

Devon and the Outbreak of the English Civil War, 1642–43.

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Despite the controversy over the nature and role of the 'county community' in central-local relations, most recent studies of the English Civil War have presented a broadly similar view of its outbreak in the localities: that is, for most Englishmen the war was not primarily about ideology but the preservation of local interests in a conflict not of their own choosing. Local elites, and especially those below them, were concerned less with the principles and issues separating the king from Parliament than with the consequences of that separation upon their locality. Localism in other words was the paramount factor in determining men's reactions to the war as more immediate loyalties and concerns took precedence over any ideological or political commitment. Despite this reluctance and pacifism on the part of the majority, civil war became a reality in 1642 because the committed activists of both sides were prepared to sacrifice local interests to national priorities, take up arms and force them to choose sides. Thus in this view localism had to be overcome and the localities coerced into obedience for the war to be fought successfully. Only Dr Hughes has challenged this model. In her view the war was best conducted by integrating local interests and concerns with the national war effort and working with, not against, localism. The aim of this paper, then, is to consider these questions in the context of Devon during the outbreak of civil war in 1642–43.¹

Whilst a pre-war pattern of conflict facilitated the formation of parties and the outbreak of war in many other counties this was not apparently the case in Devon; only during the competition over the militia in the summer of 1642 did the local gentry slowly begin to divide into identifiable parties. Local opinion was significantly divided over the religious issue in 1641, but this became less important as attention focussed upon the catholic rebellion in Ireland later in the year. Future protagonists, united in their fear of the papist threat at home and abroad, petitioned Parliament for a vigorous anti-catholic programme and especially for an edict authorising local authorities to strengthen and secure their counties. Other initiatives included an order from the county magistrates at the michaelmas

sessions in 1641 to disarm all recusants, whilst some country gentlemen maintained a close watch for suspicious travellers at the smaller ports and creeks on the southern coastline.² In these circumstances Parliament's militia ordinance, approved for Devon in June, could be presented as a response to local needs rather than a direct challenge to the king. Despite this the Devon deputy lieutenants proceeded cautiously with its execution because of concern over the militia dispute and because any overtly partisan act could divide the country and create a royalist party. Thus there were no musters in July and no opportunity for their opponents to demonstrate their opposition in public. Instead, the deputies adopted a low-key approach and issued new commissions for the militia under the authority of the ordinance at a meeting held at Exeter on 15 July. Gentlemen who failed to attend received their commission by post and were given three to four weeks to reply. Not all accepted, of course, but this moderate and conciliatory approach by the deputies forestalled opposition to the ordinance and kept the country united behind Parliament.³

The king's response to the ordinance was the commission of array. Whilst it had not been used regularly since the mid-sixteenth century, it was based upon a medieval statute and legally enabled the king to command the militia raised under its authority to fight anywhere in the kingdom; and thus broke away from the traditional county-based structure of the lieutenancy. A commission was first issued for Devon on 15 June, possibly at the request of the king's chief supporter from Devon, William Bouchier, earl of Bath, but was later renewed and enlarged on 19 July. Arriving at York from Westminster in early June Bath was clearly the king's main source of local information, but was largely ignorant of events in the county at this time. As a result of this he relied greatly upon his social contacts amongst his neighbouring north Devon gentry for the basis of royalist support in the county and this is reflected in the composition of the commission and its leading activists. Apart from Bath, over one-third of the 26 commissioners resided within 10 miles of his home at Tawstock Court; and whilst eight commissioners were active under the array, six of these came from north Devon. In addition, Charles remodelled the bench on 15 July, removing 11 prominent parliamentarians and replacing them with six court dignitaries. Bath was also appointed *custos rotulorum* in place of the earl of Bedford.⁴

During the summer of 1642 there was widespread concern throughout the provinces about the consequences of the conflict between the king and Parliament and a corresponding hope for a political settlement. These sentiments were expressed in Devon in two petitions composed by the bench at its midsummer sessions and

addressed to the king and Parliament respectively. The petition to Parliament appealed for moderation since 'great hearts are best wrought upon by submissive intercession'. Rooting out evil counselors from about the king's person had gone on long enough, now 'two acts we chiefly pray for one of forgiveness, another of forgetfulness' so that, 'the unity of king and Parliament, the unity of religion and our unity in loyal affections to his majesty will keep us still in peace and charity'. The petition to Charles expressed apprehension over the militia crisis: 'how unhappily are we here made judges in apparent contrary, in how hard a condition are we, whilst a Twofold Obedience, like Twins in the womb, strives to be born to both'. 'We are not presumptuous', the petitioners continued, 'to petition for the way but beg the end'. Moreover, as both petitions clearly stated, the restoration of harmony and unity at the centre was a prerequisite to the suppression of the Irish Rebellion.⁵

Some historians have seen these petitions as typical of provincial neutralism in the summer of 1642; bewildered, confused, uncommitted and essentially pacifist.⁶ Yet despite their apparently non-partisan character neither petition was composed by a group of uncommitted or neutral gentry. According to the quarter sessions order book only eight justices attended these sessions: five were deputy lieutenants dealing with the re-issuing of commissions for the militia, whilst another two were later involved in the parliamentary war effort.⁷ The deputies, led by Sir George Chudleigh, unequivocally expressed their commitment to Parliament in an undated letter addressed to the Cornish gentry. In it they proposed joint action for 'the maintenance of the Ordinance of Parliament, and opposing the Commission of Array, which enslave not only persons and properties, but also consciences, in informing men, as it is probable, to fight against those that have been, and are, the known defenders of our liberties'. Clearly then, whilst the Devon deputies preferred peace to war, they were also involved in the national political conflict on the side of Parliament. Some of the deputies supported Parliament because of its stance on religious reform; but this was not an issue likely to unite country opinion so instead they concentrated their public appeals upon the legal – constitutional issue, portraying the king's activities as tyrannical and a threat to the constitution and Parliament's as its best means of defence.⁸

In addition, their sponsorship of the accommodation petitions enabled the deputies to present themselves to local opinion as the party of peace and moderation and thus identify Parliament's cause with the preservation of local interests. Under these circumstances the arrival of Bath with the commission of array in Devon in early

August was inevitably seen as a threat to local stability and harmony, and led to the first military activity in the county by the parliamentarians. On 4 August the deputies successfully mustered the militia throughout the county except at Haldon where some leading gentry refused to attend. On 8 August the Barnstaple corporation began to fortify the town. The following day the Exeter authorities, anticipating Bath's arrival for the approaching Assize sessions, secured the city magazine and sent a committee to meet Bath to discover his intentions: if he failed to appear 'in a peaceable manner' he was to be refused entry; but he apparently allayed their fears and entered the city without incident.⁹

The assizes held at Exeter on 12 and 13 August under Chief Justice Sir Robert Foster became the focus of attention for local opinion and drew a large audience. Apart from Bath, the deputy lieutenants and their supporters along with such pro-royalist gentry as Edward Seymour, Henry Ashford and the sheriff, Richard Culme were also present. Additionally, some gentlemen, unable to attend in person, sent observers.¹⁰ Over the next two days they witnessed a vigorous petitioning effort by the Devon grand jury. Charles had earlier instructed the circuit judges to encourage county petitions in order to present himself as the defender of the traditional constitution and redresser of local grievances. In response the grand jury, as the 'representative of the county', composed four petitions addressed respectively to the king, Foster, Bath and three local members of Parliament closely involved with the ordinance in Devon. The social and economic background of the jurors is difficult to ascertain. Of the 19 who signed the petitions, eight claimed for themselves the status of 'gent.', and the rest 'arm.', that is, the right to bear arms. Less than a handful of these men can be identified clearly in the herald's 1620 visitations, suggesting that the jurors were outside the circle of the county elite and drawn largely from the lower ranks of the gentry. Nonetheless, despite its obscure social origins and the opportunity for the judge and the sheriff to influence the jury on the king's behalf, the jury apparently retained its integrity and independence such that its petitions can thus be taken as representative of the middle ground of country opinion at this time.¹¹

Fear of civil war and the desire for a negotiated settlement were two important concerns of the jury. It informed Charles that the estrangement between himself and Parliament was 'a grievance of grievances' and civil war 'a grievance tending to the dissolution of the ancient government of this Kingdom'. Local partisans received similar appeals. The three members were requested to intercede at Westminster 'to bind up our wounds, prevent bloodshed and heal our

divisions'. Bath received a petition because of 'your eminency, and known interest in his majesties favour meet and likely in our eyes to procure much good unto your country' and was urged to 'appear in a way of accommodation' with the king. Thus a political settlement to the conflict and division between the king and Parliament and hence the preservation of peace and order in the county was a clear priority for the Devon grand jury.¹²

This did not imply, however, that the jury was neutral or impartial in its view of the national conflict. Taken together the petitions clearly indicate the jurors support for Parliament and concern for the king's activities. Addressing the three members of Parliament as 'Right Worthy Patriots', the jury commended their work at Westminster 'wherein as you have carefully maintained our rights to your own particular pain . . . you, shall never want our concurrence for your encouragement'. Whilst appealing to the king as a father and physician it nonetheless expressed an ill-concealed dislike of his activities in the localities. The array was 'a grievance of grievances', 'a matter of grief and terror unto us all, and the militia being at present in good condition under the deputy lieutenants we conceive that if both be put in Execution it may prove an occasion of bloodshed in our County'. The remodelled bench was also unpopular: 'we do miss so many of our ancient and well-deserving Justices and do fear what public damage may ensue thereby'. Thus, whilst these were petitions for peace and accommodation, they were not neutralist or uncommitted. The Devon grand jury clearly sided with Parliament against the king because Parliament was seen as the defender of the constitution against an aggressive royal policy which threatened civil war and the disruption of the traditional order of government.

This concern for peace and unity was placed within a wider framework of anti-popery and did not represent the triumph of local over national interests. Each petition to Charles, Foster and the three members emphasised the need for unity between the king and Parliament to deal with the Irish Rebellion and catholic subversion at home. Significantly, however, the most explicit connection between peace and anti-popery was contained in the petition to Bath. Comparison with Germany during the Thirty Years War and Ireland since 1641 provided Englishmen with two obvious lessons: the implacability of the catholic foe and the utter destruction and horror of civil war. 'It appear to us a strange thing', the jury declared to Bath, 'that the Ruin of Germany and the Blood of Ireland cannot be terror enough to appal men's hearts from civil war, that the oppression of the Royal stems of our kings sister, and all the protestant

churches at this day, cannot be Rhetoric enough to cause us to unite against the Common foe'; and since the array was the likeliest cause of civil war, and hence the greatest obstruction to aiding international protestantism, it would be to Bath's 'immortal honour' if he refrained from executing it in Devon and instead 'appear in a way of accommodation' with the King.¹³

Bath was receptive to these appeals and on 12 August offered terms for a local accommodation to the deputy lieutenants. His support for the bishops in late 1641 and the intimidation he experienced consequently from the Westminster mob made Bath a natural supporter of the king; but as the peace offer demonstrates, it did not make him an activist. This was partly due to his own doubts over the legality of the array: he later referred to it in a comparison with the commission of oyer and terminer as 'the other kind of commission not so legal'.¹⁴ But given the hostility towards the array as demonstrated in the assize petitions, the peace offer was also a sound tactic. The royalists in Somerset, led by the marquis of Hertford, had faced similar opposition at the county assize in late July. Regardless of this however, Hertford had summoned the county to muster under the array and in the process generated such widespread hostility that he and his supporters were overwhelmed by a popular uprising in favour of Parliament and compelled to retreat into Dorset. Fully informed of these events, Bath apparently learned from Hertford's mistakes and adopted a more conciliatory stance towards local opinion.¹⁵

The deputies rejected the offer, however, and on the same day summoned a series of countywide musters for 22 August.¹⁶ As they explained to Bath, their allegiance to Parliament precluded any agreement or compromise over the militia. Their commitment in the national conflict, in other words, was more important at this time than an agreement to preserve local peace. Yet it was equally true that with local opinion united behind them, there was little incentive for the deputies to make a gesture for peace which might be misinterpreted at Westminster as a lack of commitment. In short, it was precisely because Parliament was identified with the defence of local interests that Chudleigh and his colleagues could remain true to their deepest feelings. In turn, the musters order presented Bath with a difficult dilemma: either publish the array and outrage country opinion, or remain inactive and support Parliament by default. His solution was to publish the array on 13 August, declare the parliamentarian musters illegal, but refrain from summoning any musters of his own under the array.¹⁷ In effect, it was an appeal to the country to dissociate itself from Parliament and remain neutral in the conflict between the king and Parliament and at the same time enable Bath to

perform the minimum service of loyalty to the king and still preserve local peace.

His only public support at the assizes came from the sheriff Richard Culme and Henry Ashford: otherwise, the immediate popular response was hostile. On 13 August all except one of Devon's 33 head constables petitioned Foster over the publication of the array. They wanted Foster to read Parliament's declaration against the array in court and condemn Bath's action as illegal and opposed to Parliament's authority. 'The truth is,' Foster later informed Charles, 'the countries are much possessed with the illegalities of the commissioners of array, and the unlimited power (as is alleged) in the commissioners of array, and by reason thereof infinitely averse thereunto'. Thus, Bath re-assured the country on the same day in a public statement that he would not 'do or execute any Act or Acts by colour of any commission from his majesty or otherwise which is not finally, and clearly agreeable to the laws of this Kingdom'. In a second declaration, he explicitly sought to refute rumours 'of some arbitrary and Tyrannical government pretended to be set by the king, and put in practice (among others by myself).' 'I have undertaken,' he declared, 'nothing contrary to the laws of this Kingdom' and 'have no authority (neither will I) to take the value of six pence from any man'.¹⁸

These appeals were followed by an undated and unsigned counter-declaration from the 'whole country of Devon' in which localist and constitutionalist concerns over the array were expressed together in a single statement. The array was the greatest threat to peace and unity because it started the war in other counties by challenging the ordinance which had been executed by men largely chosen by the king. It was also illegal and arbitrary. Echoing a protest by the deputy lieutenants in 1640, the declaration stated that the medieval statute upon which the array was based had since lapsed. It was unfair and favoured the rich at the expense of the poor by demanding the same contribution upon all ranks of society and authorised the commissioners to imprison the defaulters. But above all, it threatened to undermine the traditional constitution and allow the king to govern without a Parliament. 'The commissioners do bend themselves and the power of their commissions against the being of Parliaments'. Thus the war was about resisting the king's efforts to revert to prerogative rule. 'The Array does apparently oppose the Parliament . . . the Militia [ordinance] defends the Parliament, and therein strives to maintain the King and his posterity in the ancient and rightful government of this Realm by three estates'. The armed conflict in Devon was thus part of a wider struggle. Local events acquired a greater significance by being placed within a wider

framework of understanding, such that to support the ordinance and resist the array in Devon was to provide active and material support for Parliament in its defence of the constitution.¹⁹

The confrontation between the ordinance and the array continued after the assizes as Bath and his supporters enforced his ban on the parliamentary musters. The first reported incident occurred in fact whilst Bath was in Cornwall mediating a truce between the royalists and parliamentarians there.²⁰ On 22 August Culme and Ashford arrived at Cullompton, a town in the east Devon clothing district, to publish the array and prevent the parliamentary muster. Joined by two other local gentlemen, they endeavoured to persuade the village constable, Walter Challis to read out the array in the market place. Challis refused and an argument ensued during which the two other gentlemen departed and the villagers rallied around their constable. Barricades were constructed, chains thrown across the roads into the town and fences strengthened in response to a rumour that Bath was approaching with an armed force. He failed to arrive, of course, but his supporters activities had heightened local awareness of the royalist threat to peace. Thereafter, the villagers placed a parish watch on the homes of suspected papists and cavaliers, and co-operated with neighbouring villages in guarding a nearby Iron Age fort.²¹

Even Bath was unsuccessful. On 13 September he attempted to publish the array at South Molton, another cloth town, only 10 miles from his residence at Tawstock Court in north Devon. He invited the leading north Devon gentry to the town and after feasting them at a local inn, intended to publish the array in their presence, clearly hoping to overawe the town with their social prestige. Many of his neighbours attended the feast as well as two gentlemen from elsewhere in the county and some professional soldiers; but whilst the mayor and aldermen acquiesced obligingly to their presence, the common sort demonstrated against them. Without any apparent gentry leadership traders, artisans, clothworkers, labourers and beggars assembled at the market-place to withstand the royalists with whatever weapons lay to hand. Women sat upon piles of stones by the market cross threatening to 'brain' or kill anyone publishing the array. By the time Bath and his party arrived the crowd had grown to about 1,000 according to one eye-witness, and even though Bath deferred publishing the array, he and his followers still came under a hail of stones as they fled hastily out of the town. After this humiliation there were no further attempts to execute the array.²²

The parliamentarians were comparatively more successful in mobilising the militia than the royalists, especially in east Devon. Opposition to the array at Cullompton was channelled into active support for

Parliament when one of the deputy lieutenants, Sir Peter Prideaux, successfully mustered the militia under the ordinance on 25 August. Prideaux experienced difficulties in commanding the militia, however. According to John Were of Halberton, near Cullompton, the trained bands refused to obey Prideaux and would only march out of the county under Were's command because of his local status and prestige.²³ These and militiamen from other parts of the county participated at the siege of the Somerset royalists by the earl of Bedford at Sherborne Castle in Dorset during August and September. According to the London press, there were between 900 and 1,000 men from Devon, including militiamen from Exeter, Honiton and Ottery St. Mary as well as Cullompton, all of them parishes in the east Devon clothing district. The emphasis on this area, however, does not necessarily mean that support for Parliament was greater in the clothing districts than elsewhere in the county, but instead reflects perhaps the concern of the London press for the Sherborne campaign. Most parts of the county could not contribute to Bedford's army because it was too far away, yet the ordinance was still executed throughout the county on 22 August with apparent success. Exceptions to this were the Dartmouth volunteers, not mentioned in the newsletters who marched the 60 or so miles to fight for Parliament at Sherborne.²⁴

The arrest of Bath and his chief collaborators on 28 September ended the array in Devon.²⁵ Despite the support of the north Devon gentry and his own moderate stance Bath failed to overcome the popular view of the array as a threat to local interests and the traditional constitution, and win over local opinion to the king's cause. In contrast, the parliamentarians presented themselves as the party of peace and the accepted order of government and so attracted popular support for the ordinance. The events surrounding Bath's arrest highlighted this contrast. For instance, when his neighbour Sir John Chichester wrote to Bath expressing his support he also related how difficult it would be to raise the country against Parliament's warrants. Despite the support of two leading Torrington men the militia refused to assist him. The mayor of Barnstaple was also sympathetic but powerless. However, most significant of all was the royalist failure to raise the country through the traditional manner of summoning the county defence force, the posse comitatus. Chichester had suggested this course of action because he thought, mistakenly, that the sheriff's warrants were 'of higher authority' than Parliament's. But the summons issued by sheriff Culme on 27 September for a posse to protect Bath from 'plunderers' was ignored by the country and failed to prevent his arrest.²⁶

The end of the array enabled other, hitherto inactive, royalists to declare their allegiance in a different manner. In Cornwall the royalists had won over the county through their respect for law and order and the traditional county institutions. By using quarter sessions and the posse comitatus they expelled the parliamentarians with the support of the country.²⁷ Two attempts were made in Devon to emulate this success. On 27 November a posse was summoned at Tavistock where it could be protected by the Cornish army. Thousands were expected, but only the new sheriff, Sir Edmund Fortescue, and 400 armed men arrived: it was cancelled on the following day. A second attempt occurred on 6 December at Modbury and almost succeeded. Sources from both sides suggest that between 3,000 and 4,000 countryfolk from south Devon responded to the summons.²⁸ Many leading gentlemen were also present possibly because the posse enabled them to reconcile their loyalty to Charles with their local priorities in a way not possible under the array. By using the established framework of government they could pose as the defenders of local interests and the traditional constitution. For example, Edward Seymour was present at the assizes as a known royalist sympathiser but he did not identify publicly with the king's cause until the Modbury posse. Similarly, the sheriff, Sir Edmund Fortescue had presented the midsummer accommodation petitions to Charles and Parliament in mid-August and was clearly no supporter of the array.²⁹ For both of these gentlemen and others like them the posse was an attempt to demonstrate their allegiance to the king within their respect for the traditional county institutions once threatened by the array.

The parliamentarians dispersed the posse however and captured many of its leading participants including Seymour and Fortescue. The civil war in the Westcountry became thereafter a struggle between the Cornish royalists and the Devon parliamentarians characterised by skirmishing across the river Tamar.³⁰ During the early months of 1643 two efforts were made to negotiate a local truce in response to the general war-weariness of both sides. There were men on either side who were genuinely concerned by the consequences of the war upon local society and who exerted a moderate influence on its conduct;³¹ but their opportunity to end the war locally only arrived when their more militant colleagues recognised the need for a truce to reorganise the war effort. Both sides could defend their respective territory satisfactorily because they were able to maintain an identity of interest with the country and present themselves as the defenders of the county against an armed aggressor. Yet whilst this enabled them to resist assault it was insufficient

for launching a campaign outside the shire. Awareness of this limitation and the need to recruit volunteers to fight outside the county, together with a general war-weariness and the treaty of Oxford negotiations, combined to encourage efforts to negotiate a local settlement.

The first set of negotiations began on 29 January after a serious military reverse for the parliamentarians at Braddock Down in Cornwall but which the royalists were unable to exploit. Conducted 'with reasonable kindness' near Plymouth the negotiations failed nonetheless because neither party was prepared to concede the militia. The royalists presented three conditions for a local settlement: firstly, the royalist army should have free passage through Devon to join the king; secondly, 'no armed Troops should be received into either County of either part'; and thirdly, all new forts should be destroyed and all fortifications returned to the king. The first two conditions were acceptable to the Devon parliamentarians because they guaranteed the county from further aggression. However, the third proposal was not and led the parliamentarians to terminate the discussions on 8 February. The role of the ordinance in local defence underpinned their allegiance to Parliament which, in effect, meant that the royalists were demanding not only the cancellation of the ordinance but their unconditional surrender to the king. Thus whilst the parliamentarians genuinely wanted a peace settlement to guarantee Devon's defence and security, they were not prepared to compromise their political commitment to achieve it.³²

The second set of negotiations endured longer than the first. A Cornish advance into south Devon in mid-February had been repulsed decisively by a countrywide uprising inspired and led by the deputy lieutenants. On 21 February the trained bands from all over the county assembled at Kingsbridge and together with the local peasantry overwhelmed the royalist positions at Modbury. The London press estimated the size of this uprising at between 9,000 and 10,000 men; and although this was probably an exaggeration, there is no doubt that this represented the highpoint of parliamentary support in Devon. Thereafter the countryfolk drifted back to their homesteads and farms and refused to cross into Cornwall, compelling the parliamentarians to re-open negotiations.³³ Proceedings began with the first of many truces on 28 February; two days later both armies were disbanded. At the same time representatives from both sides met near Plymouth and quickly agreed upon measures to restore normality between the two counties such as the release of prisoners, maintenance of the common law, free trade, and freedom from harassment for opponents. Religion was equally uncontentious:

both parties agreed to uphold the prayer book and liturgy 'until the discipline be altered by such Authority as it was at first established'. However, the militia issue remained difficult to resolve. This time the royalists proposed the removal of all outside forces and conceded control of the Devon militia to the parliamentary deputy lieutenants. They in turn insisted upon a wider scheme to include Somerset and Dorset and the establishment of a third force to resist all outsiders. The royalists agreed to this in principle and the discussions were adjourned to Exeter for 15 March.³⁴

However, divisions within the parliamentary party in Devon emerged to threaten the success of the negotiations. The discussions were sponsored by the leading deputies, such as Sir George Chudleigh, drawn from the pre-war county elite and supported by the recently arrived commander in the West, the earl of Stamford.³⁵ In contrast, opposition originated from a relatively obscure group of lesser squires and town merchants based at Exeter who appealed to Westminster for support in ending the negotiations.³⁶ On 14 March two members of Parliament, Edmund Prideaux and Anthony Nicol, arrived at Exeter and ordered the mayor to shut the gates on the approaching Cornish delegation. As one Cornish observer remarked the accompanying deputies were 'very sensible of the disrespect of the city; it being much more to them, than to us'.³⁷ Despite this incident the negotiations continued elsewhere and apparently came close to success with it being agreed that all forces were to either disband or depart, assurances of non-aggression exchanged and both counties to unite to resist all outside forces. Hence, this was a neutralist agreement in that the armies of both Parliament and the king were considered as an equal threat to peace and order. However, it allowed each side to retain control in their respective shires and demonstrate their allegiance within a peaceful local framework. Thus, the deputy lieutenants could maintain the militia ordinance in Devon and defend the county for Parliament whilst the royalists could hold Cornwall for the king. In this context, neutralism was not a straightforward preference for peace but a way in which a wider political commitment could be reconciled with the preservation of local peace and order.³⁸

Yet even whilst this agreement was being formulated the activities of the parliamentary hard-liners ensured that it would never become effective. Prideaux and Nicol organised a meeting at Exeter of the 'three adjoining counties to associate themselves, and rather than to make this county the seat of war to ensure it upon Cornwall' which agreed on 24 March to begin recruiting for an offensive against the Cornish.³⁹ In this situation Stamford was compelled, if he was to

retain any influence over the war effort, to muster the army on 8 April. Predictably the royalists responded by mobilising their own resources in readiness for renewed campaigning.⁴⁰ Any lingering hopes for peace were finally ended when the parliamentarians united to present a public display of hostility towards the royalists. On 12 April Stamford, Chudleigh, the other deputy lieutenants along with Prideaux and Nicol and their supporters met at Exeter to listen to a review of the negotiations and issued a declaration to justify their position to the country and appeal for its support, accusing the royalists of intransigence and aggression and intending to reduce Parliament to an 'absolute and arbitrary condition, and the subjects to that Slavery which lies on the commons of France'.⁴¹

Skirmishing resumed on 22 April and culminated with the catastrophic parliamentary defeat at Stratton in Cornwall on 16 May.⁴² Its immediate consequence was that the remainder of the parliamentary army could only garrison a few major Devon towns, enabling the royalists to pass freely through the county and join a cavalry brigade from Oxford, led by the marquis of Hertford, at Chard on 4 June: their subsequent campaign finally won the West for the king.⁴³ Secondly, Stratton reopened the bitter divisions within the parliamentary leadership. Accusations of cowardice and incompetence were directed at Stamford who responded by accusing Nicol of negligence in his role in the battle.⁴⁴ However, the biggest sensation arose with the news that sergeant-major James Chudleigh, Stamford's second-in-command, had gone over to the king after his capture at Stratton. Stamford immediately accused him of treachery and betrayal. Inevitably his father, Sir George, the parliamentary stalwart since early 1642 was suspected of complicity. A local diarist thought Sir George had retreated from Cornwall 'with such delay . . . as if he intended to have had them all in diff[iculty] as his son had betrayed the force at Stratton'. Because of such innuendo Chudleigh resigned his commission and shortly afterwards submitted to the king.⁴⁵

These internal disputes delayed an effective response to the royalist presence in Devon. John Acland of Columbjohn, near Exeter, had been left at his fortified manor by the advancing royalist army with one horse troop and two foot companies to recruit an army to blockade Exeter.⁴⁶ On previous occasions local hostility and resentment at such an armed intrusion had enabled the parliamentarians to raise the country and expel the royalists. By June, however, this was no longer the case. Ever since the highpoint of February popular support for Parliament in the countryside had declined and by mid-April the war effort depended largely upon the towns of

Exeter, Plymouth, Barnstaple and Dartmouth for men, money and arms.⁴⁷ This shift in allegiance was due partly to war-weariness and partly to the view that the Exeter hard-liners were responsible for the continuation of the war. James Chudleigh referred in a public letter to the Exeter incident as one reason for his disillusionment with Parliament. The royalist newspaper, *Mercurius Aulicus*, adopted a similar view. 'The country people remembered what fair Articles Sir Ralph Hopton (the Cornish commander-in-chief) and the Cornish gentry had made for peace'. In other words, the royalists were now seen as the party of peace defending local interests. Nonetheless they had to cultivate this goodwill and acted quickly to prevent plundering troops from souring relations with the local population.⁴⁸

Attempts to present and explain the royalist view of the war was an important element in cultivating this goodwill and on 26 June four leading royalists, including Acland and Edward Seymour, issued a public declaration designed to appeal to the middle ground of country opinion and identify the king's cause with local concerns. In their view Charles was still trustworthy and they accepted his assurances to maintain Parliament and the protestant religion with 'such provisions to be made as the parliament shall devise for the ease of tender consciences in the reformation of church government and liturgy and for the rooting out of popery'. The constitutional threat now derived from a self-interested faction dominating Westminster and exploiting the war for their own ends to 'subvert religion, laws and parliament' and levy taxes. Declaring their aim to defend the king's person and honour, Parliament's privileges and the protestant religion the royalists portrayed themselves as the liberators of the county from an arbitrary and oppressive regime. To strengthen this newly-won image, they offered protection from the remaining parliamentary garrisons to all 'our fellow subjects that concur with us in a just peace' and subsequently arranged a general meeting with the country gentry, clergy and freeholders at Crediton on 3 July. From royalists accounts it appears to have been well attended with only the towns under direct parliamentary control – Plymouth, Exeter, Barnstaple and Dartmouth – failing to send any representatives.⁴⁹

According to the London press the Crediton meeting refused to support the royalist war effort. A letter from a leading member of the royalist council of war adds further weight to this view: dated 13 July, Peter Sainthill informed his correspondent 'the country is dull and afford no help to the king's strength'.⁵⁰ However, the popular response was more positive than this. According to *Mercurius Aulicus* the meeting agreed to cooperate with the Exeter blockade by denying provisions and intelligence to the garrison; other evidence

supports *Aulicus*. Two days after Sainthill had expressed the usual grievances of any high command, the posse comitatus was summoned successfully at Topsham to repulse a parliamentary attempt to relieve Exeter. Royalist recruitment also proceeded well. In addition to the garrisons established around Plymouth, there were 3,000 horse and foot soldiers engaged in the Exeter blockade by early August. By mid-August a detachment could be sent from the Exeter blockade and, strengthened by Cornish troops, suppress a parliamentary force in north Devon and blockade Barnstaple.⁵¹ Thus, in contrast to Dr Malcolm's view, it was possible under certain circumstances for the king and his supporters to appeal to local opinion and establish a war effort with the co-operation and consent of the country.⁵²

In conclusion, then, the coercive model of central-local relations does not adequately describe events in Devon during the outbreak of civil war. Localism, defined as a response to national issues in terms of local priorities, was not as negative or rigid as some historians have perhaps suggested. Most Devon men responded to the war in ways consistent with their own priorities and concerns, although these were never exclusively, nor indeed primarily, local. For whilst they sought to preserve peace and order in the country, local events, as the assize petitions demonstrated, were also understood within the wider ideological framework of anti-popery and constitutional legality. This openness to the national debate and corresponding willingness to take sides had its corollary in the efforts of both sides to win over local opinion and accommodate local interests into the national war effort. Although religion determined the allegiance of many of the leading protagonists it only featured in their public rhetoric in general terms because it was too divisive an issue to command united public support. Only by presenting themselves as the party of peace and the traditional constitution could, first the parliamentarians and then the royalists, appeal convincingly to the middle ground of local opinion and establish a war effort with popular support and co-operation. As events in Devon during the outbreak of the war thus suggest, central-local relations were best conducted by seeking to create an identity of interest between the war effort and country opinion and winning over popular support through negotiation and persuasion rather than coercing the local population into obedience.

Notes

¹ J.S. Morrill, *The Revolt of the Provinces: Conservatives and Radicals in the English Civil War* (1976). Cf A.J. Fletcher, *The Outbreak of the English Civil War*

(1981), p. 400. Ann Hughes, 'The King, the Parliament and the Localities during the English Civil War', *Journal of British Studies*, XXIV, 2 (April 1985), p. 241.

² Morrill, *Revolt of the Provinces*, pp. 42–45; B(ritish) L(ibrary) E150/28, E181/27; C(ommons) J(ournals), 2, pp. 89–90, 430–31, 448, 505, 642–43; E.A. Andriette, *Devon and Exeter in the Civil War* (Newton Abbot, 1971), pp. 42–46 Andriette's monograph fails to exploit local sources to the full and largely recounts military events in the county.

³ K(ent) A(rchives) O(ffice), Sackville MSS C/276/12, C/290/2; S(omerset) R(e-cord) O(ffice), Wolseley MS. 56/6.

⁴ Fletcher, *Outbreak of Civil War*, pp. 322–23; K.A.O. Sackville MS. C/276/18; P(ublic) R(e-cord) O(ffice), C231/5 f.530; Northamptonshire Record Office, Finch-Hatton MS.133. The array was re-issued on 4 August 1642.

⁵ Fletcher, *Outbreak of Civil War*, pp. 264–82; D(evon) R(e-cord) O(ffice), Q(uarter) S(essions) O(rder) B(ook) 1/8 midsummer 1642; L(ords) J(ournals), 5, pp. 295–97

⁶ Morrill, *Revolt of the Provinces*, pp. 42, 45; Fletcher, *Outbreak of Civil War*, p. 270.

⁷ D.R.O. Q.S.O.B. 1/8 midsummer 1642, easter 1643; B.L. E86/26.

⁸ B.L. E21/34, E37/21, E112/23 Although undated, this letter was almost certainly composed in late July when the deputies met to reissue the militia commissions and to attend the county quarter sessions; it could then have been addressed to the Cornish gentry simultaneously assembled at their sessions. It was, moreover, printed with another letter, from Ireland, dated 28 July.

⁹ K.A.O. Sackville MS. C/276; B.L. E202/34, 36, 38; J.B. Gribble, *Memorials of Barnstaple* (Barnstaple, 1830), pp. 443–44; D.R.O. Exeter Corporation Act Book, vol. 8, p. 276; C(alendar of) S(tate) P(apers) D(omestic) 1641–43, pp. 375–76.

¹⁰ S.R.O. Wolseley MS. 56/6; K.A.O. Sackville MS. C/290/2; B.L. E114/24; J.T.E. Bush, 'Exeter in the Civil War and Interregnum, 1642–1660', *Devon and Cornwall Notes and Queries*, XXIX (1962–64), p. 82.

¹¹ K.A.O. Sackville MS. C/276; B.L. E112/14; C.S.P.D. 1641–43, pp. 350, 375–76; *The Visitations of the County of Devon*, ed. J.L. Vivian (Exeter, 1895), passim.

¹² The grand jury petitions are at P.R.O. SP16/491/113, 114; B.L. E112/14; K.A.O. Sackville MS. O/255/1.

¹³ John Delbridge, the M.P. for Barnstaple, referred to this concern for international protestantism in a speech to the 1625 Parliament. See C. Russell, *Parliament and English Politics, 1621–29*, (Oxford, 1979), p. 249. I am grateful to Dr. R.P. Cust for this reference.

¹⁴ Fletcher, *Outbreak of Civil War*, p. 45; L.J. 5, p. 317; K.A.O. Sackville MSS C/267/56, C/290/2.

¹⁵ D. Underdown, *Somerset in the Civil War and Interregnum* (Newton Abbot, 1973), pp. 31–38; K.A.O. Sackville MSS C/285, C/292.

¹⁶ K.A.O. Sackville MS. C/290/2; Folger Library, Washington D.C., X.d.483 I am grateful to Dr R.P. Cust for this reference.

¹⁷ S.R.O. Wolseley MS. 56/6; K.A.O. Sackville MS. O/255/2.

¹⁸ S.R.O. Wolseley MS. 56/6; C.S.P.D. 1641–43, pp. 371, 376; B.L. E118/31, E119/11.

¹⁹ C.S.P.D. 1640–41, pp. 148–49; B.L. E119/11.

²⁰ Fletcher, *Outbreak of Civil War*, p. 391; K.A.O. Sackville MS. A/525/5.

²¹ B.L. E114/24.

²² B.L. E119/5, 11

²³ B.L. E21/34, E114/24.

²⁴ B.L. E114/24, E116/10, 11, 41; D.R.O. Dartmouth Corporation MS. 62701 f.12;

M. Coate, 'An Original Diary of Colonel Robert Bennet of Hexworthy, (1642-43)', *D.C.N.Q.*, XVIII (1935), p. 256.

²⁵ Andriette, *Devon*, pp. 63-64 recounts this episode. *Bellum Civile: Hopton's Narrative of the Civil War*, ed. C.E.H. Chadwyck-Healey (Somerset Record Society, XVIII, 1902), pp. 18-19; B.L. E121/4.

²⁶ K.A.O. Sackville MSS C/290/4, 10, C/292, O/256/2.

²⁷ M. Coate, *Cornwall in the Great Civil War and Interregnum, 1642-60* (Oxford, 1933), pp. 36-37.

²⁸ C(ornwall) R(ecord) O(ffice), Civil War Letters 1/1051; B.L. E128/11, 19, 25, E130/20; L.J. 5, pp. 489-90.

²⁹ Bush, *D.C.N.Q.*, XXIX (1962-64), p. 82; L.J. 5, pp. 295-96.

³⁰ B.L. E130/20; L.J. 5, pp. 489-90; Andriette, *Devon*, pp. 70-88 recounts these skirmishes.

³¹ For example, the Cornish royalist Sir William Courtenay and the Cornish parliamentarian Francis Buller. See *The Buller Papers*, ed. R.N. Worth (privately printed, 1895), pp. 84-85, 91-92.

³² Andriette, *Devon*, pp. 78-80 summarises the events leading up to Braddock Down. *Bellum Civile*, pp. 31-32; C.R.O. Basset MS. 35/221; B.L. E246/12; L.J. 5, p. 590.

³³ *Bellum Civile*, pp. 33-34; B.L. E91/4; Hist. Mss. Comm. *Portland MSS*, vol. I (1891), p. 100; Bod(leian) L(ibrary), Tanner MS. 62/1 f.63.

³⁴ Coate *D.C.N.Q.*, XVIII (1935), p. 257; Hist. Mss. Comm. *Portland I*, p. 101.

³⁵ Hist. Mss. Comm. *Portland I*, pp. 100-01; D.R.O. Seymour MS. L1645/28; B.L. E94/21; *The Trevelyan Papers*, Part 3, eds. Sir W.C. and Sir C.E. Trevelyan (Camden Society, 1872), p. 239.

³⁶ Hist. Mss. Comm. *Portland I*, pp. 101-02

³⁷ C.R.O. Tremayne MS. 1617A; B.L. E93/19, E94/21.

³⁸ Hist. Mss. Comm. *Portland I*, p. 106; *The English Revolution III. Newsbooks I: Oxford Royalist* (Cornmarket Press, 1971), vol. I, pp. 169-70.

³⁹ B.L. Additional MS. 35297 f.15; Hist. Mss. Comm. *Portland I*, p. 106; *Royalist Newsbooks I*, pp. 180-81.

⁴⁰ Coate, *D.C.N.Q.*, XVIII (1935), p. 257; idem, *Cornwall*, p. 58.

⁴¹ B.L. E99/15 This declaration was obviously intended for countywide circulation and a copy can be found in the papers of John Willoughby of Payhembury. S.R.O. Wolseley MS. 56/6.

⁴² Andriette, *Devon*, pp. 86-88 recounts this campaign.

⁴³ *Bellum Civile*, pp. 45-58; *Royalist Newsbooks I*, p. 327.

⁴⁴ Hist. Mss. Comm., 5th Report, *House of Lords MSS*, p. 111.

⁴⁵ *Royalist Newsbooks I*, pp. 321-22; B.L. E105/13; Bod. L. Wood MS. 376/34; B.L. Add. MS. 35297 f.15 Chudleigh issued a public declaration of his submission to the king, printed at B.L. E37/21; J.H. Rushworth, *Historical Collections*, vol. V (1721), p. 272.

⁴⁶ *Bellum Civile*, p. 46.

⁴⁷ D.R.O. Exeter Corporation Letter Book 60F ff.21, 24; B.L. E104/16.

⁴⁸ Bod. L. Wood MS. 376/8; B.L. E105/13; S.R.O. Wolseley MS. 53/1; *Bellum Civile*, p. 51; Earl of Clarendon, *The History of the Great Rebellion and Civil Wars in England*, ed. W.D. Macray (Oxford, 1888), VII, 94.

⁴⁹ *Royalist Newsbooks I*, pp. 386, 409-10. It was circulated widely and a copy survives in Willoughby's papers. S.R.O. Wolseley MS. 53/3. Another copy, received by the Barnstaple corporation, is reprinted in J.F. Chanter, *The Life and Times of Martin Blake B.D.* (1910), pp. 75-78.

⁵⁰ B.L. E65/2; *Trevelyan Papers*, 3, p. 239.

⁵¹ B.L. Add. MS. 18980 f. 89; B.L. E65/2; *Royalist Newsbooks* I, pp. 409–10, 486–87; D.R.O. Q.S.O.B. 1/8 midsummer 1643.

⁵² J.L. Malcolm, 'A King in Search of Soldiers: Charles I in 1642', *The Historical Journal*, XXI, 2 (1975), pp. 251–73.