

# RESOLUTIONS

## Spanish Council of State

Madrid, October 1650

1. In pursuance of the deliberations of 3 April, on the receipt of letters from the Duke of Medinaceli<sup>1</sup> in which he announced the arrival of the Resident of the Parliament<sup>2</sup> in the port of Cadiz, His Majesty<sup>3</sup> ordered that the Duke should send him forward to Madrid, taking all necessary measures for his safety and causing him to travel by the roads not infested by brigands. Letters to this effect were sent to the Duke, who directed that the Resident should be accompanied by Don Diego de Moreda.
2. At another deliberation, on 7 June, His Majesty was informed of the arrival of the Resident at Madrid, and of his death, as well as that of his interpreter. On the same day the letters of credence were examined which the Resident was to have delivered to His Majesty, and information was received of the arrest of the five Englishmen who had assassinated him.<sup>4</sup> His Majesty ordered that letters should be written to Don Alonso de Cárdeñas<sup>5</sup> to inform him of the occurrence, and of the promptitude with which the assassins would be brought to trial, and to direct him to declare to the Parliament that if they would send another person in the place of the assassinated Resident, they might do so.

At the same time, His Majesty decided that an answer should be sent to the Parliament on the occasion of this event, and that this answer should serve Don Alonso as his credentials on other occasions. All this was done conformably to the resolutions of His Majesty.

3. At another deliberation, on 8 June, the Council met in pleno to discuss the form of address to be used in letters destined for the Parliament. On this point, His Majesty coincided with the opinion of the Marquis of Castel Rodrigo.<sup>6</sup>
4. On 15 June another deliberation was presented to His Majesty on the subject of a report from the President of the Council stating that the aggressors demanded that, at their trial, the escutcheon and insignia found on the dead body underneath his clothes should be produced, as well as the books which he had at his house. On this subject the Council represented to His Majesty that this should not be done until the said objects had been, in the first instance, handed over to the secretary who accompanied the Resident, for public faith could be observed only in this manner.

The Council was of opinion that the trial of the culprits should be regularly conducted, but that the proceedings should be abridged as much as possible. As to the papers which might be made public and produced at the trial, it was for the criminal tribunal to decide, without any supreme action or secret interference on the part of His Majesty. These are the principles according to which it was judged fitting to proceed in this affair, and His Majesty was pleased to give them his sanction and approval.

5. At another deliberation, on 8 August, the Council, by its own movement, brought under His Majesty's consideration certain acts of maritime warfare on the part of the Parliament, and reminded him how powerful and irresistible the naval forces of the Parliament are. On this occasion also the Council remarked that it had received no information as to the progress of the proceedings against the assassins who had murdered the Resident of the Parliament.

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<sup>1</sup> Antonio Juan de la Cerda (1607–1671), Duque de Medinaceli, Councilor of State and War

<sup>2</sup> Anthony Ascham (c. 1614–1650), Ambassador of the Commonwealth to Spain (1650)

<sup>3</sup> Felipe IV (1605–1665), King of Spain (1621–1665)

<sup>4</sup> On 27 May 1650, Ascham was assassinated by six English royalists at a Madrid inn.

<sup>5</sup> Don Alonso de Cárdeñas, Spanish Ambassador to the Commonwealth (1644–1655)

<sup>6</sup> Manuel de Moura y Melo (1590–1651), Marqués de Castel Rodrigo, Felipe IV's Ambassador to the Pope (1632–1650) and the Holy Roman Emperor (1642–1644), Governor of the Spanish Low Countries (1644–1647), and Mayordomo of the Royal Palace (1649–1651)

It appeared to the Council that there had been great delay in pronouncing upon this affair and executing His Majesty's orders. It was an affair which must not be lost sight of, on account of the reasons which have been already adduced at several deliberations. And the Council considered that these delays might inspire the Parliament with some resolution that would compel His Majesty sooner or later to take measures which he could now adopt without any embarrassment. The Council was of opinion that His Majesty should order the President of the Council to terminate this affair without further delay. To which His Majesty deigned to reply in these words, "The affair is diligently pursued and rapidly advancing."

6. Another deliberation took place on 3 September on the subject of letters received from Don Alonso de Cárdeñas, dated in the months of June and July, as well as of a letter which the Parliament had written to His Majesty to express their feelings with regard to the assassination of the Resident, and their hope that His Majesty would loyally execute justice on the murderers. For, they said, if such crimes could be committed with impunity in His Majesty's dominions on any pretext whatever, they would inevitably be compelled to break off all relations between the two countries.

These letters were read *in pleno concilio*; and, after having reflected on Don Alonso's statements with regard to the forces of the Parliament and the feeble condition of the royalist party in England, the Council, among other recommendations on the subject of the punishment to be inflicted on the Englishmen who have been arrested as guilty of the assassination, represented to His Majesty that the letter of the Parliament appeared to be an honest and respectful declaration that war would ensue unless, in some way or other, satisfaction were given them by the exemplary punishment of the crime which had been committed.

This letter appeared to merit particular attention on the part of the Council, for it was evidently written under extra-judicial and incomplete notions of the affair, as Don Alonso had not yet taken measures for placing in the hands of the Parliament the letter which His Majesty has addressed to them on the subject. The Council, therefore, deemed it expedient to remind His Majesty of what they had already expressed more than once; namely, that by this assassination the royal authority and dignity of His Majesty has received a serious injury, inasmuch as the Resident had come into Spain under the safeguard of the public faith and the protection of His Majesty, for which reasons it would be inexcusable to let the offenders go unpunished.

7. Another deliberation took place on 7 September on the subject of a letter from Don Alonso de Cárdeñas, dated 4 August, in which he informed the King that the news had been published in London that the assassins of the Resident of the Parliament had been restored to the sanctuary of the Church. In his letter Don Alonso stated that the English government was highly indignant at this, and made loud complaints, threatening to enforce satisfaction if it were not immediately given. On this occasion, the Council of State again represented to His Majesty how important it was, for all sorts of reasons set forth in the deliberation, to punish the assassins of the Resident; it can only repeat to His Majesty that it would be well for His Majesty to deign to decide this affair as speedily as possible by sending the letter which Don Alonso had just written on the subject to the tribunal before which this affair is pending.
8. On 9 September there was another deliberation of the Council in pleno, and they transmitted to His Majesty the two deliberations above-mentioned, as well as a third adopted after a special meeting. The Council discussed the question whether they should send to Don Alonso an acknowledgment of the reception of his dispatches, particularly of that in which he mentions the demands made by the Parliament in regard to the title and protocol which should be used in addressing it. The Council was of opinion that it would be advisable for the punishment of the assassins of the Resident to precede the dispatch of an answer to Don Alonso. To which His Majesty replied as follows, "Act in conformity to the opinion of the Council, but send no answer to Don Alonso until I give orders to that effect."

9. Finally, after the deliberation of 15 October *in pleno concilio* on the subject of the dispatches recently received from Don Alonso, to the end that His Majesty should answer the Parliament and give it the titles which it demands, or else permit his ambassador to leave his post, and also in order to press the conclusion of the trial of the assassins of the Resident of England, His Majesty deigned to decide as follows:

In regard to the affair of those persons who have assassinated the Resident of the Parliament, I have given the necessary orders that they shall be proceeded against with all possible attention, and as speedily as may be, without any contravention of the rules of justice. For, at the same time, I have recommended that everything shall be done according to the law, that there shall be no hurry, and that no reason of state shall cause more to be done than is just and right. I would rather lose my dominions than fail in doing that which is my first duty, and my Council of State will never advise me to do otherwise. If, as is probable, there should be any delay in pronouncing the sentence, Don Alonso shall be informed of the state in which the affair stands, and we will send him a statement in the form proposed by the Council.

M. Guizot, *History of Oliver Cromwell and the English Commonwealth* (London: Bentley, 1854), I:363–367.