duke were delivered into the private custody of one Gabriel Marsh, servant to the said Duke; and that the said ship with the residue of her said goods and lading, was sent from thence up the river of Thames; and there detained; whereupon there was an arrest at Newhaven, in the kingdom of France, on the seventh day of December last, of two English merchant ships trading thither, as was alleged in a certain petition by some English merchants trading into France, to the Lords and others of His Majesty's most honourable Privy Council. After which, that is to say, on the 28th day of the said month, His Majesty was pleased to order, with the advice of his Privy Council, that the said ship and goods belonging to the subjects of the French king, should be re-delivered to such as should re-claim them; and accordingly information was given unto His Majesty's Advocate, in the Chief Court of Admiralty, by the Right Honourable Sir John Coke, Knight, one of His Majesty's principal secretaries of state, for the freeing and discharging of the said ship and goods in the said Court of Admiralty. And afterwards, that is to say on the six and twentieth day of January last, it was decreed in the said Court, by the judge thereof, with the consent of the said advocate, that the said ship with whatsoever goods as seized or taken in her (except three hundred Mexico hides, sixteen sacks of ginger, one box of gilt beads, and five sacks of ginger more, mentioned in the said decree), should be clearly released from further detention, and delivered to the said master; and therefore a commission under seal was in that behalf duly sent out of the said Court unto Sir Allen Apsley, Sir John Wolstenholme, and others, for the due execution thereof: the said Duke, notwithstanding the said order, commission and decree, detained still to his own use the said gold, silver, pearls, emeralds, jewels, monies, and commodities so taken out of the said ship as aforesaid; and for his own singular avail and covetise, on the sixth day of February last, having no information of any new proof, without any legal proceedings, by colour of his said office, unjustly caused the ship and goods to be again arrested and detained in public violation and contempt of the laws and statutes of this land, to the great disturbance of trade, and prejudice of the merchant....

7. Whereas the ships of our Sovereign Lord the King and of his kingdoms aforesaid are the principal strength and defence of the said kingdoms and ought therefore to be always preserved, and safely kept, under the command, and for the service of our said Sovereign Lord the King, no less than any of the fortresses and castles of the said kingdoms; and whereas no subject of this realm ought to be dispossessed of any of his goods or chattels, without

order of justice, or his own consent first duly had and obtained...the said Duke, on or about the end of July last, in the first year of our Sovereign Lord the King, did, under the colour of the said office of Great Admiral of England, and by indirect and subtle means and practices, procure one of the principal ships of His Majesty's navy royal, called the VANGUARD, then under the command of Captain John Pennington, and six other merchant ships of great burthen and value, belonging to several persons inhabiting in London, the natural subjects of His Majesty, to be conveyed over, with all their ordnance, ammunition, tackle, and apparel, into the ports of the kingdom of France, to the end that being there, they might be more easily put into the hands of the French king...

8. The said Duke, contrary to the purpose of our Sovereign Lord the King and His Majesty's known zeal for the maintenance and advancement of the true religion established in the church of England, knowing the said ships were intended to be employed by the said French king against those of the same religion at Rochelle, and elsewhere in the kingdom of France, did procure the said ship royal, and compel as aforesaid the six other ships to be delivered unto the said French king's ministers and subjects as aforesaid, to the end that the said ships might be used and employed by the said French king, in his intended war against those of the said religion, in the said town of Rochelle, and elsewhere in the kingdom of France, and the said ships were, and have been since, so used and employed by the said French king, his subjects and ministers against them; and this the said Duke did as aforesaid, in great and most apparent prejudice of the said religion, contrary to the purpose and intention of our Sovereign Lord the King, and against his duty in that behalf, being a sworn councillor to His Majesty, and to the great scandal and dishonour of this nation; and notwithstanding the delivery of the said ships by his procurement and compulsion as aforesaid, to be employed as aforesaid, the said Duke in cunning and cautelous manner to mask his ill intentions, did at the parliament held at Oxon., in August last, before the committees of both Houses of the said Parliament intimate and declare that the ships were not, nor should they be, so used and employed against those of the said religion, as aforesaid, in contempt of our Sovereign Lord the King, and in abuse of the said Houses of Parliament, and in violation of that truth which every man should profess.

9. Whereas the titles of honour of this kingdom of England were wont to be conferred as great rewards upon such virtuous and industrious persons as had merited them by their faithful service; the said Duke by his importunate and subtle procurement, has not only perverted that ancient and most honourable way, but also unduly for his own particular gain, he has enforced some that were rich (though unwilling) to purchase honour, as the Lord Robartes, Baron of Truro, who, by practice of the said Duke and his agents, was drawn up to London, in or about October, in the two and twentieth year of the reign of the late King James of famous memory, and there so threatened and dealt withall, that by reason thereof, he yielded to give, and accordingly did pay the sum of ten thousand pounds to the said Duke and to his use, for which said sum the said Duke, in the month of January, the two and twentieth year of the said late King, procured the title of Baron Robartes of Truro, to the said Lord Robartes; in which practice as the said Lord Robartes was much wronged in his particular, so the example thereof tends to the prejudice of the gentry and dishonour of the nobility of this kingdom....

11. That he the said Duke has within these ten years last past, procured divers titles of honour to his mother, brothers, kindred, and allies; as the title of Countess of Buckingham to his mother, whilst she was Sir Thomas Compton's wife; the title of Earl of Anglesea to his younger brother Christopher Villiers; the titles of Baron of Newnham Paddox, Viscount Feilding and the Earl of Denbigh to his sister's husband, Sir William Feilding; the title of Baron of Stoke, and Viscount Purbeck, to Sir John Villiers, elder brother of the said Duke, and divers more of the like kind to his kindred and allies; whereby the noble Barons of England, so well-deserving in themselves and in their ancestors, have been much prejudiced, and the Crown disabled to reward extraordinary virtues in future times with honour; while the poor estate of those for whom such unnecessary advancement has been procured is apparently likely to be more and more burdensome to the King; notwithstanding such annuities, pensions, and grants of lands annexed to the Crown, of great value, which the said Duke has procured for those his kindred, to support their dignities....