CHAPTER X.

The Last Stand. Battle of Wigan Lane. Trial and Death of the Earl of Derby.

During the last five years the Earl of Derby had been in the Isle of Man. Since the failure of the former overtures made to him by the Parliament through the agency of Sir John Meldrum, he had been living in retirement at Castle Rushen. It was the life which he liked best, and had it not been for the recollections of the events of the preceding years, he might have been happy in the leisure afforded for the exercise of the literary tastes in which he delighted. He composed, during this period, his Commonplace Books and several Books of Devotions which manifest his deeply religious nature. But confinement and reflection only deepened the natural melancholy of his nature, and increased his hatred for the enemies who had deprived him of his position and his estates. In 1644 Meldrum had found him willing to listen to reason; proposals made a few years later were rejected with contempt. In 1649 Derby was summoned to surrender the Isle of Man, being offered the enjoyment of half his estate if he would do so. He had apparently petitioned to compound in the ordinary way and particulars of his estate were furnished by himself, upon which his fine was estimated at £15,572; but when matters had gone so far the Earl changed his mind, and he refused to "forfeit his allegiance and sell his loyalty for £15,000."[211] Apparently there would have been opposition on the other side.[Pg 178] Representations were made to the Council of State about the resentment with which the prospect of admitting the Earl of Derby to his composition had been received in some parts of Lancashire and Cheshire. It was urged that if he should complete his surrender and be free to enter Lancashire again the peace of the county would be in danger; and the Council of State ordered that the matter should not be proceeded with until the pleasure of Parliament was known.[212] Evidently therefore there were insuperable obstacles on both sides. The last proposals had apparently been made through General Ireton, and in reply to these the Earl of Derby wrote his famous letter of defiance. "I scorn your proffers, disdain your favour, and abhor your treason; and am so far from delivering up this Island to your advantage, that I will keep it to the utmost of my power to your destruction. Take this for your final answer, and forbear any further solicitations; for if you trouble me with any more messages on this occasion, I will burn the paper, and hang the bearer; this is the immutable resolution, and shall be the undoubted practice of him who accounts it his chiefest glory to be his Majesty's most Loyal and Obedient Servant Derby."

It has been suggested with some force that the display of anger in this letter is so unusual in the Earl of Derby, that probably the Countess was chiefly responsible for it;[213] but in any case after this all possible chance of reconciliation between him and the Parliament was at an[Pg 179] end. And it must be admitted that the Earl himself from his uncompromising attitude, was largely responsible for the merciless hostility with which he was pursued to the scaffold. In a further list of those to be exempted from Parliament, containing about 30 names, the name of the Earl of Derby comes third, following those of Prince Rupert and Prince Maurice.

The Isle of Man had been put into a position of defence, and plundering expeditions were organised by the few ships which the Earl had under his command. Since the royalist defeat he had been cut off from all communication with England, but maintained intercourse with the Earl of Ormonde in Ireland. Derby addressed many letters to Ormonde urging him to send some guns and ammunition to his help, but without success; eventually Ormonde did despatch some powder, but it was lost at sea.[214] There is no doubt, however, that the piracy of the royalists' vessels was a great nuisance to the shipping in the Irish Sea. In November, 1649, the Admiralty Committee were urged to send a frigate for service upon the coast of Lancashire and North Wales in order to protect the shipping in those parts; but it does not seem to have had very much effect, for the trouble continued during the following year.[215] At length the Parliament adopted a more effective but very dishonourable means of retaliation. In May, 1650, Colonel Birch was ordered to seize the daughters of the Earl of Derby, who were at Knowsley, and any other of the Earl's relatives whom they could secure; and then to send over to Derby

to release by a certain date all the Parliamentarian prisoners whom he had, otherwise he must expect retaliation.[216] Lady Katherine and Lady Amelia Stanley were kept in prison for some months;[Pg 180] on October 8th, 1650, they were ordered to be set free on bail, but the order was afterwards deferred pending the development of events in the Isle of Man.

There was perhaps some fear in the court of Charles II. now at the Hague, that the Earl of Derby might yield to the proposals made to him by Parliament for surrender. At any rate in January, 1650, he was made a Knight of the Garter, an honour which he had expected in the previous reign. Of the four Knights elected at this time the Duke of Hamilton, Marquis of Newcastle, the Marquis of Montrose, and the Earl of Derby, only Newcastle lived to be installed. The letter of appointment to the Earl of Derby makes special reference to his defence of the Isle of Man; and in the following June Sir Marmaduke Langdale and Sir Lewis Dives were despatched to the Island to urge the importance of preserving it. There had been plans made in the Spring of 1650 for a royalist rising in England, and the Earl of Derby had been named as General in Lancashire; and when Charles II. had a prospect of regaining power, his advisers realised that the Earl of Derby could give substantial assistance in any attempt on the North of England.[217]

It was in June, 1650, that Charles landed at Speymouth in Scotland, took the Covenant, and six months later was crowned King. To anticipate the inevitable invasion of England Cromwell crossed the border and signally defeated Leslie at Dunbar (Sept. 3rd, 1650). After his victory all the South of Scotland submitted to the English. The following summer Cromwell again took the field; Lambert turned the Scots' position by a flank march through Fife, and Leslie, realising that Scotland was lost, staked all on the desperate venture of[Pg 181] an invasion of England. Perhaps it did not seem so desperate as it was. They were convinced, as the Jacobites were convinced half a century later, that the country would rise in force out of affection for the House of Stewart; and there was certainly more reason for the expectation in 1651 than in 1715. For the majority of Englishmen after all favoured monarchy, and the prospect of a military despotism alarmed most people. The tyranny of Charles I. was being forgotten, and his tragic death had to a large extent effaced the memory of his incompetence and duplicity. But still more powerful than this feeling was the desire for peace and quietness. The country would probably have accepted Charles II. in 1651 as in 1660, if it could have done so peaceably. Perhaps a majority of the nation, certainly a majority of the inhabitants of Lancashire would have already preferred the restoration of the King to the rule of Cromwell but they were not so anxious for his restoration that they would support it by force of arms. And the old Parliamentarian leaders in Lancashire, estranged as they were from Cromwell, had no more sympathy with their old royalist enemies who now emerged from their retirement in the Isle of Man to welcome Charles' march.[218]

Early in the year the King had opened a correspondence with the Earl of Derby through the medium of Sir John Birkenhead, and had received loyal letters from the Earl in return. It was not to be expected that Charles' submission to the Scots and his taking of the Covenant would be in accord with Derby's views, but it made no difference to the latter's loyalty. When the danger from Scotland seemed imminent the Parliament had made fresh efforts to secure the Isle of Man by force. Derby defeated an attempt of five Parliamentarian ships on the Calf of Man on March 29th, 1651, and shortly afterwards repulsed a second invasion of the Island.

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There was some other design of the royalists in England during the Spring of this year for which several people were imprisoned; and by Cromwell's order there were seized at Greenock a party of royalists who were on their way to the Isle of Man to concert measures with the Earl of Derby.[219]

The Scots began their march into England in June, 1651, and entered Lancashire early in August. They had about 16,000 men, "I daresay near double the number of those that the King of Sweden entered Germany with if not more," wrote one of the officers. Charles was proclaimed King at Penrith on August 7th, and afterwards at all the market towns through which he passed. On Saturday, August 9th, the army was at Kendal; two days later they entered Lancaster, and on the following day Charles was proclaimed at the Cross, and all the prisoners in the Castle were released.[220] That night the King slept at Ashton Hall, near Lancaster, and on the 13th at Myerscough Lodge, Sir Thomas Tyldesley's house. Next day they passed through Preston, and leaving there the same day, Charles stayed on August 14 at Sir William Gerrard's house at Bryn Hall, six miles from Warrington. The conduct of the royal army was very different from that of the Scotch Invasion of 1648. No plundering was allowed, and violence was strictly forbidden. No one was forced to join the army, and Charles marched swiftly, staying only a night or two at each place so as not to be too great a burden on the country. Yet in spite of this no great enthusiasm was allowed. Few recruits joined the royal standard, and there were a number of desertions. At Preston Charles rode on horseback through all the streets of the town; but even here he was disappointed by the coolness of his reception. There were already misgivings among his followers. "We have quit Scotland," wrote Hamilton[Pg 183] on August 8th, "being scarce able to maintain it; and yet we grasp all; nothing but all will satisfy us or to lose all. I confess I cannot tell you whether our hopes or fears are greatest; but we have one stout argument, despair; for we must now either stoutly fight it or die. All the rogues have left us; I shall not say whether for fear or disloyalty; but all now with His Majesty are such as will not dispute his commands."[221]

The Council of State had not been idle in view of the projected Scotch invasion. On April 19th they had issued instructions to Major-General Harrison to go down to Lancashire with three troops of horse, of his own regiment, and on his arrival to replace Colonel Rich, who was to return to headquarters with the three troops under his command. Harrison remained in Lancashire to keep order. When the Scots approached nearer, Colonels Duckenfield, Birch, and Mackworth were commissioned to raise ten new companies of foot of 100 men each out of the late militia forces in the counties of Lancashire, Cheshire and Salop. Liverpool was to be especially guarded, and Duckenfield, who was Governor of Chester, addressed an appeal to the Council of State for the replacement of forty barrels of powder and a quantity of arms which he had previously furnished out of the magazine under his charge for use of the troops in Ireland.[222] The Council of State were evidently quite satisfied with the preparations which were being made in these three counties for resistance. Meanwhile Cromwell had sent Major-General Lambert with a detachment of cavalry to follow the Scots, and he hung on their rear all along the line of march without being strong enough to engage them. On their way through Lancashire, however, Lambert slipped round them and effected a junction with Harrison somewhere south of the Ribble[Pg 184] (Wed., Aug. 13th). Their combined forces, together with the newly raised local troops, amounted in all to 12,000 horse, foot and dragoons; but they were still unwilling to engage the Scots before they had been joined by Cromwell. When Lambert and Harrison met Charles was still north of Preston, and still retreating before him they passed through Bolton on Thursday, August 14th.[223] On reaching Warrington, however, Lambert decided to oppose the Scots' advance. Sending out a few troops to skirmish with their advance guard, he occupied Warrington Bridge by a detachment of foot, whose retreat was secured by cavalry. The skirmishing party encountered the royalists two miles north of Warrington, and were soon dispersed; the royalist scouts entered the town about noon, and being followed by the rest of the army, at once attacked the bridge. The Cheshire foot who were posted there, held their ground for an hour and a half; as 2,000 of the Scots pressed upon them their position was for a time somewhat perilous; but at length, breaking down as much of the bridge as they could,

they regained the main body of the army in safety. The Scots following, engaged the Parliamentarian rearguard, consisting of Major-General Lambert's, General Whalley's and Colonel Twistleton's regiments, but they were beaten off; and Lambert withdrew in safety to Knutsford, a more favourable place for cavalry operations, expecting Charles to follow him; but the King continued his march through Cheshire in a more direct line.[224]

The Parliamentarians had really the better of the skirmish, but it was magnified by the royalists into a great victory for themselves. Charles issued from Higher Whitley on the same evening, a statement of his affairs in which he declared that he might have crossed the Mersey by several fords, but attacked the[Pg 185] bridge directly in order to give his troops confidence.[225] The fact that it was thought necessary to magnify so greatly this small success, showed how much the royalists lacked confidence. Even Clarendon admits that the extent of the achievement was to force Lambert to retire somewhat faster than he had intended; and it was thought that the disorder of his retreat was partly feigned in order to draw the royalists on. And even in the army there was misgiving in spite of the apparent success. The King perceiving David Leslie's gloomy expression, rallied him upon it, and asked him what he thought of the troops now. Leslie replied that however well the army looked it would not fight.[226]

This was on August 16th. It seems to have been the day before this that the Earl of Derby landed his men from seven ships on Preesall Sands, on the eastern side of the estuary of the River Wyre. He had been delayed by contrary winds from sailing out of Douglas Harbour for some days. After all the announcements of his coming, which had been talked about in Lancashire for months beforehand, the country was surprised to find that he had with him only some 300 foot and 60 horse, not very well armed. On account of the delay Derby had arrived too late to meet Charles in Lancashire, but at once hastening after the main army he had an interview with his royal master between Northwich and Nantwich on August 17th. On the previous day a warrant had been made out to Derby as Captain-General of all the royal forces in Lancashire, authorising him to raise troops by summoning all men "of what quality and condition soever from sixteen to sixty years of age." He was instructed not to make "any distinction of persons with reference to former differences." On Derby's arrival at the royal camp he was directed to[Pg 186] return to Lancashire in order to put the warrant into force.[227] According to Clarendon this was a mistake, for Derby's following consisted for the most part of officers and gentlemen, whose presence in the main army would have given it a strength which it very much needed. The Earl thereupon returned to Lancashire, and on August 20th met at Warrington a deputation of the Presbyterian ministers of the county, Major-General Massey also being present. Massey was regarded as a martyr for the Presbyterian cause, and had been especially commissioned by the King to remain behind; he was also personally known to many of the Lancashire Presbyterians. It would almost appear that it had been originally intended to hold this meeting in Manchester, and that the place was afterwards altered on account of the approach of some hostile troops. Massey wrote from Cadishead on August 19th that his journey to Manchester had been interrupted, and he had therefore been unable to meet the gentlemen as expected, but he had sent for them to have an interview with Ashhurst and himself the same evening; and he urged Derby to send a detachment of horse to Manchester. A large number of the local Presbyterians, however, met Derby and Massey at Warrington the following day (Aug. 20); but the conference was of no service to the royalist party. The estrangement between the local leaders and the[Pg 187] ruling powers was complete; "they are the men who are grown here more bitter and envious against you than others of the old Cavaliers stamp," wrote Robert Lilburne to the Speaker: and Manchester itself was "very malignant." But the Presbyterians would not go so far as to make an alliance with their old enemies. The Earl of Derby before his coming over had been promised substantial help by them; but when it came to the point, the Presbyterian ministers, who really ruled the councils

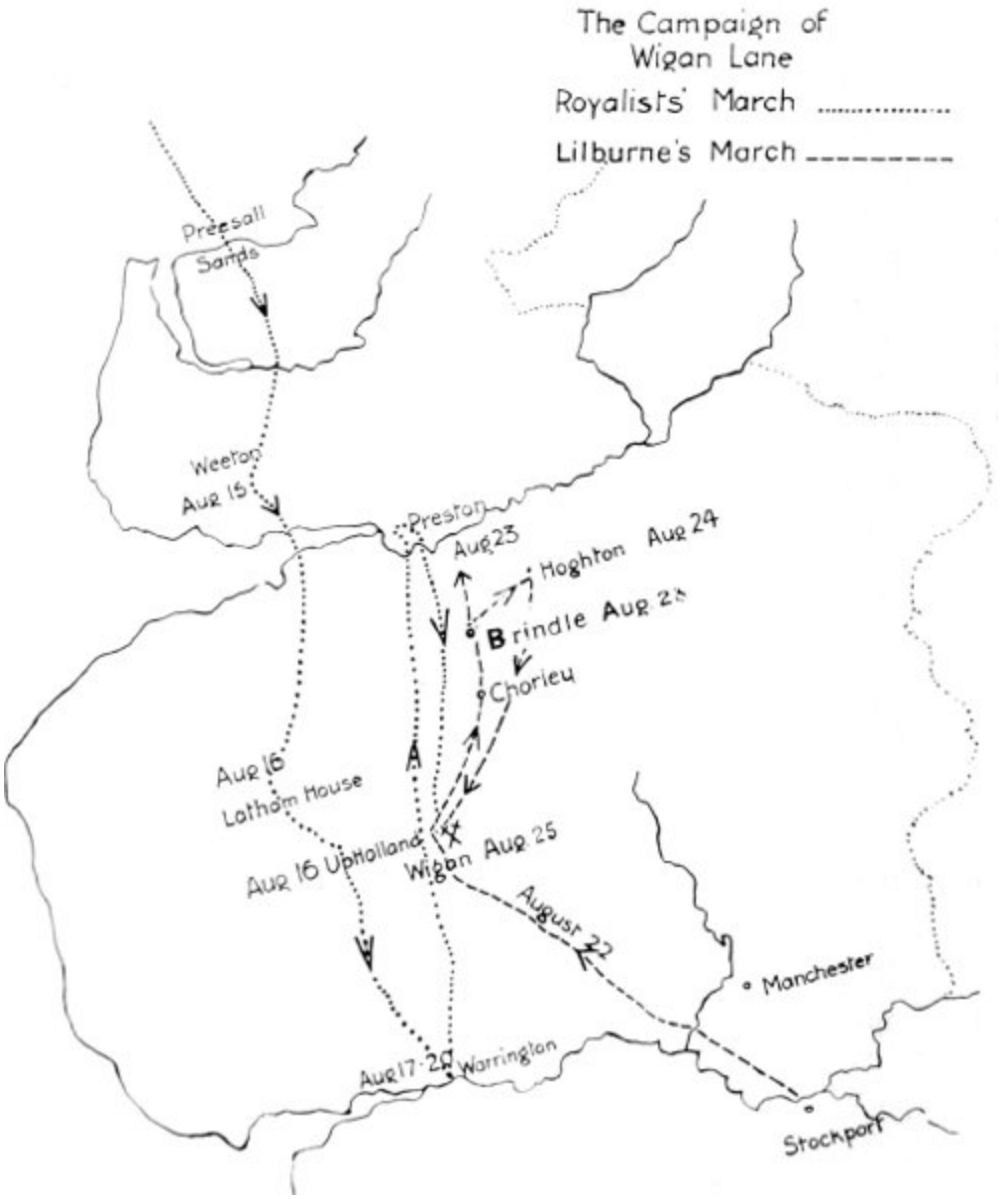
of their party, would give no help except on their own terms. There was indeed no bond between these two ill-assorted allies but hatred of the Sects, and that was not sufficient to bridge over the gulf which otherwise divided them. The ministers began with a demand that Derby should put away all the papists whom he had brought with him from the Isle of Man, and himself take the Covenant. The Earl replied that on those terms he might long ago have been restored to all his estates, and the late King to his throne; and urged that this was not a time to argue but that everyone who was desirous for the restoration of Charles II. should fight for him. He added that he would refuse none who came to him with that purpose. The Presbyterians, however, refused to make the slightest concession, and after Derby and Massey had both argued in vain for some time, the meeting broke up without having arrived at any decision. The Earl made one last appeal for support; if this was refused "I cannot hope to effect much, I may perhaps have men enough at my command, but all the arms are in your possession without which I shall only lead naked men to slaughter; however I am determined to do what I can with the handful of Gentlemen now with me for His Majesty's service, and if I perish I perish; but if my master suffer, the blood of another Prince and all the ensuing miseries of this nation will lie at your doors." This appeal, however, was equally unavailing; and Derby had to abandon all prospect of aid from the[Pg 188] Presbyterians, and depend on the royalists. Massey thereupon hastened after the King.[228]

On landing from the Isle of Man on August 15th, the royalists had marched that night to Weeton, near Kirkham, and next day over the Ribble to Lathom, proceeding the same evening to Upholland. It would have been a sad sight for the Earl to have visited the ruins of his formerly splendid home, but he was probably not with the march that day, having hurried on after the King. The main body had, however, reached Warrington before he returned there, and on his arrival a Council of War was held on the day before the abortive meeting with the Presbyterians. There were present the Earl of Derby, Lord Widdrington, Sir Thomas Tyldesley, Sir William Throgmorton, Sir Francis Gamul, Sir Theophilus Gilbey, Sir Edward Savage, and Colonels Vere, Standish, James Anderton, Hugh Anderton, Robinson and Legge. It was resolved to raise out of Lancashire altogether 1,300 horse and 6,000 foot. The Hundreds of Leyland and West Derby were to provide 500 horse and 2,000 foot, Amounderness and Lonsdale Hundred the same number, and the proportion of the others was to be assessed on Derby's further advance. Rates of pay were fixed. The Earl had previously issued Commissions to officers to serve under him; they were particularly directed that there was to be no plunder. Derby issued an appeal to the Gentlemen of Lancashire, urging his royal warrant, and for a few days the prospect seemed[Pg 189] bright.[229] "He thought himself master of Lancashire (as indeed he was)" wrote Lilburne. There were at present no troops near to the county, and no one dared rise against the royalists in Lancashire. But Derby might well be disappointed at the response with which his appeals were met; for not one-fifth of the numbers estimated were raised, and probably never would have been raised even if there had been more time. It might reasonably have been expected that in this county where royalism was so strong, many more troops could have been raised. It was not Derby's fault; no one could have done so much as he, but partly the difficulty already referred to of Presbyterians and royalists acting together was responsible, and above all the general wearisomeness of the war.

And even in the royalist Fylde the Earl's enemies were already active. Some of the Commissioners of the Militia collected a few soldiers, and surprised the crews of Derby's ships at Preesall, took them prisoners and seized the ships. The prisoners were taken first to Preston, and then on an alarm of the royalists' march thither, to York, narrowly escaping a rescue party under Tyldesley. The chief of them, Captain Cotterell, who had done much service for the royalists at sea, was tried and executed.[230] Moreover, Colonel Robert Lilburne had been ordered to Lancashire with his regiment, and was now marching in hot haste. From Warrington

the Earl of Derby moved northwards to Preston, and remained there for some days. He issued warrants for raising troops in the Fylde, and arranged for musters at Singleton and at Kirkham on August 25th; but these musters were never held. Lilburne, having made a forced march from Cheshire, reached Wigan on August 21st,[Pg 190] thinking to have surprised the royalists; but they had retreated to Chorley. Next day (Friday, August 22nd) he advanced to Preston, and in the night sent 40 horse to make a surprise attack. Colonel Vere was wounded in the skirmish and apparently took no part in the further fighting. The royalists had now increased their numbers to about 600 horse and 900 foot, and held a rendezvous at Preston on Saturday, August 23rd.

Lilburne was not anxious to force on an engagement, as he had no infantry with him, and his men were tired with their long marches from Cheshire. Cromwell's own regiment of foot under Major-General Worsley were following him as fast as possible, and he resolved to wait for this reinforcement. On the same day the royalists delivered a surprise attack on their own account. Lilburne had now encamped at Brindle, four miles from Preston, and the royalists were informed by a secret enemy "they being all enemies hereabouts" that the horses were turned loose and the men off their guard. A party of about 20 horse, mostly gentlemen's sons from the Fylde and their servants, rode out of Preston for the adventure, and guided by byways reached the Parliamentarian camp unperceived. Lilburne's troopers were lying on the grass by their saddles, half asleep in the summer afternoon, with their horses grazing near by in the fields between Brindle and Preston. Suddenly the royalists, who had evaded the guard in the lane below burst out upon them. For a few moments all was confusion; but "the finest soldiers in Europe" were more than a match for a few hot-headed youths, even caught thus at a disadvantage. Recovering their horses they fell upon the assailants and pursued them as far as Ribble Bridge; and all the royalists were either taken or slain, excepting one who escaped like Charles II. after Worcester, by climbing into a tree and hiding there until the following day. Among those killed were the sons of Mr. Butler of Rawcliffe and Mr. Hesketh of Maines [Pg 191]Hall, near Poulton-le-Fylde. John Clifton, the second son of Mr. Clifton of Lytham, was badly wounded and taken prisoner.



Not knowing what other surprises might be delivered in such a hostile country Lilburne moved his camp next morning (Sunday, August 24th) two miles further east to Hoghton, and that day Colonel Richard Shuttleworth and a number of others from the neighbourhood came to him at Hoghton Tower and remained till evening; showing that the county was not entirely hostile to the Cromwellians. On the previous evening Lilburne had received two companies of foot from Chester, and there also arrived another company of newly raised foot from Liverpool; but he was still waiting for Cromwell's regiment which was now reported to be at Manchester. The royalists, however, had also heard of their advance, and thinking to surprise Worsley before he could join the cavalry, and having also the promise of reinforcements in Manchester themselves, they marched out of Preston towards midnight on Sunday and proceeded south. The movement was not one of flight as has been suggested, and as Lilburne at first thought. He did not hear of their march until 8 or 9 o'clock next morning when intelligence was brought by an old woman. At once he started off in hot pursuit, and came up with the royalists about mid-day near Wigan. But Lilburne, when he found that the royalists were not flying, still held off, hoping to be able to march on their flank to Manchester. The royalists, however, had now resolved to give him battle, and about 3 o'clock in the afternoon they were seen advancing along the lane which led out of the town towards Standish.

It was a gallant company of royalists who rode out of Wigan that August afternoon to make their last stand for the King in Lancashire. In command was the Earl of Derby, the uncompromising enemy of the Parliament; and with him were Sir Thomas Tyldesley, the hero of[Pg 192] many fights, the perfect exponent of all the cavalier virtues; Lord Widdrington, "one of the most goodly persons of that age, being near the head higher than most tall men, and a gentleman of the best and most ancient extraction";[231] Sir William Throgmorton, who had been Major-General in Newcastle's Yorkshire army; Colonel Boynton, some time Governor of Scarborough for the Parliament, and their chief instrument in the discovery of the Hothams' plot to betray Hull; with many others of equal bravery but of less note. Opposed to them were the stern, well disciplined cavalry of the Cromwellian army. The two forces were absolutely typical of the opposing armies of the Civil War. It is said that when Lilburne's men saw that they must fight they turned on the country people who had come out to see their march and dispersed them with harsh words.

The two forces were nearly equal in cavalry,[232] for the Earl of Derby had by now 600, and Lilburne his own regiment, which would be 600 if the ranks were full; and Lilburne also had about 60 horse and dragoons which Birch had mounted for him from the Liverpool garrison. The royalists were superior in foot, having 800 to the Cromwellians 300; but the advantage was not so great as it appeared, for the Manxmen whom Derby had[Pg 193] brought over with him were poor fighters; and moreover the battle was essentially a cavalry engagement, in which infantry played only a subordinate part. Wigan Lane was then a broad sandy lane bordered by hedges, and was thus as unsuitable a position for manœuvring cavalry as could be imagined; but the time was too short for Lilburne to choose any other ground. Placing his musketeers behind the hedges, he awaited the royalist onset. The place had other memories for him, and perhaps for some of his men; for it was here that he had driven in Hamilton's rearguard in the campaign of 1648.

Difficult as the ground was, the combat which ensued was the fiercest of all the 10 years fighting in Lancashire. So furious was the royalist charge that they drove back the Cromwellians far along the lane. In the confined space no manœuvring was possible, and for nearly an hour the cavalry fought at close quarters. At length at the third charge Lilburne brought up a small reserve, and the superior steadiness of the veterans of the new Model prevailed over the impetuous bravery of the cavaliers. The royalists wavered and began to give ground; Widdrington fell dead, Tyldesley was unhorsed and shot down as he attempted to extricate himself from[Pg 194] the press;[233] Derby himself was wounded, and Lilburne's men chased the now broken royalist squadrons down the hill into Wigan. The pursuit and slaughter continued through the streets and town. The rout was complete; Throgmorton and Boynton were also among the slain which numbered 300; 400 prisoners were taken, and the rest of the force melted away. In an hour the hopes of the royalists in Lancashire had been destroyed.

The Earl of Derby, who had fought with his accustomed bravery, was surrounded by six of his men and succeeded in reaching the town, where he slipped in through an open door of a house in the Market Place and lay concealed until nightfall. He had a number of slight wounds about the arms and shoulders, and his beaver which he wore over a steel cap was picked up afterwards in the Lane with thirteen sword cuts upon it. In the middle of the night he left his place of refuge disguised in a trooper's old coat, and accompanied only by Colonel Roscarrock and two servants, made his way out of the town and rode away to join the King.

Events had moved with too tragic suddenness for news to come to those waiting in the Isle of Man. There is in the Tanner MSS. a short letter written by Henrietta Stanley on August 11th from Castle Rushen to Tyldesley who was superintending the embarkation of the troops at

Douglas. The girl writes light-heartedly, in high hopes of the success of the expedition which fair winds were just about to set free to sail, and closes with a playful message to Colonel Roscarrock about a book. Now, just fourteen days later, the royalist army had been scattered, Tyldesley was slain, and Roscarrock one of the three who rode away under cover of darkness with the wounded Earl of Derby. But no tidings of the[Pg 195] disaster came to Castle Rushen for many weeks. After long waiting, the Countess sent out a pinnace but it was driven by contrary winds upon the coast of Cheshire, and fell into the enemy's hands.[234]

Journeying as quickly as his wounds and weariness would permit, Derby reached the house of a Mr. Watson at Newport in Shropshire, where he met a friend, who conducted him to Boscobel House, which was then only occupied by two servants, William Penderel and his wife (Friday, August 29th). This was just a fortnight after he had landed at Preesall. Resting there until Sunday, the Earl was then guided by Penderel to Gatacre, and so reached Worcester. Pursued by ill-fortune to the last, he arrived there bringing the news of his own disaster, only two days before the Battle of Worcester; where Cromwell, with an army more than twice as numerous as the Scots, had no difficulty in gaining a complete victory. Derby fought in the battle, and after the defeat his chief care was for Charles' safety. He was one of the few noblemen who attended the King to Kinver Heath near Kidderminster; and it was by Derby's advice that Charles was conducted to White Ladies, and from there, under the care of the Penderels Richard and William, to Boscobel. "This is the King," said Derby to William Penderel, "thou must have a care of him and preserve him as thou didst me." Thus saved from the first pursuit, Charles after many narrow escapes reached Brighton and crossed to France.[235]

Derby then joined the retreat northwards with Leslie, the Earl of Lauderdale, Lord Talbot and others. They were attacked by Colonel Blundell, but managed to make their escape. Soon afterwards, however, they fell in with another skirmish and were captured. A Lancashire captain named Oliver Edge was riding by himself to see[Pg 196] what had become of the 'forlorn,' when he noticed a party of horse in the field behind him. Fearing they were enemies he hastened back towards his regiment; when to his surprise all the horsemen dismounted and surrendered themselves prisoners. The Earls of Derby and Lauderdale were the most important of those captured. Edge gave the prisoners quarter but his action was over-ruled by the Parliament through no fault of his own. Derby afterwards wrote of Edge as "one that was so civil to me, that I and all that love me are beholden to him." The Earl with some other prisoners was carried to Chester Castle.[236]

After the battle of Wigan Lane, Lilburne sent up Lieutenant Turner to London with letters to the House of Parliament which were read on August 30th. After hearing the letters Turner was called in to give an account of the battle; and the House made him a present of £100, at the same time voting to Lilburne the sum of £500 and lands to the yearly value of £200. This was to be raised out of some delinquent's lands, and was in satisfaction of two former votes of £1,000 each which remained undischarged. The Sunday after the battle (August 31st) was named as a public thanksgiving.[237]

The Earl of Derby's papers were referred to the Council of State to see whether they contained anything of importance (August 30th); for so hasty had been his flight from Wigan that all his baggage, including his cloaks with his Orders, fell into Lilburne's hands. On the following Monday Sir Harry Vane, the younger, reported to the House that papers of great importance had been found in the Earl's hampers, and as a result of[Pg 197] their examination the Council of State decided on September 10 to represent to Parliament that Derby was a fit person to be brought to trial and made an example of justice; and that he should be tried by court-martial at Chester.[238] Parliament made the required vote on the following day, September 11th.

The irreconcilable hostility of the Earl to the Parliament, his high rank, and especially his prominent part in the last campaign, rather than his personal character, probably decided the Council of State to deal hardly with him. He was not a dangerous man. But it was thought necessary that an example should be made. Much has been written by royalists of the perfidy of putting him on trial for his life after quarter had been given; but Derby must have known that Edge's promise was liable to be over-ruled by a higher authority; and in any case it could have made little difference, for if Derby and his companions had not surrendered at Newport, they must have been captured during the next few days.

The trial began at Chester on September 29th. The Earl of Lauderdale had been sent to the Tower, and Giffard, another of those who had surrendered, escaped from Bunbury in Cheshire. Two other prisoners, Sir Timothy Featherstonhaugh and Captain Benbow were tried at Chester with Derby. After the resolution of Parliament on September 11th, a commission was directed to Major-General Mitton, Colonel Duckenfield, Colonel Mackworth, Colonel Birch, Colonel Henry Brooke, Colonel Henry Bradshaw, Colonel Thomas Croxton, Colonel Gilbert Ireland, Colonel John Carter, Colonel Twistleton, Colonel Mason or any three of them. Most of the names were those of officers of the Cheshire Militia Regiments enrolled in Hamilton's invasion of 1648. Birch and Ireland were the only two Lancashire names, and neither of them attended any of the sittings of the court martial. Mackworth was chosen President.[Pg 198] He was Governor of Shrewsbury, and on Charles' march it was thought that he might be prevailed upon to surrender the town, but he returned a rude denial. Most of the other members of the commission were comparatively unknown; indeed it was not a dignified court by which to try a great nobleman.[239]

The articles against Derby were that he had in defiance of the Act of Parliament of August 12th, 1651, making it treason to hold correspondence with Charles Stewart, received a commission from him, proclaimed him King at several places in Lancashire, had raised forces to assist him, and on their defeat had himself fought in the Battle of Worcester. The Earl did not attempt to deny his acts, but he asked for more time to consider his answer, and the court was adjourned until the following day, Derby being furnished with a copy of the articles. Next morning (September 30th) at 8 o'clock in the morning the other two prisoners were tried. Derby was then brought to the bar, and pleaded that he was in the Isle of Man on August 12th and had never heard of the Act under which he was being convicted. His request for counsel was considered and allowed, and at the Earl's own suggestion Mr. Zancthy, a Chester lawyer, was named. The court then adjourned, and it was decided that the Earl should have liberty at 9 o'clock next morning to plead his own case. Later in the day a request was made on his behalf that he might have Sir Maurice Enslow or Sir Robert Brerewood as counsel instead of Zancthy, but this was refused.

Next day the Earl again pleaded that he was ignorant of the Act of Parliament of August 12th, and further that Captain Edge had given him quarter, and therefore that a court-martial had no authority over him; and he[Pg 199] appealed to Cromwell to support his claim. The court, however, over-ruled the plea, and decided with two dissentients that there was cause to proceed to a conviction according to the articles proved. It was objected that quarter could not be allowed to traitors, and it cannot be supposed that Derby would have acted otherwise had he known of the Act of August 12th. The two voting in the negative were Twistleton and Delves, and the former desired his vote to be recorded. When the court met in the afternoon, however, and decided that the Earl was worthy of death and should be executed at Bolton on October 16th, Twistleton was one of those who voted. Delves was apparently not present, but of the nineteen members, none voted in the negative. Regarding the place of execution ten voted for

Bolton, and eight for Manchester; against the name of Lieutenant-Colonel Finch no place is given. So that it was only by a bare majority that Bolton was fixed upon.

The trial of the Earl of Derby was really only a pretence of justice. As in the case of Charles I., two years before, the verdict had been decided upon before the court met. The result was a foregone conclusion, for Parliament had resolved to put Derby out of the way. As a matter of law his excuses were good enough; but no one could suppose that the trial would be decided by technical points. Of course the Earl had not heard of the Act of August 12th, but it would have made no difference if he had; and he knew quite well that he had been exempted from pardon by the Parliament years before, and must have been fully conscious of the risk he ran in taking part in the invasion of the Scots. The Council of State had evidently decided also that the sentence of the court-martial should be carried into effect. They had written to Colonel Duckenfield on September 30th "As to what you mention of the Earl of Derby, order has been given by Parliament concerning him, which is to be effectually pursued, without[Pg 200] expecting any interposition from Council."[240] Nevertheless great efforts were naturally made to secure a reprieve. On September 29th, after the first day's sitting of the court, Derby himself directed two petitions, one to the Council, and the other to Parliament, promising to surrender the Isle of Man if his life should be spared. He also wrote to Lady Derby to surrender the Island, but no hope was given that his petition would be granted even on these terms.

As a matter of fact the Isle of Man was not surrendered until November. After the Earl's death Duckenfield and Birch led an expedition against it, and landed troops; but the Countess asked for terms, and before any fighting took place capitulated. Castle Rushen was given up on November 1st, and Peel Castle on November 3rd. Duckenfield thought that the terms were satisfactory, because "these Castles might have cost a great expense of blood, time and charge, besides several other difficulties which in this Island are to be undergone in a siege, which are only obvious to such as be upon the place."[241]

To return, however, to the trial of the Earl of Derby, Charles, Lord Strange, now appeared upon the scene. He was a worthless person of whom his father had written "I have no good opinion of him; he is not ashamed of his faults."[242] Strange was only 14 on the breaking out of the war, and had therefore been too young to have any considerable part in affairs. But a few years later the exile of the Isle of Man became irksome to him and he left his parents and went to France, where he spent most of the next few years. Now, however, he returned, and a reconciliation was made; and to do him justice Strange seems to have used great efforts on his father's behalf. He journeyed to[Pg 201] London, but no one in London would intercede for the Earl, the intention of Parliament being evidently too well known. Derby then applied personally to Cromwell, emphasising the illegality of his condemnation by a court-martial after having received quarter. There seems to have been no doubt that Cromwell was anxious to secure the Earl's reprieve;[243] but Parliament would not listen to him. Other means were then used. President Bradshaw was tried through his brother, Colonel Henry Bradshaw, one of the Earl's judges, and Brideoak, one of Derby's Chaplains, applied to Speaker Lenthall. Brideoak pleaded so well for himself that he was made Lenthall's own chaplain and Preacher at the Rolls, but he failed to secure his patron's pardon.

Finding there was no hope of reprieve the Earl made an attempt to escape which was very nearly successful. One night he found some pretext for being on the lead roof above his chamber, and procuring a rope slid down and escaped from the city. The alarm, however, was raised, and he was recaptured on the roodee, having unawares discovered himself to his pursuers. Before attempting to escape, he left on his table a letter to the Countess advising her

to make the best terms she could with Colonel Duckenfield "who being so much a gentleman born will doubtless for his own honour's sake deal fairly with you."[244]

After this Derby was of course more carefully watched. He made one final attempt in a petition to Lenthall on October 11th. In this he offered no vindication, but cast himself entirely on the Parliament's mercy, stating that he had been persuaded by Colonel Duckenfield that Parliament would spare his life. He again[Pg 202] offered to surrender the Isle of Man, to take no further action against the Government, and to be imprisoned or banished as the House might direct. If this was refused he particularly asked that the place of his execution might be altered from Bolton, because "the nation will look upon me as a sacrifice for that blood which some have unjustly cast upon me"; and he claimed that the charge of cruelty at the capture of Bolton was never once mentioned during his trial, which indeed was quite true. This petition was not brought forward in the House till Tuesday, October, 14th, the day before that which had been fixed for the execution. The House voted by 22 votes to 16 that the petition should be read, Sir William Brereton being one of the tellers for the ayes; but no action could be taken, for if a reprieve had been intended it would have been decided upon long before.[245]

The Earl's last hours were moving and dignified enough; and told chiefly by Rev. Humphrey Bagguley, who was in attendance upon him during the few days before his death, they lose nothing in effect. Bagguley, with the Rev. Henry Bridgeman, Vicar of Wigan and brother of Orlando Bridgeman, together with Lord Strange, were the three who remained to the last. The authorities at Chester showed unnecessary cruelty in forbidding the Earl's children intercourse with him; but his second and third daughters, Lady Katherine and Lady Amelia were allowed to spend most of Monday, October 13th, with their father. Next day Derby was informed that he must start for Bolton on the following morning, and that evening he wrote his two last affec[Pg 203]tionate letters to his wife and children in the Isle of Man. Next morning he duly set out for Bolton, after his fellow-prisoners had been permitted to say farewell to him at the Castle gate. There was one sadder farewell still to be gone through. The Earl rode on horseback and about half a mile out of the town was met by his two daughters in a coach. Alighting from his horse he kneeled down and prayed for them before taking a final farewell. "This was the deepest scene of sorrow my eyes ever beheld," says the narrator, "so much grief, and so much tender concern and tender affection on both sides, I never was witness of before." That night the cavalcade rested at Leigh, and next day with a guard of 60 foot and 50 horse the Earl reached Bolton about noon. His request to be allowed to visit Sir Thomas Tyldesley's grave had been refused. After resting two hours at an inn the Earl was conducted to the scaffold, which had been built near the Cross partly of timber brought from the ruins of Lathom House.

Not very many people were present besides the soldiers on guard; but a tumult arising from some unexplained cause interrupted Derby in his last speech. He seems to have been afraid of the hostility of the crowd, but the soldiers with more reason feared a demonstration in his favour, for most of the onlookers evidently pitied him.[246] The Earl's last words were heard by few of those present, but they were taken down in shorthand and afterwards printed. In them he again repudiated the charges of cruelty made against him. After having spent some time in private prayer, the Earl gave the signal to the executioner by lifting his hands, and his head was severed at one blow. The body was taken by Lord[Pg 204] Strange to Haigh Hall, near Wigan, and the next day to Ormskirk, to be buried with the former Earls of Derby. So died, if not the wonderful possessor of all the virtues which partisan biographers afterwards pretended, a brave, upright and Christian gentleman, weak rather than offending, who deserved a better fate.[247]

And with his death the Civil War in Lancashire really ends.

FOOTNOTES:

[211] *Vide* note on p. 41. "A Declaration of the Earl of Derby, etc." E. 566 (5). "A Message sent from the Earl of Derby, Governor of the Isle of Man, to his dread Sovereign Charles II., 1649." E. 566 (21).

[212] "C.S.P.," 1649-1650, p. 278. It would seem that this was the real reason for the final breaking off of the negotiations.

[213] "A Declaration of the Earl of Derby, etc." E. 566 (5). The letter has been frequently reprinted. Cf. Marlet, "Charlotte de la Tremoille," p. 186: "Signé Derby; mais faut-il dire: écrit par lord Derby? On est en droit de croire que sa femme eut une parte prépondérante à la redaction de ses phrases hachées, vibrantes, pareilles aux coups de canon, qui, sur les vaisseaux, saluent au lever du jour, le pavillon national, montant fièrement dans les airs: car elles sont en parfaite conformité avec ses mâles repliques aux assiegeants de Lathom-house: elles n'ont, au contraire, aucun trait de resemblance avec le style flasque et ampoulé des lettres ou des discours du comte."

[214] "Carte MSS.," Vol. 9, fol. 55, 195; Vol. 11, pp. 326, 495; Vol. 12, fol. 127; Vol. 14, fol. 12, 249, 291; Vol. 23, fol. 105. There is also a letter referring to this matter in the "Ormonde MSS.," Hist. MSS. Com., new series, Vol. 1, p. 99.

[215] "C.S.P.," 1649#8209;50, p. 381; 1650, p. 290, etc.

[216] "C.S.P.," 1650, pp. 169, 282, 470.

[217] "Ashmolean MSS.," 1110, ff. 164, 165; 1112, ff. 43, 45. The particulars are from the Garter Records of Sir Edward Walker; but, curiously enough, the date in one of the volumes is given incorrectly as January, 1651. The fact that the patent was directed from Castle Elizabeth in Jersey, however, is proof of the correctness of the earlier date.

[218] It must, however, be remembered that few of the original Parliamentarian leaders in Lancashire were now left. Assheton had died in February of this year, and Moore and Rigby in 1650.

[219] Gardiner, "Commonwealth and Protectorate," Vol. 2, p. 12.

[220] Cary's "Memorials," Vol. 2, pp. 299, 306.

[221] Cary's "Memorials," Vol. 2, p. 305. "Discourse," p. 70. The latter has high praise for the moderate conduct of the royal troops.

[222] "C.S.P.," 1651, pp. 97, 156, 302. "Rawlinson MSS.," a. 184, ff. 390, 392.

[223] "C.S.P.," 1651, p. 322.

[224] "C.W.T.," p. 290. "Discourse," p. 71.

[225] "A Brief Statement of His Majesty's Affairs, etc." ("Tanner MSS.," Vol. 54, fol. 155, 156.)

[226] "Clarendon" (Macray), Vol. 5, p. 180 (book 13, par. 62).

[227] "C.W.T.," p. 297. The "Discourse," p. 71, says: "Besides men of quality, some 300 Manck soldiers." In the previous month Derby had declared himself ready to join the King with 500 men well armed. Cary's "Memorials," Vol. 2, p. 288. "Seacome," p. 111, says that the Earl of Derby landed with "300 gallant gentlemen." For the warrant to Derby *vide* "Tanner MSS.," Vol. 54, fol. 170. It was directed "To our Right Trusty and Right Well-beloved Cosen the Earl of Derby, our Captain Generall in our County Palatine of Lancaster," and states that owing to his rapid march the King had been unable to send particular summonses to Lancashire; he was now pursuing the enemy, who had been dislodged

from Warrington Bridge. Gardiner, "Commonwealth and Protectorate," Vol. 2, p. 37, gives the date of Derby's meeting with Charles as August 17.

[228] "Clarendon" (Macray), Vol. 5, p. 177, (book 13, par. 58). Massey's letter of August 19 is printed in "Cary," Vol. 2, p. 324. He says that his advance has been checked by a regiment of Lilburne's horse quartered near Middleton; but this cannot have been Lilburne's own regiment, which only left Stockport on the 22nd. Some prisoners were made by Massey. "Seacome," pp. 112, 113, is the authority for the meeting at Warrington, but his statements are accepted by Mr. Gardiner. Seacome's account that Massey strongly seconded Derby's appeals is, however, not compatible with a sentence of Mr. Gardiner's: "Too late Charles discovered that a letter carried by Massey from the Scotch ministers attending the army contained a warning against a too close conjunction with malignants." "Commonwealth," Vol. 2, p. 38. It must be supposed that Seacome overrated Massey's part in the meeting.

[229] "Portland MSS.," Vol. 1, p. 614. Several warrants issued by Derby are given, and orders against plundering; companies on the march, however, were to have free quarter. The Earl's appeal to the Gentlemen of Lancashire is printed in "Cary," Vol. 2, p. 333.

[230] "Discourse," pp. 72, 73.

[231] "Clarendon" (Macray), Vol. 5, p. 185 (book 13, par. 69).

[232] The fullest accounts of the Battle of Wigan are: "A Great Victory, etc." ("C.W.T.," p. 296); "Two Letters from Col. Robert Lilburne, etc." ("C.W.T.," p. 300); "Seacome," pp. 113, 114; Whitelock's "Memorials," p. 504; and "Discourse," pp. 72-76. The last gives most details, probably from personal knowledge; Major Robinson was one of the Lancashire officers to whom a commission was given in the reorganisation of the Militia in 1650. His narrative and that of Lilburne, as those written by eye-witnesses, may be taken as the most reliable.

With regard to the numbers of the respective forces, there can be little doubt that they were very nearly equal. Seacome's wild estimates, which are, as usual, unhesitatingly followed by Canon Raines, may be dismissed as impossible; he gives Lilburne 3,000 horse and foot. It has already been mentioned that Derby landed with less than 100 horse, and either 250 or 300 foot (p. 187). All the accounts substantially agree in respect to these figures. In the few days after landing these numbers were considerably increased; Seacome acknowledges that Derby had 600 horse at the battle, while Lilburne says that the royalists had increased to 1,400 or 1,500 men, and the "Discourse" gives them 1,000 foot and 500 horse. Lilburne's estimate of his own army, as stated in the letter to Cromwell, may be accepted as correct. He writes: "I had only my own regiment, and those three companies of foot, and the 60 horse and dragoons." His own regiment of horse he had brought with him; two of the foot companies had been sent from Chester, and one, together with the 60 dragoons, from the garrison at Liverpool. "Discourse," p. 75; "C.W.T.," p. 297. The latter of these references is to a letter from Birch, the Governor of Liverpool, who writes: "All that could be afforded in assistance were two foot companies from Chester, one of my Regiment, left about Manchester, not being so ready as the rest to march out, and what musketeers I horsed from hence with some few countrymen." A regiment of cavalry in the New Model Army numbered 600 men. Firth, "Cromwell's Army," p. 42. Dragoons in the seventeenth century were not cavalry, but mounted infantry. Mr. Gardiner's account of the Battle is not quite correct ("Commonwealth," Vol. 2, p. 39). He says: "Lilburne fell back through Wigan.... Entangled in the lanes south of the town he was compelled to fight, etc." Wigan Lane is the road out of Wigan to the north.

[233] A monument to Tyldesley was erected on the spot where he fell by his cornet, Alexander Rigby, of Layton, when the latter was Sheriff of Lancashire in 1677. The monument still stands: it was restored by the Corporation of Wigan in 1886. The long inscription is printed by Canon Raines. "Stanley Papers," pt. 3, Vol. 2 (C.S. 67), p. cccxxxiii.

[234] This letter is printed in "Cary," Vol. 2, p. 320; Marlet, "Charlotte de la Tremoille," p. 239.

[235] Hughes' "Boscobel Tracts," pp. 174, 190.

[236] For the narrative of Derby's capture we are indebted to Capt. Hodgson ("Autobiography," p. 48). Little seems to be known about Edge; but the name of Oliver Edge occurs in a statement about the seating of Manchester Church in 1649, which was largely signed by the inhabitants of the town, and this signature is very probably his. ("Manchester Municipal Records.") He belonged to the family of Edge of Birch-Hall Houses near Manchester. Halley's "Lancashire Puritanism and Nonconformity" (2nd ed. in 1 vol., 1872), p. 286.

[237] "C.J.," Vol. 7, pp. 8, 9.

[238] "C.S.P.," 1651, pp. 422, 423. "C.J.," Vol. 7, pp. 9, 16.

[239] The official record of the trial of the Earl of Derby, from the original in the Library of the House of Lords, is printed by Canon Raines in the appendix to his "Stanley Papers," pt. 3, Vol. 2 (C.S. 67), pp. cccxxxiv-ccclvii, as well as other valuable documents relating to the Earl's trial and death. *Vide* also "Discourse," pp. 78-85; "C.W.T.," pp. 311-323.

[240] "C.S.P.," 1651, p. 457.

[241] Duckenfield and Birch to Lenthall. Ramsey, Nov. 2. ("Tanner MSS.," Vol. 55, fol. 87.)

[242] Marlet, "Charlotte de la Tremoille," p. 151.

[243] Gardiner ("Commonwealth," Vol. 2, p. 62, note) quotes a Newsletter of Salvetti, which seems decisive on this point. As the Earl's death has been attributed to Cromwell's own influence the quotation may be repeated here: "Il General Cromwell fa buonissimi uffizii per salvarlo la vita, con conditione che consegni nelle mane del Parlamento la sua isoletta di Man, della quale se ne intitole Re."

[244] "Seacome," p. 133.

[245] "Raines," *op. cit.*, p. ccxvii, ccvxiii. Canon Raines here repeats a wild story from Seacome, to the effect that this petition would have been allowed by the House, had not Cromwell and Bradshaw contrived to reduce the number of Members present to less than 40, so that no question could be put. There is no foundation for this statement. As a matter of fact, the House voted that Derby's petition should be read, but it could not possibly be dealt further with owing to the impossibility of sending a messenger into Lancashire in time to stop the execution, had that been intended. ("C.J.," Vol. 7, p. 27.) For Cromwell's real attitude towards the reprieve, *vide* note on p. 201.

[246] "The Earl of Derby's Speech on the Scaffold, etc." ("C.W.T.," p. 320). The best account of the Earl's last hours is naturally given by Seacome, who quotes Bagguley's "Narrative" (pp. 120-127), "Discourse," pp. 82-85: "The Earl was no good Orator, and the tumult put him out of speaking what he intended; he was much afraid of being reviled by the people of the town, but they rather pitied his condition."

[247] "The Earl of Darby was a man of unquestionable loyalty to the King, and gave clear testimony of it before he received any obligations from the Court, and when he thought himself disobliged by it.... He was a man of great honour and clear courage; and all his defects and misfortunes proceeded from his having lived so little time among his equals, that he knew not how to treat his inferiors: which was the source of all the ill that befell him, having thereby drawn such a prejudice from the persons of inferior quality, who yet thought themselves too good to be contemned, against him, that they pursued him to death." ("Clarendon," Macray, Vol. 5, p. 184, bk. 13, par. 68).

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